

WAS MILTEER IN DALLAS?

Published in *The Athens Observer*, p. 2A (February 19, 1987).

Author: Donald E. Wilkes, Jr., Professor of Law, University of Georgia School of Law.

Was Joseph A. Milteer present in or near Dealey Plaza when President Kennedy was shot? If so, this would transform suspicions that he knew in advance of plans to kill the president into suspicions that he might have been a party to the plot. Milteer's proven presence would be a fact of the gravest concern and the most sinister implication.

What evidence is there that Milteer might have been present at the assassination? First, an informer--presumably Somerset--reported that Milteer had called a friend from Dallas on the morning of the assassination. Henry Hurt tells us that in that morning telephone conversation Milteer assured his friend that Kennedy wouldn't be visiting Miami any more. The Assassinations Committee in its Final Report in 1979 said it "could find no evidence that Milteer was in Dallas on the day of the assassination." On the other hand, as Hurt observes, the Committee "also failed to show that he was elsewhere."

Second, Milteer apparently told an informer in Jacksonville, Fla., a few days after the assassination that he had been in Dallas, Ft. Worth, and Houston. While Milteer did not say when the visits had occurred, it is worth noting that these three cities were on President Kennedy's itinerary on his fatal journey to Texas.

Third, it is possible that Milteer was an individual photographed among the motorcade spectators on Houston Street immediately before the president's car turned on to Elm Street and the shooting began. The 35 mm film photograph was taken by James Altgens. The photograph depicts "an unidentified motorcade spectator who bears a strong resemblance to Joseph Adams Milteer"--to quote the words of a panel of experts retained by the Assassinations Committee. The spectator, a bespectacled white male around 60 years old, is standing with his arms folded across his front at a point just beyond and to the right of the approaching presidential limousine, in the photograph. He is among an array of spectators lining the sidewalk on the west side of Houston Street. "Immediately to his right is a taller man wearing a dark hat, coat, and necktie," to again quote the panel of experts.

The panel of experts was retained by the Committee to examine the photograph and determine if the individual in the photograph (who also appears in several motion picture films taken at the time) was Milteer. The experts included forensic anthropologists; their specialty is applying a physical anthropologist's knowledge of human biological variation to problems of legal medicine. There are only 30 forensic anthropologists in the country.

Although it had to admit that the individual in the photograph strongly resembled Milteer, that he resembled Milteer "in age and general facial configuration," and also that he was wearing eyeglasses similar to those worn by Milteer, the panel nonetheless concluded that the spectator was not Milteer. The conclusion rested on (1) differences in upper lip thickness and head hair, and (2) differences in height. However, the panel had no exact information on Milteer's actual

height, and the estimates of the height of the individual and other members of the crowd rested on the unproved and unprovable assumption that the visible signposts were fixed at the height required by regulations and that the height of the members of the crowd approximated the norms of the general population.

Neither the panel nor the Committee itself investigated the basic general question of where Milteer was on Nov. 22, 1963, and particularly whether he was in Dallas.

Furthermore, one member of the panel, photographic expert Robert Groden, dissented, stating that the issue was "by no means put to rest by comparing the height of the man in the Altgens photo to Milteer's known height or the unknown relative heights of the other people in the crowd standing near him." Plainly, the panel's conclusion as to the identity of the individual is open to doubt. Milteer may have been the man in the picture. This is true even though neither the FBI nor the Committee could find a connection between Milteer and his associates and either Lee Harvey Oswald or Jack Ruby or their associates.

One other matter remains to be discussed. Once the tape recording had been turned over by local police, what investigation of Milteer did federal agents undertake, both before and after the assassination? According to Secret Service documents published by Harold Weisberg in 1971, the Miami office of the Secret Service closed its file on Milteer on Nov. 12, 1963--three days after Milteer had talked to the informant and nine days before the assassination! Apparently the Secret Service's pre-assassination investigation was transferred to other offices, but there is apparently no published evidence of what investigation these other offices undertook.

The post-assassination federal investigation of Milteer appears to have been an interview between Milteer and two FBI agents on Nov. 27, 1963. Harold Weisberg has published the report of the interview prepared by the FBI agents. That report is one and one-half pages long. It consists of six terse paragraphs. According to the report, Milteer denied ever making any threats to assassinate President Kennedy or participating in the assassination. Milteer also said he had never heard anyone make threats against the president. He denied knowing Lee Harvey Oswald or Jack Ruby.

The agents did not ask Milteer about his earlier statements, recorded and unrecorded, concerning plans to kill the president, and Milteer evidently did not volunteer any information on the subject. Nothing indicates that the interviewing agents knew anything about Milteer's previous statements to Somerset. That Milteer did not tell the complete truth and that some of his answers were misleading seems plain. What an odd interview! Clearly, the Milteer matter needs further official investigation.

Because of deficiencies to date in government investigations, and the passage of time, the state of the evidence is such that it is not possible to eliminate the possibility that through Joseph Adams Milteer there is a Georgia connection to the assassination of our 35th president, John F. Kennedy. Indeed, because of the matter of the speeding car with the stolen Georgia tag, there may have been two Georgia connections to the political assassination rightly called the crime of the century.