

**THE TIPPIT MURDER
AND LEE HARVEY OSWALD:
A CASE OF WRONGFUL CONVICTION?**

An Investigative Essay

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The Murder of Officer J. D. Tippit

On the afternoon of November 22, 1963, approximately forty-five minutes after President John F. Kennedy was shot in Dealey Plaza, Dallas Police Officer J. D. Tippit was killed on a residential street in the Oak Cliff section of Dallas. Four shots struck him as he stood beside his patrol car on East Tenth Street. He died at the scene. Within the hour, Lee Harvey Oswald—soon identified as the prime suspect in the Kennedy assassination—was arrested in the nearby Texas Theatre after a struggle with police. The Dallas Police and subsequently the Warren Commission concluded that Oswald had killed Tippit while fleeing the presidential assassination.

At first glance the narrative appears straightforward. A police officer stops a pedestrian; the pedestrian shoots the officer and flees; the suspected assassin of the President is arrested nearby and is linked to the killing of the officer by witnesses and ballistic evidence. Oswald's perpetration of the Tippit murder has long been regarded as one of the least disputed elements of the Kennedy assassination record. Yet as this study brings out, when the evidentiary foundation of this account is examined closely—witness descriptions, forensic documentation, and the circumstances surrounding the investigation itself—that apparent simplicity begins to dissolve.

This study contends there is compelling reason to conclude that this supposedly settled fact was a mistake, and that the evidence points toward a different suspect who never was investigated due to the immediate closure of the case around Oswald.

The argument advanced is not that the Warren Commission acted in bad faith in its conclusion on Tippit, or that any conspiracy existed in advance to frame Oswald for the Tippit killing. This study does not find cause to suppose either of the two factors just named was operable. The argument advanced is simpler yet no less troubling: that in the heat of a manhunt for a live shooter, the police arrested the wrong man on Tippit. The investigation of Officer Tippit's murder was conducted under conditions of extreme pressure and institutional tunnel vision. Oswald *looked* to the police at the time like he was the right man, but he was not—the kind of thing that has happened in Innocence Project cases of convicted persons later found to have been innocent. This study will present the evidentiary case that Oswald did not kill Officer Tippit, and that the loaded revolver he

was carrying concealed when he was arrested was not the murder weapon and had not been fired that day.

Yet this study does not stop there, but will go on to show that the evidence points toward a different, overlooked suspect: one Curtis LaVerne Craford, then 22 years old, U.S. Army veteran, carnival worker, known at the time under the alternative name and spelling Larry Craford. He was a recently-hired live-in employee at Jack Ruby's Carousel Club, and his appearance and actions correspond closely with the available physical, forensic, and behavior evidence of Tippit's killer.

The implications, if the argument of this study holds, are profound. Following his arrest, Oswald was charged with the murder of Officer Tippit on Friday night, November 22, and then was killed on Sunday by Jack Ruby in the basement of the Dallas Police station, before any trial could establish or test his guilt. The Warren Commission's finding of Oswald's guilt on Tippit was made in a context in which all institutional incentives pointed toward confirmation of the Dallas Police's initial determination. In the six decades since, the Tippit finding has served as a supporting pillar of the broader Oswald narrative: the argument that because Oswald killed a police officer in flight, his guilt in the Kennedy assassination is correspondingly reinforced. If the Tippit finding was in error—the equivalent, in the language of the Innocence Project, of a wrongful conviction—the JFK assassination would require revisitation, to determine whether the remaining evidence is sufficient to justify the same confidence in the narrative of the JFK assassination, if that one pillar of the broader case was removed.

This study does not claim to resolve every question surrounding the Tippit murder and the events of November 22, 1963. The question of why Tippit was lured into a lethal ambush at a certain time and place in Oak Cliff by his killers is not resolved in this study. Knowledge of motive is not essential to determine that an individual has been wrongly identified as a killer of a police officer, nor necessary to a correct identification of a killer. However, this study considers it certain, whatever the reason Tippit was targeted for execution, it had to do with the JFK assassination which occurred less than an hour earlier, and was not the act of a jealous husband.

What this study claims is that the weight of available evidence, assessed by standards that eyewitness reliability research has developed since 1964, does not support the conclusion that Oswald killed Tippit, and that the evidence points in a different direction. These twin claims are developed analogous to the way the Innocence Project has brought cases: not as an attack on law enforcement or on honest investigators and jurors who attempted to do the right thing but in some cases got it wrong, but rather as a commitment to following the evidence where it leads.

The case to be developed is built on four interlocking categories of evidence.

The first is physical and forensic evidence that conflicts with identification of Oswald as Tippit's killer: fingerprints lifted from Tippit's patrol car, left by the killer, were disclosed in 1998 not to have been Oswald's; a revolver of the same make and caliber used to kill Tippit, found abandoned hours later in a paper bag near a downtown Dallas street curb and never publicly tested against the crime scene evidence; and specific witness descriptions of the gunman—black-appearing hair, a block-cut

rear hairline, and a shirt opposite to the dark brown shirt Oswald was wearing at his arrest—that cannot be reconciled with Oswald’s physical appearance, but agree with the suspect of interest.

The second is serious failures in the chain of custody and provenance identifications of cartridge cases matched by the FBI lab to Oswald’s revolver which were claimed by the Warren Report to be the same casings found at the crime scene—the forensic backbone of the case against Oswald, and in fact the only physical evidence incriminating him on Tippit—failures so serious that identification of the cartridge cases the FBI lab examined as the ones from the crime scene cannot be considered verified by any standard of authentication accepted as reasonable today.

The third is an independent and surprisingly extensive pattern—a half dozen instances—of sincere Dallas witnesses who, in contexts unrelated to the Tippit case, encountered Curtis Craford in the weeks before the assassination and then, afterward, *mistakenly positively identified the man they had actually seen*—22-year old Craford—as 24-year old Lee Harvey Oswald. Simple physical resemblance combined with ordinary witness error are all those cases were, but taken together they are evidence of a phenomenon that plausibly accounts for the Tippit lineup identifications, in which five crime scene witnesses picked Oswald on Friday and a sixth on Saturday, under conditions that were far from ideal and without blind lineup procedures.

The fourth is behavioral and circumstantial evidence concerning the alternative suspect, consistent with his having been the Tippit gunman: a self-described background, by his own later account to both a writer and a family member, as a contract killer at that stage of his life; a physical description matching the Tippit killer’s; left-handedness, agreeing with crime-scene evidence indicating the killer was left-handed; a jacket photographed on him six days later, closely resembling in color, cut, and material the killer’s abandoned jacket (CE 162); and a sudden decision to leave Dallas for the opposite end of the country the morning after the killing—a departure whose timing is consistent with having disposed of the murder weapon in the preceding hours.

There is no confession or physical evidence tying Craford to the murder of Tippit. The argument with respect to Craford is rather circumstantial and cumulative, a convergence of independently anomalous findings—difficult to explain under the conventional narrative, but consistent with the Craford hypothesis. That convergence, this study contends, meets the threshold that the Innocence Project and related scholarship have identified as warranting formal reexamination of cases: a threshold that in analogous cases has led to exoneration of wrongly convicted persons and belated identification of actual perpetrators.

Officer J. D. Tippit served the Dallas Police Department for eleven years. He was thirty-nine years old when he was killed, a husband and father of three children. He deserves an accurate accounting of who ended his life, and so does his family. By any measure of historical justice, the same is true of the family of Lee Harvey Oswald, who for six decades has carried the public designation of cop-killer without the benefit of a trial. The historical record demands no less.¹

¹ The Innocence Project, founded in 1992 by attorneys Barry Scheck and Peter Neufeld at Cardozo School of Law, has to date exonerated more than 375 wrongfully convicted individuals in the United States through post-

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The Central Anomaly: The Ross–Lamar Paper-Bag Revolver

“On 11/23/63, Patrolman J. Raz brought into the Homicide and Robbery Bureau, Dallas PD, a brown paper sack which contained a snub-nosed .38 caliber Smith & Wesson, SN 893265. This gun had the word ‘England’ on the cylinder and had been found at approximately 7:30 AM in a brown paper sack, together with an apple and an orange, near the curb at the corner of Ross and Lamar Streets and was turned in by one Willie Flat, white male....”²

– FBI memorandum, Dallas, November 25, 1963

On the morning of Saturday, November 23, 1963—less than twenty-four hours after President Kennedy was assassinated in Dealey Plaza and Dallas Police Officer J. D. Tippit was shot in Oak Cliff—a delivery man named Willie Fladd (misspelled in the FBI memorandum as “Willie Flat”) found a brown paper bag next to a street curb at the corner of Ross Avenue and Lamar Street in downtown Dallas. It was approximately 7:30 am. Inside the bag were an apple, an orange, and a snub-nosed .38 caliber Smith & Wesson revolver, modified to fire .38 Special, serial number 893265. Fladd turned it over to the Dallas Police, who routed it to the Homicide and Robbery Bureau.

The caliber matched that of the weapon which had been used to kill Tippit the previous afternoon. The manner of abandonment—a handgun concealed inside a paper bag left beside a street curb—has the unmistakable character of a weapon being intentionally discarded, not lost or forgotten. Downtown Dallas streets, including the Ross and Lamar intersection, if it was like the practice of most major American cities in the 1960s and as is the practice today in Dallas, would have been swept nightly by city vehicles, followed by city workers on foot during daylight hours

conviction DNA testing and related forensic review. Its published research on the causes of wrongful conviction—including mistaken eyewitness identification, inadequate forensic standards, and confirmation bias in investigation—provides the methodological framework within which this study’s reassessment of the Tippit evidence is conducted. See www.innocenceproject.org.

² FBI, memorandum, Dallas, November 25, 1963, re: recovery of a snub-nosed .38 caliber Smith & Wesson (SN 893265) at Ross and Lamar Streets, in file 89-43, serial 636. <https://www.maryferrell.org/showDoc.html?docId=9881#relPageId=187>.

removing whatever litter the nightly street sweeping had missed.³ This suggests that paper bag, with the revolver inside, had been placed there within the preceding twenty-four hours, the same time window as the aftermath of the murder of Tippit. No other Dallas-area murder involving such a weapon has ever been identified in contemporary newspaper records—the Tippit murder hours earlier is the only one known. No innocent explanation for the Ross–Lamar revolver’s disposal is evident from the record.

On its face, that revolver, given its circumstances, would receive forensic examination as a suspected murder weapon.

What happened instead is one of the most troubling episodes in the history of the Tippit investigation. The Dallas Police received the revolver and consulted with the FBI. Standard forensic procedure would have required that both the Ross–Lamar revolver and the revolver taken from Oswald at his arrest—both Smith & Wesson .38 revolvers modified to fire .38 Special—be tested against the Tippit crime scene evidence.

Yet no documentation of ballistic testing of the Ross–Lamar revolver against the Tippit evidence has been found in any record—no FBI laboratory report; no reference in any Warren Commission document. The revolver itself subsequently disappeared from the record. *Even the Ross–Lamar revolver’s existence found on November 23*—its discovery, its receipt by the Dallas Police, its serial-number trace by the FBI—*was never disclosed to the Warren Commission by the FBI*. The find of the Ross–Lamar revolver on November 23, 1963, hours after the murder of Tippit from the same kind of weapon, remained unknown to the public for nearly three decades. It came to light in the early 1990s through documents from declassification of FBI field office records and Freedom of Information Act requests.

The first report of that revolver in the source documents appears in a Dallas FBI field office file dated the Monday following the assassination weekend (DL 89-43), indicating that the discovery initially entered the investigation as a local lead. Five FBI teletype documents show what happened next. FBI headquarters in Washington, D.C. opened a trace investigation under the main Kennedy assassination case file (62-109060). Four FBI field offices were involved in a five-day tracing effort. These documents, listed below in Table 1 and reproduced in full in Appendix A, show that the weapon was treated initially as a significant lead. Within five days, the FBI had traced the weapon to its wartime manufacture and attempted to follow its subsequent distribution through Army records. After November 30, however, all reference to the Ross–Lamar revolver ceases entirely, with no information of what became of the weapon.

³ Downtown Dallas streets today are “swept five nights a week” according to the Dallas City Hall website, accessed August 2, 2026 (<https://dallascityhall.com/departments/public-works/Pages/Street-Sweeping.aspx>). As for municipal practices in the 1960s, a 1969 Dept. of Interior study, “Water Pollution Aspects of Urban Runoff” (American Public Works Association 20/15 [1969]), at page 64 tells of sending out surveys to 500 municipalities in the US, receiving 149 surveys back filled out, and “70 percent” of the responding cities at that time were sweeping their “downtown business areas” daily (https://www.google.com/books/edition/Water_Pollution_Aspects_of_Urban_Runoff/jY6Y1JQY9AIC?hl=en).

Table 1: FBI documents concerning the Smith & Wesson revolver SN 893265 (Ross–Lamar paper-bag revolver)

Doc.	Date	Origin	Document Type	FBI File Serial	Key Content
1	Nov. 25, 1963	FBI Dallas	Memorandum (SA Richard E. Harrison)	DL 89-43-636	Reports discovery of Smith & Wesson revolver SN 893265 in paper bag with fruit at Ross & Lamar.
2	Nov. 28, 1963	FBI HQ	Teletype	62-109060-857	Requests tracing of revolver found in paper bag in assassination vicinity.
3	Nov. 29, 1963	FBI Dallas	Teletype	62-109060-485	Requests Philadelphia and Boston offices to trace ownership of revolver.
4	Nov. 29, 1963	FBI Boston	Teletype	(same file)	Smith & Wesson advises revolver shipped to U.S. government in 1942 for Lend-Lease distribution to England.
5	Nov. 29, 1963	FBI Philadelphia	Teletype	62-109060-638	Further tracing instructions via Letterkenny Ordnance records.
6	Nov. 30, 1963	FBI Springfield	Teletype	62-109060-858	Rock Island Arsenal reports no record of revolver SN 893265.

As can be seen in these documents, the FBI traced serial number 893265 through Smith & Wesson’s Springfield, Massachusetts facility, which confirmed the revolver had been shipped on January 13, 1942 to the U.S. government at Hartford Ordnance, Connecticut, under the Lend-Lease agreement with Britain. The word “England” stamped on the cylinder is a British government mark certifying acceptance. After the war, the revolver was sold as surplus, rechambered to fire .38 Special ammunition, and reimported to the United States for commercial sale. The trace inquiry then went to Letterkenny Ordnance in Philadelphia and Rock Island Arsenal in Illinois where the trail ended, indicating the weapon had entered the civilian market in which no ownership records were kept. No owner of that revolver was identified.

Mistaken initial investigation association of the Ross–Lamar revolver with the JFK assassination instead of the Tippit murder

The FBI documents consistently refer to the weapon as having been found “in the vicinity of the assassination area,” a formulation pointing to Dealey Plaza, about a half mile southwest of the find spot of Ross and Lamar. Yet the only homicide in Dallas on November 22 involving a revolver and .38 Special bullets was the killing of officer Tippit in Oak Cliff. The record therefore raises an obvious question: why was the tracing effort framed only in relation to the presidential assassination and not Tippit, the only known event to which the weapon’s description corresponded?

Part of the explanation may lie in the timing. The revolver was found less than twenty-four hours after the President's assassination with initial confusion. Investigators were reconstructing timelines; leads were rapidly arriving; numerous tips and objects were being processed. The FBI documents show that the Ross–Lamar revolver triggered a rapid, multi-office trace effort, suggesting it was regarded as potentially significant. Serial numbers of both the Ross–Lamar revolver and Oswald's revolver were included in the same ordnance inquiry noted in the final surviving teletype of November 30. It may be the FBI was systematically checking relevant weapons, not necessarily assuming the two revolvers were suspected in the same event. Investigators may have wanted to determine whether either weapon originated from a government contract or military shipment. In the November 30 teletype, however, the FBI's Springfield office reported that Rock Island Arsenal had no record of either revolver SN V510210 (Oswald's) or SN 893265 (Ross–Lamar).

Technically, the Ross–Lamar revolver was a Smith & Wesson Military & Police Model of 1905, Fourth Change; its serial number 893265 falls just below the threshold at which Smith & Wesson introduced the “V” prefix and renamed the line the Victory Model in April 1942. Oswald's revolver, taken from him at his arrest, serial number V510210, was a Victory Model, approximately two years later in production than the Ross–Lamar revolver. Both were K-frame Smith & Wesson revolvers; both shipped to Hartford Ordnance under Lend-Lease; both were later rechambered for .38 Special; and both were snub-nosed. They share the same manufacturer, basic design, wartime supply chain, and postwar modification.

Two weapons so similar cannot both have been the Tippit murder weapon. Which one was is not obvious from their characteristics alone.

FBI firearms examiner Cortlandt Cunningham testified that the rechambering process on the Oswald revolver—boring out the Smith & Wesson .38/200 cylinder to accept the longer .38 Special cartridge—produced an oversized chamber that caused inconsistent pressure on firing, generating irregular rifling impressions that varied from shot to shot and could not be reliably matched. The bullets recovered from Tippit's body displayed a pattern consistent with that description. The firearms panel of the House Select Committee on Assassinations (HSCA) of 1979 later confirmed the FBI's 1964 finding that none of the four bullets which struck officer Tippit and were taken from his body in the autopsy could be conclusively matched to or eliminated from any specific Smith & Wesson revolver, whether Oswald's revolver or any other.

But Cunningham also testified that the rifling characteristics of the Tippit body bullets were consistent only with Smith & Wesson manufacture specifically—or a cheap “Spanish Smith” foreign knockoff—but no other make of handgun.⁴ The Tippit body bullets therefore support the inference

⁴ From the Warren Commission testimony of Cortlandt Cunningham: “Mr. Eisenberg. Now, apart from specially handmade or equivalent weapons, how many other types of weapons have you encountered which have these rifling characteristics? Mr. Cunningham. Other than possibly a Spanish-made copy of the Smith—the Smith is the only one in .38 Special now that will have similar rifling characteristics.”

that the murder weapon was a rechambered Smith & Wesson specifically—exactly the category to which both the Ross–Lamar revolver and Oswald’s revolver belong.

The available FBI documents show efforts to trace the origin of the Ross–Lamar revolver rather than forensic examination of it. No surviving record indicates that the Ross–Lamar weapon was submitted to the FBI laboratory for ballistic testing, as was Oswald’s revolver. Given that the Bureau laboratory in Washington routinely conducted such examinations in major investigations, whether the Ross–Lamar revolver never *was* examined remains a distinct and unresolved question. The documentary record established only that no report of such testing has been found or survives.

November 30, 1963: the Ross-Lamar revolver disappears from the record

The paper trail on the Ross-Lamar revolver ended, and all trace of its existence disappeared, after November 30, 1963. Why is not known. November 30, 1963 was also the date four cartridge cases were received from an unknown submitter by the FBI laboratory at the Justice Department building in Washington, D.C. They were found by the lab to have been fired from Oswald’s revolver to the exclusion of any other weapon. The Warren Report—but not the FBI lab or anyone with knowledge of the delivery—stated those were the same four Tippit crime scene cartridge cases which had been signed for from the Dallas Police by FBI agent Vincent Drain in Dallas two days earlier on November 28. The Warren Report cited no document or record supporting a provenance claim. The FBI lab made no claim regarding the provenance of what it received and examined. There is an unexplained gap of ca. 36-48 hours between the time FBI agent Drain signed for the Tippit crime scene shell casings in Dallas on November 28, and what the FBI laboratory received from the unidentified submitter on November 30. During those ca. 36-48 hours, there is no record of possession or chain of custody, of where those cartridge cases were, or who had them. Drain was not called to testify, nor is there any FBI interview, nor any known written report or statement or comment from Drain of any kind, on this matter.

The Ross–Lamar paper-bag revolver as a disposal of a murder weapon

The manner of disposal of the Ross–Lamar revolver bears close attention. The purpose of disposal of a murder weapon is to prevent the perpetrator being found in possession of an item that can be forensically linked to the crime. The Ross-Lamar curb placement of the revolver, concealed within a paper bag, is consistent with such an objective.

The FBI memorandum, based on Dallas Police reporting, states that the paper bag was found “near the curb.” This suggests either it had been tossed out the window of a moving car and landed there by accident like any tossed litter, or that it had been left more deliberately and intentionally at the edge of the street. The location is consistent with a quick disposal: a person in a vehicle could toss the paper bag with its contents—which to others in the car could appear to be only fruit—out

the window looking indistinguishable from a discarding of litter. Or, it could be a car could pull over momentarily to the side of the road and pause briefly next to a curb, perhaps while waiting for a stoplight, a car door is opened, and either the driver or a passenger could quietly drop or set down a paper bag alongside the car door to the street next to the curb in a moment without being seen or attracting attention, especially if it was done at night. The inclusion of ordinary food items—an apple and an orange—in the paper bag would help make the contents appear innocuous if anyone looked inside (the revolver within could have been wrapped with paper or aluminum foil). Of course a toss from a moving car would risk the paper bag splitting open and spilling its contents upon impact with the pavement. On the other hand, if the person doing the disposing had control of where a car would go, one might go to a river or a dumpster bin to toss the bag with its contents. But what if the one doing the disposing did not control the car but was only a passenger, and did not wish others in the car to know the revolver was being disposed of?

Whether the paper bag with the revolver inside ended up where it did at Ross and Lamar from being tossed from a moving car, or was set there next to the curb more intentionally from someone in a car that had slowed or stopped, that paper bag would be expected to be collected during street cleaning, carried away as refuse and taken to the city landfill. The sweeping of downtown streets was done in combination with no-parking ordinances for certain hours of night so that the mechanical sweeper could get access to the curbs. If there was an illegally parked car the sweeper would go around it and miss that area of the curb. The 1960s-era mechanical sweeper vehicles worked by having spinning rotating gutter brushes push debris inward toward a collection mechanism and conveyor. A paper bag in a street gutter next to a curb would be expected to be swept up in this process.

In this particular case, if the paper bag with its revolver within was placed there in the predawn hours of Saturday November 23 in expectation that a street sweeper would collect it, that expectation failed, because the paper bag was still there at 7:30 am when it was found, and the revolver inside was discovered and turned in to the police. For a weapon disposal, the paper bag with the revolver might be set next to the curb in advance of the expected time of arrival of the night sweeper, but a failure of the street sweeper to collect it is possible—whether due to the added weight and rigidity of the revolver inside the paper bag or the street sweeper's brushes missed it. But it was not *necessary*, from the murderer's point of view, that the weapon never be found—only that it not be traceable to the person disposing of it. So long as the revolver could not be traced to the person, it was not in itself a major disaster, from a murderer's point of view, that it would be found and turned in to the police Saturday morning.

For someone familiar with downtown Dallas street-cleaning habits and timing—or someone in the downtown area who did not have a car—an untraceable toss or placement on a street somewhere else in the downtown area would be a rational method of disposal of a murder weapon hidden in a bag of fruit. The real risk would be if one was seen doing the disposing, the revolver was found and the person was connected to the crime by being seen disposing of it. But the risk of that

happening would be minimal at night at a location where many vehicles naturally stopped, without attracting attention, such as the well-trafficked Ross-Lamar intersection.

The timing of the street sweepers would be known through familiarity by someone who knew downtown Dallas at night—a habitual “they usually/always come by around such-and-such time.” This becomes of interest in light of the identity of the suspect to be developed. Curtis Craford lived downtown at the Carousel Club, 1312-1/2 Commerce, in the three weeks of November preceding the Tippit killing in 1963. Ross and Lamar was about 0.4 to 0.5 miles northwest of the Carousel Club, distant enough to remove any obvious association, but still within the downtown perimeter to have the frequent street sweeping. Craford’s patron and employer, Jack Ruby—the killer of Oswald later that weekend—would also likely have familiarity with the downtown street sweeping at night.

As it happens, there was an unusual pre-dawn excursion that same Saturday morning, November 23. Carousel Club owner Jack Ruby, who lived in Oak Cliff, woke his apartment-mate, George Senator, and asked him to accompany him. Ruby then phoned Craford at the Carousel Club and drove there to pick up Craford sometime around 3:30 am. With Senator in the front passenger seat and Craford in the back seat, Ruby then drove northwest from the Carousel Club toward the freeway entrances. A natural route for Ruby to get from Point A (Carousel Club) to Point B (freeway entrances) would have taken him north on Lamar through the intersection of Ross and Lamar. Ruby’s stated purpose for the trip was he wanted Craford’s assistance in photographing a billboard in another area of town, and had decided 3:00-4:00 am was a good time to wake up two other persons in the dead of night to do that. Later that morning Craford suddenly decided to leave Dallas for Michigan and by midday was hitchhiking interstate in that direction starting out with only \$7.00 in his pocket, the way he told it to the Warren Commission in his sworn testimony—he said he wanted to check that his sister in Michigan was OK (she was fine, as could have been learned in a phone call).

The nighttime billboard-photography expedition of the early hours of November 23 is told by Ruby, Senator, and Craford in their Warren Commission testimonies, and by Craford in his FBI interview, and is well known. Researchers have tended to accept Ruby’s reason for the nocturnal excursion at face value, without consideration that it may have functioned as a decoy or alibi story for some undisclosed purpose—perhaps a disposal of the Ross–Lamar revolver/murder weapon before Craford left Dallas hours later.

It is not possible to prove directly that the Ross–Lamar revolver disposal was done from the car driven by Jack Ruby. But the sequence just described places a person separately to be developed as a suspect in the Tippit case—Craford—in a car passing through the area in which the Ross–Lamar revolver was dropped, in unusual agreement with a narrow time frame in which that disposal occurred.

Investigative response after the Ross–Lamar revolver was found

Although it may seem obvious in retrospect that the Ross–Lamar revolver should have been examined in connection with the Tippit murder, no ballistic comparison is known to have been carried out. The Dallas Police Crime Scene Search Section, under Captain George Doughty and Lieutenant Carl Day, had the capability to carry out at least a preliminary comparison. They had access to the Tippit crime scene cartridge cases, the ability to test-fire both revolvers (Oswald's, and the Ross–Lamar), and microscopes. Prior to any formal submission by the FBI Dallas office to the FBI lab in Washington, D.C., a preliminary, unofficial “yes, no, or maybe” assessment could have been obtained off the record in Dallas. It might even be surprising if a preliminary assessment was not done (like the old rule that trial lawyers do not like asking questions of witnesses without knowing what the answer will be). If no formal examination of the Ross–Lamar revolver was reported done by the FBI lab in D.C., a conceivable explanation could be because a decision had been made not to develop for the record what had unofficially been learned, by officials who knew without officially knowing, so to speak. Captain Doughty of the Dallas Police crime lab was never called to testify by the Warren Commission. Lt. Day testified, but he was never asked about the Ross–Lamar revolver, which is not too surprising since the Warren Commission was not made aware of its existence and therefore would not know to ask about it.

When Willie Fladd turned in the Ross–Lamar revolver on Saturday morning to the Dallas Police, it was delivered to the Dallas Police Department's Homicide and Robbery Bureau, the division responsible for investigating major violent crimes. The Ross–Lamar weapon was therefore not processed as a “lost and found” item but was treated immediately as potential evidence in a crime investigation, not as lost property. However, from all surviving documentation, the investigation during that one week in which there is some paper record of that revolver was understood to be that of the presidential assassination, not the Tippit homicide.

On why the Ross–Lamar revolver was treated as part of the presidential assassination investigation rather than the Tippit case during that first week, the simplest explanation may be a combination of geography and assumption. Geography: the find location was approximately three miles from Oak Cliff but only about a half mile northeast from Dealey Plaza. The assumption: investigators had concluded that Oswald had killed Tippit, because of the circumstances of his arrest in the theater in the midst of a police dragnet for Tippit's killer followed by witness identifications of the arrested Oswald as Tippit's killer by Friday evening, and because Oswald was believed to have assassinated the president. With Oswald's guilt on Tippit believed assured on Friday, Oswald's revolver was believed to be the murder weapon and it followed, from that reasoning, that the Ross–Lamar revolver on Saturday could not be the Tippit murder weapon.

The FBI's characterization of the find location as “in the immediate vicinity of the assassination area” and “in the general area of where the assassination of President Kennedy took place” reinforced this framing. By the time the Ross–Lamar documents surfaced decades later, researchers

had long treated the Tippit murder weapon question as settled, and researchers too therefore also speculated associations of the Ross–Lamar revolver only with Dealey Plaza, not with Tippit.

Yet it is surprising that a possible connection of the Ross–Lamar revolver to the Tippit murder—only three miles away in Oak Cliff—would not have been immediately investigated in the Tippit case, to be tested and either confirmed or eliminated on evidentiary grounds. Yet no surviving record indicates that was done.

The documentary record shows a weapon that shared the same make, model lineage, rechambering modification, and Lend-Lease origin as Oswald’s revolver; that matched the independently inferred characteristics of the Tippit murder weapon; and that was deliberately discarded under circumstances almost uniquely identifiable as a disposal of a weapon used in a serious crime or killing to the exclusion of any other explanation, was found within hours of the Tippit killing. There is also a known pre-dawn excursion involving driving through the exact area of the weapon’s disposal at Ross and Lamar, by figures suspected on other grounds in the Tippit murder, in agreement with the timeline of that suspected murder weapon’s disposal, with unusual coherence. Yet no surviving record indicates that investigators examined or considered the possibility of a connection to the Tippit murder. The window of opportunity to test and resolve that question forensically was closed through inaction.

One further point deserves note. If a preliminary comparison—unofficial and not yet on the record—indicated that the Ross–Lamar revolver matched the Tippit crime scene evidence, the institutional stakes in reporting that finding would have been major. By November 30, federal authorities who had now taken over the case were publicly committed to the conclusion that Oswald alone was responsible for both the assassination and the killing of Tippit. A forensic finding pointing to a different weapon—and by implication a different killer—would have required a complete reset on the Tippit case, with unpredictable consequences for the Kennedy assassination narrative.

This is not a claim that such a preliminary comparison was made, or that any finding was suppressed; no evidence establishes either. It is offered only to note that the absence of known forensic examination of the Ross–Lamar revolver, whatever its cause, occurred in a context where a contrary finding would have been institutionally unwelcome—and that this occurred alongside the other unexplained gaps in how this revolver was handled. Bureaucratic error, lost records, or investigative decisions to close off leads not going in desired directions are also possible but unproven explanations. What the record does establish is: a potentially significant piece of physical evidence entered the investigation under the wrong case file, was never forensically tested against the Tippit evidence so far as any surviving record shows, and then disappeared from the documentary trail entirely.

After the 1990s when the Ross–Lamar revolver’s existence became known

The lack of attention the Ross–Lamar revolver received with respect to the Tippit case *after* its existence came to light in the 1990s is also remarkable. Discussions from researchers continued the early mistaken association of it with Dealey Plaza—where there is no known association—with virtually no consideration given to its potential interest with reference to the Tippit case.

For example, Dale Myers’s *With Malice: Lee Harvey Oswald and the Murder of Officer J.D. Tippit*—the most comprehensive and authoritative study of the Tippit case in existence—702 pages in the first edition of 1998, then 863 pages in the revised second edition of 2013—contains not a single mention of the Ross–Lamar revolver in either edition—no mention of what ultimately may one day be recognized as the murder weapon used in the Tippit killing, despite that revolver’s existence having become known in the early 1990s.⁵

That is how invisible this elephant in the room of the Tippit case has been. The modern silence continues and compounds the original omission.

The Rosetta Stone of the Tippit case

The revolver found in a paper bag near a street curb at Ross and Lamar on the morning of November 23, 1963 stands as the single most arresting anomaly in the Tippit case. Its caliber, timing, location, manner of abandonment, and subsequent disappearance form a constellation of facts not easily accommodated within the conventional account.

The hypothesis of the different named suspect for the Tippit killing to be developed, by contrast, offers a framework that can account for these elements in a natural way: a contract killer working for Jack Ruby discarding his weapon in the hours after carrying out a job before leaving Dallas later that morning, in a manner designed to ensure its removal through routine street cleaning, but by accident the revolver was not collected in street cleaning, and instead was recovered by chance.

The FBI had the means, in November and December of 1963, to test the Ross–Lamar revolver against the Tippit evidence forensically for the record and to have resolved the question at that time. That that either was not done or was not reported done is a fact that any serious assessment of the Tippit evidence must place at the center of inquiry at the outset.

It has been said that the Tippit case is the Rosetta Stone of the Kennedy assassination. The Ross–Lamar revolver may be the Rosetta Stone of the Tippit case.

It may have been the murder weapon.

It may come to be recognized: it was the murder weapon.

⁵ Dale Myers, *With Malice: Lee Harvey Oswald and the Murder of Officer J. D. Tippit* (Milford, Michigan: Oak Cliff Press, 1998; second edition 2013).

3

The Fingerprints That Could Still Identify Tippit's Killer

"[A]nd the man went over to the car, put his hand on the window ... He put his arms on the door of the car for a few seconds." – Helen Markham, witness⁶

"The policeman pulled up and he rolled his window down. And the guy walked over ... And the guy walked up and put his hands on the window and bent down to where he could talk. (Put his hands on the car?) Yes he did. (And then down in the window so he could talk?) Right." – Jimmy Burt, witness⁷

"[He] was standing right in front of the windshield on the right front fender." – Domingo Benavides, witness⁸

"Just below the top part of the [right front passenger] door, and also on the right front fender" -- locations of fingerprints lifted from the Tippit patrol car twenty minutes after the killing of Officer Tippit, Sgt. Barnes, Dallas Police Department⁹

Within twenty minutes of the shooting of Officer Tippit, Dallas Police Sergeant Pete Barnes of the Crime Scene Search Section of the Dallas Police Department's Identification Bureau arrived at the crime scene with Captain George Doughty. Witnesses at the scene told the officers that the killer had approached the passenger side of Tippit's patrol car and made physical contact with the car. Prints corresponding to the witnesses' accounts were visible. Barnes dusted for fingerprints on the passenger side of the vehicle. Here is Barnes to the Warren Commission in April 1964:

⁶ 3 H 315.

⁷ Jimmy Earl Burt interview by Al Chapman, Feb 7, 1968, 2:01f, <https://www.youtube.com/watch?v=uiUUJjbtFJg>.

⁸ 6 H 447-48.

⁹ 7 H 272.

Mr. BELIN. What did you do when you got to the scene?

Mr. BARNES. The first thing that I did was to check the right side of Tippit's car for fingerprints.

Mr. BELIN. Did you find any fingerprints on the right side of the car?

Mr. BARNES. There was several smear prints. None of value.

Mr. BELIN. Where were these smear prints located?

Mr. BARNES. Just below the top part of the door, and also on the right front fender.

Mr. BELIN. Why did you happen to check that particular portion of the vehicle for fingerprints?

Mr. BARNES. I was told that the suspect which shot Tippit had come up to the right side of the car, and there was a possibility that he might have placed his hands on there.

(...)

Mr. BELIN. Now going back to Barnes Deposition Exhibit A: earlier, Sergeant Barnes, you said that you tried to get some prints and you found some smears on the right side of the car. I wonder if on Barnes Deposition Exhibit A with a red pencil you could show us the general area where you found the smears?

Mr. BARNES. [Marks with red pencil on photo.]

Mr. BELIN. You put on this print a relatively horizontal line on the right front car door immediately below the bottom part of the window, and also what I will call the right part of the top of the right-front fender near where the headlight is.

Mr. BARNES. That is true.

Mr. BELIN. Was this police car dirty or clean?

Mr. BARNES. Dirty.

Mr. BELIN. What is the fact as to whether or not this in any way affects your ability to lift fingerprints?

Mr. BARNES. Any dirty surface will create a hardship as far as lifting a latent print.

Mr. BELIN. Were you able to find any identifiable prints?

Mr. BARNES. No legible prints were found.

The locations from which the prints were lifted correspond to the witnesses' accounts of the killer's movements. Tippit's killer approached the passenger side of the patrol car, leaned down, and pressed in close to speak to Tippit through the window. Helen Markham, from a position standing on the northwest corner of 10th and Patton viewing from about 100 feet away, demonstrated to arriving officers the posture she had observed of Tippit's killer. Her movements were partially filmed by a news camera. She described the killer's elbows resting on either side of the car door for

support, the killer leaning down talking to the officer inside through the window, his demeanor appearing low-key and friendly.

Mrs. MARKHAM. He was driving real slow, almost up to this man, well, say this man, and he kept, this man kept walking, you know, and the police car going real slow now, real slow, and they just kept coming into the curb, and finally they got way up there a little ways up, well, it stopped.

Mr. BALL. The police car stopped?

Mrs. MARKHAM. Yes, sir.

Mr. BALL. What about the man? Was he still walking?

Mrs. MARKHAM. The man stopped.

Mr. BALL. Then what did you see the man do?

Mrs. MARKHAM. I saw the man come over to the car very slow, leaned and put his arms just like this, he leaned over in this window and looked in this window.

Mr. BALL. He put his arms on the window ledge?

Mrs. MARKHAM. The window was down.

Mr. BALL. It was?

Mrs. MARKHAM. Yes, sir.

Mr. BALL. Put his arms on the window ledge?

Mrs. MARKHAM. On the ledge of the window.

Mr. BALL. And the policeman was sitting where?

Mrs. MARKHAM. On the driver's side.

Mr. BALL. He was sitting behind the wheel?

Mrs. MARKHAM. Yes, sir.

According to Jimmy Burt, Tippit “pulled up, and he rolled his window down, and the guy walked over ... and the guy walked up and put his hands on the window and bent down to where he could talk. (*Put his hands on the car?*) Yes he did. (*And then down in the window so he could talk?*) Right.”¹⁰

¹⁰ This is from a 1968 interview of Jimmy Burt by Al Chapman (above n. 7). Burt’s vantage point from which he saw is not certain. Burt gave conflicting stories of his whereabouts at the time of the Tippit killing. In a December 15, 1963 interview to the FBI Burt claimed he was at the corner of 9th and Denver when he heard the shots—from where he could not have seen Tippit’s patrol car or the killer—and drove his car to the crime scene (<https://www.maryferrell.org/showDoc.html?docId=10598#relPageId=30>). In the 1968 interview with Chapman Burt dramatically changed that, dropped mention of his car altogether, and said he was in the front yard where he lived at 505 E. 10th, with his friend William Smith, and that it was from there, one block away, that he and Smith had line of sight and saw Tippit’s killer talk to Tippit in the patrol car; then, after the shooting, he said, Burt and Smith ran to the crime scene on foot. Burt was not called to testify by the Warren Commission. William Smith in his Warren Commission testimony said he was at Burt’s 505 E. 10th St. address front yard and implied (though did not quite say so directly) that Burt was with him there at the time Tippit was killed, which became Burt’s version in the 1968 Al Chapman interview. That is the version Myers accepts for Burt (Myers, *With Malice*, 2013 edn, 111-12 and 711). However, it is possible neither that 1968 version to Chapman nor Burt’s earlier 1963 to the FBI was the

The passenger window was found rolled up when police arrived, as photos confirm; Tippit likely rolled it down partway to allow the conversation, then rolled it back up before getting out of the car.

After the gunman spoke with Tippit through the window, Helen Markham said he stepped back a couple of steps, which would give himself room enough to maneuver a gun hand. Tippit had just gotten out of his patrol car on the driver's side when his killer, without warning, shot him to death in a fusillade, firing over the front hood. Domingo Benavides, approaching in his pickup truck on 10th Street from the east and nearly at the position of Tippit's patrol car, upon hearing the first shot pulled hard to the right into the curb and immediately ducked down, after which he heard further shots. He saw, in the moments before hearing that first shot, Tippit's killer "standing to the right side of the car, right in front of the windshield, on the right front fender."

Mr. BENAVIDES. I then pulled on up and I seen this officer standing by the door. The door was open to the car, and I was pretty close to him, and I seen Oswald, or the man that shot him, standing on the other side of the car.

Mr. BELIN. All right. Did you see the officer as he was getting out of the car?

Mr. BENAVIDES. No; I seen as he was, well, he had his hand on the door and kind of in a hurry to get out, it seemed like.

Mr. BELIN. Had he already gotten out of the car?

Mr. BENAVIDES. He had already gotten around.

Mr. BELIN. Where did you see the other man?

Mr. BENAVIDES. The other man was standing to the right side of the car, rider's side of the car, and was standing right in front of the windshield on the right front fender. And then I heard the shot. Actually I wasn't looking for anything like that, so I heard the shot, and I just turned into the curb. Looked around to miss a car, I think. And then I pulled up to the curb, hitting the curb, and I ducked down, and then I heard two more shots.

No witness reported seeing the killer during the shots other than Helen Markham at her distance, looking partly through the car's windows and partly seeing the killer over the top of the car, from her position's line of sight to the other side of the patrol car.

Mrs. MARKHAM. Well, this man, like I told you, put his arms up, leaned over, he just a

truth. In his FBI interview Burt said he drove his car—"a 1952 two-tone blue Ford"—to the crime scene and parked the wrong-facing way in front of Tippit's patrol car. If Burt's car is identified as the car Frank Wright described as "a gray, little old coupe ... about a 1950-1951, maybe a Plymouth," parked the wrong-facing direction adjoining Tippit's patrol car, which Wright saw leaving at speed seconds after the shooting, it could mean Jimmy Burt's location was in his parked car at the crime scene witnessing the interaction between Tippit and Tippit's killer through Burt's front windshield. In that case both of Burt's conflicting accounts, not just one of them, might be interpreted as intentionally distancing from how close he was as a witness. Compare Myers, *With Malice*, 2013 edn, 711: "Many of the discrepancies in Burt's account may be due to his fear of becoming involved. It is known [emphasis Myers's] that both Burt and Smith withheld information from the Dallas Police for that reason."

minute, and he drew back and he stepped back about two steps. Mr. Tippit—

Mr. BALL. The policeman?

Mrs. MARKHAM. The policeman calmly opened the car door, very slowly, wasn't angry or nothing, he calmly crawled out of this car, and I still just thought a friendly conversation, maybe disturbance in the house, I did not know; well, just as the policeman got—

Mr. BALL. Which way did he walk?

Mrs. MARKHAM. Towards the front of the car. And just as he had gotten even with the wheel on the driver's side—

Mr. BALL. You mean the left front wheel?

Mrs. MARKHAM. Yes; this man shot the policeman.

Mr. BALL. You heard the shots, did you?

Mrs. MARKHAM. Yes, sir.

Mr. BALL. How many shots did you hear?

Mrs. MARKHAM. Three.

Mr. BALL. What did you see the policeman do?

Mrs. MARKHAM. He fell to the ground, and his cap went a little ways out on the street.

Mr. BALL. What did the man do?

Mrs. MARKHAM. The man, he just walked calmly, fooling with his gun.

Mr. BALL. Toward what direction did he walk?

Mrs. MARKHAM. Come back towards me, turned around, and went back.

Mr. BALL. Toward Patton?

Mrs. MARKHAM. Yes, sir; towards Patton. He didn't run. It just didn't scare him to death. He didn't run. When he saw me he looked at me, stared at me. I put my hands over my face like this, closed my eyes. I gradually opened my fingers like this, and I opened my eyes, and when I did he started off in kind of a little trot.

Mr. BALL. Which way?

Mrs. MARKHAM. Sir?

Mr. BALL. Which way?

Mrs. MARKHAM. Towards Jefferson, right across that way.

Mr. DULLES. Did he have the pistol in his hand at this time?

Mrs. MARKHAM. He had the gun when I saw him.

According to Barnes's drawing of the prints location on the photo of the patrol car in Barnes Exhibit A, the fender prints were at about waist height for a man of 5'8" height, at the headlight end of the fender panel, forward of the right front wheelwell. Benavides saw the killer a moment before the first shot standing "right in front of the windshield," "on" the right front fender as Benavides put it. Benavides did not see the killer during the actual moments the shots were being fired. As the shots were fired the gunman was facing toward the fender panel, firing over the hood, such that he

had opportunity to place his free non-gun hand, in this case right hand, on the panel for balance while firing with his other, gun hand, in this case the left hand, at Tippit on the other side of the hood. Tippit moved and collapsed forward on the other side of the patrol car as he was hit in the fusillade.

Not just Tippit but the killer also moved forward from where Benavides saw him. This is known because, seconds after the shots, the killer was seen in front of the patrol car, according to eyewitness Frank Wright. Wright was a resident of 501 E. 10th Street, approximately one block east of the crime scene. It was Wright's wife Mary who made the first telephone call of anyone to report the shooting of Tippit. Frank Wright, seated near his front door, heard the shots and went outside within seconds. From his eastward vantage point he saw Tippit's patrol car, saw the fallen Tippit, and observed a man standing in front of the patrol car who can only have been the killer, looking at the fallen officer. Wright:

"I was sitting watching television with my wife. I was sitting in a chair next to the door. I wasn't but two steps from the door. I heard shots. I knew it wasn't backfire. I knew it was shots. As soon as I heard them, I went out the door. I could see a police car in the next block. It was toward the end of the next block. I could see it clearly. The police car was headed toward me. It was parked on the south side of the street. In other words, it was parked across the street from our apartment house. I saw a person right by the car. He had fallen down. It seems as if he had just fallen down. Maybe I saw him as he had just finished falling. He was on the ground, and then he turned over face down. Part of him was under the left front fender of the car. It seems to me that I saw him just as he hit the ground. I saw him turn over and he didn't move any more. I looked around to see what had happened. I knew there had been a shooting. I saw a man standing right in front of the car. He was looking toward the man on the ground. He stood there for a while and looked at the man. I couldn't tell who the man was on the ground. The man who was standing in front of him was about medium height. He had on a long [sic] coat. It ended just above his hands. I didn't see any gun. He ran around on the passenger side of the police car."¹¹

¹¹ The account of Frank Wright is in George and Patricia Nash, "The Other Witnesses, *The New Leader*, October 12, 1964, pp. 6-9, <https://www.maryferrell.org/showDoc.html?docId=62236#relPageId=139>. Wright's account was not taken by either the Dallas Police or the FBI, and he was not called to testify before the Warren Commission. In the internally-contradictory reference, "He had on a long coat. It ended just above his hands," one suspects a mishearing or transcription error. Since the person Wright saw in front of the Tippit patrol car can only have been the killer due to the timing, and since it is known from other witnesses that the killer at the crime scene was wearing a zippered light jacket which ended just above the hands in length—exactly as Wright directly says—the "long coat" is a presumed error. Wright went on to say he saw the killer drive off rapidly in an old-model gray coupe heading west. Since the evidence is clear the gunman went west on 10th and then south on Patton on foot, the gray car Wright saw drive away will have been driven by someone else, not the killer who disappeared from Wright's view seconds before he saw the gray car speed away. Wright erroneously interpreted the gray car as driven by the killer from the juxtaposition in timing. Wright later corrected that to reporter Earl Golz, telling Golz he did not believe the man he had seen in front of the patrol car (Tippit's killer) and the driver of the gray car were the

The key point is Wright saw Tippet's killer at the front of the car following the shots, which means the killer had continued moving a few steps forward to the front of the Tippet patrol car, either while in the process of shooting the fusillade or in the moments immediately following. When Wright said he "looked around to see what had happened" before seeing the man standing, that suggests the killer was not immediately next to or standing over the fallen Tippet, but only somewhere at the front of the car, facing the fallen Tippet on the street.

Wright said the man looked at the fallen Tippet for some moments before he turned and left in the other direction, away from the street. Since Wright saw the killer looking at the fallen Tippet—the killer facing north as Wright looked—Wright from his distant position to the east on 10th would see the right side, right arm, and right hand of the killer, not necessarily the left arm and hand. When Wright said he "didn't see any gun," that presumably would mean an empty right hand of the gunman, the hand of the arm visible to Wright. Since it is known from all the other witnesses that the killer *was* holding a gun both before and after the shots, and since the man Wright saw must be the killer, the gun would be in the killer's left hand, on the other side of the killer's body, unseen or missed by Wright.

The witness evidence therefore places the killer on both sides of—both behind and forward of—the position of the fender fingerprints. The fender prints were between where Benavides witnessed the killer—standing in front of the windshield moments before the shots—and where Wright witnessed the killer—at the front of the patrol car, seconds after the shots. The fender prints are between those two witnessed positions, meaning the killer was at the prints' position at some point as he moved between the two witnessed positions. The killer's non-gun hand would be at the height of the prints' position, and the killer may or may not have been still shooting over the hood at

same person. Wright now told Golz that the man did not get into the gray coupe, "but ran alongside yelling back and forth at the driver [of the gray coupe] as he drove off. The two eventually went in separate directions" (Myers, *With Malice*, 2013 edn, 128). This study accepts that Wright saw the gray car drive away heading westward, and that he saw a man running west on 10th St. in the same direction at the same time, but believes Wright was also incorrect again in interpreting the west-running man as the same man he had seen in front of the patrol car (the killer), since it is clear from other witnesses that the killer went west on the sidewalk to Patton and south on Patton. Instead, the man Wright saw running west on 10th was Aquilla Clemons's second man running west on 10th before turning north on Patton. There may be another witness for the gray car Frank Wright saw leaving the scene. Jack White in 2008 reported: "In a recent email to me researcher Roy Schaeffer wrote in part ... 'In 1988 I was at the Tippet murder scene that summer. A woman and her son who lived across the street from where Tippet was shot struck up a conversation with me. I learned from her that she was the woman who put a blanket over Tippet. When talking to me she said she noticed a grey coupe blocked the driveway in front of where Tippet pulled up behind the car. She noticed a policeman get out and go toward the coupe. The next thing she noticed was hearing shots. She ran back in the house and got a blanket off the couch and placed it on Tippet'" (<https://educationforum.ipbhost.com/topic/12363-new-info-on-tippet/>). Compare a November 22, 1963 FBI interview report of Alan MacDonell who reported to the FBI having seen a car of similar description going west on 10th at high speed, four blocks west of the crime scene at about that time, which could be the same car Wright saw speed away west on 10th (<https://www.maryferrell.org/showDoc.html?docId=237212#relPageId=2>). And finally compare the FBI interview of Jimmy Burt of Dec 15, 1963, with attention to his description of his car and where and how he said he parked his car (link above n. 10).

Tippit moving and falling forward on the other side of the hood, at the time the killer was where the prints were left.

What happened next to the fingerprints constitutes a second troubling episode in the handling of the Tippit evidence.

The Warren Commission is told the fingerprints are worthless

On April 7, 1964, the Warren Commission was informed by the Dallas Police, in the form of oral hearsay from Sgt. Barnes, that the fingerprints lifted from the Tippit patrol car had all been found too smeared to be of any value.

Mr. BELIN. Did you find any fingerprints on the right side of the car?

Mr. BARNES. There was several smear prints. None of value.

Mr. BELIN. Where were these smear prints located?

Mr. BARNES. Just below the top part of the door, and also on the right front fender.

Barnes stated that a finding of the prints' worthlessness had been made but did not identify who made it. No record of this finding exists in written form in any known document, and to this day it is not known who was responsible for that determination. The Warren Commission accepted the answer. The Commission did not ask why, unlike all other Tippit crime case evidence the Dallas Police had, only those fingerprints had been held back from being given the FBI for its lab's review. Maybe the FBI lab could have found something in those prints that the Dallas Police had missed? But it was not to be. In this way the fingerprints were effectively removed from the investigation. No one took a second look for another thirty years.

An initiative of Dale Myers in 1994 unexpectedly finds things about the fingerprints the Dallas Police had not disclosed to the Warren Commission

In 1994, researcher and author Dale Myers arranged a new examination of the Tippit patrol car fingerprints by Herbert Lutz, an experienced latent print examiner, in which Myers asked Lutz to compare the prints against Oswald's. This was the first reexamination since the Warren Commission had accepted the Dallas Police's 1964 account that the prints were worthless. Lutz found information that the earlier examination of the Dallas Police had failed to find and/or disclose: that the prints at both locations were probably from a single individual; that the fender prints were from a right hand; and that Oswald was excluded as the source of the prints. Each of these was new information from the same prints the Warren Commission had been told thirty years earlier were worthless.

As will be developed later, these findings of Lutz in turn enable likely fourth, fifth, and sixth findings of information, namely: the probable finding that a single individual left the prints at both locations argues overwhelmingly that the prints are from Tippit's killer; Oswald is probably exonerated from being Tippit's killer; and the right-hand fender prints probably mean Tippit's actual killer was left-handed.

Six things, not just three, learned from those prints—two hard facts (the right hand and the Oswald exclusion), and four high probabilities (one of which is exoneration of Oswald)—where the Dallas Police had said there was nothing.

Myers reported:

“Herbert Lutz, senior crime scene technician for Wayne County, Michigan, examined the prints taken from Tippit's patrol car and was of the opinion that one person was probably responsible for all of them. The smears obtained from the top of the right-side passenger door were of less value, although Lutz felt that the ridges and furrows were consistent with fingerprints found on the right front fender. There was sufficient detail in the fingerprints taken from the right front fender to make a reasonable comparison with the fingerprint cards of Lee Harvey Oswald. A fingerprint from Tippit's patrol car, identified as the right-middle index finger, was compared with the right-middle index finger from one of Oswald's fingerprint cards. Lutz immediately noted a difference in the spacing between ridges. The prints taken from Tippit's car showed furrows that were wide, while Oswald's fingerprint furrows were much narrower. In addition, the number of ridges and location of the bifurcations—or ‘forks’ in the patterns—were different. In short, the fingerprints taken from Tippit's patrol car were not Oswald's.”¹²

Myers later reported that the exclusion of Oswald had taken Lutz about one minute to find. Myers in 2022:

“In 1994, retired Crime Scene Technician, Wayne County Sheriff's Department, Wayne Co., MI., Herbert W. Lutz, arrived at my home on the appointed day and I showed him photographic prints obtained from the Dallas Municipal Archives and Records Center (DMARC). I asked Mr. Lutz if the photographs were sufficient to draw a reliable conclusion? He looked at the photographic prints and said that normally he would look at the originals, but he stated that the photographs were of good quality and felt that he could make a determination based on the photographs. He had brought a crime scene kit with him and removed a loupe magnifier and began looking at the photographs. Just as he started looking at the photos, I told him that I would be willing to loan him the photographic prints

¹² Myers, *With Malice*, 1st edition (1998), 274-78; the same in the 2nd edition (2013), 336-40.

so that he could take his time examining them, but he said, ‘That won’t be necessary.’ He picked up the photograph of Oswald’s fingerprints and added, ‘I don’t believe that the fingerprints taken from Tippit’s car are Oswald’s prints.’ Within a minute he confirmed his previous pronouncement, saying, ‘No, these don’t match.’ Lutz used the photographic image of the fingerprints taken from the right-front fender of Tippit’s squad car (DMARC 91-001/326) to demonstrate to me how the prints were those of a right hand that had been placed on the car and then dragged away, causing a smear ... Lutz looked at the other fingerprints lifted from Tippit’s squad car ... Lutz was of the opinion that one person was probably responsible for all of them.”¹³

Myers published Oswald’s exclusion in 1998 in the first edition of *With Malice*. A new question was now introduced into the Tippit case: if not Oswald’s, whose prints were they? The ease and speed with which Lutz reached his conclusion raises a further question—was that exclusion known at the time the Warren Commission was told in 1964 that the prints were “none of value”? That cannot be confirmed on present evidence.

Is it believable that latent print examiners at the Dallas Police really would not know that? Lutz found it so easily, in about a minute. On the other hand, if anyone at the time had known Oswald was excluded, why would that not be disclosed? Why would anyone possibly want to conceal Oswald’s exclusion as the source of those prints?

If Oswald’s exclusion as the source of the prints had been made known to the Commission in 1964, the Commission might have asked the FBI—with the best fingerprint expertise and databases in the nation—to see if it could identify who had left those prints. If the FBI had then been able to make an identification at that early stage, that could have changed the entire course of the Tippit case, including a possible exoneration of Oswald on Tippit at that time. None of that happened. The Commission’s acceptance of the 1964 answer from the Dallas Police functioned, in effect, as a suppression. It removed the fingerprint evidence from consideration, and no second opinion was sought for thirty years.

Reaction to the Lutz finding

Myers—to whom credit is due for the initiative in obtaining and publishing the Lutz examination—responded to the Oswald-exclusion finding in a surprising way: he did not treat it as raising a possibility that the prints could have come from a killer who was not Oswald. Myers’s response was to suggest the prints could have come from someone with no connection to Tippit’s killing:

¹³ Dale Myers blog, July 19, 2022: <https://jfkfiles.blogspot.com/2022/07/lies-and-deception-in-tippit-murder.html>.

“It should be noted that police removed the prints on the ‘possibility’ that the suspect had put his hands on the car when he came over to talk with Tippit. That might not have happened. Jimmy Burt, who was a block away from Tippit’s car, said the assailant ‘put his hands on the right side of the car as he leaned down and talked in the window.’ However, eyewitness Jack Tatum specifically recalls that as he drove past, the man speaking to Tippit was leaning over and ‘had both hands in his zipper jacket.’ So, whose fingerprints were they? At least four minutes elapsed before the first officer arrived at the murder scene, and nearly eight minutes before police arrived in force. By then, a large crowd had gathered. Several witnesses are known to have handled Tippit’s revolver, sat in his car, and used the police radio. There were plenty of opportunities for a number of people to have touched the police car before it was secured.”¹⁴

Myers’s research on the Tippit case in *With Malice* is interpreted in terms of a conclusion that Oswald was Tippit’s killer. But Myers in 2022 took offense at any suggestion that that conclusion had entered into his reaction to the Lutz fingerprint findings. Myers claimed the new findings did not “add anything” to the case, and that his position rested on independent grounds. Myers:

“[T]he crime scene was not secured for a good fifteen minutes ... there were plenty of opportunities for a number of people to have touched the police car before it was secured ... the fingerprint evidence doesn’t add anything to the case ... the fingerprint

¹⁴ Myers, *With Malice*, 2013 edn, 340, citing an interview of Tatum of Myers of March 3, 1983. Myers claims, in his paraphrase here, that Tatum had the man, as Myers represents it, “leaning over” at the time Tatum saw the man with both hands in his zipper jacket. But the relevant portion of the transcript of Myers’s 1983 interview of Tatum, quoted elsewhere by Myers, does not have Tatum saying he saw the man “leaning over.” The actual words of Tatum quoted by Myers from the interview transcript has Tatum describing seeing, as he drove by, the man “looking into the window, and the officer, either attempting to roll down the window, or was going to talk to him through the window ... the officer was facing toward the window and the man was looking in and had both hands in his zipper jacket” (*With Malice*, 2013 edn, 118). By Tatum’s own description this is before the man and Tippit began talking through the window. Tatum describes seeing the gunman with his hands still in his jacket’s pockets before the speaking through the window. This is consistent with the man standing upright, hands still in his pockets, just before Tippit rolled the window down and the man leaned down and in—at which point his hands would then come out of his pockets, and his arms and hands have gone down on the top of the patrol car’s passenger door for support, as Markham and Burt described seeing. However, that happened after Tatum had driven past, and Tatum would not have seen that. Myers’s paraphrased description of Tatum here conflates this and makes it sound as if Tatum is giving information conflicting with that of Markham and Burt, when that is not the case. The witnesses reflect slightly different timings, a few seconds apart, of Tippit’s killer’s position at the window.

evidence goes nowhere. It doesn't prove whether [anyone] was the killer of Tippit or not. Even if the fingerprints did match [the killer]'s, it would only put him at the car. That would be strong circumstantial evidence, yes? But it wouldn't prove he fired a gun and killed Tippit, would it? ... the fingerprint evidence doesn't add anything to the case."¹⁵

But can the prints be well accounted for as Myers suggests—left by a hypothesized non-gunman who happened to leave prints on the patrol car at the two areas where witnesses situated Tippit's killer—someone else who talked through the passenger window to Tippit and also left prints at the far end of the right front fender where Tippit's killer was?

The fingerprints below the passenger window

The right front passenger window vent was a narrow panel, hinged separately from the main window, and positioned forward of it. A photo from the crime scene shows Barnes dusting for prints below that vent.¹⁶ Barnes himself in his Warren Commission testimony marked the location on a photo where he had lifted the prints by drawing a line under both the window and the vent.¹⁷ If the killer had spoken only through that window vent, that would be one explanation for hand placement there. But it is difficult to imagine that functioning well. Communication through a cracked vent would not be possible without pressing one's face and ears directly against it, which would be difficult since Friday November 22, 1963, was breezy and gusty in Dallas, with wind speeds of approximately 15–20 mph recorded at Dallas Love Field. The more plausible reconstruction is that Tippit rolled the main window partway down to allow for conversation, then rolled it back up before getting out of the car, which agrees better with what the witnesses described. Either way, communication with the driver would have required having hands and arms on the car for support while leaning down and in to make eye contact and be heard. This is the basis for an initial impression that the prints in that location look like they could have come from the one person known to have done exactly that: Tippit's killer.

The right front fender fingerprints

Domingo Benavides did not see the gunman during the firing of the shots, and Helen Markham viewing from her distance from the opposite side of the patrol car had no line of sight to the right side of the fender directly. The fender prints are consistent with a location the killer is known to have been since witnesses Domingo Benavides and Frank Wright place the killer on either side of

¹⁵ Myers, 2022, above n. 13.

¹⁶ As seen in a WFAA-TV news film of Sgt. Barnes dusting the Tippit patrol car for the prints; still photo at Myers, *With Malice*, 2013 edn, 210.

¹⁷ Barnes Exhibit A, 19 H 113.

the position the prints were left, and the leaving of those prints is consistent with the killer facing the right front fender panel as Tippit fell forward on the other side, with the killer's free non-gun hand having opportunity to touch the car at about waist height, whether in the process of shooting or the moments immediately following, before continuing another step or two forward of the patrol car to look at Tippit where he had fallen on the other side of the car. And again, Lutz believed the prints at the right front fender panel were probably not from *any* random bystander, but from the same person who left prints at the passenger door where the killer was witnessed in bodily contact as he spoke through to Tippit.

Bayesian analysis

If it is correct that the prints from both locations on the Tippit patrol car came from a single individual, a Bayesian analysis carried out by the author estimates Bayesian odds of 97.5% that the prints were left by Tippit's killer, compared to only 2.5% chance that the prints were left by someone other than Tippit's killer.

Bayesian analysis is not itself evidence or proof; it estimates only odds in cases of uncertainty, prior to finding out what is the actual fact for sure. Assumptions and estimates in the calculation are as follows. The single most important assumption is that the prints in both locations were left by a single individual, in keeping with the judgment of expert latent print examiner Lutz "that one person was probably responsible for all of them," adding that "the smears obtained from the top of the right-side passenger door were of less value, although Lutz felt that the ridges and furrows were consistent with fingerprints found on the right front fender" (Myers, *With Malice*, 2013 edn, 336-38). No one has contested that judgment of Lutz, and the analysis that follows assumes that probability to be the case.

The prints at the top of the passenger door are assumed to be from someone talking through the window to Tippit inside the car, whether that was Tippit's killer at the time known that he did, or someone else at a different time and occasion. Estimated frequency of someone talking to Tippit through the passenger window: 1x per day. Estimated number of days since most recent car wash (with no previous fingerprints surviving the car wash): 5. Chances that any individual talking to Tippit through the passenger window would leave fingerprints: 30%. Expected survival rate of prints on the exterior of the car: 100% on the day the prints were lifted, declining by 15% for each day that passes. On the basis of those inputs of parameters, calculated chances that the one person who left prints at the passenger door was Tippit's killer, considered in isolation, prior to consideration of the fender prints: 21%.

Chances that Tippit's killer was also at the position of the fender prints location (based on witness testimonies of Benavides and Wright putting Tippit's killer at either side of the location of the prints of the right front fender panel in the process of Tippit's killer moving forward to in front of the car): 100%. Chances that a non-gunman who spoke to Tippit through the passenger window

would walk along the side of the right front fender panel in the process of leaving or arriving to the passenger window to speak to Tippit (as opposed to some different direction not involving walking immediately alongside the right front fender): 10%.

Chances that the Tippit killer, facing the fender panel in the process of shooting over the hood, had a free non-gun hand in proximity to and ease of opportunity to touch the location of the fender prints: 100%. Chances that a non-gunman walking alongside the fender panel had a right hand in proximity to and ease of opportunity to touch the location of the prints, if walking alongside the right fender in process of arriving to the passenger window: 100%. If walking alongside the front fender in process of leaving the passenger window (equal odds of arriving or leaving): 25%.

Chances that Tippit's killer would, by accident or intention, touch his right hand to the panel in front of him which he was facing, in the process of shooting and/or moving forward along the side of the hood, compared to chances that a non-gunman walking by would, by accident or intention, touch his right hand to the panel: 3x more likely for the gunman (because he had a known possible reason to do so, versus only a possible unknown reason for the non-gunman).

Because the prints at the fender reflect intentional or deliberate or repeated hand touching over a several-inches area, not simply a single random accidental touch, chances that that right-hand behavior came from the gunman compared to a non-gunman, if either touched: 3x as likely from the gunman (because he had a known possible reason for that intentional hand behavior—balance from a non-gun hand while shooting over the hood— compared to a non-gunman with no known reason but who could have had an unknown reason).

Calculation of chances that the prints at the fender were left by the Tippit killer who was also the source of the prints at the passenger window, compared to chances that the prints at the fender were left by a non-gunman who was also the source of the prints at the passenger window: 97.5% Tippit killer, versus 2.5% non-Tippit killer.

Comment: the odds are not especially high that the gunman left the prints at the passenger window considered in isolation, if that was the only set of prints under review (21%). It is the key item of the prints in both locations left by the same individual which changes the odds overwhelmingly toward the gunman as the source for both (97.5% odds), as opposed to the possibility of a non-gunman source for both (2.5% odds)—in those separated locations from a single source.

Note that the fingerprints evidence is not the only source of evidence that is considered in a crime case such as the Tippit murder. Suppose, hypothetically, someone prior to this analysis, and not taking into consideration any of the elements of this analysis, was convinced on the basis of that other available, non-fingerprint information of Oswald's guilt on Tippit at 96% confidence (extremely high confidence). This conflicting 97.5% Bayesian odds of Oswald's innocence on the basis of the fingerprints evidence analysis, all else being equal, would be combined with the other 96% result to produce (by calculation) updated lowered overall Bayesian odds of 37% that Oswald

was guilty versus 63% that Oswald was innocent—a drop of 59 percentage points in confidence formerly held for Oswald’s guilt, responsive to the new information.

That is how important these fingerprints are, if the Bayesian analysis just outlined is even approximately sound.

Importance of the Lutz 1994 finding

Two sets of fingerprints left by a single individual in two separate locations on the patrol car—each independently consistent with the known positions of Tippit’s killer—are not easily explained as coincidence or from a random person at a crime scene left briefly unsecured. Myers’s alternative requires assuming that some never-identified person, unconnected to the killing, happened to leave prints in the same two areas as the killer’s movements, sometime since the car’s last car wash. That is a considerable strain on coincidence. It is the correspondence between the two print locations and the known positions of the single gunman that gives the Oswald exclusion its force: the finding heightens considerably the scrutiny that must be brought to bear on the rest of the evidence in the Tippit case which has been understood as proving Oswald’s guilt, to ensure there is no mistake there.

The failure to transmit the fingerprints to the FBI

The FBI obtained all the physical evidence associated with the Kennedy and Tippit investigations that the Dallas Police had, except for the Tippit patrol car fingerprints. There is no record the FBI requested them or that the Dallas Police offered them. The Warren Commission never asked the FBI to examine the prints—since the Commission had been told they were worthless, while at the same time not being informed that Oswald was excluded as a match. The House Select Committee on Assassinations (HSCA) investigation, whose forensic panels reviewed the Warren Commission’s earlier expert technical findings in so many other cases, did no expert review of the Tippit patrol car fingerprints.

The FBI laboratory in 1963–1964 had the best fingerprint identification expertise and databases in the nation. Had the Tippit patrol car prints been given to the FBI in 1963–1964 for review, or to the HSCA in the late 1970s, and treated as an investigative priority, there is an unknown but reasonable likelihood—notwithstanding the Dallas Police claim—that the source of the fender prints, and by extension the passenger-door prints, could have been identified at that time. Whether the individual identified could then have been shown to have an innocent explanation for the prints’ presence, or would instead replace an exonerated Oswald in being found to have been the actual guilty person in the Tippit killing, is a separate question that would require follow-up investigation to resolve. But the opportunity for that investigation was never taken.

It is sobering to consider that the right front fender prints of the Tippit patrol car could have produced all along, and could still produce, the true name of Tippit's killer.

[to be continued]