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Insider View of the JFK Assassination Investigation

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Everyone (who was over the age of 5) remembers where they were and what they were doing on November 22, 1963 (at work, in school, napping...). The events of that day still illicit questions, theories and speculation. Our government has spent millions of dollars studying, examining, questioning, and interviewing data, evidence and people. Many have made money selling their knowledge, theories and memorabilia of that day. It was one of the most pivotal days in American history...the day President John F. Kennedy was assassinated.

Science and criminal investigative science has changed dramatically since the sixties. John Bates, Schoharie County Sheriff, was a young office with the New York State police in 1963. He remembers that he was in Fonda on radar duty when a car pulled up, the driver reached over and unrolled his passenger-side window and pointed to trooper Bates' radio, indicating he should turn it on. Although his life wouldn't be especially impacted yet, down the road his career would, for a time, revolve around the assassinations of JFK, Martin Luther King, Jr. and Robert Kennedy.

Mr. Bates presented a slide show to the Carlisle Historical Society at the May, 2009 program detailing how he got involved in the House Select Committees' re-investigation of the assassinations and showing the group some of the evidence they examined. He also had some items on display, including a replica of the gun used by Lee Harvey Oswald, gun cartridges, and a couple of books written on the topic.

One of the first slides gave an excellent example of how criminal investigative techniques have changed. The slide was picture of the presidential limousine, taking only hours after the shooting, showing men (secret service agents) washing the blood off the car. As pointed out by Sheriff Bates, if that had occurred in a crime today, those men would have been brought up on charges; but back then, there was no rules prohibiting their actions, and no one thought to stop them, yet evidence was being tampered with and removed.

The original and immediate investigation into the assassination ended with the Warren Commission Report, which determined that Oswald acted alone and was the single shooter. As we know, about an hour after the assassination, Officer Tibbet of the Dallas Police stopped his patrol car to get out and talk with a suspicious person. That person shot Officer Tibbet 4 times and then ran into a theater. Lee Harvey Oswald was later discovered in that theater. Several days after Oswald's arrest, he was being transferred from the police

department to court, with much media coverage, when Jack Ruby gained access and shot Oswald while America watched on TV.

The Warren Report did not quell the questions: Did Oswald act alone? Was there a conspiracy? Oswald was known to have traveled to Russia, his wife was from Russia, and he was considered to be a bit odd. Eyewitnesses reported hearing or seeing gunfire from “the grassy knoll” and from the railroad bridge. There were the other assassinations of Martin Luther King and Robert Kennedy. How was Jack Ruby able to confront the prisoner Lee Harvey Oswald so easily? A Life magazine cover from the 60’s said it all: “Matter of Reasonable Doubt”. Many questions remained, and science and investigative techniques changed, so in 1970, the House formed the Select Committee on Assassinations in an effort to bring together experts from various forensic organizations to reassess the evidence and come to a final conclusion.

The Select Committee sent out a request for firearms experts. John Bates, then 35 and trained as a firearms examiner in Albany, submitted his resume to the committee and was accepted. A panel of 5 examiners was brought together to re-examine the firearms evidence and to locate and interview witnesses for each of the assassinations.

All the original evidence is the property of and stored by the National Archives of the United States of America. The rules of evidence and importance of physical evidence had not been established in 1963 as they are today. The group of 5 examiners worked for approximately 18 months, testified to the Senate Committee as to their findings, and a final report was issued in 1978, 15 years after the JFK assassination.

The group had a mock-up of Daley Square (the site of the assassination of JFK), complete with the cars in the actual positions, the buildings and the terrain all to scale. This mock-up was created based on a home movie filmed by Mr. Zapruder. They know the motorcade was proceeding at 11 mpg, and they were able to calculate that the first shot was fired from a distance of 177 feet and the last shot was fired from a distance of 266 feet, therefore, all 3 shots were fired within a length of a football field.

The weapon used was a 6.5 mm Mannlicher-Carcano bolt action rifle which is an Italian made weapon used by the Italian military through WWII. Oswald purchased the gun and cartridges through mail-order, and the weapon was found on the 6th floor of the Texas School Book Depository building.

In doing their analysis, the examiners spent hours recording and documenting everything to do with the evidence, including packaging (as the evidence was in storage in the National Archives), manufacturing information, and previous lab analysis markings in order to check the work done previously. Once they were done with the physical exam of the weapon, they fired the weapon several times to have a “test” to use as a standard of comparison of evidence. Getting adequate test results proved a bit tricky. First, they constructed a 1-foot plywood box packed with surgical cotton. The first shot fired into this box ended with the bullet exiting the side of the box and hitting the wall. The second shot exited the bottom of the box and hit the floor. Next, they constructed a 2-foot tank filled with water. With this method, they were successful in getting test bullets. These test bullets were compared to the evidence using a comparison microscope and a micrometer, instruments still used in forensics today.

Sheriff Bates was able to counter several claims. First, the “pristine” bullet found on the stretcher of Governor John Connelly (who was in the limousine with the Kennedy’s and was wounded by the bullets which passed through JFK) was not pristine. The slide he presented showed the side is curved, the base flattened and the case bottom is extruding lead. Upon examination with the microscope, they were able to match up individual markings. The bullet did not have extensive damage because it did not hit any bone until it hit the wrist of the governor, and by then it had been slowed considerably since it had passed through the president and the

governor's bodies. The pristine bullet and two others found in the front seat area of the limousine were matched to the Carcano rifle. Comparisons made to rounds found in the gun left in the depository building had great correspondence with the test shots.

Slides were also presented showing the clothing of both the president and the governor. They examined and documented the holes, both microscopically and chemically for lead residue and for gunshot residue. Lead residue would indicate a bullet shot from a distance; gunshot residue would indicate the bullet was fired from within 3-5 feet. No gunshot residue was found, but lead residue was found on the holes.

We had a brief discussion about Jack Ruby, who shot and killed Oswald, and the oddities surrounding that crime. An autopsy was done on Oswald, but the bullet that was recovered from his body was not found by the Select Committee. The weapon was confiscated, but never examined by the crime lab and was returned to Ruby's estate and eventually owned by Jack Ruby's brother. When the examiners requested the gun be turned over for examination, the brother was reluctant to part with it for fear that it would not be returned. He eventually relented and they were able to test it, but there was no documentation from the scene. They did return it to the brother, who passed away about six or seven years ago. When the gun was brought up at auction, it sold for more than \$200,000. How was Ruby able to gain such easy and close access to Oswald? It is known that he owned an establishment frequented by officers of the Dallas Police Department, and was friendly with them. Perhaps this relationship allowed for some laxness in the guarding of Oswald.

The examiners were very careful in handling the evidence and doing the analysis – they assumed that their work will some day be reevaluated, perhaps using more precise technology or in conjunction with new evidence. They had to come to a conclusion individually and as a group. They testified before the Select Committee, along with the other expert groups that had been working on different aspects of the investigation, and a final report was published. Mr. Bates has a copy of this 12 volume treatise, but has never read it



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