



# The Art and Science of Misrepresenting Evidence

by Stewart Galanor

**A critical analysis of Professor McAdams’  
“The Source of the Shots in Dealey Plaza”**

Over six hundred people witnessed the assassination of President Kennedy. The FBI acting on behalf of the Warren Commission interviewed at least 200 of them. Regrettably, the Commission seemed unconcerned that the FBI reports on 70 of these interviews did not reveal if the witness had an opinion on the source of the shots. Nor did the Commission conduct an analysis of witness accounts. Instead, the first analysis appeared in Mark Lane’s *Rush to Judgment*. A second appeared, shortly thereafter, in Josiah Thompson’s *Six Seconds in Dallas*.

Not until fifteen years after the assassination, when the House Select Committee on Assassinations was formed, did the federal government even attempt to analyze witness accounts. The House Committee surveyed 178 witness accounts gathered from FBI reports and transcripts of Commission hearing published in the 26 Volumes. The results of the Committee’s analysis was 49 witnesses thought the shots came from the Book Depository while less than half that number thought the source of the shots was the grassy knoll. Incredibly, the Committee failed to reveal who these witnesses were. (HSCA Report 87)

Then a decade later, I made a fortuitous discov-

ery. Buried deep within the National Archives was a file with the names of 178 witnesses. Next to 49 names were the letters "TSBD." Only 21 witnesses were marked as "knoll." As I have since explained in *Cover-up*, to arrive at these figures, the Committee misinterpreted the accounts of over 30 witnesses.

Recently, John McAdams, professor of political science at Marquette University, produced an analysis of witnesses to the assassination, which he calls “The Source of the Shots in Dealey Plaza: Definitive Tabulation,” and charged that my analysis of 216 Witnesses in *Cover-up* “badly overcounted” the number of witnesses who thought the shots were fired from the knoll. (See his newsgroup post on the next page.)

In reexamining my analysis (54 Knoll, 46 Depository), I have found that the knoll category was overcounted by only two (52 Knoll, 48 Depository). This article covers issues on evaluating evidence that are often overlooked by Warren Commission apologists.

For a comprehensive list of the witnesses and links to their testimony, see “Witness Testimony and Statements on the Origin of the Shots in Dealey Plaza as Published by the Warren Commission,” online at <http://www.jfklancer.com/galanor/>.

**John McAdams, professor of Political Science at Marquette University, posted on his alt.assassination.jfk newsgroup on May 31, 2001, the following:**

*Quote On*

OK, folks, here it is, almost complete and ready to go onto my site:  
[<http://mcadams.posc.mu.edu/earwitnesses.htm>]

It's a tabulation of what the Dealey Plaza earwitnesses reporting hearing during the shooting. I get the following:

Depository Witnesses:	55
Knoll Witnesses	35
Other location	9
Two different locations	5

Note that witnesses were classified as "two different locations" only when they reported distinct impressions of shots from two different locations. Hearing shots but being uncertain of what the location was ("TSBD or Knoll") is relegated to "does not know" as are impressions that are distinct but don't allow distinguishing between possible shooter locations ("from the right side").

I'm now convinced that [Stewart] Galanor was right when he assured me that the HSCA undercounted the "Knoll" category. On the other hand, I think Galanor badly overcounted it.

It's clear, however, that a majority of the witnesses who offered any testimony as to the source of the shots said they came from the Depository, and the ratio of Depository to Knoll witnesses is 1.57/1.00.

Conspiracists really need to stop claiming that the earwitness testimony supports a Grassy Knoll shooter. Not only did more witnesses hear shots from the Depository, but only five witnesses heard shots from two locations. If we grant that at least "somebody" was shooting from the Sniper's Nest, that doesn't really leave much room for a Grassy Knoll shooter.

*Quote Off*

## Evidence and Inference

In the introduction of his analysis John McAdams writes that he "has excluded witness *inferences* from the tabulation. Where a witness somehow came to believe that the shots had come from a particular location, but didn't claim to have heard the shots from that location, their placement is not counted. . . . Galanor counts two witnesses as 'Knoll' witnesses [actually it's 7] because they saw smoke in front of the Knoll, although they didn't actually say they heard shots from the Knoll. Witness inferences aren't evidence." In this manner, McAdams dismisses witnesses who claimed to have seen smoke on the knoll.

McAdams appears not to fully understand what constitutes evidence and inference. Observing smoke on the knoll is *evidence*; it is not an inference. Recognizing the smoke as smoke from a rifle is an *inference*.

Furthermore, if we were to use McAdams' rules of evidence, we would have to dismiss those witnesses

to the assassination who "heard shots" since they were really interpreting a loud sound blast (the evidence) as rifle fire (an inference). In fact, many of the witnesses thought they were hearing backfire or firecrackers, not a rifle shot. Still we conclude the sound blast was produced by firing a rifle, even when the witnesses interpreted the sound as a backfire or a firecracker because, considering the circumstances, there is no other plausible explanation.

McAdams contradicts his own premise when he excludes witnesses on the mistaken grounds that seeing smoke is an inference, but fails to exclude witnesses on the grounds that hearing backfire, firecrackers, or rifle fire are inferences.

## Accommodating Witnesses

In analyzing witness accounts, a diligent investigator would consider various issues that McAdams fails

to address. One delicate issue to confront is the truthfulness of some of the witnesses.

- James Altgens, Associated Press photographer, told the Warren Commission he thought the shots came from behind the Presidential limousine (i.e., the direction of the Depository). (7H517) But on November 22, he wrote in an AP dispatch, “At first I thought the shots came from the opposite side of the street [i.e., the knoll]. I ran over there to see if I could get some pictures . . . I did not know until later where the shots came from.” (See Document 28 in *Cover-up*)

- Jesse Curry, the Dallas chief of police, told reporters on November 23 that although he was driving the lead car of the motorcade, he “could tell from the sound of the three shots that they had come from the book company’s building near downtown Dallas.” (*The New York Times*, 11/24/63) However, when confronted with the transcript of the police radio transmissions, Curry admitted that just after the shots were fired, he broadcast over his car radio: “Get a man on top of that triple

underpass and see what happened up there.” (23H913; 4H161)

- Bill Decker, the Dallas Sheriff, was riding with Curry in the lead car, and according to the police transcript, Decker called over Curry’s radio: “Have my office

move all available men out of my office into the railroad yard to try to determine what happened in there and hold everything secure until Homicide and other investigators should get there.” (23H913) When Decker testified to the Warren Commission, he

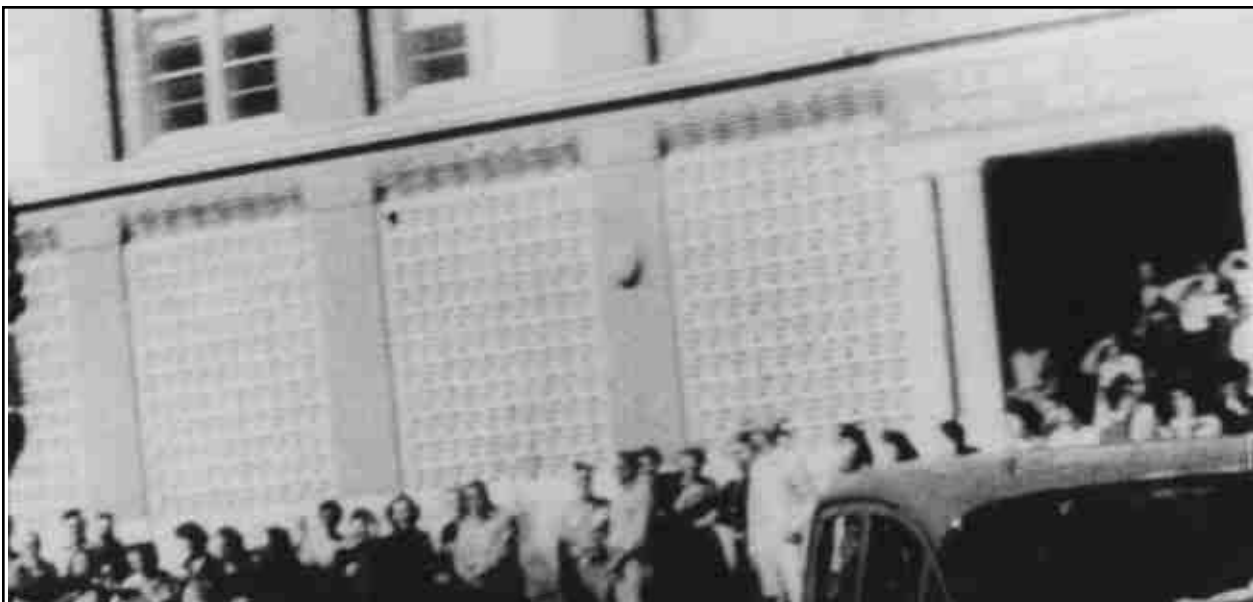
did not reveal, nor was he asked, where he thought the shots came from.

- House Speaker Tip O’Neill revealed in his autobiography that five years after the assassination:

“I was surprised to hear [Presidential aide Kenneth] O’Donnell say that he was sure he had heard two shots that came from behind the fence. “That’s not what you told the Warren Commis-

**“At first I thought the shots came from the opposite side of the street [i.e., the knoll]. I did not know until later where the shots came from.”**

**James Altgens**



**Witnesses at the corner of Elm Street in front of the Texas School Book Building. Many were never questioned by authorities as to what they heard. (Weigman Photo)**

sion,” I said.

“You’re right,” he replied. “I told the FBI what I had heard, but they said it couldn’t have happened that way and that I must have been imagining things. So I testified the way they wanted me to. I just didn’t want to stir up any more pain and trouble for the family.”

“Dave Powers [another Kennedy aide] was with us at dinner that night, and his recollection of the shots was the same as O’Donnell’s.” (*Man of the House*, 178)

## Erroneous Reports

Another issue to consider is whether or not the Dallas Police and the FBI submitted erroneous reports to the Warren Commission.

- Robert Edwards testified before counsel for the Warren Commission, David Belin, that the Dallas Police affidavit he made out on November 22, 1963 contained a statement he did not make.

Mr. Belin. Where do you think the shots came from?

Mr. Edwards. I have no idea.

Mr. Belin. In the affidavit you stated that the shots seemed to come from the building there. Did you really say that or not?

Mr. Edwards. No; I didn’t say that. (6H205)

- Richard Dodd, a railroad track supervisor who was standing on the overpass during the assassination, was interviewed by two FBI agents. In their report to the Warren Commission, the FBI agents said that Dodd “did not know where the shots came from.” (22H835) Several witnesses contradicted what was in their FBI reports, and Dodd was one of them. Dodd told Mark Lane in a filmed interview that he told federal agents that “the shots, the smoke came from behind the hedge on the north side of the plaza.” (The film *Rush to Judgment*)

- James Simmons, another railroad worker, was interviewed by two agents of the FBI, who reported that “Simmons advised that it was his opinion the shots came from the direction of the Texas School Book Depository Building.” (22H833) One of the main flaws of McAdams’ analysis is its unquestioning reliance on hearsay reports of FBI agents. Simmons has contra-

**“...you stated that the shots seemed to come from the building there. Did you really say that or not?”**

**MR. EDWARDS. “No; I didn’t say that.”**

dicted what was in his FBI reports, and in a filmed interview, he told Mark Lane, “It sounded like it came from the left and in front of us towards the wooden fence. And there was a puff of smoke that came underneath the trees on the embankment. . . . It was right directly in front of the wooden fence.” Simmons went on to say that he told the FBI agents who interviewed him that he had seen a puff of smoke on the knoll. Evidently, they chose to hand in a false report instead. (The film *Rush to Judgment*)

## Puff of Smoke

At least seven witnesses saw a puff of smoke on the grassy knoll.

- In May of 1966 I spoke with railroad workers Thomas Murphy and Walter Winborn, who were standing on the triple overpass at the time of the assassination. I asked Murphy, “Could you tell me where you thought the shots came from?”

Murphy. Yeah, they come from a tree to the left, of my left, which is to the immediate right of the site of the assassination.

Galanor. That would be on that grassy hill up there.

Murphy. Yeah, on the hill up there. There are two or three hackberry and elm trees. And I say it come from there.

Galanor. Well, was there anything that led you to believe that the shots came from there?

Murphy. Yeah, smoke.

Galanor. You saw smoke?

Murphy. Sure did.

Galanor. Could you tell me exactly where you saw the smoke?

Murphy. Yeah, in that tree. (See *Cover-up*, 59)

• Walter Winborn told me he saw “smoke that come out from under the trees on the right hand side of the motorcade.” The FBI agents who interviewed Winborn for the Warren Commission, however, did not mention in their report that he had seen smoke on the knoll.

Galanor. Did you tell them about that, that you saw smoke on the grassy knoll?

Winborn. Oh yes. Oh yes.

Galanor. They didn’t include it in their report.

Winborn. Well.

Galanor. Do you have any idea why they didn’t?

Winborn. I don’t have any idea. They are specialists in their field, and I’m just an amateur. (See *Cover-up*, 60)

• S. M. Holland, a railroad signal supervisor, was standing on the overpass watching the motorcade move toward him. “I looked over toward the arcade and trees [the knoll] and saw a puff of smoke come from the trees.” (19H480) Later Holland told the Warren Commission, “A puff of smoke came out about 6 or 8 feet above the ground right out from under those trees.” (6H243) The Warren Commission ignored Holland’s testimony and never addressed the fact that five other railroad workers claimed to have seen smoke on the knoll at the time of the shots.

### Deficient Interrogations

• Seymour Weitzman, a Dallas Police Officer, wrote in a statement made out the day after the assassination, “I ran in a Northwest direction and scaled a fence towards where we thought the shots came from.” (24H228) The record shows that when Weitzman was interviewed by the FBI the next day and when he testified before counsel for the Warren Commission four months later, he was not asked where he thought the shots came from.

• Austin Miller, in a sworn statement to the Dallas Sheriff’s Department on November 22, said, “I saw something which I thought was smoke or steam coming from a group of trees north of Elm off the railroad tracks.” (19H485) Apologists for the Warren Commission have pointed out that what Miller saw was steam, so that, most likely, any smoke seen by other witnesses

was in fact steam. The closest steam pipe, however, was over 100 feet away. If a steam pipe had been the source of smoke, one would expect the steam to have been seen again. No such sightings have occurred. When Miller was questioned four and a half months later by a Warren Commission counsel, he was not asked one question about the smoke or steam he observed.

McAdams’ analysis ignores lapses of this sort and neglects to mention that 70 FBI reports were handed over to the Commission with no indication that the witnesses were ever asked their opinion on the origin of the shots.

**”At this point, I looked behind me to see whether it was a fireworks display or something. And then I saw a lot of people running for cover, behind the embankment there back on the grass.”**

**John Chism**

### Witnesses Not Called

According to the HSCA, 692 witnesses “were present in the Plaza during the assassination.”

Most of them were never called to testify by either the Warren Commission or the HSCA. (8HSCA139)

Ed Johnson, a reporter for the *Fort Worth Star-Telegram* who was riding in the motorcade, wrote for his paper the next day, “Some of us saw little puffs of white smoke that seemed to hit the grassy area in the esplanade that divides Dallas’ main downtown streets.” He was never interviewed by any government agency.

### Overzealous Analysis

The testimony and reports of the following eight witnesses reveal that McAdams has misinterpreted their opinions on the source of the shots.

• Eugene Boone, a Dallas Deputy Sheriff, was standing at the intersection of Main and Houston when he heard the shots. In his statement to the Sheriff’s Office he said, “I heard three shots coming from the vicinity of where the President’s car was.” Directly in line with Boone and the President’s car was the fence on the Knoll. From Boone’s position, his perception of the origin of the shots is consistent with a shot from the knoll. (19H508)

• Lee Bowers, a railroad switchman, was questioned by Warren Commission counsel Joseph Ball.

Mr. Ball. And were you able to form an opinion as to the source of the sound or what direction it came from, I mean?

Mr. Bowers. The sounds came either from up against the School Depository building or near the mouth of the triple underpass.

Mr. Ball. Were you able to tell which?

Mr. Bowers. No; I could not. (6H287)

In the questioning of Bowers, Counsel for the Commission assumed that the shots came from one direction. However, Bowers' testimony is more consistent with shots coming from both the Book Depository and the triple underpass.

• John and Faye Chism were standing with their son near the Stemmons Freeway sign. When the motorcade, according to an FBI report, "passed in front of [Mr. Chism], he heard at least two shots and possibly three but no more. The first shot he thought was a firecracker until the second shot sounded and at the same instant he saw the President slump over in the back seat of the Presidential limousine. On hearing the second shot he definitely knew the first was not a firecracker and was of the opinion the shots came from behind him. (24H525)

Mrs. Chism said, "There was a second shot that I heard, after the President's wife had pulled him down in the seat. It came from what I thought was behind us and I looked but I couldn't see anything." (19H472)

McAdams tells us that by the time Kennedy was pulled down in the seat, the Chisms had their backs to the Depository, and thus "behind us" must mean the Depository building.

However, in a photograph taken by Charles Bronson, the Chisms are looking at the President after the second shot with their backs to the knoll. According to Mr. Chism, "At this point, I looked behind me to see whether it was a fireworks display or something. And then I saw a lot of people running for cover, behind the *embankment* there back on the grass." (19H471) Mr. Chism was obviously describing the knoll, not the Depository. (The Bronson photograph, taken at about Zapruder frame 230, is in Robert

Groden's *The Killing of the President*, 207)

• Peggy Hawkins, who stood in front of the Book Depository, told the FBI that "she immediately recognized [the shots] as firearm shots and not as fireworks and had the impression that they came from the direction of the railroad yards adjacent to the TSBD building." (CD897) Although Hawkins did not explicitly mention the knoll, clearly she was referring to that region of Dealey Plaza.

• Dallas assistant district attorney Samuel Paternostro told the FBI that he "heard a report or shot which he believed came from the Texas School Book Depository (TSBD) building or the Criminal courts building or the triple overpass." (24H536)

• J. C. Price watched the motorcade from the roof of the Terminal Annex Building. In the film *Rush to Judgment*

he was questioned by Mark Lane about the source of the shots.

Mr. LANE. I show you this map published by the Warren Commission of the Dealey plaza area, and ask you if you would mark on it where you thought the shots came from?

Mr. PRICE. Yes sir.

Mr. LANE. That's just behind the wooden fence where it joins the overpass. Is that correct?

Mr. PRICE. That is correct.

• Secret Service Agent Forrest Sorrells was riding in the lead car of the motorcade. He was questioned by counsel for the Warren Commission, Samuel Stern.

Mr. STERN. Now, as to the apparent source of these reports, did you feel that all three reports came from the same direction?

Mr. SORRELS. Yes. Definitely so.

Mr. STERN. And that direction, as nearly as you can place it, was what?

Mr. SORRELS. To the right and back. That is about the only way I can express it. And, as I said, the noise from the shots sounded like they may have come back up on the terrace there. (7H346)

**"And, as I said, the noise from the shots sounded like they may have come back up on the terrace there."**

**Secret Service Agent Forrest Sorrells**

## Witnesses to Drop from McAdams' List

The following witnesses are not in the HSCA analysis and should be excluded from the list altogether for the following reasons:

<b>Witness</b>	<b>Reason to Drop from List</b>
Bell	First name not known. No statement. No citation.
Edna Cace	Unaware of shots.
Sandra Elerson	Unaware of shots.
Mrs. C. Hester	Counted twice. Mrs. Hester and Beatrice Hester are the same person.
Alan Smith	Reported in a newspaper to have said the shots came from Depository. Extreme hearsay.
Troy West	Did not see motorcade and unaware of shots.
J.C. White	Did not see motorcade and unaware of shots.
Yates	First name not known. Reported to have said shots came from the Knoll. Extreme hearsay.

## Proposed changes to McAdams' "Definitive Tabulation"

The following table contains 23 proposed changes to McAdams' "Definitive Tabulation" of the source of the shots in Dealey Plaza:

<b>Witness</b>	<b>Current Category</b>	<b>Proposed Category</b>
Altgens, James	Depository	Knoll
Curry, Jesse	Depository	Knoll
Decker, Bill	Could Not Tell	Knoll
O'Donnell, Kenneth	Depository	Knoll
Powers, David	Knoll & Depository	Knoll
Edwards, Robert	Depository	Could Not Tell
Dodd, Richard	Could Not Tell	Knoll
Simmons, James	Depository	Knoll
Winborn, Walter	Could Not Tell	Knoll
Holland, S. M.	Knoll & Depository	Knoll
Weitzman, Seymour	Could Not Tell	Knoll
Miller, Austin	Elsewhere	Knoll
Johnson, Ed	Not On List	Knoll
Boone, Eugene	Could Not Tell	Knoll
Bowers, Lee	Could Not Tell	Knoll & Depository
Chism, John	Depository	Knoll
Chism, Faye	Depository	Knoll
Hawkins, Peggy	Elsewhere	Knoll
Paternoistro, Samuel	Could Not Tell	Knoll & Depository
Price, J. C.	No Category	Knoll
Sorrells, Forest	Knoll & Depository	Knoll
Smith, Alan	Depository	Remove
Yates	Knoll	Remove

Assuming the proposed changes are made, McAdams' tabulation would be as follows:

Depository	48
Knoll	52

These numbers indicate (as did McAdams' original count of 55 Depository and 35 Knoll) that shots were fired from two different locations, which means, of course, a conspiracy was responsible for the assassination of President Kennedy.