

First shot was not --- 90 could not  
have been 7.

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Warren Commission members and their general counsel presenting their Report to

President Johnson. September 24, 1963.

Senator John Sherman Cooper

Senator Richard Russell

Raymond Marcus

Sylvia Meagher

Hal Verb

President Kennedy speaking in a light rain, 8:45 a.m. November 22, to a labor

group at a parking lot across from the Texas Hotel, Fort Worth

President Kennedy profile from parking lot speech.

Brig. General Godfrey McHugh

Harold and Lillian Weisberg

Warren Commission exhibit of Zapruder frame 210

Warren Commission exhibit of Zapruder frame 207 showing patching.

Warren Commission exhibit of Zapruder frame 212 showing patching

Shaneyfelt Exhibit No. 25. False map of Willis' position. .

CE399

President Lyndon B. Johnson taking the oath of office aboard Air Force One.

J. Edgar Hoover, Director, FBI

Manuscript Secret Service map of Dec. 5, 1963, depicting bullets striking on

Dealey Plaza contrary to the Commission's findings.

Sketch map of Dealey Plaza

Gerard "Chip" Selby

Nicholas Katzenbach [to be sent later]

James H. Lesar [to be sent later]

Abraham Zapruder [no photos could be found, apparently Sixth Floor has some  
now]

Henry Zapruder [ditto]

Abraham Zapruder on WFAA-TV, Nov. 22 showing bullet hitting JFK in front,  
not back of head [ Sixth Floor owns]

540 75

## Chapter 14

## Willis #5 &amp; Zapruder frame 202: conspiracy affirmed

When a reasonable person concerned about the charges of conspiracy in the assassination of President Kennedy seeks to understand them he does what is normal. He turns to the vast amount of recent books and articles and videos produced on the subject hoping to find a way to substantiate the claims. But he soon realizes he has made a mistake for he is quickly lost in a strange theory-haunted wilderness of the arcane and the preposterous--with a handful of exceptions.<sup>1</sup> Aside from those few works with limited circulation nothing fundamentally helpful emerges in the general literature that would satisfy the minimum conditions of the ordinary intellect and fulfill the hard demands of practical objective scholarship.

Yet, if the same individual would step back a generation to examine the exceptional literature produced by the first generation of critics he would find the criteria of legitimacy demanded by the most skeptical and questioning inquirer fully met with numerous examples. One of those instances is Harold Weisberg's discussion of the fifth of the twelve 35-mm slides taken on November 22, 1963, by Philip Willis, known as Willis # 5, viewed in conjunction with Willis' testimony before the Commission and the information found on Abraham Zapruder's motion picture frames 181-206.<sup>2</sup>

A clear proof that two or more riflemen shot JFK lies forever caught on that single 35-mm slide and those twenty-six tiny frames. This grim fact unlike so many recent claims about the murder stands solidly in the official evidentiary base. In 1963 and 1964 investigative agencies grappled with these films and the implication they carried to the official conclusion Oswald alone and unaided killed JFK. They were successful in masking the evidence.

The proof is easily described and quickly apprehended with its factual components impregnable to any efforts that might seek to deny them.

The basic points of the federal theorists

The official findings only a theory

The official federal conclusion of a lone assassin is erected upon a theory. This statement's authenticity is beyond question. From the executive sessions of the Warren Commission to memoranda and memoirs of its staff and from the investigative agencies we find the commissioners devised a theory to provide a "solution."<sup>3</sup>

An illustration of this presumption of Lee Harvey Oswald's sole guilt is found in the January 11, 1964, "The Tentative Outline of the Work of the President's Commission" sent to Commission members by the Chair of the Commission, Chief Justice Earl Warren.<sup>4</sup> Drafted before the Commission had examined any evidence whatsoever, Warren's outline formulates the essential points the Commission would address. It is essentially the conclusions of the final Report that lone assassin Lee Harvey Oswald shot JFK for personal reasons. Similar memoranda by staff members David W. Belin<sup>5</sup> and

Norman Redlich<sup>6</sup> composed early in the investigation reiterate the same presumptive theme.

Before proceeding it is necessary to remind ourselves of certain basic points in the official conclusions on the murder in order to understand the importance of Willis #5 and Zapruder frames 181-206. This is the official account.

#### Basic points to recall

In its September 1964 Report<sup>7</sup> the Warren Commission held that from the easternmost window <sup>on the eighth floor</sup> of the School Book Depository Lee Harvey Oswald,<sup>8</sup> alone and unaided and for purely personal reasons,<sup>9</sup> fired three shots. "... the preponderance of the evidence, in particular that three spent cartridges, led the Commission to conclude that there were three shots fired."<sup>10</sup> He killed President John F. Kennedy, severely wounded Governor John B. Connally, and slightly wounded citizen James Tague standing near the triple underpass.<sup>11</sup> One shot missed.<sup>12</sup> It claimed it did not know which one. "The evidence is inconclusive as to whether it was the first, second, or third that which missed."<sup>13</sup> Two shots hit JFK.<sup>14</sup> The first to hit JFK struck him "near the base of the back of the neck,"<sup>15</sup> then "passed through the President's neck,"<sup>16</sup> exited the throat,<sup>17</sup> and continued on into the body of Governor Connally to inflict five wounds and break two large bones.<sup>18</sup> The second of the two shots to strike the President "entered the back of his [the President's] head and exited through the upper right portion of his skull"<sup>19</sup> at a time corresponding to frame 313 of the Zapruder film and killed him.<sup>20</sup> The missed shot hit the curbstone near Tague, spraying him with concrete and slightly wounding him.<sup>21</sup>

Oswald, according to the official conclusions, stood ["he was standing up"]<sup>22</sup> and sat ["the boxes in the window . . . serve(d) as a gun rest"]<sup>23</sup> in the Depository window.<sup>24</sup> But constraints external to the building made it impossible for Oswald to fire the first shot before frame 210. ". . . the foliage of an oak tree . . . came between the gunman and his target,"<sup>25</sup> blocked his view of JFK from frame 166 until that frame.<sup>26</sup> The Commission stated that "the President was not shot before frame 210"<sup>27</sup> which was the first opportunity Oswald could possibly have fired a shot.<sup>28</sup> An important part of the official conclusions was the finding that a sign on the north side of Elm Street obstructed "Zapruder's view"<sup>29</sup> of JFK from frames 210 until 224.<sup>30</sup>

The Warren Commission's allegations are so tightly constructed and facts so interlocked that if a shot occurred prior to frame 210 Oswald could not have fired it.<sup>31</sup> The majority of defenders of the official findings who have examined the Commission Report concur.<sup>32</sup> If a shot came anytime before frame 210 then a second rifle and a second shooter would be required and that would mean two or more shooters killed President John F. Kennedy.

Willis fifth slide and Zapruder's frames 181-206 conclusively demonstrate a shot hit JFK just prior to frame 190.

Willis # 5 & Zapruder frames 181-206

Philip Willis snaps a picture

On the morning of November 22, 1963, Philip L. Willis, an "independent real estate broker" and retired Air Force major disabled in World War II, took his daughters Linda Kay, age 14, and Rosemary, age 10, out of school and together with his wife



Marilyn went to Dealey Plaza to see the President and Vice President. He brought his Argus 35-mm camera. As he testified before the staff of the Warren Commission, he positioned himself on the northwest corner of Houston and Main on the edge of the plaza across from the county jail and a block south of Elm Street.<sup>33</sup>

From the corner he shot three pictures. One captured the President approaching the turn onto Houston Street. Another was of the motorcade turning onto Houston. He took a picture, the third, "from the rear after he [JFK] proceeded down Houston." Then Willis ran across the plaza to station himself "on the south curb of Elm Street" before the limousine approached to take another picture. From ten feet away he snapped his fourth "of the President directly in front of the Texas School Book Depository." Then he quickly moved "down the street slightly to try to get another view" with his camera to his eye "looking through the viewfinder to try to get another picture of him before he went out of range." "Three seconds" later before he was ready to take a picture "a shot caused" him "to squeeze the camera shutter" and in reaction to the sound he "took picture No. 5."<sup>34</sup>

Then Willis lowered his camera.<sup>35</sup> He and his family remained on Dealey Plaza for another hour. He continued to take pictures, more than the twelve he sold.

#### Implication

On Willis' # 5 slide President John F. Kennedy is seen in his limousine. In the foreground is the Secret Service back up limousine with agents on the running boards.<sup>36</sup> Looking further into the distance on the picture beyond the limousines of the motorcade

and to the right of the Freeway sign one sees Abraham Zapruder standing atop one of the pergola's decorative abutments on the north grassy knoll filming the motorcade.<sup>37</sup>

When we then view Zapruder's film we see Philip Willis appears on frames 181-206. By frame 199 one can see him with his camera raised to his eye.<sup>38</sup> At frame 202 the camera is still raised.<sup>39</sup> Frame 203 is blurred.<sup>40</sup> At frame 204 the camera comes down and by frame 206 Willis disappears from the lens.<sup>41</sup> Willis' testified that his reaction to trigger the shutter came after hearing the shot, "the shot caused me to squeeze the camera shutter . . . That picture was made at the very instant that the first shot was fired."<sup>42</sup> From the instance of the shot being fired, to its being heard, to Willis' physiological reaction, and his snapping the shutter meant the slide was taken several Zapruder frames earlier than the image recording frame of 202, probably just prior to frame 190.<sup>43</sup> The camera turned at 18.3 frames per second.<sup>44</sup> From frame 190 to frame 202 is less than a second.

#5 is slightly out of focus reflecting that Willis in reflex snapped the shutter before he was completely focused.

Willis' capture of Zapruder on his # 5 slide and Zapruder's capture of Willis on his film by themselves establishes that the first shot occurred before frame 210. This requires two riflemen to have assassinated JFK. It demolishes the official conclusions on the assassination.

In addition to Willis #5 and Zapruder frame 202 establishing a shot at about frame 190 there is additional corroborative evidence that will be addressed later in the present chapter.

Corruption and masking: the official investigations

Warren Commission staff and FBI agents confronted the implacable and conspiracy affirming evidence held on the photographs with a series of deceitful tactics, obfuscation of the evidence, and spectacular corruption of essential facts designed to accommodate a theory that a single assassin killed JFK. While these judgments of the investigators may appear extreme to many uninitiated in the techniques of the Commission and the FBI, they are neither precipitous nor groundless but rather are based on a solid review of the evidence and accurately reflect the reality of what occurred.

Why federal officials examined Willis #5

Neither duty nor honor led federal authorities to examine the evidence on Willis # 5, but the fear of public exposure of their failure to have done so, a lesson perhaps in the value of press reporting in a republic. The decision arose suddenly.

For six months Willis # 5 with its shattering evidence lay safely dormant while the investigators of the assassination proceeded with their investigation of the crime providing the factual details to fit the iron bed of their procrustean theory. Then Willis took innocuous steps that focused public attention upon the slide. In May 1964, Phil Willis grew weary of answering the many requests from citizens to see his slides so he gathered the best twelve and sold them commercially to satisfy the inquiries.<sup>45</sup>

In June the New York Tribune and Chicago American newspapers among other newspapers reported that the commercial sets of the heretofore-obscure slides were now available to the public.<sup>46</sup> The press account triggered an immediate response. Although the investigation into the murder was practically completed and a report had been initially slated for a June release,<sup>47</sup> soon after the newspapers related the fact of Willis' slides

being available and of a film not being utilized, FBI agents called on Willis. In June 17 interviews with his wife and June 18 interviews with him the FBI filed reports and in concert with the staff of the Commission began their complicated process of burying the evidence found on slide # 5.<sup>48</sup>

Warren Commission staff who played the key role

Three assistant counsels on the Warren Commission staff played key roles in the official investigation of Willis' slide and bear the primary responsibility for its deliberate corruption. All were from the best colleges in the nation and the top law schools, bedecked with Latinate honors and editorships of journals, the brass ring of student achievement. They were bright stars in the legal profession, men of promise and good lawyers who in the process of investigating President Kennedy's death casually cast aside their honor as a worthless cloak and tainted their integrity as a quality not desired in the political order of the United States.

Wesley J. Liebeler was the thirty-three year old graduate of Macalester College, St. Paul, Minnesota, and a cum laude graduate of the University of Chicago Law School. He was associated with the New York City law firm of Carter, Ledyard & Milburn.<sup>49</sup> On July 22, 1964, Liebeler took the truncated and controlled testimony of Phil Willis and Linda Kay Willis.

Arlen Specter was a year older than Liebeler, from the Ivy League University of Pennsylvania and a graduate of the Yale Law School. He had practiced law in Philadelphia and from 1959-1964 was a city assistant district attorney.<sup>50</sup> Specter's task

was to introduce through the testimony process a fraudulent map of Dealey Plaza as the basis for manipulating the data on the Willis and Zapruder films.

Norman Redlich was thirty-nine years old. A graduate of Williams College and Yale Law School he was a Professor of Law at New York University School of Law.<sup>51</sup> He would examine FBI Agent Lyndal Shaneyfelt about Shaneyfelt Exhibit 25 where the Bureau falsely placed Willis and Zapruder on a fake map.<sup>52</sup>

Our concern with these three staff members are exclusively with the factual aspects of their work and its results. Neither their fine education and background, nor their family relations, nor their putative motivations have any relationship to our inquiry. We can only observe that not one of them was a member of or sympathizer with or agent of organized crime, the CIA, foreign governments, the teamsters, Cuba and her agents, the actual assassins, or a partisan follower of President Johnson.

#### Willis' equipment & film

On July 22, 1964, Willis testified under oath before Assistant Counsel Liebeler and a court reporter in the offices of the United States attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Texas, at 2:30 in the afternoon.<sup>53</sup> During the forty-five minutes of questioning Liebeler neither sought nor acquired any information on the type of camera used, the film, the lens, the settings, and the number of pictures taken. These are important factual details to have obtained for a number of perhaps obvious reasons, but in discussing evidence about a photographic question they are essential to assist an expert in making a sound study of the slide. Even a rural county judge would have required them to be recorded.

Years after the investigation a historian has determined these technical facts of camera and film.<sup>54</sup> An amateur photographer Willis used an Argus 35-mm Autronic I, Model 351565-M with a F-2.8 Cintar lens loaded with Kodachrome slide film, ASA rating of 25. He took 27 slides and marketed the best 12.<sup>55</sup>

In addition to ignoring the important mechanical aspects of the slides Liebeler also did not establish a chain of possession for them, certainly a sine qua non in a criminal investigation and a procedure followed with many items of non-essential evidence. Accordingly we have no attested knowledge of when the slides were developed, who possessed them besides Willis, if or when, leaving open the question of whether the fifth slide had been altered by the FBI.

What we know of the chain of possession comes from various Willis family interviews with critics and from desultory and filtered FBI records of its interviews.<sup>56</sup> Willis and his family lingered on the plaza for an hour, then drove to 3131 Manor Way to the Eastman Kodak developing plant.<sup>57</sup> As they arrived at Kodak facilities they saw the beautiful blue and white presidential airplane, Air Force One, sparkingly in the sunlight, slowly pass overhead as it ascended to the heavens carrying JFK's corpse home.

Almost immediately after they arrived at the processing plant, Willis later told citizen interviewers, Secret Service Agent Forrest Sorrels entered the plant with Abraham Zapruder.<sup>58</sup> When Willis' film was developed Sorrels asked to view the slides and was permitted to,<sup>59</sup> although there is a disturbing lack of precision in the record on this point in FBI reports.<sup>60</sup> The Secret Service might have come for them a little later. Weeks later Willis had to request their return.<sup>61</sup> Federal control of the film for weeks provided the authorities with a good knowledge of the contents of the slides and an obvious

understanding of their importance to the inquiry. Yet, they did nothing with them, primarily because the information damned their lone assassin theory.

If the slides had been altered it would have occurred during the period Willis did not control them. For example, there is a suggestion to the untrained eye that a small spot on the fence line atop the grassy knoll has been blacked out with a marker. Whether this is a valid observation is beyond the expertise of the present writer for that would require a photographic expertise to determine if it is true. But federal manipulation of the slide's information leaves officials open to the suspicion; integrity of evidence does not rest on the character of attorneys but upon the evidence itself.

#### Exhibits & archival

Confusion covers the exhibit numbers and archives holdings relating to Willis # 5. In the assassination investigation when the Commission staff examined witnesses each piece of evidence brought forward in the course of the testimony was assigned a name and number called an exhibit number, essential for reference and an imperative for research. The published record of Commission Exhibits fills eleven thick books.<sup>62</sup>

At 10:40 AM of July 22, 1964, Liebeler deposed Emmett J. Hudson the groundskeeper of Dealey Plaza where he introduced Willis # 5 for no good reason at all and labeled it Hudson's Exhibit 1.<sup>63</sup> In taking Willis' testimony four hours later, the very individual who had snapped the picture in question, Liebeler refers to it as Hudson's no. 1.<sup>64</sup> Then late in the testimony he assigned Willis' commercial set with the exhibit number Willis 1.<sup>65</sup> Later in September when FBI agent Shaneyfelt testifies slide # 5 is given the exhibit number of Shaneyfelt 25, which is unidentified on the exhibit as to

origin and is labeled "A" as the top half of the single sheet, a chart "B" comprising the lower half.<sup>66</sup> Thus a novice examining the record is thoroughly lost and inhibited if not intimidated in attempting to decipher the needless code of three exhibit names and numbers for the same slide (that strangely appears in slightly different forms) and the common name of Willis #5.

As part of his devices to submerge the evidence in Willis # 5 Liebeler also ignored common legal principles as well as common sense when he did not obtain the original of Willis slide # 5 for the investigators to utilize in the President's murder inquiry. Instead he used a copy from one of Willis' commercial sets of 12, thus reducing the clarity of # 5 by a generation.<sup>67</sup> (Of course, he did not even acquire copies of the full 27, let alone the originals, a decision unfortunately consistent with federal policy toward photographs of the assassination.)

#### Willis' testimony

Willis was disgusted with Liebeler. "He just asked what he wanted to know and that's all," Willis told an interviewer years later, "He told me not to elaborate, he didn't want too much information, just what he asked me."<sup>68</sup> How true! The forty-five minute session of July 22 afternoon seems more to read as pro forma, to have a formal paper record for posterity rather than to inquire into the evidentiary base and peg down the facts of the crucial picture taken by citizen Willis.

Among other aspects of information held by Willis, the civilian <sup>close</sup> perhaps closest to the President when he was shot, eliminated by Liebeler's restriction of the session to only what he wanted was: a) each of the shots heard by Willis hit their mark; he was "sure all



three shots fired found their mark."<sup>69</sup> b) The last shot came from the front.<sup>70</sup> c) Marilyn Willis was not called to testify and she had an excellent site from the peristyle just behind her husband to watch the assassination.<sup>71</sup> She also said the last shot came from the front.<sup>72</sup>

#### Location of Willis

Central to the understanding of information contained on Willis' slide # 5 is to know precisely where he stood to squeeze the shutter. With this critical point determined his relationships to Zapruder, Kennedy, and other people and objects in the plaza are defined and the information on the slide becomes vital. Assistant Counsel Liebler avoided fixing Willis' location on a map during his carefully controlled deposition of him, although Willis volunteered how to fix his position. .

#### FBI Agent Lyndal Shaneyfelt, the Commission staff & the false map

Where Phil Willis stood when he took his fifth slide was not only an easily performed mechanical task to determine but police and FBI and professional photographers routinely followed similar procedures. The Commission, staff and the FBI used three methods or tactics to mask the actual location of Willis and rescue their necessity of having the first shot fired at frame 210. They kept Willis' location vague during a token deposition. They utilized a cunning artificial (and false) simulation used as a substitute for fact. They simply did not mention or utilize the certain way to demonstrate that Willis snapped the slide by or before frame 202.

Liebeler kept the questioning of Willis on his location brief and confusing, pretending that the absurd was the rational: that only Willis himself could place Willis on the plaza. Willis, a decent helpful citizen, tried to provide information on where he stood, but Liebeler gave him short shrift. "So, you are not able to tell us exactly where you were when you took the picture . . . ?" Liebeler abruptly stated to Willis when he sought to explain where he stood.<sup>73</sup> Willis again attempted to answer by referring to a shadow cast by a tree near his position and by other visual landmarks. He referred to the John F. Kennedy Memorial Edition of Life magazine. ". . . this picture No. 2 on page 4 . . . there is a tree in the background. The only tree in that immediate vicinity on that side of the street. And the shadow of that tree is shown in slide No. 5 that I took, which would show my position. . . . if you look in my picture here, you can see the shadow in that picture."<sup>74</sup>

Liebeler cut him off before he completed his explanation with an "all right" that to a historian as to a general reader reads as preemptive disgust, and left the subject of locus vague in the extreme and moved on to another topic. From FBI reports of interviews with Willis, carefully read by Liebeler before hand, Willis had no doubt of where he stood.

But the Willis testimony is all part of a charade by Liebeler foisted on an innocent citizen and upon long suffering Justice. From the clear original Zapruder film a high school student with normal visual and cartographic aids could precisely position Willis. The overwhelming simplicity of the issue, the clarity of the evidence, and the thorough knowledge of it all by Liebeler can only logically mean the esteemed attorney did not want Willis located exactly. The great imperative in the official investigation was to

position him to accommodate frame 210 of the Zapruder film, the first frame Oswald could have fired the shot that wounded JFK. A general, vague statement would serve the ends of official purposes.

The FBI furnished the Commission a chart or map of Dealey Plaza that set down the results of its careful study of the evidence discovered on Zapruder 202 and # 5. The normal American citizen is a trusting person. Indeed who would expect the base map utilized by the staff of the Commission and agents of the FBI in discussing # 5 to be false to the facts of November 22 and lines and positions on it constructed to mislead? Yet, it was. And, this was the strength of the federal investigators manipulation, the decency of the citizenry implicitly to believe what they were told by federal servants and investigators laboring at a task of such importance to the nation. The assistant counsel responsible for entering the fake map into the record as evidence was Arlen Specter.

Before discussing the distorted map we note the existence of a valid map of Dealey Plaza reflecting the actual conditions of November 22, 1963, among the Commission records. On December 5, 1964, Robert H. West Dallas County official surveyor drew a true map of the plaza for the Secret Service,<sup>75</sup> that is part of the Commission record and bears a date of composition.

The map used to record an analysis of slide # 5 was drawn on May 24, 1964. On June 4, 1964, in Washington before five commissioners, two other members of the staff, Waggoner Carr of the Texas Court of Inquiry, and an observer from the bar association, Specter deposed Leo J. Gauthier, an Inspector for the FBI and in charge of the Bureau's exhibit section.<sup>76</sup> Gauthier testified that on May 24, 1964, Robert West made a survey map of Dealey Plaza for the Bureau to use in the reenactment.<sup>77</sup> Specter asked Gauthier

to describe the map and comment on its authenticity, which he did by discussing points on the plaza grounds as appearing on the map.<sup>78</sup>

If the natural intellect asks why a new map must be generated one-half year after the assassination, since officials already had a contemporaneous excellent map drawn by the same county surveyor resting in its files, there is no answer in the record. Specter did not ask nor did Gauthier volunteer. A tracing of the May 24 map became CE 882. One discovers it is undated.<sup>79</sup> The assumption of a non-critical reader from viewing the 882 exhibit would be that it was the same as the dated, December 5, map for in a quick cursory view it appears the lines and objects portrayed to be the same.<sup>80</sup> He would be mistaken.

Between December 5 and May 24 a change had occurred on Dealey Plaza important to our understanding of the Zapruder film and Willis 202. One in particular is important. The Stemmons Street sign, which appears in many frames of the Zapruder film, had been moved back several feet north from Elm Street toward Zapruder's position. The groundskeeper Emmett Hudson also testified to the changes that had occurred in Dealey Plaza since the assassination.<sup>81</sup> Zapruder films past the east pole of the sign in frame 202 toward Willis. It is impossible to determine if the height of the sign had changed or if movement modified its angle to the street. In addition to the sign shift another altered feature should be noted. The street was repaved with the road stripes different in number and different in location, all of critical importance in the criminal investigation of the murder.

Using the May 24 map FBI Agent Lyndal L. Shaneyfelt affirmed the official findings of no conspiracy. He prepared a study of frames 202-5 for the Commission that

demonstrated Willis' slide and Zapruder's picture of Willis was taken at frame 210. This was Shaneyfelt Exhibit 25 that Commission Assistant Counsel Norman Redlich introduced when he deposed Shaneyfelt on September 1 in Washington.<sup>82</sup> The FBI chart could not have been more properly designed to hide the facts and still be called an exhibit than what this officious agent prepared and Redlich gladly accepted. It was small, about a foot square, the original in the archives is so faintly labeled much of it is illegible, the printed version is practically unreadable.<sup>83</sup> Author Harold Weisberg accurately described the chart in his Whitewash: "... this exhibit is the prize winner. It includes the entire area from Houston Street to the Triple Underpass, five hundred feet, in three and a half inches. It is indistinct, unclear and incomplete. The lettering is so fine that it cannot be read with a magnifying glass under strong light."<sup>84</sup>

The FBI photographic expert divided his lines into three parts. The first line he drew a line on the chart/map linked Willis and Zapruder, which is a correct procedure. But then he split the remaining part of his study into two pieces, parts two and three. Part two: He drew a line from Willis' position (marked on the chart) to JFK (marked on the chart) which extended past JFK ending with the Stemmons street sign (marked on the chart). He drew his third line. The line passed from Zapruder (marked on the chart) to the Stemmons sign, then through the sign to JFK, which Shaneyfelt asserted coincided with frame 210. According to the map Willis took # 5 at frame 210.

At frame 210 in the official reconstruction Zapruder's view of JFK was blocked by the sign and a line on the map passing through it, for the official conclusions to be correct, must meet JFK, especially if he is hit. The FBI agent's chart must be sustained by objective and responsible justifications and proof for each mark, not his asserted word,

which is all we have. There is no reason to accept the location of JFK as valid, for he appears to have been pushed further west to fit into the desired solution. Thus, the lines from Willis and Zapruder meet for official history at frame 210, meaning no shot came earlier, and Shaneyfelt and Redlich save the Report.

The Commission staff and the FBI incorporated three known errors to achieve a result that would paper over the bitter truth.

1) The sign has been moved a significant number of feet distorting perspective, providing a wrong line of viewing, and bringing objects into different relationship, yet it was used in its new distorting position. Silently using that undated May 24 map one cannot relate with fidelity and truth--the reasonable principles of an inquiry--what Zapruder in fact saw on November 22.

2) Shaneyfelt used a false location for Willis. With his employment of general terminology the FBI Special Agent could have put him anywhere from frame 210 to frame 224 to draw the lines rather in the true fixed location further to the east on Elm Street. Shaneyfelt explained to counsel Redlich that how he fixed Willis location: ". . . I first determined from correspondence, that Mr. Willis was standing along the south curb of Elm Street, approximately opposite the Texas School Book Depository building."<sup>85</sup> He wrote Willis a letter and asked him to describe the location! Then he added under prompting from Redlich that, "I feel that the exact establishing of the position of Mr. Willis would not add a great deal of additional accuracy to my present conclusions."<sup>86</sup>

It shames a nation to know that the evidence for the location of a simply key witness of his murder was taken by United States mail.<sup>87</sup> It is a further affront to commonsense and a mockery of science for investigators to avoid "the exact" position of

Willis. The location of Willis was a pivot to establish distances and times and relationships measured in 1/18<sup>th</sup> of a second. But a vague reference "to the south side" enabled Shaneyfelt to manipulate the position of Willis on the chart to fit the Commission imperative of a frame 210. Under this FBI agent's "determination" Willis could have been standing anywhere along a several score feet of curbing from frames 166 to 210 of the Zapruder film.

3) The FBI photographic expert employed an improper triangulation when he drew lines from Willis to JFK to the sign and from Zapruder to the sign to JFK. The lines ought not to have gone to JFK, Willis-JFK-Stemmons and Zapruder-Stemmons-JFK. The first line should have connected Willis to Secret Service Clint Hill's left shoulder as he stood on the running board of the follow-up vehicle, then to Zapruder. From Zapruder it should have gone to Hill then to Willis. That occurred only at frame 202 and on slide # 5.<sup>88</sup>

#### The masking of Willis #5 in the Report

The Commission accorded their investigation of Willis # 5 three error laden sentences in the Report that disguised the evidentiary reality. "Another photographer, Philip L. Willis, snapped a picture at a time, which he also asserts was simultaneous with the first shot. Analysis of his photograph revealed that it was taken at approximately frame 210 of the Zapruder film, which was the approximate time of the shot that probably hit the President and the Governor. If Willis accurately recalled that there were no previous shots, this would be strong evidence that the first shot did not miss."<sup>89</sup>

As we have seen Willis snapped not "a" picture but many; the Commission neither defined nor acquired copies of them. He testified he took his fifth picture not "simultaneous with the first shot" but after he heard the first shot, in reflex action to the crack of the cartridge. A shot manifestly was fired several Zapruder frames earlier. It was not taken at "approximately frame 210 of the Zapruder film," but at frame 202. "If Willis accurately recalled" is false characterization of his testimony. The Commission staff waited eight months, then did not provide him time to set down his recollections and restricted what he could give to just a few narrow details.

To defenders of the Report, and to reporters from the powerful media who are inordinately impressed by the quantity and cosmetics of the federal presentations rather than by the evidence and are cowed by the stunning credentials of the investigators, the official allegations on Willis # 5 are additional definitive proof of Oswald being the lone assassin. There is, however, not an instance in the literature of the assassination where any defender of the Commission has addressed the evidentiary reality of Willis # 5 and Zapruder frame 202. The official presentation is accepted without question.

But the official story on Willis # 5 is a Red River drawn in the sand of theory. The elaborate FBI corruption of the film and its bogus map along with testimony manipulated and witnesses spurned by staffers of the Commission operates as a diversion from the evidence.

The official evidence on the fifth slide taken by Philip Willis is simple to locate. It comes from looking at the Zapruder film and watching Willis from frame 181 onwards with the Argus Autronic I to his eye sighting through the range finder, seeing him snap slide # 5 <sup>ins + be out</sup> at Zapruder frame 202, and looking as he lowers the camera by 204. One then



looks at Willis # 5 where one sees the President of the United States in the limousine and behind him atop the pergola abutment in the background Abraham Zapruder films Philip Willis. This official evidence means a shot was fired prior to frame 210, which is an impossibility for Oswald to have done so. *Actually before frame 202*

Other evidence supporting a shot at about frame 190

Willis # 5 and Zapruder 202 did not occur in a vacuum. Several photographic and witness accounts *including Zapruder* strongly support a shot at about frame 190, but are not in and of themselves necessary to legitimize the conclusion drawn from Willis # 5 and Zapruder 202 whose solid evidence establishes that a conspiracy killed President Kennedy. One of the more important of the other photographs was the third picture snapped by Hugh Betzner, Jr., and his relation of its circumstances. He stood on the south curb of Elm Street a few feet east of Phil Willis and took three photographs. His third picture corresponds to Zapruder frame 186.<sup>90</sup> Immediately after taking it, Betzner related to the Dallas County Sheriff the afternoon of November 22<sup>nd</sup>, that as he wound his camera "... I heard a noise. I thought the noise was either a firecracker or a car had backfired."<sup>91</sup> This suggests a shot corresponding to about frame 190.

Not only does the Betzner picture sustain evidence for a shot at about frame 190 but also the Zapruder film contains clear indications of a shot about that frame. In late 1964 the Commission printed black and white slides of the Zapruder film, two to the page in volume 18 of its hearings and exhibits volumes.<sup>92</sup> From the time of its appearance critics had noted the film becomes fuzzy starting at frame 190. Harold Weisberg observed it in his Whitewash published in 1965. "Beginning with frame 190, this film

suddenly becomes fuzzy."<sup>93</sup> The untrained eye can also readily discern the abrupt change in clarity. Viewing the excellent copy of the film and slides in the National Archives the fuzziness stands out.

In the late 1970s a House Select Committee's photographic expert reported two significant blurs or jiggles on the Zapruder film, the second coming at about frames 313 to 319 corresponding to Zapruder's physical reaction at the time of the head shot, and a similar reaction at frames 190 to 200, conceived as the time of a shot.<sup>94</sup> Dr. William Hartmann related before the committee,

HARTMANN: About frames 190 to 200 there is a strong blur reaction initiated. So having concluded that this is in fact, that the blur sequence around 313 to 319 is in fact a response to the gunshots, I would think that the logical inference would be that the blur sequence, the blur episode running typically from 190 to 200 is also a response to a possible gunshot. And we know that the President emerged from behind the sign somewhat later, some frames later, showing in fact a reaction to such a wound. So this could very well be the blur or startle reaction to the gunshot that caused the back wound to the President.<sup>95</sup>

In addition to the film's fuzziness or jiggle clearly signaling a disturbance associated with a shot its depiction of President Kennedy and his wife's reactions also support a dramatic change in posture starting around frame 190 indicative of a significant change occurring. In the 180 frames JFK is seen waving to the crowd on the north side of Elm and then about frame 193 his arms become wooden while his wife begins to turn

from the crowd on the south side of Elm to by frame 198 look at him. Their movements flag something amiss.

Further support for a shot at about frame 190 comes from evidence on the film in conjunction with Secret Service agent George Hickey's report. He rode in the back seat of the follow-up car. On November 30, 1963, he submitted his report of his activities on the 22<sup>nd</sup> to Gerald Behn, Agent in Charge of the White House Detail.<sup>96</sup> As the limousine moved down Elm Street, he wrote, "After a very short distance I heard a loud report which sounded like a firecracker. . . . I stood up and looked to my right and rear . . ." But nothing caught his attention so he turned to look at the President.<sup>97</sup> On the Zapruder film no agents react to anything until Hickey turns to his right beginning at frame 195, suggesting a shot occurred at a time corresponding to frame 190.

But in addition to Betzner, the film's fuzziness, the reaction of President and Mrs. Kennedy, and Hickey's turn a number of witnesses standing on the south side of Elm Street near the sign as well as riding further back in the motorcade related information that if valid would mean recognition of a first shot prior to frame 210 and around frame 190. Unfortunately the critical community has not had sufficient time to peg the witnesses' exact location from an exhaustive analysis of other photographs and correlate and analyze the testimony with the result an element of uncertainty in their position on Elm Street and a slight reservation on their impress witness enters my uninstructed mind.<sup>98</sup>

Conclusion

Willis # 5 and the frames clustered around Zapruder frame 202 in conjunction with Phil Willis' solid testimony delivered in secret and under duress in and of themselves affirm a shot at about frame 190. Other photographic and witness testimony supports the same inescapable conclusion, but are not necessary to confirm and sustain the Willis-Zapruder evidentiary validity.

94. Ibid., 453.

95. Ibid., 100, 101, 102, 103, 108, 114.

96. Ibid., 99.

#### Chapter 14

1. The premier instances include Harold Weisberg, Never Again (New York: Carroll & Graf, 1993) on the autopsy and Chip Selby's video on the single bullet theory, Reasonable Doubt (Laurel, MD: CS Films, 1988).

2. Harold Weisberg, Whitewash (Frederick, MD: By the author, 1965), 44-46, 209; Harold Weisberg, Whitewash II (Frederick, MD: By the author, 1966), 142-149, 196-206.

3. Harold Weisberg, Honorable Men. The men who assassinated the truth about the assassination of Kennedy, Unpublished MSS (Frederick, MD: By the author, 1996). "Executive sessions of the President's Commission," MSS, especially sessions of January 22 and January 27, Weisberg Archives, Frederick, MD.

4. Earl Warren, "Tentative Outline of the Work of the President's Commission," January 11, 1964, reproduced in Howard Roffman, Presumed Guilty (Rutherford, NJ: Fairleigh Dickinson University, 1973), 256-262. Roffman shows the Commission's work was based on a preconception of Oswald's sole guilt.

5. David W. Belin, "Memorandum to J. Lee Rankin," January 30, 1964, reproduced in Roffman, Presumed Guilty, 263-264.

6. Norman Redlich, "Memorandum to J. Lee Rankin," March 26, 1964, and "Memorandum to J. Lee Rankin," April 27, 1964, reproduced in Roffman, Presumed Guilty, 265-270, 271-273.

7. The best examination of the Report is by Harold Weisberg, Whitewash (Frederick, MD: By the author, 1965). See too, Sylvia Meagher, Accessories After the Fact (Indianapolis: Bobbs-Merrill, 1967).

8. Report of the President's Commission on the Assassination of President John F. Kennedy (Washington, D.C.: GPO, 1964), 137-149, 195. The Warren Report.

9. Ibid., 423-424.

10. Ibid.

11. Ibid., 111.

12. Ibid., 111-117.

13. Ibid., 111.

14. Ibid., 48.

15. Ibid., 60.

16. Ibid., 88.

17. Ibid., 89-90.

18. Ibid., 92-96.

19. Ibid., 109.

20. Ibid., 108, 110.

21. Ibid., 116.

22. Ibid., 63.

23. Ibid., 140.

24. Ibid., 61-117.

25. Ibid., 97. Live oaks bear evergreen leaves that are elliptical or oblong, from 2 to 5 inches long and 1/2 to 2 inches wide that do not drop from the tree until spring.

26. Ibid., 98.

27. Ibid. 98.

28. Ibid. 98.

29. Ibid., 105

30. Ibid., 98, 102.

31. Ibid., 61-117.

32. See for three examples of staunch defenders of the Report: William Manchester, The Death of a President (New York: Harper & Row, 1967); Jim Bishop, The Day Kennedy was Shot (New York: Funk & Wagnalls, 1968); and, David Belin, November 22, 1963 (New York: The New York Times, 1973). For a book length scholarly critique of one defender of the Commission, Gerald Posner, Case Closed (New York: Random House, 1993) see Harold Weisberg, Hoax.. Unpublished MSS (Frederick, MD: By the author, 1994).

33. Following Willis' testimony in Hearings before the President's Commission on the Assassination of President Kennedy, vol. 7 (Washington D.C.: GPO, 1964), 492-497. Hereinafter cited as 7H492-497.

34. Ibid.

35. Ibid.

36. Hearings before the President's Commission, 20HHouston Exhibit 1; Weisberg, Whitewash II, photographic section.

37. Ibid.
38. Frame 199.
39. Frame 202.
40. Frame 203.
41. Frame 204-206.
42. 7H493.
43. Interview Harold Weisberg.
44. Report of the President's Commission, 97.
45. Willis file, Weisberg Archives; 21H763-773.
46. Weisberg, Whitewash II, 202.
47. Ibid., 172.
48. Ibid., 202-203; Willis file.
49. Report of the President's Commission, 478.
50. Ibid.
51. Ibid.
52. Weisberg, Whitewash II, 240; 15H686-672.
53. 7H492-497.
54. Richard B. Trask, Pictures of the Pain. Photography and the assassination of President Kennedy (Danvers, MS: Yeoman Press, 1994), 168.
55. Ibid., 179.
56. Ibid.; 7H492-487; Weisberg files of FBI interviews, Willis files.
57. Trask, Pictures of the Pain, 179; Weisberg, Whitewash II, 203.
58. Weisberg, Whitewash II, 202.



59. Ibid.
60. Ibid., 203.
61. Ibid.
62. Volumes 16 through 26 of Hearings before the President's Commission.
63. 7H562.
64. 7H493.
65. 7H497.
66. 21HShaneyfelt Exhibit 25.
67. 7H497.
68. Trask, Pictures of the Pain, 180.
69. Weisberg, Whitewash II, 206, reproducing FBI document containing the  
remark.
70. Willis files; Trask, Pictures of the Pain, 180.
71. Interview Weisberg.
72. Ibid.
73. 7H495.
74. Ibid.
75. Weisberg, Weisberg II, 199; 17H262.
76. 5H135-138.
77. Ibid., 136.
78. Ibid., 137.
79. 17H961.
80. Compare 17HCE585 with 17HCE882.

81. 7H562-563.
82. 15H686-702.
83. Interview Weisberg.
84. Weisberg, Whitewash, 46.
85. 15H696.
86. 15H697.
87. Weisberg, Whitewash II, 195.
88. *Ibid.*, 195-202.
89. Report of the President's Commission, 112.
90. House Select Committee on Assassinations, Investigation of the Assassination of President John F. Kennedy: Appendix to Hearings before the Select Committee, vol. 2. 92nd Cong., 2nd sess., 1979, 183; Hal Verb, "The First Shot in the John F. Kennedy Assassination was Not the Missed Shot," paper delivered at Washington conference of critics, 1994, 2.
91. Hugh William Betzner, Jr., Affidavit to Sheriff's Department, November 22, 1963, 19H467.
92. 18H1-80.
93. Weisberg, Whitewash, 47. See also, 167.
94. Barb Junkkarinen, "First Shot/First Hit Circa Z-190," Kennedy Assassination Chronicles, 5, 2 (Summer 1999), 24-27; Doug DeSalles, "Follow-Up and Continuation to First Shot/First Hit Circa Z-190," Kennedy Assassination Chronicles, 5, 3 (Fall 1999), 20-23.
95. Select Committee on Assassinations, Investigation of the Assassination, vol. 2, 15.

96. The point made here does not relate to any material appearing in Bonar Menninger, Mortal Error: The Shot That Killed JFK (New York: St. Martin's Press, 1992). In 1995 Hickey claimed he had been libeled by the book and sued. In George Hickey v. St. Martin's Press et al. C.95-475-M, U.S. District Court D. N. H., the case was settled and the complaint dismissed. The terms were confidential. Attorneys for Hickey were James Lesar and Mark Zaid. See Harold Weisberg's discussion of Mortal Error's factual errors, The Lousiest Book on the JFK Assassination, Unpublished MSS (Frederick, MD: By the author, 1997).

97. 18H762.

98. Junkkarinen, "First Shot," passim; DeSalles, "Follow-Up," passim.

#### Chapter 15

1. "An Assassination's Retroactivity," The Minority of One, 9 (October 1967), 11-12; "New 'Plot' Inquiry Reported on Kennedy Assassination," New York Times, February 18, 1967; "New Oswald Clue Reported Found: New Orleans Official Vows Arrests Will Be Made," New York Times, February 19, 1967; "Data Are Requested on Oswald Inquiry," New York Time, February 20, 1967.
2. Milton E. Brener, The Garrison Case. A Study in the Abuse of Power (New York: Clarkson N. Potter, Inc., 1969), 61.
3. Interview Weisberg.
4. Ibid.
5. Jim Garrison, On the Trail of the Assassins (New York: Sheridan Square Press, 1990), 207-208.