

Topic 5: How the Warren Commission Covered Up JFK's Murder

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How the Warren Commission Covered Up JFK's Murder

By *Bill Simpich*

 [Slide 1.pptx](#)

This year marks 50 years after the creation of the Warren Report - an evaluation of the murder of President John Kennedy that devolved into a cover-up. Not everyone was a conscious participant, but some of the Commission and staff members knew they were burying evidence that would exonerate the accused assassin Lee Oswald. Since Oswald consistently declared that he was innocent, it's just not right to proclaim his guilt based on evidence that actually indicates that he was framed.

The best way to address such a disaster is with a compelling presentation showing not only reasonable doubt of Oswald's guilt, but that there was never enough evidence for any case against Oswald to go to a jury.

What we need is a citizens' body with subpoena power that can address this outrage and other contested events.

A quick [rebuttal](#) of the Warren Report can be done even though we don't have a couple of crucial tools that would make the task much easier.

One is to cross-examine the [Warren Commission](#) witnesses with first-hand information, which has been described as the greatest engine for uncovering the truth.

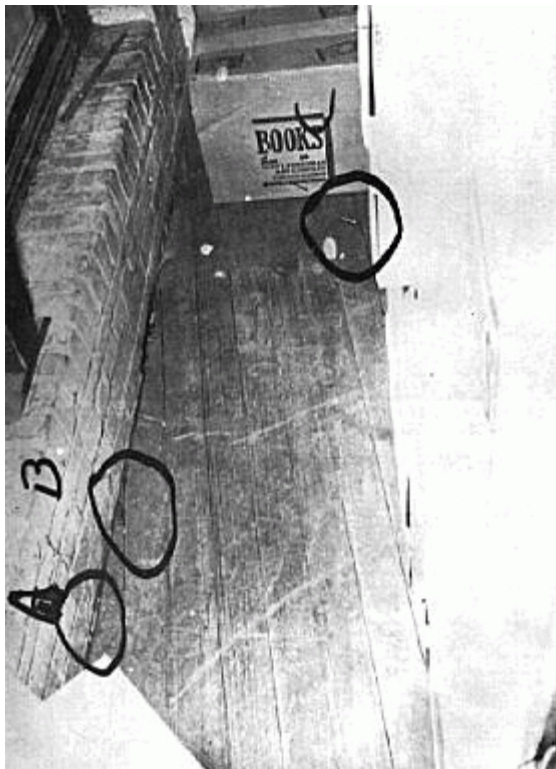
The other is to work with government-funded defense experts to challenge the [Warren Commission](#) experts, who were widely lauded as the leading lights in the land.

The approach will be to use the Commission's own evidence to rebut its own findings.

In reviewing the evidence, consider that [Hoover](#) told Bobby Kennedy that Oswald was the shooter [by 4 pm that day](#). After that point, the die was cast.

What happened in those first hours? We'll analyze here the actions on the ground by certain members of the Secret Service and the Dallas police. The role of members of the intelligence agencies and others will be for another day.

Here are the top ten arguments of the Warren Commission, as spelled out by their attorney David Belin in the conclusion of his book *You Are The Jury*.



Hulls found on 11/22/63, in the book depository
 (Image by [National Archives](#)) [Details](#) [DMCA](#)

1. Scientific [ballistic](#) evidence proved that the hulls found at the southeast corner of the sixth floor of the TSBD building came from the 6th floor rifle

[The chief of the Dallas police crime lab, Carl Day, said he initialed all three hulls](#) found on the [sixth floor](#) at about 1 pm on the afternoon of November 22.

When Day [testified](#) on [4/22/64](#) to the [Warren Commission](#), he had to admit that he [did not initial any of them](#) during the time that they were found at the 6th floor of the book depository.

As the hulls are [nondescript](#), initialing them is essential if anyone hopes to recognize such an item again. Detective [Richard Sims](#) wrote that after Day took pictures of the hulls, he picked up the "[empty hulls](#)", Day held open an envelope, Sims dropped them in. Sims held onto an unsealed envelope with three hulls in it at 2 pm; at some point, homicide chief Will [Fritz was given the envelope](#) by Sims. [Fritz](#) later gave the envelope to a sergeant, who [eventually brought one hull back to Fritz and the other two hulls back to Day](#).

Day admitted during his [Warren Commission](#) testimony that he [only initialed the two hulls in the unsealed envelope when he got it back at 10 that night](#). Day passed the shells on to [FBI agent Vince Drain](#) in the early morning, and I am similarly unaware of any record of [Drain](#) initialing any of these materials before he passed them on to firearms expert Robert Frazier at the FBI lab. Frazier's testimony doesn't mention anything about these shells being initialed by either of these men.

These hulls should have been excluded based on the failure to have a reliable chain of custody.

2. Scientific ballistic evidence proved that the two ballistically identifiable bullet fragments in the front seat of the Presidential [limousine](#) came from the 6th floor rifle

There are no records showing that the [limousine](#) was secured at Parkland Hospital as it was parked in the lot between 12:30 and 2:30. Motorcycle officer Stavis [Ellis](#) describes how [reporters](#) and others got close to take a look at it. (Larry Sneed, *No More Silence*) A bucket was brought to the [limousine](#) to wash out the blood, severely compromising the crime scene and the [blood spatter](#) evidence.

There was absolutely no pressing reason for the Secret Service to fly the limousine back to DC at [3:41 pm](#), other than

gaining control over the evidence.

The Secret Service had lost the President, and disciplinary actions could have easily followed. The Secret Service fled the scene rather than allow the Dallas police or the FBI to take a look at the evidence until they were good and ready. The Secret Service was not impartial, they had an inherent self-interest in not looking bad.

The limousine did not reach any zone of relative [security](#) until its 9 pm arrival at the [White House garage](#).

Even then, security was lax. Bullet fragments were found inside the limousine at 10 pm, when deputy Secret Service chief Paul Paterni took it upon himself to conduct a "[pre-inspection inspection](#)", ostensibly because bone and tissue was on the seats.

[Nor was there a log kept of who was in the vicinity of the limousine](#) prior to the 1 am inspection.

A judge would probably have excluded those fragments from evidence, given all these factors and the history of tampering evidence discussed later on.

I should add that recent scientific advances demonstrate that the "neutron activation test" used to verify the fragments in the limousine were a match to the bullet recovered in the TSBID is now considered to be technically unsupportable. Such tests are no longer used by the FBI nor admissible in court.

3. Scientific ballistic evidence proved that the magic bullet found at Parkland Memorial Hospital came from the 6th floor rifle

This amazing story has been carefully pieced together by analysts such as Sylvia Meagher in the sixties and [John Hunt](#) in the last few years.

Although [Secret Service agent](#) Richard [Johnsen](#) received the bullet in [Parkland Hospital](#) by about 1:30 pm, an hour after the assassination, [Johnsen's initials](#) are nowhere on the [magic bullet](#), despite regulations mandating Secret Service agents to initial forensic evidence.

[Johnsen](#) handed it to the chief of the Secret Service Rowley at Andrews Air Force Base at about 7:30 pm, who didn't initial it either. [Neither Johnsen nor Rowley could identify it](#) when shown it later.

The positive ID was [finally](#) made by [FBI agent Elmer Todd](#), who received the bullet from Rowley and delivered it to Robert Frazier at the crime lab.

Todd swore that he initialed the bullet - but [his initials are not on it](#) either. The only initials on the bullet are those of Frazier and the other crime lab examiners.
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The FBI [swears](#) that the bullet - known as "Q1" - was delivered from Todd to Frazier at [7:30 pm](#).

However, this does not jibe with Johnsen's note stating that he gave the "attached expended bullet" to his boss Chief James Rowley at [7:30 pm](#).

Todd has a written receipt from Rowley dated at [8:50 pm](#), which again doesn't jibe with the FBI lab's claim that Todd delivered it to Frazier by [7:30 pm](#).

How did such a troubling situation come into play? Look at this...

Within an hour after the assassination, Johnsen was given the bullet by Parkland hospital security director O.P. Wright, after orderly Darrell Tomlinson found it by a stretcher. Like Johnsen and Rowley, [neither Wright nor Tomlinson could identify the bullet](#).

In a 1967 interview by private eye Tink Thompson, Wright was described as a professional law enforcement officer with "[an educated eye for bullet shapes](#)". Wright told Thompson that the bullet looked like a [30-30 round](#) and had a [pointed tip](#), not a blunt tip like the [6.5 mm](#) magic bullet.

It looks like someone originally planted a 30-30 bullet on or near [a stretcher](#) before [the bullet was found some time between 1:30 and 1:45 pm](#), in an effort to align the evidence with [the Dallas police dispatcher's report at 12:44 pm](#) that

the 5 foot, 165 pound shooter used a [30-30 or some type of Winchester](#). (30-30 ammo has been used in Winchesters since the [19th Century](#).)

Many years after Thompson's interview with Wright, a FBI memo was found which said that both Wright and Tomlinson thought that the bullet in evidence "[appeared to be](#)" the same one that they had seen on November 22.

Thompson and his colleague Gary Aguilar sought out the memo's author, FBI agent Bardwell Odum, and interviewed him about this [contradictory evidence](#) in 2002. Incredibly, Odum said that he [never had possession of the magic bullet](#). Odum added that even though it was highly unlikely that he forgot such a significant event, the established procedure was to write up a report about something that important. No such memo has been found in the Archives, [despite numerous searches](#). The use of Odum's identity is another astonishing piece of fabricated evidence.

The magic bullet would be excluded, based on the utter failure to create any sort of trustworthy chain of custody.

4. All of the above evidentiary items came from a rifle, No. C-2766, to the exclusion of all other weapons in the world.

When the Italian government sold off millions of Mannlicher rifles in 1958, a handful of major companies bought them up. One of them, International Firearms Limited in Montreal, was run by William Sucher.

Sucher told the FBI that in the 1930's Italian Dictator Mussolini ordered all arms factories in Italy to manufacture the Mannlicher-Carcano. He said that since many companies manufactured the same rifle, [the same serial number](#) appeared on weapons manufactured by different companies.

Even with proof that Oswald's alleged alias "Alek Hidell" ordered the Mannlicher rifle shipped with the serial number C-2766, the serial number could have been faked by a machinist.

But not only is the serial number not good enough - there is no reliable proof that Oswald even handled it.

First, you have to ask why anyone would want to use such a poor weapon. This particular rifle had a bad track record for accuracy. The government's expert from the Aberdeen Proving Ground, a weapons testing center, stated that shims were needed to put the telescopic sight into adjustment, and the sight was installed for a [left-handed shooter](#). Consider Oswald's brother John Pic and others who testified that [Lee was right-handed](#). Firearms expert Robert Frazier admitted that [the sling was too short](#) to do much more than put one's arm through it. [Several witnesses](#) unequivocally described it as a [guitar strap](#). Ronald Simmons, Chief of Infantry Weapons for the Army, testified that test firings show the gun fired [high](#) and to the [right](#) and was inaccurate from 15 yards.

Next for consideration is the problems with the prints. Reporter Tom Alyea took video footage of the discovery of the rifle at about 1:22 pm that day, just a few minutes after the sixth floor hulls were found.

Day was on the scene within moments, took the rifle out of the depository at 2 pm, and had it in his exclusive possession until he turned it over to the FBI at 11:45 that night.

Lt. Day's story was that he lifted a palmprint from the rifle. His story is contradicted by the FBI.

Lt. Day claimed that in the PM hours of 11/22, he had lifted a palmprint of Oswald's on the barrel of the rifle [after he had removed the wood](#). It should be noted that the logical conclusion is that the alleged Oswald palmprint was not created during any alleged firing of the rifle during the assassination that day.

Lt. Day also said that he could still see a palmprint on the barrel after he lifted it. Since "it [still remained on there](#)", he thought it was the FBI's "[best bet](#)" in terms of fingerprint evidence on the rifle.

But when the rifle was examined the next day by the FBI's expert Sebastian Latona, [Latona found no print on the barrel](#). He said "[there was nothing left](#)" showing that the barrel had even been processed for prints.

There is no proof that Oswald owned or possessed the rifle allegedly ordered by "Hidell", even if you accept the handwriting match made by WC experts between Oswald and Hidell.

From an interview with Vincent Drain, who received the first day evidence from the Dallas police:

"Day remains adamant that the Oswald print was on the rifle (that afternoon)...Day stated that when he gave the rifle to

Agent Drain, he pointed out to the FBI man both the area where the print could be seen and the fingerprint dust used to bring it out...

"Drain flatly disputes this, claiming that Day never showed him such a print. 'I just don't believe there was ever a print', said Drain. He noted that there was increasing pressure on the Dallas police to build confidence in the case.

"Asked to explain what might have happened, Agent Drain stated, '**All I can figure is that it (Oswald's print) was some sort of cushion**, because they were getting a lot of heat by Sunday night. You could take the print off Oswald's card and put it on the rifle. Something like that happened.'" (Henry Hurt, Reasonable Doubt, p. 109)

There is no proof that the Mannlicher rifle was ever in the possession of Dallas postal authorities, as the proof of mailing by the mail order house doesn't get the rifle past Chicago.

There is no proof that Oswald or Hidell were ever given notice by the Dallas post office to pick up the Mannlicher rifle; the rifle couldn't simply be placed in Oswald's PO box.

There is no proof that the Mannlicher rifle was ever picked up by anyone at the Dallas post office. That would have meant having to deal with [postal form 2162](#), which required the signature of the shipper or receiver of a firearm sent thru the US mail and that said documents be retained for four years ([postal regulation 846.53a](#)).

Finally, what was the chain of custody for this rifle? There is a problem with Day's testimony that [he initialed the rifle on 11/22](#). Frazier doesn't report these initials on the rifle.

With the hulls, fragments, the magic bullet, and the rifle print all stricken due to their untrustworthy nature, that would add strength to the argument to exclude the rifle as well.

5. The paper bag...was of sufficient size to carry the disassembled rifle and it contained a fingerprint and palmpoint of Lee Harvey Oswald.

A paper bag was supposedly found just a few minutes after the rifle was found, and within two feet of where the hulls were found.

Day was unable to find a fingerprint or a palmpoint on the paper bag. [The only print Day was sure of was an Oswald palmpoint on one of the boxes](#), which meant nothing because Oswald was constantly handling the boxes.

After the paper bag was shipped to the FBI, the FBI Lab found [a palmpoint and fingerprint](#) of Lee Oswald on the bag. Why can't these two agencies agree about what prints are on these various items?

The print evidence is unreliable on that basis alone.

The next question...why bring an unassembled rifle?

To assassinate the president, wouldn't you want to bring an assembled rifle into the depository? Wouldn't you want to ensure the rifle was sighted as accurately as possible?

Only six inches were saved by disassembling the rifle - [even after disassembly, the largest component of the rifle was 34.8 inches](#).

The Mannlicher rifle in evidence was measured as [40.2 inches](#). The paper bag was measured as [38 inches](#). handmade from the same wrapping paper used in the book depository where Oswald worked. Why would you try to put a 40 inch gun in a handmade [38 inch bag](#)?

I believe that the bag was constructed to fit a 36 inch rifle, which is what Oswald's alleged alias "Hidell" originally ordered.

It would appear that someone found out that "Hidell" had ordered a 36 inch rifle from Klein's before the 38 inch bag was constructed.

Since the rifle in evidence is 40 inches, [the Warren Commission created a picture of the rifle disassembled](#), which was the only way the rifle would fit in the 38 inch bag.

Chain of custody problems are extreme in this instance:

Buell Frazier and his sister Linnie Randle saw Oswald place a bag in Frazier's car as the two men went to work the morning of the assassination. These witnesses testified to the Warren Commission that the bag was [24-27 inches](#), not

38.

The paper bag in question was found on the 6th floor of the book depository, some distance away from where Frazier and Randle saw Oswald carrying a bag.

There was no photo of the bag taken at the crime scene, supposedly found right next to the hulls in the 6th floor. The Warren Commission was forced to use a [dotted-line picture of an imaginary bag](#).

Was the bag ever on the sixth floor at all? Luke Mooney, who found the hulls, didn't see this sack which was about two feet away from the hulls. Nor did [Jerry Hill](#), who apparently saw everything else. Bill Senkel, who was there at the finding of the hulls, [says nothing about any bag](#). Detective Elmer Boyd, also on the scene, didn't see [the sack or any wrapping paper](#). The [report of Boyd and Sims](#) said nothing about the bag, although they were there the whole time.

There are two different stories about who found the paper bag

An 11-29-63 interview of Day reveals: "Lt. Carl Day, Dallas Police Department, stated he found the brown paper bag shaped like a gun case near the scene of the shooting on the sixth floor of the Texas School Book Depository Building. He stated the manager, Mr. Truly, saw this bag at the time it was taken into possession by Lt. Day." ([Truly doesn't mention it in his 11/23 affidavit](#))

(An aside: Although the evidence suggests Truly didn't see the bag, he [certainly heard Fritz's first comment upon seeing the rifle,](#) "it looks like a Mauser". That had to scare Truly to death, because he had been handling a Mauser inside the depository two days earlier. His prints were all over it.

Within minutes after the discovery of the rifle, Truly turned to Fritz and said that Lee Oswald was the only employee missing. Truly admitted later that [he jknew that other employees were missing](#), and he In fact, the Commission's affidavits show that at least [14 employees were missing](#)! Truly's statement was what got Fritz looking for Oswald in the minutes before he was captured at the Texas Theatre. When asked why he only noticed that Oswald was missing, Truly said "[I cannot give an answer.](#)")

There's no mention of Montgomery and Johnson, the detectives who, according to the Dallas Police Department's own records, [found the bag](#).

Det. Montgomery, the supposed discoverer of the sack, claimed "[I found a long brown paper sack looking item that looked homemade. It was beneath and to the left of the window where the shooting took place. I believed this to be the container that the rifle Oswald used was in.](#)"

Here's [two](#) pictures of Montgomery and Johnson outside with the bag at 3 pm, the note is probably what is [masked](#). Why did it take so long to bring the bag down if they found it at 1:30? How could Day's crime lab assistant J. B. Hicks [not know if they ever received it](#)?

It is impossible to track the history of the bag after Montgomery and Johnson deliver the bag to the crime lab.

There is no good chain of custody of this bag, and the prints on it are unreliable. All of it should be excluded.

6. Scientific evidence proved that this revolver to the exclusion of all other weapons in the world was the weapon...

Officer Jerry Hill took custody of a revolver at the Texas Theatre, after it was supposedly handed to him by [officer Bob Carroll](#). Hill testified that he [initialed](#) the revolver after he arrived at the police station with Oswald. The claim is that Carroll removed it from Oswald at the theatre.

As a result of this testimony, any argument that the revolver was planted on Oswald in the Texas Theatre or switched in the police station by Jerry Hill or someone else would go to the weight of the evidence, rather than admissibility.

So, assuming that the revolver was in his hand, but how can they match it to the other items of evidence? Even the Warren Commission admitted that it is [impossible to match the bullets fired at Tippit with the revolver](#). The only case left rests on the hulls.

7. ...Which discharged the cartridge cases that witnesses saw the murderer of Officer Tippit toss away as he left the scene of the murder

Officer Tippit was struck by four bullets.

The two hulls found by Domingo Benavides at the Tippit crime scene would never be admitted. Poe told the FBI that he marked these hulls with his initials "JMP". When he testified before the Commission, Poe stated under oath that [he could not swear that he initialed these hulls](#). Hence, there was no chain of custody.

Detective Jim Leavelle, a veteran of the force, told researcher Joe McBride that the hulls were useless as evidence. (Joseph McBride, *Into the Nightmare*). The question should be asked, however - did Poe initially lie, or were the hulls switched?

Officer Jerry Hill complicated matters still further by claiming that Poe showed him [three hulls](#).

What really threw a spanner into the works was when Hill made a radio call at [1:40 pm](#) and reported that the hulls came from a 38 automatic rather than a 38 special. The 38 special bullets were used by the Dallas police and were extremely well-known. Both 38 special and 38 automatic hulls are clearly identified at their base - Hill's misidentification cannot be passed off as a simple mistake.

Hill then threw gasoline on the fire. In the face of a very carefully phrased question by attorney Belin, Hill [denied](#) under oath that he made the radio call about the finding of 38 automatic hulls at [1:40 pm](#). Hill claimed that he wasn't using his call number "550-2" as much as another officer.

In 1986, Hill admitted to researcher Dale Myers that he made the call. When he was asked how he determined that the hulls were 38 caliber, Hill said, "Thirty-eight's stamped on the bottom of it. I looked on the bottom." Hill's problem is that the bottom of the hull will spell out for you what type of 38 it is! (Dale Myers, *With Malice*, p. 261).

It could be argued that the two hulls found by two sisters, Barbara and Virginia Davis should be admitted because of the [clear stories](#) about two different officers that received them from the Davis sisters.

However, there are several problems. The hulls provided to the police were not found at the crime scene, but down the street and [later in the day](#) - they could have been planted. Furthermore, the Davis sisters said that [the marked hulls were not the hulls that they originally provided to the police](#).

The biggest problem is the way that Jerry Hill poisoned the well with his lies and his widely varying stories. The history of alteration would probably result in none of the hulls being admitted into evidence.

8. Why did Oswald...strike Patrolman McDonald with one hand and fire the revolver with the other?

Dallas officer Jerry Hill and other policemen always insisted that Oswald fired his revolver in the theater in an effort to kill, but that the revolver misfired.

[Hill wrote in his report that one of the shells had a hammer mark on the primer.](#)

Firearms and toolmark expert Cortlandt Cunningham testified to the Warren Commission, "[We found nothing to indicate that this weapon's firing pin had struck the primer of any of these cartridges.](#)" In other words, Cunningham called Hill a liar.

The Warren Commission [agreed](#) with Cunningham's finding.

On this basis, the court would have excluded this evidence.

9. Scientific evidence showed that the picture negative was taken from Oswald's camera, to the exclusion of all other cameras in the world.

The veracity of a photo portraying Oswald holding a rifle, a revolver, and left-wing newspapers has been challenged for years, but that probably would not be the basis to keep the photo out of evidence. The same is true on the ownership of the camera. The value of differing expert opinions generally goes to the weight of the evidence which is a jury issue, not admissibility which is decided by the judge.

This photo would be excluded on the basis of what is called the "marital privilege". A competent witness is needed to testify to the setting where the photograph was taken, and Mrs. Oswald cannot be forced to testify against her husband. She was the only one allegedly at the scene with Lee.

10. Many individuals identified Oswald at lineups or with photo IDs

The [suggestive nature](#) of the lineups was outrageous. Oswald was wearing different clothes than the others in the lineups, and he had a black eye from the fracas in the theater.

There were at least four lineups. At the first two lineups, Oswald was the number two man in a line of four. He was surrounded on either side by detectives. One of them was wearing a [brown sports coat](#), the other was wearing a [red vest](#). The number four man was the jail clerk, wearing a white shirt and a [knit gray sweater](#).

Oswald was wearing a brown shirt with a hole in the elbow and dark trousers - he was angry that they would not give him a [jacket](#) to wear like the other men. Detective Boyd testified that the other men were dressed [better](#) than Oswald.

The fourth lineup is intriguing, because there is a [youtube video](#) of Oswald walking with two teenagers and a heavy-set Latin man on the way to the lineup. Oswald turns to the camera and calmly expresses his frustration at being forced to conduct this suggestive lineup, particularly while being [the only one wearing a white T-shirt](#).

The one man who claimed he saw Oswald at the sixth floor window - Howard Brennan - was [unable to identify him at a lineup later that afternoon](#).

At least one major witness who exonerated Oswald - Warren Reynolds, who tried his best to capture the man who shot Tippit - changed his tune after he was [shot in the head](#).

On the photo IDs (and the lineups): Based on a number of credible witnesses who gave strong testimony to the WC and law enforcement reports reviewed by the WC, there were a number of well-documented impersonations of Oswald in Dallas in the days before November 22. The incidents at the rifle range, one including "[Frazier, from Irving Texas](#)"; a visit to an auto showroom and driving at high speed; the sightings of Oswald at high buildings and talking about shooting the president (James Douglass, *JFK and the Unspeakable*); the [mounting and adjusting of a telescopic sight](#) of a rifle of Oswald's at the shop of an Irving gunsmith. The last incident convinced Milton Klein - the president of the sporting goods emporium that supposedly sold Oswald the murder weapon with a mounted telescopic sight - that "[I don't think that rifle killed Kennedy](#)".

Witness IDs are considered the most unreliable evidence there is - this is redoubled when someone is repeatedly impersonated. Much of this evidence would be excluded, and certainly the lineups.

One anecdote may put some of this story together

What do you think, after mulling over these ten points?

I would suggest that some of the story of Dallas officer Jerry Hill has to be told in any presentation. It helps to offer an alternate theory of the crime that fits with the known crime. Once you hear this story, it's not easy to dismiss it.

Jerry Hill worked at the personnel division. Neither Hill nor his [boss Captain Pinky Westbrook](#) had any business being involved in these homicide investigations. Their beat was internal affairs, employment applications, and the like. They knew more about the inside dirt at the Dallas Police Department than anyone else, and specifically the proclivities of the various officers. They knew who they could work with, and who to avoid.

Hill claims that when the hulls were found, he leaned out the 6th floor window and called down for reinforcements. I can't find any evidence that he did anything other than wave from the window.

News photographer William Allen took a picture of Hill leaning out the depository window at [12:55](#).

The story is that Hill was shouting something about finding hulls - at least five minutes before the hulls were officially found by officer Luke Mooney. Hill may not have been saying anything - because he knew what was going to be happen up there, and all he wanted was to be photographed waving and gesturing.

Researcher [Gokay Hasan Yusuf](#) puts forth a fascinating hypothesis, based on the 12:55 wave. Jerry Rose posed a similar scenario almost [30 years ago](#), and I know others have studied this hypothesis. There is a well-documented sighting of Hill arriving at the book depository at 12:51 in car #207. After his 12:55 wave, Hill could have then gone downstairs, got back in Car 207 and drove out to Oswald's place. Oswald's landlady's initial recollection in November 1963 was that a [police car with the number #207](#) did come by and went ["tit-tit" with the horn](#) during Oswald's short stop at the rooming house at approximately 1 pm.

A [suggested lead](#) was issued to the Dallas police investigators, ordering them to identify the officers in car #207 and to ascertain why they went to Oswald's home. Westbrook had managed to emplace himself in the team of investigators looking at Jack Ruby and Lee Oswald. In that context, [Westbrook vouched for the driver of #207](#), saying that it never happened. [He avoided telling Curry that his right-hand man Jerry Hill was in the car.](#)

Hill remembers speaking with [a host of other officers](#) after the finding of the sixth floor hulls, but none of them reported seeing or speaking with him. Nor does Owens remember taking Hill to the Tippit crime scene a few minutes later.

Yusuf points out that "according to Google Maps, if Hill left the TSBD at approximately 12:58 pm, and traveled to the rooming house at 1026 North Beckley via Commerce Street; by this writer's calculation, at an average speed of 50 mph, Hill could have arrived at Oswald's home at approximately 1:01 pm."

Whether Hill went out to Oswald's place or not, it's pretty clear that Hill disappeared from the depository after 12:55. He claims to have checked in with four other officers on his way out of the building. None of them reported seeing Hill at all during this time.

Hill could have picked up Oswald shortly after 1, and dropped him off at the theater before 1:10. A few minutes later, Hill is one of the first officers to arrive at the Tippit death scene, with a fake story of finding hulls from the Tippit shooting, and came out of the Texas Theatre holding Oswald's alleged revolver that supposedly matched the hulls. He had time to do it all.

Evidence tampering

Besides the previously-cited examples of evidence tampering, there are a couple others that should be addressed.

Oswald's wallet mysteriously appeared at the Tippit crime scene, [reviewed by Captain Westbrook](#), filmed by the local TV station, and witnessed by still-living FBI agent Robert Barrett. [Barrett recalls that Westbrook told him that this wallet contained both the Hidell ID and the Oswald ID.](#) This wallet was not included in any evidence inventory, nor was not mentioned in any police report.

Westbrook and Hill worked at the personnel division. Between personnel matters and internal affairs, it was the place to learn all the dirt on one's fellow officers. Jones Harris states that when Westbrook left the Dallas police in 1966, he went to work overseas at the Office of Public Safety, an agency that worked at the liaison between the CIA and the South Vietnamese police forces.

Why would anyone escaping an assassination scene not only use a mail-ordered rifle, but also carry in their wallet the very ID that would tie them to that rifle? As draft cards did not include photographs, it was obviously a fake card. I think Oswald may have used it to display his prowess as a photographer, and was somehow manipulated to bring it with him on that fateful day.

The reason we know that an Oswald wallet was found at the Tippit crime scene is based not only on Barrett, but by the corroboration of patrolman Leonard Jez to researcher Martha Moyer, [the surviving film of WFAA-TV that can be seen on Youtube](#), and by interviews conducted by researcher Jones Harris with officer Kenneth Croy. Croy said he was given the wallet by an unknown witness when he first arrived at the Tippit crime scene. No one at the crime scene ever saw the wallet lying on the ground.

On another front, it also has to be asked: Why did the FBI create [two reports](#), one as part of a packet sent to the WC on [Dec. 20](#) saying that the paper was not identical with that used in the Depository, and the other sent in a second packet on [Dec. 23](#) and saying the opposite? (Ed Tatro, Third Decade, Vol. 1, No. 2, Jan. 1985)

Finally, we have discussed the impersonations of Oswald at a gun shop and elsewhere, as well as Oswald and his fellow employee Buell Frazier at a local rifle range. All of these incidents illustrate the care that has to be taken with the chain of custody and the need to avoid evidence tampering.

Exculpatory and inculpatory evidence:

Four final observations on the evidence:

1. The most basic test is to see if the weapon has been recently fired. If metal fouling had been found, it would have been inconclusive as to when it was recently fired. But if there is no fouling, it would have been exculpatory, showing

that the gun has not been recently fired. [A negative metal-fouling test would have proven that the Mannlicher was not the murder weapon.](#) But it wasn't done, as admitted by FBI firearms expert Robert Frazier. (*Lee Harvey Oswald and the Italian Rifle, Part II*, by Walter F. Graf and Richard R. Bartholomew)

2. Sniffing the rifle or the revolver to see if it was recently fired would have been exculpatory - that's why it wasn't done.

3. The negative results on the paraffin test of his right cheek argue strongly for his exculpation in firing the rifle. When an NAA test is conducted, as it was here, even washing one's face will not dissipate the nitrates for at least two and a half hours. Gerald McKnight, *Breach of Trust*, pp. 206-212. It is not ironclad here because Dallas police chose not to conduct the test until 8 pm, I would argue that the test was delayed precisely so that it could only be used to inculcate rather than exculpate Oswald.

4. FBI tests revealed that the holes in Kennedy's coat and shirt showed traces of copper around the edges of the holes. It was a copper jacketed bullet (the aforementioned CE# 399) that the Commission contended entered Kennedy's back, exited his neck, and caused all of Connally's nonfatal wounds. A forensic ballistic report showing that spectrographic analysis of [the copper jacket metal from CE# 399 and the copper wipe or traces around the coat and shirt were determined to have a common origin would have provided the government with the "killer facts"](#) to proclaim that the single-bullet explanation was an established fact and not a theory.

There never was such a report.

The absence of this kind of supporting material leads to a conclusion that author Jerry McKnight says is as inconspicuous as a tarantula on an angel food cake: The single-bullet theory is inconsistent with the physical evidence.

Conclusion

We have rebutted the central ten points used by the Warren Commission as the heart of its case. We have identified a large amount of possible evidence tampering and alteration. I believe that a reasonable judge would come to the conclusion that the prosecution has not met the basic test required for a case to go to a jury: Would a reasonable juror be able to make a finding that Oswald was guilty beyond a reasonable doubt?

I think the prosecution would be unable to make any basic case. We have looked at the primary evidence identified by the Warren Commission. We haven't blinked. If you have questions, go to maryferrell.org and take your own independent look at the facts, attend the Dallas conference hosted by [JFK Lancer](#) on November 21-22, or take citizen action at aarclibrary.org.

After reviewing this evidence, I think you will agree that there's no way that a reasonable case can be made against Oswald for the murder of either JFK or Officer Tippit.

What we need now is a citizens' board with subpoena power, similar to the Assassination Records Review Board of the 1990s. The Board freed millions of documents that have transformed our ability to analyze the JFK case. A new board can provide an opportunity to resolve the murders of JFK, RFK, MLK, Malcolm X and many others.

The original 2014 article: https://www.opednews.com/articles/How-the-Warren-Commission-by-Bill-Simpich-Assassination-Evidence_JFK_JFK-Assassination-141119-717.html

The attached PowerPoint is based on this article.

- Bill Simpich

SPOTLIGHT AND POST:

Brian's Rifle powerpoint that we used for the mock trial (posted in google drive at the beginning of this piece, if he says ok.



HowtheWarrenCommissioncovereduptheevidence (1).pptx
2.1MB