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While Oswald made good his escape, law enforcement swarmed into Dealey Plaza. Outside the Depository, some witnesses later claimed they ran into Secret Service agents. Since there were no Secret Service agents at Dealey until 1:00 P.M., when Forrest Sorrels returned from Parkland Hospital, could that mean that somebody was impersonating Secret Service agents, indicating a conspiracy? Most of the witnesses later admitted they were mistaken.¹⁵ And immediately after the assassination, different groups of law enforcement officials (most of them having been there to watch the motorcade from nearby government buildings) spread out in Dealey—they included Alcohol, Tobacco and Firearms (ATF) agents, postal inspectors, officers from the Special Service Bureau of the Dallas Police, county sheriffs, IRS agents, and even an Army Intelligence agent.*

Initially, the police had searched the empty cars in the lot behind the grassy knoll, but they found no evidence of a shooter.¹⁶ Soon, eyewitnesses led the police to focus on the Depository. By 12:45, the building was sealed and a floor-to-floor search had begun.

At 1:12, almost forty-five minutes after the assassination, deputy sheriff Luke Mooney squeezed between two tall stacks of boxes on the sixth floor. "I had to turn myself sideways to get in there—that is when I saw the expended shells and the boxes that were stacked up, looked to be a rest for the weapon. . . . There was a very slight crease in the box, where the rifle could have lain—at the same angle that the shots were fired from."¹⁷ Mooney looked out the window and yelled for Sheriff Decker and Captain Will Fritz of homicide. Lt. Carl Day, chief of the Dallas Police crime scene search unit, photographed the three bullet shells in their original position.¹⁸ Then he dusted them at the scene for finger-

*The author has reviewed the 1963 badges for the above organizations, and found that several look alike. Any of those law enforcement officials could have been confused with Secret Service agents. Oswald's mistaken identification of newsman Robert MacNeil as a Secret Service agent shows the tendency in that pandemonium to judge any plainclothes "official" as Secret Service (HSCA Rpt. pp. 183-84; WC Vol. IV, p. 165; WC Vol. VI, p. 312; WC Vol. VII, p. 19; WC Vol. VII, p. 347; Interview with McDermott, March 7, 1992).

prints, but found none.* "That's routine," says Day. "You can handle them and still not leave a mark."¹⁹ The three empty shells were turned over to the FBI the next day. Ballistics tests later determined they were fired from Oswald's rifle, to the exclusion of any other gun.²⁰

Day also dusted the windowsills in the sniper's nest. "All the woodwork there was cracking and had a bad paint job," he recalls. "You can just tell sometimes that a surface won't have a print. There were none. You couldn't put a print on there if you tried."²¹ But he had more success with the boxes that comprised the sniper's nest. He expected to find many prints on them. "These things were being moved around all the time, so I thought we might get the shooter's prints mixed in with the workers' in the building," Day told the author. "But there was one print that I knew was fresh and important the moment it came up. At the window the assassin fired from, there were two stacked boxes, one on the floor and the other stacked on top, and that is apparently what he aimed from. A little behind that was a carton of books. That position is where he would have sat and looked out the window. It was plenty heavy enough to support him. When we used metallic powder on that box, toward the top of the corner, was a distinct palm print—right where it looked like he had been leaning his hand as he waited for the motorcade. He might have been a little nervous, because as he leaned his hand there, the oil or moisture in his hand left a very clear, unsmudged print. Usually, you can't get a print that good from cardboard, but he had been sitting there long enough to leave a real fine one. We knew we had a real good print, but we didn't know whether we would

*Some claim the shells were neatly arranged in a row by the window ledge, implying they may have been planted. But the photographs and Mooney's testimony indicate the shells were found in a random pattern. FBI tests showed that Oswald's rifle ejected shells at an angle that would have struck the stacked boxes, making their landing pattern unpredictable (WC Vol. III, pp. 401-2). Another shell is indented on the rim, raising doubts that it could have been fired from a rifle in that condition. In experiments by the House Select Committee, rapid firing of the Carcano resulted in some shells being indented in the exact location upon ejection (HSCA Vol. I, pp. 435, 454, 534).

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rina's "heart went to the bottom," but she did not say anything.⁸² Ruth had no thought that Lee was involved, but instead was excited that he worked at the same building from which the shots came, and that he probably could give them a "first-hand" account of the day's events.⁸³ But Marina was horrified at the news, and feared that Lee might be involved. At her first opportunity away from Ruth, she sneaked into the garage and found the East German blanket in which Oswald kept the rifle wrapped. When she saw it lying on the floor, she was relieved, believing the rifle was still inside. She watched television with Ruth until the announcement came that the President had died. Ruth walked about the house crying. Marina did not cry but sat silently on the sofa, still concerned about Lee.⁸⁴

The police did not have a warrant, but Ruth allowed them to enter the house. Ruth and Marina accompanied one of them into the garage. "The officer asked me . . . did Lee Oswald have any weapons or guns," Ruth recalled. "I said no, and translated the question to Marina, and she said yes; that she had seen a portion of it [the rifle]—and looked into—she indicated the blanket roll on the floor."⁸⁵ Ruth, who was standing on the blanket, immediately backed away and the policeman picked it up. It hung limp in his hand. Marina turned ashen. "Then, of course, I already knew that it was Lee," said Marina.⁸⁶

At the Dallas Police crime lab, Lt. Carl Day had begun dusting the metal on the rifle. He found partial prints near the trigger guard and at the main barrel. "There were some looping impressions," Day told the author, and "incidentally, it later turned out that Oswald had looping impressions as opposed to arches or whorls. But there was not enough to positively identify them as his."⁸⁷ Then Day moved to the wooden stock. "Down toward the end of the stock, there was a print partially developed," he recalls, "and I could see it running back up under the stock. So I lifted the gun out of the stock. When I dusted that print, it developed. I kept looking at it as it did not stand out real good—it wasn't a great print. So I took the tape and lifted that print off as best I could. It lifted off pretty well, considering it was a dim print."⁸⁸ That print was of Oswald's right palm.⁸⁹

Day then prepared to take pictures of the stock, using reflected

light and time exposures. But before he could finish, he was told the FBI was sending an agent to collect the rifle and to take it to FBI headquarters in Washington for further tests. "So I put the gun back in the stock," Day says. "I had my orders and I didn't do anything else to it. Around 11:30, the FBI came, Agent [Vince] Drain, and I gave him the gun. I told Vince, 'Here's a print right here,' and I pointed to it. I didn't give him that lifted print on the tape. They said give him the gun, and that's what I gave him. The gun had our powder all over it by then, and I know I wouldn't have liked to receive it in that condition once somebody else had started their work on it. It should have stayed with us."⁹⁰

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Day had so completely lifted the palm print that the FBI, in its November 24 examination of the rifle, did not find any evidence of it.⁹¹ No one knew that Oswald's print had been found on the rifle until Dallas district attorney Henry Wade told a reporter in an evening press conference on November 24.⁹² The FBI then examined Day's lifted print and confirmed it was Oswald's when it discovered that irregularities in the lift corresponded exactly with imperfections on the rifle barrel.⁹³

The print was important, because it was the first piece of direct physical evidence that placed the rifle in Oswald's hands. But the failure of the FBI to find a print in its initial examination has led to accusations that the Dallas police must have concocted the evidence in order to close the case against Oswald.⁹⁴ Oliver Stone, in *JFK*, created a scene that showed an unidentified man placing the gun into Oswald's dead hand to obtain a print. Such charges are ignorant of the chain of evidence, of how Day maintained the rifle under lock and key from the moment it was found on the sixth floor until it was turned over to the FBI. But to add to the conspiracy grist, FBI agent Drain claimed that Day never told him about the print when he picked up the gun.^{95*} J. Edgar Hoover was furious that his vaunted FBI laboratory failed to pick up any trace of one of the most critical prints in the

*The FBI did find a full print on the rifle, but it turned out to belong to Drain's assistant. Drain was later reprimanded by the FBI for mishandling the gun on the way to Washington (Interview with Bob Gemberling, March 8, 1992).

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case. Federal agents closely questioned Day about how he lifted the print.

"I respect the FBI," says Day. "I know I told him [Drain]. Now, I don't know if he heard me or paid any attention to me or what. I know what happened. People who claim there was a planted print don't know anything about fingerprinting. You can't even place a print on something from a card, and that's all we had on the first night, when I lifted that print. After lifting the palm print, I could still see traces on the stock with my reflective light. I can't guarantee it was still there when it got to the FBI office. They either overlooked it or it wasn't good enough to see by the time that gun arrived there. We found that print doing solid police work, and nothing anybody says can change that fact."⁹⁶