

## THE ROSETTA STONE OF THE JFK ASSASSINATION?

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In his book *November 22, 1963: You Are the Jury* (1973), David Belin, Assistant Counsel to the Warren Commission and one of the chief defenders of the Warren Report, asserts that “[t]he Rosetta Stone to the solution of President Kennedy’s murder is the murder of Officer J. D. Tippit. . . . Once [it] is admitted that Oswald killed Patrolman J. D. Tippit, there can be no doubt that the overall evidence shows that Lee Harvey Oswald was the assassin of John F. Kennedy.”

Belin and other apologists for the Warren Commission believe, in the words of Bernard Fensterwald, Jr., *Coincidence or Conspiracy?* (1977), that “the Tippit murder provide[s] strong corroborative evidence of Oswald’s capacity to kill as well as his desperate attempt to escape after murdering John F. Kennedy.” Warren Report defenders, as Henry Hurt explains in *Reasonable Doubt* (1985), maintain that “[r]esponsibility for the [JFK] assassination ... explain[s] why Oswald might be driven to the brutal murder of Tippit ... and [that] the murder of Tippit ... [is] irrefutable proof of Oswald’s capacity for violence.”

That the proponents of the Oswald-was-the-lone-assassin thesis believe proof that Oswald killed Tippit is essential for there to be “no doubt” that Oswald assassinated JFK indicates the flimsiness of their thesis. They are impliedly admitting that, absent proof that Oswald killed Tippit, there can be doubt that Oswald assassinated JFK. They forget that proof, if any, that Oswald assassinated JFK can be found only by examining the facts of that assassination; it cannot be found in the facts of a separate murder committed at a different time and place.

At any rate, the evidence that Oswald murdered Tippit is unconvincing. Thirty-nine-year-old Dallas police officer J. D. Tippit was shot to death near the intersection of Tenth and Patton Streets in the Oak Cliff section of Dallas shortly before 1:16 p.m. on November 22, 1963. Tippit's death occurred about 45 minutes after JFK was shot in Dealey Plaza, approximately four miles away in downtown Dallas. While cruising east in his marked police car on Patton, the uniformed Tippit came across a pedestrian walking in the same direction on the sidewalk. Bringing his car to a stop, Tippit called the pedestrian to the car, whereupon the pedestrian approached and apparently spoke to Tippit through the open right front vent window. After a brief conversation, Tippit exited his car and started to walk to the front of his car. As he reached the left front wheel, the pedestrian pulled out a pistol and began shooting Tippit across the car hood. Tippit, who by now had drawn his service revolver, fell into the street, and shortly thereafter the killer fled the scene. Half an hour later Oswald, while in possession of a .38 caliber pistol, was arrested at a movie theater approximately eight blocks away.

The Warren Report gave four reasons for its conclusion that Oswald killed Tippit: (1) there was eyewitness testimony from persons who identified Oswald as the killer or as the person who fled the murder site, (2) four spent cartridge shells found near the site were fired from the pistol in Oswald’s possession, to the exclusion of all other pistols, (3) the pistol in Oswald's possession was purchased and owned by Oswald, and (4) a zipper jacket belonging to Oswald was found along the path of the escape route taken by the gunman who shot Tippit.

The unreliability of the eyewitness evidence has been repeatedly exposed by JFK assassination scholars--e.g., Mark Lane, *Rush to Judgment* (1966), Sylvia Meagher, *Accessories After the Fact* (1967), and Anthony Summers, *Conspiracy* (1980)--and it will suffice to note here that (1) the identification procedures utilized were highly suggestive, (2) the key eyewitness relied on, Helen Markham, made numerous demonstrably erroneous or false statements and was, as Meagher drily observes, "not a person in whom reasonable men would place implicit trust," (3) the nearest eyewitness told police he could not identify the killer and was not taken to a lineup, and (4) witnesses who thought the killer was not Oswald were discounted or not interviewed.

After shooting Tippit the killer conveniently discarded four empty .38 caliber shells, which were identified by FBI experts as having been fired from the pistol Oswald possessed at arrest. There are, however, strong suspicions that the shells handed over to the FBI by Dallas police were not the shells found at the crime scene. Furthermore, the shells did not correspond with the bullets removed from Tippit's body during his autopsy--a strange fact which the Warren Report desperately but unsuccessfully tried to explain away. Two of the shells were Winchesters and two were Remingtons, but the bullets recovered from Tippit consisted of three Winchesters and one Remington. (FBI experts could not link the bullets taken from Tippit's corpse to Oswald's revolver, for two reasons: first, the bullets were too mutilated; second, the barrel of the weapon had--apparently before Oswald bought it--been altered, and test-firing the revolver showed that consecutive bullets fired from the revolver could not be identified as having been fired from that revolver.) Even accepting that Oswald owned and possessed the weapon in question, and that the shells tested by the FBI had been fired from that weapon, therefore, the ballistics evidence is questionable.

As for the zipper jacket, the evidence that Tippit's killer wore it is doubtful, the evidence that it was worn by or ever belonged to Oswald is weak, and the circumstances under which it was allegedly found (by a still unidentified Dallas policeman) lying on the ground in a service station parking lot have never been satisfactorily explained. There is an excellent account of the suspicious nature of the jacket evidence in the Meagher book. (The jacket, incidentally, bore a laundry or dry cleaning tag which the FBI was unable to trace.)

It may well be, therefore, as James P. Duffy and Vincent L. Rice suggest in their book *The Assassination of John F. Kennedy* (1992), that Tippit's murder "had no connection ... with Oswald, that [it] was committed by an unknown person for reasons entirely unconnected with the president's assassination, and that the murder charge was pinned on Oswald."

Other mysterious or suspicious circumstances surrounding the Tippit murder which remain unexplained include:

Oswald-Tippit Connections The Warren Report asserted there was "no evidence" that Oswald and Tippit "had ever seen each other before." Actually, there was. A waitress at a Dobbs House restaurant in Dallas told FBI investigators working for the Warren Commission that two days before the JFK assassination Oswald, a customer in the restaurant, was "nasty and used curse words" in connection with his food order, that Tippit was also in the restaurant "as was his habit at about that time each morning," and that Tippit "shot a glance at Oswald." Another Dobbs House waitress also told the FBI of the incident when Oswald was rude (although she thought it

occurred one day before the assassination); she further recalled that Oswald came into the restaurant “numerous times.” The Dobbs House manager told the FBI that Tippit was a regular “coffee customer.” (Interestingly, the restaurant was outside Tippit’s patrol district.) Despite this evidence that Oswald and Tippit frequented the same restaurant, that on at least one occasion--only a day or two before the Kennedy assassination--they were both present there at the same time, and that on that occasion Tippit glanced toward Oswald, neither the FBI nor the Warren Commission further investigated the matter.

The Mysterious Police Car The housekeeper at the rooming house (about a mile from the Tippit murder site) where Oswald was living told the Warren Commission that around 1 p.m. on November 22, while Oswald was alone in his room, a marked police car stopped in front of the premises, sounded its horn twice, and then slowly drove away. Although it treated her as a credible and responsible witness in every other respect, the Warren Commission curiously rejected this part of the housekeeper's testimony. In his book *Lee: A Portrait of Lee Harvey Oswald* (1967), Robert Oswald, Lee Harvey Oswald’s brother, cogently asks: “How could the Commission decide that [the housekeeper] was right when she supplied [other] information, but wrong when she made her firm statement about the police car stopping and honking?” That housekeeper, Mrs. Earlene Roberts, thought that there were two police officers in the mysterious police car; and, interestingly, photographs of Tippit’s patrol car taken only a few minutes later, shortly after Tippit’s death, show a police uniform is visible hanging inside one of the backseat windows of his car. Furthermore, as Sylvia Meagher notes, Roberts “was confused about the number on the vehicle and gave several different versions. In some of the three-digit combinations, she suggested, the first two figures were a 1 and a 0; Tippit’s car was ‘No. 10.’”

Tippit’s Activities Shortly Before His Death Officer Tippit’s actions in the minutes preceding his murder are shrouded in mystery. At 1:03 p.m. the police radio dispatcher signaled Tippit seeking his location, but inexplicably received no response. Several seemingly reliable witnesses saw him parked in his patrol car in a gas station in Oak Cliff shortly before 1:00 p.m.; after several minutes, he was seen to drive away at high speed. A few minutes later two witnesses who knew Tippit well saw him enter the record shop in Oak Cliff where they worked and where Tippit frequently used the telephone. Tippit dialed a number but got no answer, hung up, and then rushed out. Around 1:08 p.m. Tippit twice radioed the police dispatcher but inexplicably got no reply. At the time of his death Tippit, one of the few officers not sent to Dealey Plaza, was outside his regular patrol district; Dallas police explanations of why Tippit happened to be where he was in Oak Cliff are not credible. Nor has there ever been a sufficient explanation of why Tippit stopped the pedestrian. It is unlikely that he stopped the pedestrian thinking the pedestrian might be a presidential assassin. If Tippit did think the pedestrian was possibly an assassin, it is odd that he never radioed for help and that he left the safety of his car.

Execution-Style Murder of Tippit After Tippit had been shot three times in the chest the killer started to leave, turned back, approached the fallen officer, and fired an instantly fatal shot into his right temple before taking flight. This is most unusual in police shootings. Ordinarily when an offender shoots a policeman, he seeks to get away as fast as possible and if escape is feasible he will flee the moment he knows the officer is down. For unknown reasons whoever shot Tippit wanted to make it absolutely certain that the officer died. An autopsy photograph of the bullet wound in the officer's head is in Dale K. Myers’ *With Malice: Lee Harvey Oswald and the*

*Murder of Officer of J. D. Tippit (1998).*

The Tippit murder is thus not the Rosetta Stone of the JFK assassination. It does not provide the key to deciphering the truth of the crime of the century, the slaying of America's 35th president.