

THE KENNEDY INVESTIGATION:
ITS POLITICS AND STRUCTURE

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In the years since the assassination of John Kennedy, thousands of pages have been written on the subject. A recent bibliography puts the number of books and pamphlets at two hundred.¹ With this in mind, why another one?

The answer is simple. The subject is far from exhausted. In fact, whole new areas remain unexplored. Some of these subjects are dealt with in this paper; others, unfortunately, are not. When I originated the idea for this project, it was envisioned, paradoxically, as much more limited, yet much more comprehensive than it has become.

I had hoped to examine the impact of the assassination on society as a whole, both government and the public. Unfortunately, I had neither the expertise nor the resources to adequately examine the purely psychological and sociological impact. Nor was the political response in terms of policy making examined. Like the Warren Commission, I, too, was restrained by time limits. I have left this research to other times and other people more competent than myself. There remained, however, an enormous area to study.

This paper is divided into two sections. The first is a brief history of the assassination and the ensuing investigations. It draws primarily on the Warren Report, and secondarily on the account of historians and contemporary

accounts in magazines and newspapers. It is also written with the critiques of the report in mind, so as not to give it a biased view in favor of any assassination theory.

The second section examines the government investigation. While the section is a series of criticisms of the procedures used, it is not meant to imply that the investigation was without merit or success. On the contrary, most of the information on the assassination was uncovered by this investigation. Lauding these successes would be of little benefit, except to the ego of those investigators. Identifying the failures is, however, the first step in correcting them. This is why they are dealt with so extensively here.

The approach taken in this study is one not found in the writings, referred to in the first paragraph, examining the assassination investigation. The emphasis there is on the conclusion; either support or opposition is provided. Those writings dwell on the facts of the assassination itself. It is more a murder mystery than anything else. The mechanisms of investigation and the motivations of the investigators are usually mentioned only in passing, and then only to buttress some attack or defense. The emphasis in this paper is on the response by the government to crisis situations in general, and the Kennedy assassination in particular. The assassination is a case study to examine

this response. The choice of this crisis is not meant, however, to be universal or representative, simply instructional.

I had originally intended to dwell exclusively on the Warren Commission. In the course of the study, I have been forced to include a number of other agencies also, such as the F. B. I., the Secret Service, the C. I. A., and the Dallas police. This does not exhaust the impact of other agencies on the investigation, nor does this study exhaust the areas it does examine. However, it does attempt to provide a coherent, organized discussion of information previously revealed. The scope is far greater than I had intended it to be and yet much more remains.

A caveat before proceeding. The author of the study enters it with some well-developed biases. I do not accept the warren Commission findings of fact and I do believe that a conspiracy was involved. However, this is totally irrelevant to the examination of the investigation. An adequate investigation can result in an inadequate conclusion, just as an inadequate one can have a correct conclusion. The conclusions are simply value judgments, just as is the point at which an investigation is labeled "adequate." No attempt is made to label the whole investigation either adequate or inadequate (although specific procedures are so labeled). These judgments remain for the individual.

One last comment: this study has been both enjoyable and stimulating. I hope reading this paper will be the same. The investigation will not end with this paper, at least, not for me. It is and has been an ongoing project. Like so many subjects, this is open-ended and expanding. My presentation here is only a small part.

Section I: A Brief History

Robert Sam Anson, a writer of one of the more recent books criticizing the conclusions of the Warren Commission, claimed that "John Kennedy's death defies simple rationality. Its impact is as much emotional as political, discerned better by psychologists than historians."² It is the impact of the Kennedy assassination that forms the basis of this study. The historical aspect has been studied by numerous writers, both sympathetic and unsympathetic toward the Commission's conclusions, including Mr. Anson himself. The historical approach of "what happened?" may very well have been exhausted, but the approach of this paper, looking instead at the political impact, has barely been used.

Despite this surfeit of historical analysis, the place to begin any study such as this would be with a brief historical exposition of the basic subject. This is necessary both to acquaint the reader with the more obscure but possibly important facts of the subject and to remind him of the more publicized facts. In addition, it may help project the reader back to this time to better understand the reactions of various individuals and institutions discussed in this study.

The assassination of John Kennedy occurred at about 12:30 p.m., on Friday, November 22, 1963, during a motorcade

through downtown Dallas, Texas. Kennedy was present in Texas that day for one reason--politics. The state's byzantine politics were threatening him with defeat in that state in the following presidential election of 1964.

Not that Kennedy was worried about winning the national election itself; even his opponents conceded that, short of a major blunder, he would be reelected. Kennedy had in his mind the desire for a "mandate"--the legendary presidential landslide. His paper-thin margin had, he argued, cramped his style and made him abnormally cautious. It had led him to serious foreign affairs blunders. Although he had apparently become more comfortable and confident in his position, he needed a decisive victory to continue this "trend."

Thus, Texas was a problem. Elements of the moderate-conservative branch, headed by Vice-President Johnson and protege John Connally, were threatening to abandon Kennedy in favor of the Republican candidate. Kennedy's foreign affairs initiatives toward normalizing relations with Russia and Cuba, his support of civil rights, and his attack on the oil depletion allowance all rubbed against their innate conservative beliefs. In addition, the small liberal branch, headed by Ralph Yarborough, was at the high point of an off-on war with the conservatives. The liberals were staunch Kennedy supporters and this was enough to make many conserva-

tives Kennedy opponents.

The trip to Texas would hit San Antonio, Houston, Fort Worth, and end in Dallas. The intent was two-fold: first, mend the political fences between liberals and conservatives; second, overcome the conservatives' reticence with the "Kennedy charisma."

By the time the Preseident reached Dallas, it was apparent that the trip had been a success. Yarborough and Connally were once more speaking to each other and even seemed to be enjoying the other's company. As for the crowds, they had been uniformly large, happy, and friendly. Dallas, however, was the test. Only a week earlier, a crowd had spit on and verbally abused the U. N. ambassador, Adlai Stevenson. The experience had so shocked the ambassador that he warned Kennedy against the visit to Dallas.

Air Force One landed at Love Field at 11:37 a.m. It was soon apparent that Dallas' mood reflected that of the other Texas cities. Kennedy's welcome was tumultuous and happy. The welcome was so good that Mrs. Connally commented only seconds before the first shots sounded, "Well, Mr. President, you can't say Dallas doesn't love you."

After several minutes of hand-shaking, the President joined the motorcade, which departed, well behind schedule, for the site of the afternoon luncheon--the Trade Mart. By 12:30 p.m., the motorcade had almost reached the last leg

of the trip, Stemmons Freeway. To get there from Main Street, the motorcade had to turn right onto Houston Street and make an oblique left turn onto Elm Street.

The motorcade now entered Dealey Plaza, a large landscaped area surrounding Elm Street and two other converging streets (Main and Commerce). Suddenly, shots rang out. The President reacted first, hit by a shot in the neck and back. His hands came toward his throat; his face distorted in pain. Governor Connally, sitting in front of the President and Mrs. Kennedy, turned to see what happened, but before he could complete this action, he, too, was hit, and spun into his wife's lap. Nellie Connally, belatedly realizing what was happening, bent over, both to cover her husband's body and to protect her own. Seconds later, she was sprayed by material she first took to be buckshot. She quickly realized her mistake. The President had been hit by a final fatal shot. It had ripped open his skull and spattered the Connallys with brain matter. The Secret Service reacted and the car sped away to the nearest hospital, Parkland.

In Dealey Plaza, pandemonium reigned. Witnesses claimed to have heard shots, numbering from three to five, variously attributed to areas either in front of or behind the motorcade. Police Chief Curry had ordered men to the triple overpass directly in front of the motorcade "to see

what happened up there." Police officers congregated in a grassy area to the right and front of where the President had been hit, an area immortalized as the "Grassy Knoll." Other officers gathered at a large building to the right and behind the spot--the Texas Schoolbook Depository (TSBD).

At Parkland Hospital, doctors were desperately but futilely trying to revive the President. At 1 p.m. (CST), immediately after being given the last rites of the Roman Catholic Church, President Kennedy was pronounced dead. At 2:38 p.m., Vice-President Johnson was sworn in as President and with the arrival of Kennedy's body, Air Force One departed for Washington, D. C. At 5:58 p.m. (EST) the plane arrived at Andrews Air Force Base. The body was taken to the National Naval Medical Center in Bethesda, Md. for a complete autopsy.

The autopsy disclosed that Kennedy had a large head wound and a small neck wound. There was also a throat wound that had been enlarged as a result of a tracheotomy performed at Parkland. The cause of death was listed as "gunshot wound, head," the bullets having been fired from a point above and behind Kennedy.

In Dealey Plaza, the search for the assassin had begun. At 12:45 p.m., the Dallas police issued a rather general description of the assassin based on the description of an alleged eyewitness. The assassin was "a slender man, about

5' 10'', in his early thirties." By 1 p.m., Deputy Sheriff Luke Mooney discovered what would become known as the "Assassin's Lair" on the sixth floor of the TSBD. Cartons had been arranged for a screen and as a seat, and three cartridge cases were found on the floor. At 1:22 p.m., Deputy Sheriff Eugene Boone discovered the apparent murder weapon. It was later identified as a Manlicher--Carcano 6.5 mm Italian rifle that belonged to a TSBD employee, Lee Harvey Oswald.

Meanwhile, a second man had been shot and killed. Patrolman J. D. Tippit had been murdered at 1:15 p.m. by a man said to fit the description of the assassin. At 1:40 p.m., the police got a report that a man was acting suspiciously about eight blocks away from the murder. Shoe salesman Johnny Calvin Brewster had noticed a man duck into the entrance of his store when a police car went by. Later, as the police car made a U-turn to return down the street, the man ducked into the Texas Theater without purchasing a ticket. Brewster alerted the cashier, who in turn called the police.

The police arrived, surrounded the building, and entered the theater. The lights were turned on and Brewster pointed the man out to the police. After a short scuffle, the man was disarmed and arrested. He was led away protesting vigorously, "I am not resisting arrest." The man's name

was Lee Harvey Oswald, but he was allegedly carrying identification under an alias, Alek Hidell.

Oswald, employed at the TSBD, was a drifter, a former Marine. He had defected to Russia where he lived for over a year before returning to the U. S. For the next day and a half, Oswald was questioned by members of the Dallas police force, the F. B. I., and the Secret Service. He refused to admit being responsible for either the assassination of Kennedy or the murder of Tippit. He was formally charged with the murder of Tippit at 7:10 p.m. and at 1:30 a.m. on Saturday, with the murder of Kennedy.

Numerous press conferences were held by the police to release information about Oswald. At one such press conference, Oswald again declared his innocence. He also asked for a lawyer to step forward to represent him (although he had refused offers from the American Bar Association).

On Sunday morning, arrangements were made to transfer Oswald to the Dallas County jail. At 11:20 a.m., Oswald emerged into the basement and was almost immediately shot by a Dallas nightclub owner named Jack Ruby. At 1:07 p.m., Oswald was pronounced dead at Parkland Hospital.³

Ruby was eventually indicted and convicted of Oswald's murder. Under appeal, he was granted a new trial, but he died before it could be held.⁴

On November 29, 1963, President Johnson created the

President's Commission on the Assassination of President Kennedy, headed by then-Chief Justice Earl Warren. In addition to Warren, the other six of the commission were Senator Richard Russell, Senator John Sherman Cooper, Representative Hale Boggs, Representative Gerald Ford, Allen W. Dulles, and John J. McCloy. On September 24, 1964, the Warren Commission, as it came to be known, issued its report.⁵

The Commission concluded that Oswald killed President Kennedy, firing at him from the TSBDB with a 6.5 mm Manlicher-Carcano. Three shots were fired. One shot, probably the middle one, missed entirely. The first hit the President in the neck, emerged at his throat, passed through Connally's body, wrist, and lodged in his thigh. The final shot hit Kennedy in the head, causing his death.

Approximately 45 minutes later, Oswald shot and killed J. D. Tippit with a .38 revolver. Both the rifle and the revolver had been purchased by mail order under the alias Alek Hiddel.

The Dallas police force and the Secret Service had both made unsound decisions during the assassination and the ensuing investigation, according to the commission. It then listed a series of recommendations to upgrade Secret Service protection.⁶

The Commission denied the existence of any conspiracy in any aspect of the situation and concluded that five factors

were involved in Oswald's actions. They were:

- (a) His deep-rooted resentment of all authority, which was expressed in a hostility toward every society in which he had lived;
- (b) His inability to enter into meaningful relationships with people, and a continuous pattern of rejection of his environment in favor of new surroundings;
- (c) His urge to try to find a place in history, and despair, at times, over failures in his various undertakings;
- (d) His capacity for violence, as evidenced by his attempt to kill General Walker;
- (e) His avowed commitment to Marxism and communism, as he understood the terms, and developed his own interpretation to them...⁷

With the issuance of the report and its companion volumes of exhibits, the Commission officially dissolved itself. Almost immediately, a new underground investigation began. The investigators were an ever-growing number of individuals who did not believe the Commission's conclusion that Oswald was the sole assassin. Over the next few years, numerous books were written by numerous writers, Mark Lane, Sylvia Meagher, Harold Weisberg, and Josiah Thompson, to name only a few.

In 1967, many of these investigators converged on New Orleans, where its district attorney, Jim Garrison, was conducting his own investigation of Kennedy's murder. Eventually, Garrison indicted a local businessman, Clay Shaw, but in a bizarre trial that was more circus than anything else,

Shaw was acquitted.⁸ For the moment, the investigation was shattered and the Congressional bills for a new investigation were shelved.

By 1976, the critics had surpassed their productivity of the mid-Sixties. Aided by the Freedom of Information Act and the climate of Watergate, they succeeded in passing a bill through the House reopening the investigation (although the House seems to have had second thoughts, recently).⁹ However, their ultimate target has always been the general populace, and their success here has been impressive. In 1966, a Gallup poll indicated that less than one-third of the people interviewed agreed with the Warren Commission's conclusion.¹⁰ A Cambridge Survey Research poll in 1975 indicated that this figure had dropped to eighteen percent.¹¹ A Gallup poll in December, 1976 showed only 11% still supporting the Commission's position. 80% indicated the belief in a conspiracy.¹²

This history is not ended, nor will it be ended until people finally accept the Warren Commission conclusions, until a new acceptable conclusion is given, or until the whole thing finally becomes "too ancient" and is relegated to "academic history." Thirteen years is very little time to gain much perspective for an evaluation of the assassination investigation. Nevertheless, the other section of this study will attempt to at least make inroads in that

direction.

Section II: The Investigation

During the last few months of his abortive second term, Richard Nixon often made the claim that the government investigation of the Watergate affair was the most comprehensive since its investigation of the Kennedy assassination. By August of 1973, most Americans had concluded that government investigation of Watergate had been criminally controlled and limited to protect certain highly placed government officials, including the President himself. These disillusioning revelations led many Americans to reevaluate their views on many other governmental investigations. The one that interests us here is the one Nixon proudly compared to the Watergate investigation--the investigation of the Kennedy assassination.

The "Credibility Gap" of the Johnson years had already shaken people's beliefs in the Warren Commission's conclusions. Watergate simply continued this trend. Recall the 1966, 1975, and 1976 polls mentioned earlier as evidence of this. The central agency in the investigation of the Kennedy assassination was, of course, the Warren Commission. It is the Commission's position in the mind of the public that has decayed the most, according to the polls.

An important parallel exists between the Watergate and Kennedy investigations in regard to motive. Vast differ-

ences existed between the public and non-public purposes of both investigations. In Watergate, the public purpose was to find the truth; the private purpose was to protect the administration. The Watergate investigators ultimately failed in both their purposes. The Kennedy investigation was somewhat more successful.

According to the Warren Commission Report, "The Commission was created, on November 29, 1963, in recognition of the right of people everywhere to full and truthful knowledge concerning these events."¹³ The Commission's chairman, Earl Warren stated, "Truth is our only client."¹⁴ This, then, was the Commission's public purpose, just as it had been that of the Watergate investigation.

Edward Epstein, in his book Inquest, delved into the Commission's non-public purposes. Johnson's recruitment of the commissioners and his later writing on the subject made his feelings clear. They "were chosen more for their known probity than for their mastery of probative technique."¹⁵ Rumors about foreign involvement, about domestic conspiracy and even about the new President were widespread. National security required the Commission to end these "rumors." The commissioner's prestige was to be used to dispel these "rumors" from the public mind.¹⁶

A most revealing memorandum came from Nicholas Katzenbach on November 26, 1963. "The public must be satis-

fied that Oswald is the assassin; that he did not have confederates who are still at large; and that the evidence was such that he would have been convicted at trial."¹⁷ Put simply, the Commission's job was public relations.

These two non-public purposes led to certain theories (especially conspiracy theories) being labeled "rumor" even before the assassination investigation began. The "moral rightness" of these biases is a difficult question. While the value judgments of the critics tend to ignore the historical context, the arguments of the Commission's supporters may put too much emphasis on "national security" (as in Watergate). We are left with conflicting moral judgments and the reader's own biases will probably decide which side he comes down on more than all the arguments than can be made, for or against.

Both sides tend to indulge in useless and dangerous name-calling. The Commission's choice of its goals does not mean it was trying to cover-up a conspiracy, or that it was involved in the assassination. By the same token, the critics' questions on the Commission's methods and conclusions do not mean that they are foreign agents or domestic subversives trying to undermine "national security."

The Commission's choices of goals did limit the scope of the assassination investigation, and the critics' actions have revealed this; beyond this, little more of substance

can be said. The legacy of Watergate has been such that the motives as well as the actions of the government are now mistrusted, and rightly so. However, we cannot assume malfeasance, it must be clearly and unequivocally proven. Thus, in this study, members of the investigative committee and their critics will be assumed to have had honorable motives unless the opposite is shown.

The Warren Commission

The members of the Warren Commission were chosen with two things in mind: first, a geographical and political balance, and second, a great measure of personal prestige. The first "layer" of the staff--the senior counsel--were chosen with these same qualifications in mind. They were "lawyers whose reputations would add weight to the Report."¹⁸ These criteria insured that the bulk of the investigation would fall upon the junior counsels' shoulders. This is a common feature of most governmental commissions, whether they be similar executive advisory commissions, Congressional committees, or even multi-judge judicial panels.

With the members of the Warren Commission, however, this situation was exaggerated for two reasons. First, the fact that they were prestigious individuals insured that they were also busy individuals. They spent little time listening to testimony (their primary purpose), so their

involvement in the more detailed part of the investigation was miniscule. In fact, only three members of the Commission attended more than half of the hearings. Senator Russell only attended 7% of the hearings.¹⁹

In addition, the commissioners were handicapped by not being investigators. All were lawyers, but their recent years had been spent in other professions; two as administrators, four as congressmen, and one on the Supreme Court.

Their impact on the investigation was, thus, limited to two main areas. They were moderately involved in the questioning of witnesses during the hearings. The questioning of witnesses, however, was primarily led by some member of the staff. The commissioners also, in the opinion of general counsel J. Lee Rankin, "set the limits and guidelines of the investigation."²⁰

Initially, the Commission decided on closed hearings. Three reasons were given. They feared that the hearings might interfere with Jack Ruby's trial. The Ruby trial ended before the hearings began, thus undermining this reasoning. In addition, it was argued that hearsay testimony might be prejudicial against innocent parties. Not only did the Commission eventually publish these testimonies, negating this "protection," but it also allowed Commission critic Mark Lane to testify in open hearings. Lane, who had no direct knowledge in regard to the assassin-

ation, provided a testimony replete with hearsay. Again, the Commission's claims of protection vanished. Finally, the Commission claimed that unevaluated testimony or testimony taken out of context would lead to mistaken and possibly damaging conclusions. The newspapers, despite this "protection," were covered with stories characterized by just such testimony. The source was often the Commission's investigative agencies and even the Commission itself.²¹

Most governmental commissions use similar justifications for closed hearings. However, these pious declarations of "protecting the rights of the innocent" just aren't believable in the Washington atmosphere of continual "leaks." These leaks only permit a distorted view of the Commission's behavior to reach the public. It is rare for these leaks to be prevented (during the Watergate investigation, the House Judiciary Committee and the Special Prosecutor's Office were remarkably leak-free; the others involved, particularly the Senate Select Committee and the White House, were not).

The Commission probably had secret hearings, not for these reasons, or for mysterious conspiratorial reasons (as some more paranoid critics have claimed), but out of habit. The Commission would show itself to be wedded to "tradition" in its broadest meaning. Again and again, they followed the "correct governmental channels" when other,

simpler alternatives existed.

The relations with the staff and their investigative agencies were excellent examples of this. All information and almost all contact between the junior staff and the commissioners was funneled through Rankin.²² This is standard procedure, but led to an alienation between the two groups and a detachment of the commissioners from the investigation proper. The detachment proved to be so profound that Howard Willens, a junior counsel, refused to give McCloy certain information until directly ordered by both Rankin and Warren.²³ Ball, Liebeler, Eisenberg, and Griffin (all staff members), when interviewed by Epstein, all insisted that the Commission was "out of touch."²⁴

Other examples also exist. The staff was composed exclusively of lawyers. Other types of investigators were not included because federal agencies were to be used. Again, this is common in government. An individual investigative force would (according to the Commission) have been more impractical to recruit and would have caused needless friction with existing agencies.²⁵ However, it would have provided an independent check on the investigation of the two primary agencies, the Secret Service and the F. B. I. Both will be discussed in detail later, but suffice it to say at this point that the Secret Service's conflict of interest is obvious, while the F. B. I. had already con-

cluded that Oswald alone killed Kennedy.

The staff relations with the investigative agencies were "exasperatingly bureaucratic" in the words of senior counsel Joseph Ball.²⁶ The staff was forced to go through channels (despite the presence of a "liason" agent for each agency). This procedure was often so time-consuming that, by the time permission was granted, the cooperation was no longer needed.²⁷ The Commission refused to do anything to expedite matters because it realized the difficulty in circumventing such entrenched bureaucracies, especially in Washington. It seems likely that the Commission's desire to "follow channels" had a significant impact on the decision to have closed hearings.

The commissioners also were forced to decide between the "doctrine of judicial fairness" and "forensic questioning." As this was not a court of law but simply an investigation, the lack of an adversary proceeding required a regard for "fairness" to the witnesses. The argument, however, could be used in reverse. To acquire evidence (the primary purpose of an investigative body), methods such as forensic questioning could be employed, especially since the lack of a judicial setting would eliminate concern over such judicial standards as fairness.

In a contradictory decision, the Commission decided to not use polygraphs because they were not admissible in

court.²⁸ Although this is consistent with Commission attempts to protect witness' rights, it contradicts other positions. For example, an adversary proceeding (Mark Lane volunteered to act as Oswald's advocate) was rejected and hearsay evidence was allowed because the Commission wasn't a court.²⁹

This inconsistency in the Commission's position resulted from its zeal to protect witnesses. Not only were the legal investigators reduced to mere "deposition-takers," but numerous important discrepancies resulted. These discrepancies have been the basis for many of the attacks by the critics of the Commission.

The Commission's influence extended to one other important area--whom to believe. This led to some of the most explosive disagreements with the staff. The commissioners would eventually attribute a great deal of significance to the testimony of three witnesses, Helen Markham, Howard Brennan, and Marina Oswald. All three were attacked by the staff as unreliable.

Ball referred to Markham as "utterly unreliable," while Liebeler called her testimony "worthless" and "contradictory."³⁰ For example, she claimed to be alone with Tippit for twenty minutes (she wasn't even the first witness to reach the body). She claimed to have talked to Tippit after the shooting, while other eyewitnesses (and medical

reports) indicate he died instantly. Finally, in her testimony before the Commission, she admitted to being sedated before the line-up identification of Oswald. The description of the identification is rather confused, as well (excerpts are used later).³¹

Brennan's testimony was also attacked by Joseph Ball. Ball gave four reasons for doubting his testimony: (1) Brennan's vision difficulties during the assassination reconstruction, (2) his misidentification of Oswald, (3) his error in describing the position of the assassin, and (4) his contradictory actions during the police line-up (he first denied recognizing anyone, only to return later to identify Oswald, claiming he feared Communist retribution).³²

As for Marina Oswald, even Norman Redlich, who justified to the staff the use of Brennan and Markham, admitted that Marina "had lied to the Secret Service, the F. B. I., and the Commission on matters of vital concern."³³ She fabricated an assassination attempt by Oswald on Richard Nixon and altered Oswald's motive in the Kennedy assassination from a desire for fame to an attempt on Governor Connally's life.³⁴

In the end, "the Commission wanted to believe them," according to Redlich, so they were used.³⁵ The Commission's belief in the three witnesses probably stemmed from its lack of contact with the staff. In one stormy staff meeting,

Rankin lost control of the staff and almost precipitated several resignations when he admitted denying the commissioners the views of the staff on the credibility of the witnesses. His argument was that he was working for the Commission, not the staff, so he was responsive to their wishes.³⁶

The impact of these decisions was three-fold. The "public relations" goal of the Commission was undermined by these decisions. The use of secret hearings and unreliable testimony left the Commission's conclusion open to severe criticism. In addition, secret proceedings raised the common public suspicion of "What are they hiding?" The bureaucratic red-tape thrown in front of the staff made the investigation more time-consuming than necessary. The time problem will be discussed later, but even a brief examination of the Commission's investigation would show how valuable time was.

Finally, the Commission's tremendous interest in witnesses' rights hamstrung the investigators. The staff, restrained from normal forensic methods, was plagued with inconsistencies that required valuable time to run down, lest they remain unsolved. Clearly, however, the Commission had reasons for these decisions and the overall advantages/disadvantages will be compared below.

The investigation itself took two forms. The most

visible was the hearings, but the most important was the staff's non-public work. Again, this is a pattern seen in most committee investigations.

The hearings, themselves, were limited in time, number, and substance. In the period from March to June, hearings were held on only 49 of 90 available days. Even then, of the 244 hours of hearings (an average of less than five hours a day), 43% dealt with Oswald's life, while less than a third (81 hours) dealt with the assassination itself.³⁷ In a numerical sense, the investigative nature of the hearings was somewhat less than significant.

In a qualitative sense also, the hearings were not truly investigative. Both the staff and the commissioners tended to disregard any testimony that was contradictory to previous depositions. An excellent example of this is the testimony of Arnold Rowland. Rowland, in his testimony, claimed to have seen a second man with Oswald in the TSBD. However, the F. B. I. interview failed to mention any second assassin. Rowland's explanation: the F. B. I. didn't ask him about it.³⁸ The Commission's report ignores Rowland's testimony due to this discrepancy. Furthermore, the hearings rarely attempted to resolve the discrepancies resulting from the staff's investigation. With such attitudes, it was unlikely that any new information would come out, and, in fact, little did.

The questioning in the staff hearings during the hearings added to the problems. Ball's questioning of Helen Markham is one example:

Ball: Did you recognize anyone in the line-up?

Markham: No, sir...

Ball: Did you identify anybody in (SIC) these four people?

Markham: I didn't know anybody....I had never seen none of them, none of these men.

Ball: No one of the four?

Markham: No one of them.

Ball: No one of all four?

Markham: No, sir.

Ball: Was there a number two man in there?

Markham: Number two is the one I picked....I looked at him. When I saw this man I wasn't sure, but I had cold chills just run all over me...39

The improprieties of this type of questioning should be fairly obvious. Ball was able to lead Markham to this accusation of Oswald and Ball may well have recognized the minimal validity of this "identification," since he later declared Markham to be unreliable.

Arlen Specter used immensely complex hypothetical questions to support his single-bullet theory (that one bullet caused all the non-fatal wounds of Kennedy and Connally), but unlike Ball, he gave no indication of recognizing the inherent weakness of this type of questioning. In questioning Dr. Charles Gregory, he asks:

....Assume, if you will, another set of hypothetical circumstances: That the 6.5 millimeter bullet travelling at the same muzzle velocity, to wit, 2000 feet per second, at approximately 165 feet between the weapon and the victim, struck the President

in the back of the neck passing through the large strap muscles, going through a fascia channel, missing the pleural cavity, striking no bones and emerging from the lower anterior third of the neck, after striking the trachea. Could such a projectile have then passed into the Governor's back and inflicted all three or all of the wounds which have been described?⁴⁰

The basic problem with these types of questions, at least in Specter's case, was that the hypothetical situations were just that. Their validity was rarely established. It had all the impact of asking a witness, "Assume Oswald shot and killed Kennedy. Who do you think the assassin would be?" and then basing the Commission's conclusion on the witness' answer. Basically, this form of questioning further reduced the production of useful information during the hearings.

The staff investigation was plagued with two enormous problems--time and compartmentalization. Harold Willens, under pressure from the commissioners, drew up six independent areas of investigation and a senior and junior counsel were assigned to each area.⁴¹ Unfortunately, these groups worked independently after the first few weeks because Rankin, the general counsel, quit calling staff meetings. This was due, not only to the tremendous time pressures, but (as already mentioned) to the fact that the meetings had become rather tumultuous affairs. Conflicts between the staff and Rankin (representing the Commission) had become heated. At the final one, the issue of Marina Oswald's testimony had

almost precipitated the resignation of several counsel. Rankin lost control of the meeting entirely.⁴²

Two general problems resulted from this division of labor and lack of communication. First, information was obtained by one group and examined in the context of that investigation. However, it was often relevant to other areas, also. For example, James Tague, a bystander in Dealey Plaza, claimed to have been standing by a curb that was struck by a bullet during the assassination. Tague's position could be important in determining the location of the assassin(s). The F. B. I. spectrographic information and a picture of the bullet mark confirmed Tague's story.⁴³ The information was sent to Wesley Liebeler, who was working on Oswald's background and motives (Area III). This information never reached Arlen Specter, in charge of determining the basic facts of the assassination (Area I).⁴⁴ Specter eventually concluded that three bullets were fired, two striking Kennedy and Connally and the third missing entirely.⁴⁵ This vague allusion to the third "missing" bullet remained an unanswered question and was exploited by the critics. The Tague report may have answered this question, but Specter never got a chance to find out.

Yet another example exists in the examination of palm prints in the "killer's lair" on the sixth floor of the TSBD. The identification of several prints as belonging to Oswald

was transmitted by the F. B. I. to Area II, investigating the identity of the assassin. However, several palm prints were unidentified. Again, this information was not circulated, this time to the group investigating the possibility of conspiracy (Area IV).⁴⁶ Thus, these palm prints were never identified and another serious question was left open.

A second problem resulted from the staff investigation structure. The boundaries of the areas were ill-defined and, as such, some problems fell between two areas and were not investigated. Each investigator decided that he "had to be selective" due to the time pressures and often assumed that the problem could be handled under another area.⁴⁷ The lack of a central organizing authority usually meant these problems remained unexamined. The issue of shots coming from the "Grassy Knoll" (as reported by several witnesses) was never specifically dealt with. It could have come under Area I: basic facts, Area II: the assassin's identity, or Area IV: the possibility of conspiracy. In the end, it was ignored by all three in the mistaken belief that others were dealing with it. As in the other examples, this omission has haunted the Commission's supporters and formed the cornerstone of the critics' attacks.

A similar thing happened in the examination of the Tippit murder. His murder was chronicled by Specter in the

basic facts of the assassination.⁴⁸ His autopsy report was missing and no interviews were conducted with medical personnel performing the autopsy.⁴⁹ Again, the problem fell between a number of areas and was thus investigated by none, and again the omission was exploited by the critics. Apparently, certain witnesses and news reports alluded to four shots hitting Tippit, while Oswald's gun was reported as having fired only three.⁵⁰ Obviously, the autopsy report would have settled this discrepancy.

It is clear from the discussion to date that the time problem tended to magnify all the other problems. This problem resulted from the political deadline imposed upon the Commission. Johnson and his advisers feared that the assassination would become a political issue in the upcoming elections of 1964.⁵¹ Their reasoning, however, was vague and tenuous. It is doubtful that either party would use the assassination in an obvious attempt to attack the other (with the possible exception of the use of the "law and order" issue by the Republicans--something the Commission's report couldn't obviate). Johnson's advisers (and Johnson himself) claimed they were trying to alleviate the "suspicions of the public." However, these suspicions (of conspiracy) were directed at domestic radical groups and foreign powers. No evidence exists that any segment of the populace rationally entertained the suspicion that members of either

party engineered the assassination. Thus, it becomes difficult to understand how the assassination could become a political issue.

A simpler explanation exists, one that has nothing to do with the 1964 election. Recall that one of the basic goals of the Commission was that of public relations. The obsession with dispelling the "rumors" and "the poisonous atmosphere" that had resulted led to what one Commission critic called the "rush to judgment." There was tremendous White House pressure to close down the investigation to squelch "European rumors."⁵² It is clear that Johnson and his advisers (both the new ones and the Kennedy holdovers) felt uneasy in their relations with the American public and foreign governments while operating under the cloud of the assassination. Just as Gerald Ford tried to "put Watergate behind us" by pardoning Richard Nixon, Johnson tried to remove the Kennedy assassination from the public consciousness through the Warren Commission report. This is a graphic illustration of the enormous impact of these basic goals.

How limited actually was the Commission investigation, time-wise? After all, the ten-month period from December, 1963 to September, 1964 that the Commission existed is quite a long time. Indeed, many Commission supporters claim just that to show that the time pressures weren't significant. This is a rather deceptive argument, however. The Commission

staff was fully assembled only after February, 1964, and the first hearings were held in this month. The hearings continued until June.⁵³ Recall, however, the minor contribution made by the hearings to the investigation.

The beginning of the staff investigation did not begin until March 14 (the end of the Ruby trial). Prior to this date, the staff simply collected and organized the information from the government agencies. Ten weeks later, the investigation ended with the June 1 deadline.⁵⁴

June 1 had been the original deadline for the conclusion of all chapters, with June 30 as the original date for the release of the report. The deadline for writing the chapters was moved to July 15, then August 1. Finally, another month and a half were spent rewriting these chapters.⁵⁵

Of the ten-month lifespan of the Commission, the final four months were spent writing the report (it took so long mainly because only two men, Redlich and Goldberg, did the writing, most of the staff having already departed)⁵⁶ and the first three months on organizing the Commission's staff. The staff investigation covered only ten weeks, the hearings only four months. Time, then, from a purely numerical view seems limited. However, the staff members admit time pressures distorted their investigation.

Burt Griffin admits that he was unable to resolve

Ruby's method of entering the police basement to murder Oswald.⁵⁷ Thus, he wasn't able to eliminate the possibility of police cooperation. Similarly, Arlen Specter was forced "to be selective" and "use deductive reasoning, rather than investigate" because of time problems.⁵⁸ His field investigation was composed of ten days in Dallas spent questioning 28 doctors and medical personnel to clear up the nature of the throat wound (as to an entry or an exit wound).⁵⁹

A 27-page C. I. A. memorandum, written in 1975, was sent to the Rockefeller Committee and highlighted another problem ignored by the Commission due to the time pressures. The memo claims that the possibility of foreign involvement was ignored by the Commission. The memo also stated that leads existed that should have been pursued.⁶⁰ Recently, two memos supporting this position have been released. Both were sent to the Commission in June, 1964 and dealt with Oswald's meeting with three Cuban intelligence agents during his September, 1963 visit to Mexico City. The C. I. A. memo was based on information provided by a Cuban defector. An internal memo referred to the Commission as seeing "no need to pursue this angle any further."⁶¹

The second memo was from former F. B. I. chief Hoover on June 17, 1964. The memo, based on a "highly-placed informant" in Cuba (what Hoover was doing with an informant in Cuba is not explained), stated that Oswald told Cuba's

Mexico City embassy that he would attempt to assassinate Kennedy. They transmitted the information to Castro but considered Oswald a "crackpot."⁶² Although addressed to the Commission, there was some speculation that it was never transmitted to the Commission because staff members couldn't recall it. However, it was eventually discovered among the Commission's classified documents at the National Archives.⁶³ Apparently, the Commission decided that the information was unimportant. In 1967, Castro himself confirmed the essentials of the then-secret memo in a magazine interview.⁶⁴

It is useful to note the timing of the two memos. Both were delivered in June after the staff investigation had been "wound down." It is no wonder that the staff didn't remember the Hoover memo. Most were gone by then and the remainder were trying to complete their chapters before the deadline.

As with so many other problems, these undealt-with situations were exploited by the Commission's critics in their attacks. Another extraordinary omission involved the testimony of Sylvia Odio. Mrs. Odio, an anti-Castro Cuban emigree living in Dallas, testified that she had met Lee Oswald (under the alias of Leon Oswald) with two other anti-Castro Cubans on September 26 or 27, 1963 and, based on their statements to her, felt that they all might be

involved in the assassination.⁶⁵ Her statement was important not only because it implied a "Cuban connection for Oswald, but also because Oswald was supposed to have been on his way to Mexico at the time. The Commission admitted "the problems raised by that testimony (were) important."⁶⁶ With this in mind, their treatment of it is amazing.

The F. B. I. investigation of the problem turned up, on September 16, 1964, three men who may have visited Odio the previous year. One of the men claimed to have been in Dallas on anti-Castro business with two friends, and visiting Mrs. Odio. However, the Commission admitted "the F. B. I. had not yet completed its investigation into the matter at the time the report went to press..."⁶⁷ The F. B. I. had simply questioned Loran Hall (one of the three men) whose name they claimed bore a phoenetic resemblance to Leon Oswald, leading to Odio's mistaken recollection. They had yet to question Lawrence Howard or William Seymour (Hall's companions) to confirm his claims. They had yet to determine if Seymour resembled Oswald (as Hall claimed). They had yet to get Odio to confirm these identifications. Despite this, the Commission concluded that Odio did not meet Oswald.⁶⁸

The Commission's failures due to the time pressure were graphically illustrated in the F. B. I. report of October 2, 1964, transmitted to a Commission that had dis-

banded four days earlier. The report stated that follow-up questioning of Howard, Seymour and Odio had failed to confirm Hall's claims and in fact had led to a collapse of the F. B. I. theory.⁶⁹ Thus, the F. B. I. admitted it had no answer to Odio's problems. The Commission's claim "that Lee Harvey Oswald was not at Mrs. Odio's apartment in September, 1963" was totally unsupported. The Commission's "rush to judgment" had raised yet another problem to be exploited by doubters and critics.

Two more general problems can also be isolated. Of more than 400 eyewitnesses to the assassination, only 81 were questioned by the Commission and 178 others by the F. B. I. or police. Almost a third were identified but unquestioned. One staff member claimed that to question all these witnesses would have been "redundant." However, these "missing" witnesses didn't all have the same recollections as those of the witnesses called. For "redundant," read "time-consuming." Again, the staff was forced to be selective and it resulted in discrepancies between depositions published in the Committee's exhibits and the Commission's conclusions, discrepancies that remained unresolved.

The second problem lay in the scientific tests. Two sets of tests were run by the staff, independent of the tests by the F. B. I. The first involved three rifle experts each firing three runs with Oswald's rifle at an over-

sized, stationary target at a distance nearly half that Oswald faced during the assassination.⁷⁰ The test was plagued with two obvious distortions, the distance to the target and the target size itself. In addition, nine runs is a quite small sample to test the accuracy of Oswald's rifle and the capability of it firing within the required time. C. B. S. News performed a mathematically more accurate test three years later, using 37 firing runs with a moving target travelling at the correct speed at the proper distance.⁷¹

The second series of tests involved the single-bullet theory. The simulation of the conditions by Dr. Olivier was somewhat poorly done. To simulate the shot through Kennedy's neck and Connally's chest and wrist, Olivier used a gelatin block, a goat's chest and a cadaver's wrist. Even then, each object was fired at individually and then the velocity was "adjusted" for certain differences (for example, increasing the velocity loss by 50% for the difference between the goat's and Connally's chest).⁷² The tests were both organized and conducted in a relatively brief time period. The "simulations" were thus only crude and hurried approximations of the actual occurrences.

In the years since the report was issued, several Commission members have revealed deep divisions at the time

the report was written within the Commission. Wesley Liebeler attacked the chapter identifying Oswald as the assassin in a 26-page memo. Liebeler's attacks were many of the same ones later made by the critics: (1) the chapter read like a prosecutor's brief, not a report, (2) it ignored many "gaps" in the evidence chain, (3) it ignored relevant evidence, (4) it used questionable scientific evidence, and (5) it manipulated the evidence.⁷³ Rankin rejected most of the attacks, telling Liebeler that "he should be closing doors, not opening them."⁷⁴

Senator Richard Russell, Representative Hale Boggs, and Senator John Sherman Cooper all claim to have disbelieved the single-bullet theory and Russell even threatened not to sign the report if it was cited. Eventually, pressure for unanimity led Russell to accept the adjective "persuasive" as a description of the theory. Russell, in an Esquire story, and Boggs, in a Face the Nation interview, both claimed to have dissented from the report.⁷⁵ This fact was not made evident in 1964 when the report was issued and, in fact, wasn't even revealed until after the publication of Epstein's book in 1966. The goal of "national security" had in this instance clearly overborne that of "truth."

As many Americans have suspected since 1967, the Warren Commission was not as comprehensive as the government has long insisted. The investigative procedure and the various

political and judicial limitations imposed upon the investigation have led to the variety of problems cited above. Returning to the goals of the Commission, it is clear that the public goal remained unfulfilled. The whole truth was not revealed, as the Odio case graphically illustrates. Neither, however, were the two less public purposes fulfilled, at least not in the long run. Rather than eliminate rumors, the number of discrepancies and unanswered questions created a number of new rumors. The recent polls already cited indicate that the public relations goal was also not met. Public confidence in the Commission's conclusions disappeared as the flaws in the Commission's investigation became more apparent. The shadow of Kennedy's murder was not removed, as Johnson and his advisers had hoped, but continued to hang over his and succeeding administrations to such a degree that, in the last two years, three governmental commissions have reopened the assassination investigation: first, in 1975, the Presidentially-appointed Rockefeller Commission, then the Senate's Church Committee, and now, finally, the House's Committee on Assassinations.

Fault for these failures lies not just with the Warren Commission, but with its investigative agencies and a number of other governmental agencies. Let us turn briefly to these other agencies and examine their impact on the investigation and their contribution to the Warren Commission's failures.

The Kennedy Autopsy

One of the most highly criticized aspects of the investigation encompassed not any official agency, but the group conducting the autopsy on Kennedy. Kennedy's body was removed from Parkland Hospital after being declared dead and flown on Air Force One to Washington. There, it was transported to Bethesda Naval Hospital for the autopsy.⁷⁶

The autopsy was conducted by two military surgeons, James J. Humes and J. Thornton Boswell. They were assisted by a third military doctor, Pierre A. Finck.⁷⁷ It would be expected that, in such an important autopsy, the government would provide trained, experienced medical personnel. Such was not the case. Although all three men were competent pathologists, only Finck was a member of the American Academy of Forensics Sciences (as a "provisional member," not a "fellow").⁷⁸ In other words, all were experienced with deaths, but only Finck had any experience with murders. This was not an instance of lacking competence in name only. Neither Humes or Boswell had ever performed a gunshot wound autopsy.⁷⁹ Humes had taken one course of forensic pathology.⁸⁰ Boswell had never taken such a course.⁸¹ As for Finck, his experience was limited to administrative review rather than the actual procedure.⁸² Even so, he came late and was involved in "reviewing," not participating in, the autopsy.⁸³ Nor was this a case of

getting the best personnel possible. Five of the nation's top civilian forensic pathologists were all within an hour of Washington.⁸⁴

This charge of inexperience is no mere academic attack. Its effect is shown in the numerous procedural errors that plagued the autopsy. The autopsy has been criticized in numerous medical journals for a number of quite technical failings.⁸⁵ No attempt is made to deal with these more complex problems because of their technical specificity. Other problems, more easily understood by the layman, are also mentioned, and these are enough to show the inadequacies of the autopsy.

Humes and Boswell did not call Parkland Hospital to ascertain what treatment Kennedy had received and the condition of the body, when it entered Parkland. Because of this, they never realized that the throat wound didn't result simply from a tracheotomy, but from a gunshot wound enlarged by a tracheotomy.⁸⁶ They failed to attempt to reconstruct the wound by pulling the edges together (that, too, would have shown it was a gunshot wound).⁸⁷ Their failure to examine the throat wound compounded the problem. They never noticed an anterior lateral tear on the right side of the trachea because of this oversight.⁸⁸

The examination of the back wound was also poorly done. The wound was examined by Hume with his finger rather than a

probe.⁸⁹ The location of the wound was marked on the autopsy sheet at the midline of the back, several inches below the shoulder level. The written notation on the sheet, however, placed the wound much higher, at the base of the neck.⁹⁰ This is the position later reported in the autopsy report. This irregularity was compounded by the "landmarks" used to describe the wound's location. Humes used the mastoid process and the shoulder rather than the top of the head and the midline of the back. The former are more flexible and thus measurements based on them as reference points are less exact.⁹¹ The use of these reference points is another indication of Humes' inexperience.

The head wound was also mishandled. Again, the wound itself was not carefully examined. There was no microscopic examination of the head wound to find the bullet hole.⁹² Confusing markings were found on the autopsy sheet. The head wound is marked with an arrow pointing to the left while the wound is on the right side of the head.⁹³ Boswell, who admitted to the mistakes on the autopsy sheet, claimed that "if I had known at the time that this sketch would become a public record, I would have been more careful."⁹⁴ This admitted carelessness is truly puzzling. Apparently, this carelessness also included the brain examination. Some object was visible in

photographs of the brain when those photographs were examined in 1968 by a panel of pathologists. Its nature could not be determined, and it had not been examined during the autopsy. As forensic pathologist Cyril Wecht asked, "Isn't such an item obviously significant in a case of gunshot wound(s) of the head?"⁹⁵ Not to the inexperienced pathologists.

Still more irregularities came to light in the writing of the autopsy report. Humes' most important determination was that the bullet wound in the back was at the base of the neck and traversed the neck, exiting at the throat. It was based, not on the medical examination, however, but on "deductive" reasoning.⁹⁶ This is an especially amazing determination when one recalls that the throat wound was not even examined. Wecht has questioned the validity of any medical opinion based on "logic" and not a medical examination.⁹⁷

The writing of the autopsy report was even more puzzling. Humes claimed to have written and transmitted the report on November 24, 1963.⁹⁸ He also admitted to burning the preliminary draft of the report or "preliminary draft notes," it is unclear exactly which from Humes' testimony. At this point, Humes testified, he transmitted all his notes and papers to "higher authority," later specified as the commanding officer of the U. S. Naval Medical School.⁹⁹

Later in his testimony, Humes claimed to have used these same notes to augment his memory in preparing schematics to aid his testimony.¹⁰⁰ As the Committee had not been formed by November 24, it is doubtful that they were drawn at this time. Neither discrepancy was noted by the Commission and thus neither was resolved.

Rumors abound about the reason for burning the notes. Several physicians have speculated that certain medical irregularities that would have embarrassed the Kennedy family were discovered during the autopsy. Pressure from the family and Kennedy political allies forced the destruction of the notes to prevent their publication.¹⁰¹ Many Commission critics cite a Life magazine story quoting an unnamed junior Commission counsel to the effect that Humes destroyed the notes because they were inconsistent with the desired, and final, report.¹⁰²

Whether these speculations are right or wrong, the Commission's failure to resolve inconsistencies resulted in more rumors plaguing the Commission. Still, the discrepancies do not stop here. The F. B. I. claims to have received the autopsy report December 23, 1963, almost a month after the date Humes claims it was transmitted.¹⁰³

The December 9, 1963 preliminary report could not have been based on the autopsy report and, in fact, was based on the Sibert-O'Neill memo of their observations

relating to the autopsy.¹⁰⁴ Both were present during the entire autopsy and their observations were later confirmed by four Secret Service agents.¹⁰⁵ Their report put the back wound much lower than later reported in the autopsy report. The throat wound was in no way linked to the back wound.¹⁰⁶ This inconsistency would have been difficult enough to explain away as a difference in observations by the autopsy physicians and the government agents. However, the F. B. I. Supplemental Report of January 13, after the receipt of the autopsy report, reiterated the previous description of the back wound.¹⁰⁷ Either the autopsy report was altered sometime after this report, moving the back wound up, or the F. B. I. was wholly incompetent in preparing its Supplementary Report (as were the two agents, in observing the autopsy).

The Warren Commission compounded the situation by misusing the autopsy report. As already mentioned, they did not attempt to resolve the differences that cropped up. In addition, they refused to view the 40 photographs and 11 x-rays taken of the body. Instead, they used schematics drawn by an artist based on Humes' recollection about four months after the autopsy.¹⁰⁸ It is unclear whether he had his notes to aid him, but either way, it is puzzling that the Commission used this method, when the more accurate pictures were available. The Commission's reasoning was

that the drawings were "less offensive" than the actual photographs.¹⁰⁹

The whole autopsy process, from the choice of physicians to the use of the report by the Commission, was plagued with inconsistencies, discrepancies, and inexperience. These problems simply added to the cumulative weight of those already mentioned.

The Investigative Agencies: The F. B. I.

The Senate Select Committee investigating intelligence activities singled out the Warren Commission's investigative agency, the F. B. I., for special attention and severe criticism.¹¹⁰ Commission critics have long criticized the F. B. I.'s investigation, and recent stories revealing a growing number of improprieties seem to bear out these accusations.

Some of the problems have already been mentioned. The difference between the autopsy reports and two F. B. I. reports has already been discussed in some detail, above. The F. B. I.'s handling of the whole affair is somewhat puzzling. The Commission staff (mainly Arlen Specter) initially tried to claim that the two F. B. I. agents rushed out before Humes found a passage from the rear to the throat wound and that they were mistaken in their placement of the wound.¹¹¹ (Recall that Humes never found

the passage, but simply deduced it.)

An F. B. I. spokesman denied that both agents left. It has already been mentioned that the agents' observations were later confirmed by Secret Service agents observing the autopsy.¹¹²

In 1966, J. Edgar Hoover attempted to answer this discrepancy by claiming that "while there is a difference in the report of the F. B. I. and the information in the autopsy report, there is no conflict." Unfortunately, the late Mr. Hoover didn't explain how the "difference" was not a "conflict." Hoover went on to say that since the Commission had a copy of the autopsy report, it was not repeated in the January 13 Supplemental Report.¹¹³ In other words, the F. B. I. reiterated a series of facts about the autopsy it now knew were false because the Commission would also know that the statements were false. If we believe Mr. Hoover, then the author of the second memo wasn't incompetent, but crazy (or maybe just trying to have some fun at the Commission's expense).

The F. B. I. didn't merely indulge in miswriting reports. The Commission's hearings chronicle a series of complaints by witnesses of alleged F. B. I. misreporting and intimidation. Marina Oswald and her brother-in-law, Robert, both claimed that the F. B. I. subtly threatened Marina with deportation to Russia. "They were implying

that if she did not cooperate with the F. B. I. agent there,...that they would perhaps deport her from the U. S. and back to Russia."¹¹⁴

Nelson Delgado, a friend of Oswald and a fellow marine, claimed he "was upset because this guy kept on badgering me...and he was giving me a case of the jitters..."¹¹⁵ During his questioning by the F. B. I., Delgado was "subjected to a written examination in the Spanish language and attacks on his credibility about various matters."¹¹⁶

Orest Pena, a New Orleans bar owner and anti-Castroite, complained that the agents repeatedly badgered him "about the same things...it just looked silly to me."¹¹⁷ W. W. Litchfield stated that federal agents threatened him with "a federal charge" if he "said he was positive and it wasn't true."¹¹⁸ A nervous Litchfield weakened his testimony sufficiently to allow the Commission to disregard it.

The F. B. I. was further accused of outright lying. In an apparent attempt to conceal F. B. I. surveillance of Oswald prior to the assassination, they deleted agent James Hosty's name from Oswald's address book before turning over the list of names to the Commission. The Commission learned of the deletion from another source and questioned the F. B. I. on the matter. Hoover admitted the deletion but claimed that it was inadvertent. The list sent to the

Commission had been an internal memo and, since Hosty was known to the Bureau, his name was deleted.¹¹⁹

Other examples, where the F. B. I. could not claim an "inadvertent oversight," also cropped up. Alfred Hodge reported to the F. B. I. that he rode in an elevator with Jack Ruby and two detectives in the police building before the murder of Oswald. The agents did not include the story in their report.¹²⁰ Richard Sanders denied saying Jack Ruby was "more shook up than any of the other people" upon learning of Kennedy's death, as the F. B. I. report claimed.¹²¹

The pattern does not stop here. Bonnie Ray Williams, Jack Dougherty, and Harold Norman all denied crucial statements attributed to them by the F. B. I., either placing Oswald on the sixth floor of the TSBD or placing the shots, by their sound, at that location.¹²² Nelson Delgado, who was mentioned above, also claimed his testimony was systematically distorted to put Oswald in a bad light.¹²³

One more example uncovered by the Senate Select Committee in 1975 is useful. In testimony before the Committee, James Hosty confirmed that he had destroyed a letter delivered by Oswald threatening "action" if he and his wife were not left alone. Hosty identified his superior, J. Gordon Shanklin, as having ordered him to destroy the letter

and cover memo. Reports indicate that the order for destruction came from Hoover himself, through his chief assistant, Clyde Tolson.¹²⁴

The motivation for these series of actions seems to be two-fold. The first seems to be the determination of the F. B. I. to find Oswald to be the lone assassin. By the end of December, 1963, the F. B. I. had locked itself into this position with its summary report. The Commission had recognized this quite early:

Rankin: Part of our difficulty in regard to it is that (the F. B. I.) have no problem. They have decided that it is Oswald who committed the assassination, they have decided that no one else was involved, they have decided.

Russell: They have tried the case and reached a verdict on every aspect.¹²⁵

Any contrary conclusion by the Warren Commission would be viewed as a repudiation of the F. B. I., at least by Hoover. Several witnesses and staff repeatedly commented on the apparent lack of desire by the F. B. I. to develop new evidence.¹²⁶ This is understandable if the evidence could jeopardize their theory.

The second motive seems, quite simply, to be self-interest. Hoover was acutely protective of his self-image. He would order all wiretaps deactivated before Congressional testimony so he could say none were being used.¹²⁷ It would have been embarrassing for a man who had been under surveillance by the F. B. I. since 1962 and who just ten

days earlier had threatened an agent, to kill the President. With the F. B. I.'s reputation on the line, is there a question where Hoover's loyalties would have lain? Hosty provided no information to the Dallas police that the F. B. I. had a file on Oswald, or even that he had personally dealt with Oswald.¹²⁸ These actions are in line with a desire to withhold information on the Bureau's involvement.

The relationship between the Commission and the Bureau was, as discussed earlier, unduly bureaucratic. One staff member estimates that 90% of all F. B. I. reports were irrelevant. They would check out all names that were mentioned in an investigation and this would lead to a "chain-letter effect," with the investigation increasingly bogged down with purely peripheral individuals.¹²⁹ While this was occurring, much evidence was not being developed. Marina Oswald still had unrevealed information on Oswald's Mexico trip in August, nine months after she was first questioned by the F. B. I.¹³⁰

Another revealing case involves the "Milteer Documents." Two weeks before the assassination, a Southern segregationist and Klan member, Joseph Milteer, was tapped by the Miami police in a conversation with a local (police and F. B. I.) informer.¹³¹ He said Kennedy "would be shot with a high-powered rifle from an office building...the gun would be disassembled, taken into the building, assembled,

and then used for murder."¹³² Then the police would "pick up somebody within hours afterwards...just to throw the public off."¹³³

The F. B. I. followed up this startling tape by questioning Milteer, who denied ever threatening the President. F. B. I. questioning ended here (despite possession of the tape with Milteer's threatening statements) in December, 1963.¹³⁴ These reports, incomplete as they were, did not reach the Committee until mid-1964, as the investigation wound down.¹³⁵ The reason for the long delay is unknown, although it is obvious why the reports were found buried with other obscure F. B. I. reports, and went unmentioned by the Commission in its report. The Bureau's treatment of the investigation and its transmittance left much to be desired, but fit in with its pattern of actions.

It is clear that the F. B. I. was not at its most cooperative in dealing with the Commission. Hoover openly considered the Commission his adversary, and twice asked for all derogatory information in the F. B. I. files on the Commission members and staff.¹³⁶ For their part, the Commission tried desperately to protect, or, at least not anger, the entrenched bureaucracy. Gerald Ford, in his book Portrait of the Assassin, commented that the Commission "must not reveal information that would damage

any important agency."¹³⁷

The Commission treatment of the rumor that Oswald was an F. B. I. informant was a graphic illustration of this attitude. Several newspapers had reported, in early 1964, this to be true, but apparently, it originated with Alonzo Hudkins of the Houston Post.¹³⁸

On January 22, 1964, the Commission met in executive session with Texas Attorney-General Waggoner Carr, Dallas District Attorney Henry Wade, and two Texas attorneys, Leon Jaworski and Robert Storey. Their purpose, according to Rankin, was to wipe out this dirty rumor, because it was damaging the Commission and the government.¹³⁹ The Commission speculated on an attempt to investigate the F. B. I. with its staff, but they soon rejected this idea because Warren wanted it clear that he didn't "want to be unfriendly or unfair to (Hoover)."¹⁴⁰ The Commission proceeded to allow the F. B. I. to investigate itself, despite Dulles' assurance that a categorical denial from an intelligence agency was worthless.¹⁴¹

Hoover's self-examination and declarations of innocence in a letter to the Commission inspire about as much confidence as similar actions by Richard Nixon during Watergate. This is not to accuse Hoover of lying, but simply to indicate how ineffective the method employed by the Commission is. The Bureau's conflict of interest becomes

obvious and their actions in other areas of the investigation also do not inspire confidence.

Hoover did offer the F. B. I. file on Oswald to the Commission, but the Commission refused to look at it. Warren claimed to refuse because the critics would then demand its publication.¹⁴² He also probably realized that Hoover was not so stupid as to willingly implicate himself in perjury. In addition, Dulles' admonition that informants' names were often unrecorded undoubtedly had some impact. It will also be remembered that the F. B. I. was not shy about withholding or destroying evidence making Hoover's gesture a rather empty one.

This episode reflects rather poorly on the Warren Commission. In the other instances, it was misinformed by the F. B. I., without its own knowledge, and, in most cases, trying to remedy the situation. In this case, it willingly allowed itself to be misinformed by the F. B. I. if the Bureau so desired, in its efforts to eliminate the "dirty rumors." This pattern of failures seem to bear out the statement of Richard Sprague, Chief Counsel of the House Assassination Commission, that the Warren Commission's greatest mistake was using the F. B. I.

The Investigative Agencies: The Secret Service

Despite being severely criticized by the Warren

Commission for pre-assassination failures, the Secret Service conducted a much more competent investigation than the F. B. I.

The Commission isolated two major problems in Presidential protection procedures by the Service. The first problem stems from the lack of cooperation by the other American intelligence agencies with the Service. In this case, the Service was not told about Oswald's activities by the F. B. I. and the C. I. A. In addition, the Service's Protective Research Division was so underfunded and understaffed as to be useless.¹⁴³ These two problems combined to make the Service's advanced isolation of possible assassins impossible. The two assassination attempts against President Ford by well-known "fringe wierdos" indicate that this problem could still exist.

Two other failures were not attacked by the Commission, however. The Commission revealed that a number of Secret Service agents were out drinking the night before the assassination. They were absolved of any wrongdoing, however, because it "might have given rise to an inference that the violation of the regulation had contributed to the tragic events."¹⁴⁴ This response is quite difficult to defend in light of the testimony of former Senator Ralph Yarborough (among others), Yarborough was reportedly appalled by the "sluggish reactions" of the agents during

the assassination.¹⁴⁵ Clearly, the drinking had its effect.

The second problem stemmed from the Milteer Documents. The substance of these documents was discussed earlier. It is amazing that the Service took no extraordinary protective actions in Dallas after a Southern segregationist made such a serious threat against the President that a Miami motorcade was called off and security stepped up.¹⁴⁶ The Service apparently left the entire investigative matter in this case to the F. B. I., and the F. B. I. investigation, or rather, failure to investigate, has already been discussed.

The Secret Service investigation of the assassination did have its problems, but it was much more competent than that of the F. B. I. Unfortunately, the Service's investigation was only designed to supplement that of the Bureau.

While a number of reporting discrepancies cropped up, only one serious investigative oversight can be attributed to the Service. The Commission was told by three different policemen, Deputy Constable S. Weitzman, Sgt. D. V. Harkness, and Patrolman J. M. Smith, that they encountered Secret Service agents at the "grassy knoll" immediately after the assassination.¹⁴⁷ However, the Secret Service reported that, based on the agents' individual reports, all had left the assassination site with the President and Vice-President.¹⁴⁸ The identity of the "Secret Service agents" on the grassy

knoll was, thus, unknown. Neither the Service nor the Bureau investigated this situation, and the Commission staff apparently didn't even notice the problem.

The failure to resolve the reporting discrepancies can also be laid at the feet of the Commission. The Secret Service was also involved in the autopsy discrepancy. Not only did agents present during the autopsy confirm the observations of the F. B. I., but the actions of the Service also emphasized some irregularity in the autopsy report. On December 5, ten days after the autopsy report was turned over to the Protective Research Division of the Service, the Service conducted an on-site reconstruction to determine how the President was shot in the throat from behind.¹⁴⁹ The autopsy report claimed the throat wound was an exit wound. Despite this serious conflict in the autopsy, the Commission made no attempt to resolve the problem (or, as mentioned before, those raised by the F. B. I.).

A number of other problems also remained unresolved. Dallas police captain Fritz reported a card under the alias of Alek Hiddel in the possession of Oswald.¹⁵⁰ However, the two Secret Service agents who were also present at the interrogation made no mention of the card in their reports. The implication from their testimony, in fact, is that they learned of the alias "Hidell" from the purchase order of the murder weapon, not from a card.¹⁵¹

In another part of the interrogation, Oswald was accused by the F. B. I. and Dallas police of refusing to answer questions on his trip to Mexico or his attempted trip to Cuba.¹⁵² Two Secret Service agents, Kelley and Sorrels, reported that they "did not recall" Oswald being asked about those subjects, while two other agents, Holmes and Graves, claimed that he volunteered detailed information on these subjects.¹⁵³

Similarly, agent Sorrels testified that Oswald was "arrogant" and "belligerent" during his interrogation, and refused to answer several questions.¹⁵⁴ Agent Lawson said of the same interrogation that Oswald was "stoic" and "didn't seem belligerent at all." In addition, he stated that he "answered questions as asked to him" and didn't seem to resent the interrogation.¹⁵⁵

Faced with these contradictions, the Commission simply accepted one of the conflicting positions and ignored the other. In addition, the positions it accepted were consistently unflattering to Oswald, leading them to conclude that Oswald was uncommunicative, belligerent, and uncooperative. The Commission again failed in its duty to resolve the conflicts raised by the investigation.

One general comment is pertinent. The Commission never discussed the propriety of allowing the agency responsible for the President's safety to help investigate the problem

of what happened in the assassination. Much as the Commission allowed the F. B. I. to investigate itself, so, too, the Secret Service was allowed to investigate itself. To their credit, the investigation of the Secret Service was not marked by the same improprieties and mistakes that marked the rest of the investigation, despite this apparent conflict of interest.

Peripheral Agencies: The C. I. A.

In recent years, the C. I. A. has come under severe criticism for withholding relevant information from the Warren Commission. Both the Commission critics and the Church Committee have chronicled a large number of "omissions" by the C. I. A. in information transmissions.

The C. I. A. deception began on the day of the assassination. In an F. B. I. interview, C. I. A. agent O'Neal denied that the C. I. A. had developed any information on Oswald independent of the F. B. I. or the State Department.¹⁵⁶ The claim was not only a lie (the C. I. A. had independent information on Oswald's Mexico City trip), but was also ludicrous. An F. B. I. examination of its own files revealed several C. I. A.-created records, and, eventually, the C. I. A. did turn some records over to the F. B. I.¹⁵⁷

The C. I. A. files turned over to the Commission made

no mention of Marina Oswald. It is difficult to believe that the C. I. A. would not investigate a Russian immigrant, wife of a defector, and niece of a K. G. B. officer. There is evidence that C. I. A. representatives met with Oswald and Marina several times after they entered the U. S.

While this is pure speculation, evidence does exist of files that were withheld. In a document revealed under a Freedom of Information suit, but not transmitted to the Warren Commission, the C. I. A. revealed knowledge of Oswald's New Orleans activities. Reference was made to Oswald's Fair Play for Cuba Committee headquarters as being linked to the location of an anti-Castro intelligence agent. The F. B. I. also suppressed this link by giving the agent a deceptive address (Oswald got the address of the front door while the agent got that of the side door).¹⁵⁸ This could possibly have resulted from C. I. A. pressure, similar to the C. I. A.'s actions during the Watergate investigation.

Late in 1976, it was revealed that the C. I. A. Mexico City office had taped two conversations Oswald had, one with the Cubans and one with the Russians. In the latter conversation, Oswald offered the Russians information in exchange for a trip to Cuba. Transcripts of these conversations were transmitted to the Commission with the offer of information deleted. The tapes themselves were not turned

over to the Commission because they had been destroyed prior to the assassination. No explanation was given for the deletion of Oswald's offer.¹⁵⁹

Finally and most importantly, the C. I. A. and the F. B. I. (and Commissioner Allen Dulles) all withheld from the Commission information on the assassination attempts against Cuban Premier Fidel Castro. The revelation of those attempts has led many to speculate that the Kennedy assassination was done in retaliation. This belief was held by many government officials immediately after the assassination, and is one of the reasons given for President Johnson setting up the Warren Commission.

Even when information was transmitted to the Commission, it was usually the result of a less than intensive investigation. Mexico City provided the scene for two mysterious and uninvestigated situations. During Oswald's visit, a picture was taken of a heavy-set balding man and was identified as Oswald by the C. I. A. It first came to the Commission's attention when it was shown to Oswald's mother, Marguerite, immediately after the assassination.¹⁶⁰ As late as May 12, the Commission was still asking the C. I. A. who it was in the picture. According to Liebeler, who was involved in investigating the picture, the C. I. A. never gave a satisfactory explanation for this misidentification.¹⁶¹

On December 1, 1963, the C. I. A. received information that a Cubana airline plane was held up for five hours on the day of the assassination. When the passenger arrived, he was hustled through customs unchecked and then flown to Havana in the cockpit.¹⁶² The circumstances were somewhat suspicious, but, according to Senator Church's Committee, not to the C. I. A. The C. I. A. didn't follow-up this occurrence at all.¹⁶³ The identities of the man in the picture and on the plane many have been totally unrelated to the assassination, but the C. I. A. certainly didn't attempt to find out.

The Warren Commission once more was faced with rumors that Oswald was an informant, this time for the C. I. A., and, once again, rather than investigating, they accepted the denials of the C. I. A.'s director, John J. McCone. Again, recall the previous attempts by the C. I. A. to deny any contact with Oswald and Dulles' claim that the C. I. A. would lie to protect its informants. Again, the pattern holds up, with the Committee refusing to risk angering the bureaucracy by conducting an independent investigation of the Agency's involvement.

Three reasons can be isolated for the C. I. A.'s actions. First and foremost was the fear of revealing secret activities, such as assassination attempts on Castro, support of anti-Castro groups, and the penetration

of certain pro-Castro groups. These activities were zealously guarded, at least from official revelation, for more than a decade; these actions clearly follow this same pattern.

A second reason involves the fear that contact with Oswald may damage the C. I. A.'s public image. Much the same fear influenced the F. B. I.'s actions. Again, although the C. I. A. apparently had Oswald under at least partial surveillance, they did not notify the Secret Service of his existence. Self-interest seems to have been an important motivating device for this agency as well.

Quite probably, the C. I. A. also feared that releasing information to the Commission (and possibly being leaked to the public) would risk inflaming the populace against Russia and Cuba. The government officials clearly feared that information such as this could cause the Cold war to heat up. Not only did international relations affect the actions of the Commission, but also clearly influenced the C. I. A.

Peripheral Agencies: The Dallas Police Department

Immediately following the assassination, the burden of the investigation fell upon the Dallas police force. Unfortunately, the police were not up to the challenge. At times during the two days between the assassination and

the murder of Oswald, when the police were in the spotlight, the situation looked more like a circus than an investigation.

The Dallas police force was fully mobilized for the visit of the President, and, at least on the surface, their apprehension of Oswald in less than two hours was a remarkably efficient performance. A closer examination of its performance in the apprehension of Oswald and the later investigation tend to undermine this position, however.

For example, 20 to 25 minutes after the assassination, Secret Service agent Sorrels found the back entrance to the Schoolbook Depository still unguarded.¹⁶⁴ The alleged source of the assassin's shots was in this building. To allow the building to remain unguarded is to open up the possibility that unidentified individuals may have left the building. Although the Commission was negligent in not investigating this possibility, the police were even more negligent to allow this possibility.

The handling of the "sniper's lair" by the police also included some procedural mistakes. Initially, they apparently rearranged the crates that the assassin used as a shield. The official pictures taken by the police department photographer show different stackings of the cartons.¹⁶⁵ Then, before the position of the spent cartridges could be marked

on the floor, they were scooped up by L. C. Day.¹⁶⁶ While the magnitude of these errors is not terribly significant, they reflect a careless attitude toward simple police procedures that was often ignored by the police. This careless attitude would lead to serious problems later.

During the marathon 12-hour interrogation session of Oswald, no record was kept. The only information comes from a "summary" written by Captain Fritz from memory.¹⁶⁷ It is difficult to believe that the police couldn't find or borrow a stenographer or a tape recorder for use in this crucial interrogation. Such action is, at least, highly irregular.

The police line-ups held during Oswald's imprisonment were little improvement over the interrogation session. Oswald had conspicuous bruises and a black eye. In addition, he stated his name and place of employment (by then, the TSBDD was known as the source of the shots).¹⁶⁸ William Whaley, a taxi-driver, brought a friend to a line-up and later testified that the marks, bruises and loud complaints would have allowed "anybody who wasn't sure" to pick out Oswald easily.¹⁶⁹ It is obvious that both the interrogation session and line-ups would have come under heavy criticism had the case reached court. The actions by the police in both situations are quite inexplicable.

were this not enough to seriously undermine the

court case, the police department proceeded to distribute information that was both prejudicial and false. The press conferences held by the police were wild affairs. At one point, Fritz had to be corrected by Jack Ruby.¹⁷⁰ At another time, it was announced that a map with possible assassination sites and trajectories had been found in Oswald's apartment. The map turned out to be a map Oswald used to try and find a job, but the prejudicial information had already been released.¹⁷¹ Although other agencies proceeded to "leak" information to the news media, the actions of the Dallas police would have, in the words of the Warren Commission, "presented serious obstacles to the obtaining of a fair trial for Oswald."¹⁷²

The police ineptitude was capped by their fatal attempt to transfer Oswald. Sylvia Meagher discovered that, of the 44 newsmen present in the basement at the time of Oswald's murder, 14 (about 1/3) had not been asked for their credentials.¹⁷³ The time for the transfer of Oswald was also quite widely known and the attempts to "fool" the press were quite obviously inadequate. As the Commission concluded, "The decision to transfer Oswald to the county jail in full public view was unsound....The arrangements... were inadequate....These deficiencies contributed to the death of Lee Harvey Oswald."¹⁷⁴

The Investigation: An Overview

The investigation did not meet its goals. All the "truth" about the assassination was not revealed. All the leads were not followed up nor were they meant to be. In the end, the conflict between "truth" and public relations became irrelevant when it became clear that the public no longer accepted the investigation's conclusions.

These, then, were some of the problems, but how can they be solved in other, similar circumstances? One of the basic problems was the lack of independent investigators. A successful investigation can be accomplished using government-developed information. The Watergate Special Prosecutor's Office proved that. However, when a restrictive time limit is established, the evidence cannot be effectively reexamined and the investigation loses its independence.

Three alternatives remain to solve this problem. Investigations could be allowed to proceed at more than one level of government. In this case, the Texas Attorney General's office could have been allowed to conduct its proposed investigation as a check to the federal one. The danger here lies in the lack of coordination and the possibility of conflicting conclusions. The latter possibility may outweigh any advantage.

Alternately, the news media could involve itself in a truly investigative reporting effort. Rather than accepting

the news statements or leaks of "authoritative sources," it could attempt to check up on the information. The objections to this recommendation are two-fold. First, the news media's dominance of information dissemination could cause the "adversary concept" to backfire, with the opposite position being foisted on the public as a "matter of principle." A second, more important, objection is that there appears to be no trend toward this procedure. The investigative reporting of Watergate not only was a fluke, isolated to one newspaper in one situation, but was a short-lived phenomenon in that newspaper. On the other hand, the recent Arizona Crime Task Force is the perfect prototype for the necessary news media action. If this precedent is followed in the future, the second objection may disappear. Though this check would be inconsistent and unreliable, it would be a powerful adversary to the government's position.

The most promising alternative would be to have some sort of official adversary proceeding. On most Congressional committees, both sides of a controversy are represented. The Commission chose to work under the facade of being an "investigative agency" and thus refused to allow this concept to enter in. While this check would be more effective, it, too, would have its problems. The arguments presented by the minority viewpoint could help to undermine the majority conclusion in the minds of the public.

Clearly, there is no "perfect" solution. However, the use of an investigative commission (such as was used here) with sufficient staff and independent investigators to reexamine the evidence and sufficient time to see all the evidence would solve some of the problems. Moreover, the Commission must be allowed full access to all government files. The right to decide what they see and what they don't see must belong to them, and not the agencies.

A Final Word

Government reactions to crises are important situations because it is here that government is both most vulnerable and most reflective of its true nature. India was a "democracy" until 1975 when political pressure from opposition parties led Indira Gandhi to eliminate political freedoms. However, when they were allowed to vote in 1977, the Indian people repudiated Gandhi and elected a new administration. The government led by Gandhi had little respect when under pressure; the populace, however, did. It is in situations like this that the country's "true colors" are shown.

The government's reaction to Kennedy's death was such an event. The assassination of John Kennedy is only one of a series of linked events which describe American and world history. While it does not exist in a vacuum, this study isolates it in an attempt to examine this impact on government.

American government did not opt for "truth" in the sense of all information being revealed to all people. Rather, the country's safety was the guiding goal. The justifiability of this action will remain for the individual to judge, but, at least here, our government chose what they viewed as national security over an abstract goal of truth.

The government investigation was also influenced by the self-interest of the investigators. As our founding fathers noted, self-interest, if not checked, can lead to distortions of government procedure. In a crisis situation, checks are too often ignored in the name of expediency. The processes delineated carefully in textbooks are not always the processes that determine our way of life.

Crisis situations have been carefully examined to support conclusions of "right" or "wrong" but not as often for what they reveal about government policy-making. This study obviously only scratches the surface both of the Kennedy assassination and the larger issue of the politics and structures of crisis investigations.

Notes

¹William C. Thompson, A Bibliography of Literature Relating to the Assassination of President John F. Kennedy. (San Antonio, Tex.: William C. Thompson, 1968).

²Robert Sam Anson, "They've Killed the President!" (New York: Bantam Books, 1975), p. 4.

³The description of the motorcade in Dallas, the assassination of Kennedy, the arrest and the death of Oswald is a summary of the "Narrative of Events" section in the "Summary and Conclusions" of the Report by the President's Commission on the Assassination of President Kennedy. The Report was published on September 24, 1964 by the Government Printing Office. The section referred to above occupies pp. 1-19 of the Report. Hereafter, the symbol "WR" followed by the page number cited will be used to refer to this report. "H" preceded by the volume number and followed by the page number will refer to the 26 volume publication of the Commission's hearings and exhibits. This system of citation is popular with most writers on the subject of the Kennedy assassination.

⁴New York Times, January 4, 1967, p. 20.

⁵WR, p. 1.

⁶WR, p. 21.

⁷WR, p. 23.

⁸The "Garrison investigation" was discussed by the New York Times from Feb. 18, 1967 to March 16, 1969. The trial itself was discussed in issues from Jan. 22, 1969 to March 1, 1969.

⁹New York Times, Sept. 18, 1976, p. 1.

¹⁰George Gallup, The Gallup Poll (1935-1971). (New York: Random House, 1972), p. 2045.

¹¹Anson, p. 3.

¹²Washington Post, December 26, 1976, Sect. A, p. 3.

¹³WR, p. 1.

¹⁴Gerald Ford and John Stiles, Portrait of the Assassin. (New York: Simon and Schuster, 1965), p. 13.

¹⁵Richard H. Rovere, introduction to Edward J. Epstein, Inquest (New York: The Viking Press, 1966), p. x.

¹⁶Lyndon B. Johnson, The Vantage Point. (New York: Holt, Rinehart, and Winston, 1971), pp. 25-6. See also New York Times, September 28, 1964, p. 14.

¹⁷George Lardner, Jr., "Congress and the Assassinations," Saturday Review, February 19, 1977, p. 14.

¹⁸Epstein, p. 10.

¹⁹Ibid., p. 110.

²⁰Ibid., p. 7.

²¹Ibid., pp. 15-6.

- 22Ibid., pp. 7, 21-2.
23Ibid., p. 111.
24Ibid., p. 22.
25Ibid., pp. 8-9.
26Ibid., pp. 90-1.
27Ibid., p. 92.
28Ibid., p. 95.
292 H, pp. 32-61, 5 H, pp.546-61.
30Epstein, pp. 134-5.
313 H, pp. 308-9.
32WR, pp. 144-5.
33Epstein, p. 134.
34Ibid., p. 137.
35Ibid., p. 135.
36Ibid., p. 8.
37Ibid., pp. 106-11. Also see the Hearings of the
Warren Commission.
382 H, p. 175.
393 H, pp. 310-11.
404 H, p. 127.
41Epstein, p. 12.
42Ibid., pp. 21-2.
437 H, pp. 553-4; 21 H p. 472.
44Epstein, p. 83.
45WR, p. 19.
46Epstein, p. 86.
47Ibid., p. 76.
48WR, pp. 6-7.
49Sylvia Meagher, Accessories After the Fact. (New
York: Random House, 1967), p. 253.
50WR, p. 165; 15 H, pp. 60-1.
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55Ibid., pp. 23-5.
56Ibid., p. 132.
57Ibid., pp. 101-3.
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59Ibid., pp. 75-80.
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61Ibid., March 22, 1976, Sect. A., p. 3.
62Ibid., November 23, 1976, Sect. A., p. 1.
63Los Angeles Times, November 17, 1976, Sect I., p. 9.
64Ibid., November 16, 1976, Sect. I., p. 6.
65WR, p. 322.
66WR, p. 324.
67Ibid.
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- 69Ibid., p. 387.
- 70Mark Lane, Rush to Judgment. (New York: Holt, Rinehart and Winston, 1966), p. 54.
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- 73Epstein, pp. 137-47.
- 74Ibid., p. 103.
- 75Ibid., pp. 149-50.
- 76WR, pp. 3-4.
- 772 H, pp. 349, 364, 380.
- 78Thompson, p. 198.
- 792 H, p. 348.
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- 83Ibid.
- 84Thompson, p. 279.
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- 962 H, p. 368.
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- 9917 H, p. 48.
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 1141 H, p. 410.
 1158 H, p. 245.
 116 Meagher, p. 321.
 11711 H, p. 362.
 11814 H, p. 107.
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 12015 H, p. 501.
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