

Mr. BARNES. Yes; we discussed it.

Mr. BELIN. Without mentioning any names which might embarrass any individual, and without necessarily quoting yourself, what was the general nature or tenor of that discussion?

Mr. BARNES. Disgusted.

Mr. BELIN. Was there any objections that were voiced about this, or not?

Mr. BARNES. Yes; there were.

Mr. BELIN. What is the fact as to whether or not the presence of the press in any way affected the handling of this matter by the police department?

Mr. BARNES. It would be just like you carrying on your work in your office when you had it full of newspapermen or anybody else, as far as that is concerned.

Mr. BELIN. Were there people other than newspapermen generally in the police headquarters?

Mr. BARNES. It is hard to tell just who was who.

Mr. BELIN. Now you were not there at the time of the shooting of Lee Harvey Oswald by Jack Ruby, were you?

Mr. BARNES. No; I was not.

Mr. BELIN. Did you see the television showing of the film that ran during the—during that time?

Mr. BARNES. Yes; I did.

Mr. BELIN. You have had some experience, you said earlier, as a photographer, I believe, is that correct?

Mr. BARNES. Yes.

Mr. BELIN. What is the fact as to whether or not the presence of light such as you say you saw in the movie film that you saw—what is the fact as to whether or not the presence of these lights would affect the ability of officers protecting Lee Harvey Oswald to discern movements of people?

Mr. BARNES. Very much.

Mr. BELIN. In what way?

Mr. BARNES. Blinding them. The flash from the many cameras that were present in the basement of the city hall, the lights set up by your TV cameramen, all of this would work against the officers in safeguarding any prisoner.

Mr. BELIN. Is there anything else you can think of with reference to the security matters of Lee Harvey Oswald that might be relevant here other than your statements about the press and the problems of light?

Mr. BARNES. Other than the movement of him with the throngs of press men, which the security I thought was very good.

Mr. BELIN. Anything else you can think of right now?

Mr. BARNES. None that I can think of at this time.

Mr. BELIN. Is there anything else that you care to add in this deposition that might in any way be helpful or relevant?

Mr. BARNES. I think this pretty well covers it.

Mr. BELIN. Well, we want to thank you very much for your cooperation in coming down here, sergeant.

Mr. BARNES. I am glad to come. Hate to come under these circumstances.

Mr. BELIN. We hate to be here under these circumstances. It is not a pleasant job for any of us, but it is a job that has to be done. All right, sir.

I forgot to say that you have a right to, if you like, to read your deposition and sign it, or else you can waive reading and have the court reporter send it to us in Washington.

Mr. BARNES. I believe I will come back and let her show it to me, and I will sign it then.

TESTIMONY OF J. B. HICKS

The testimony of J. B. Hicks was taken at 3:10 p.m., on April 7, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Messrs. Joseph A. Ball and Samuel A. Stern, assistant counsel of the President's Commission.

Mr. BALL. Please stand up and hold up your right hand.

(Witness complying.)

Mr. BALL. Do you solemnly swear the testimony you will give here today will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HICKS. I do.

Mr. BALL. Will you state your name, please, and your address?

Mr. HICKS. J. B. Hicks, 4318 Matilda, Dallas.

Mr. BALL. What is your occupation?

Mr. HICKS. I am with the police department, city of Dallas.

Mr. BALL. You are with the special section of the department?

Mr. HICKS. The identification bureau; yes, sir.

Mr. BALL. How long have you been with the identification bureau?

Mr. HICKS. Let's see, about, a little over 7 years now.

Mr. BALL. Tell me about yourself—where you were born.

Mr. HICKS. I was born in Irving, Tex., which is a suburb out here of Dallas, September 29, 1918.

Mr. BALL. What was your education?

Mr. HICKS. I finished high school, sir.

Mr. BALL. Then what did you do?

Mr. HICKS. Then—you mean where I went to work and from there?

Mr. BALL. Yes.

Mr. HICKS. I worked a short while for Sanger Bros., I believe 3 or 4 months or so, then I was employed by Higgenbotham-Bailey Logan Co. which is a wholesale company here in Dallas; from there I went to work with the police department where I have been for a little over 22 years now.

Mr. BALL. What kind of work do you do with the crime lab?

Mr. HICKS. I do the usual, oh, photography work, fingerprint comparisons, darkroom work and anything that might come under the crime lab; the crime scene, search duties.

Mr. BALL. You work under Lieutenant Day?

Mr. HICKS. I work under Lieutenant Day; yes, sir.

Mr. BALL. On November 22, 1963, were you on duty?

Mr. HICKS. No, sir; I was off duty that day.

Mr. BALL. But you were called back to duty?

Mr. HICKS. Yes, sir.

Mr. BALL. What time of day?

Mr. HICKS. I had—my wife, I believe it was called me from her work. She had heard of the happening and knowing that I was off, of course, she figured I would be called, so when she called me, I called in to Lieutenant Knight, who is also in the identification bureau, and told him that I was getting ready and if they needed me to report, to call me and tell me where to go to, and so he did. Oh, I don't know exactly how long it had taken place and the exact time that he did call me. The time right there, I can't recall. I know I did get to work somewhere around 3.

Mr. BALL. Where did you go to work, at the crime lab?

Mr. HICKS. No, sir; they told me to report directly to Elm and Houston.

Mr. BALL. Did you go down there?

Mr. HICKS. Yes, sir.

Mr. BALL. When you went down there what did you find?

Mr. HICKS. Lieutenant Day—well, first I saw Chief Lumpkin, who told me Lieutenant Day was there in the building and to report to him on the sixth floor, I believe it was and he and Detective Studebaker, I believe it was were the two that were still on that particular floor.

Mr. BALL. Day and Studebaker?

Mr. HICKS. Yes.

Mr. BALL. Did you do some work with them?

Mr. HICKS. Yes; there was—well, no. Lieutenant Day was dusting several items around there for fingerprints at the time and Mr. Studebaker had taken some pictures and was still taking a few others. I assisted him in moving the equipment back and forth and I don't know, I don't believe I actually took any of the pictures upstairs; however, I was there when some of them were taken.

Mr. BALL. There were three exploded cartridge hulls on the floor, weren't there?

Mr. HICKS. Yes; I am not sure; I believe they had already been picked up and removed when I arrived.

Mr. BALL. Do you know who picked them up?

Mr. HICKS. No, sir; I don't know off hand.

Mr. BALL. Did you later see them in your laboratory?

Mr. HICKS. I believe I saw one of the particular ones there that night.

Mr. BALL. You did?

Mr. HICKS. Yes, sir.

Mr. BALL. Did you examine it?

Mr. HICKS. No, sir; I did not. I think Lieutenant Day had all of them.

Mr. BALL. Do you do ballistics work in your laboratory?

Mr. HICKS. No, sir; we have no facilities for firing or testfiring any of the guns there.

Mr. BALL. Did you do any identification work on either the assassination of President Kennedy or the investigation of Tippit's murder?

Mr. HICKS. Do you mean as far as fingerprints?

Mr. BALL. Yes; and things of that sort.

Mr. HICKS. Let me see now, I took a set of Oswald's prints from him that night some time. I do not recall.

Mr. BALL. 9 o'clock or so?

Mr. HICKS. It was some time in that area.

Mr. BALL. Where were you when you took the prints?

Mr. HICKS. I was in Captain Fritz' office. In other words, I made those on an inkless pad. That's a pad we use for fingerprinting people without the black ink that they make for the records.

Mr. BALL. What else did you do there?

Mr. HICKS. I was one of the two who made the paraffin cast on Oswald.

Mr. BALL. You and who else?

Mr. HICKS. Sergeant Barnes.

Mr. BALL. Have you ever done that before, the paraffin cast?

Mr. HICKS. Oh, yes, sir.

Mr. BALL. Did Oswald protest any or did he permit you to do that?

Mr. HICKS. No, sir; he was willing and had no comment on it as far as the making of them.

Mr. BALL. Did you test the paraffin cast; did you make any test on it?

Mr. HICKS. No, sir; that's done by the lab at Parkland Hospital which Lieutenant Alexander, I believe is in charge there.

Mr. BALL. But you did not do it yourself?

Mr. HICKS. No, sir.

Mr. BALL. What has been your experience with paraffin casts? How accurate are they in determining whether or not a person has fired a firearm previously?

Mr. HICKS. My own personal opinion is that it is not an exact conclusive evidence that, if you are familiar with that test, anything containing nitrate might show up on a test of that sort.

Mr. BALL. Is it usual to find any trace of nitrate on the face if a rifle has been fired?

Mr. HICKS. That is the first time that I had the opportunity to make a paraffin test on a person's face.

Mr. BALL. You never made one before?

Mr. HICKS. Never before.

Mr. BALL. The other tests were always on the hands?

Mr. HICKS. Yes, sir.

Mr. BALL. Was there some reason for that?

Mr. HICKS. I had never had the occasion arise that I know of where anyone had that suggested, that a paraffin test be made of a cheek. On other occasions they were only interested in the hand.

Mr. BALL. Did you do anything else with respect to the investigation?

Mr. HICKS. I don't recall anything outstanding that I did in the investigation further there. Now, I know we were all pretty well busy there until about 2 or 2:30 in the morning but most of it was, I would imagine regular officework and

just back and forth if someone had asked did we get a picture of this and picture of that; well, I can't recall any other particular item that I might have done.

Mr. BALL. Were you present when Oswald was arraigned in the identification bureau?

Mr. HICKS. No, sir; I left just a few minutes before that, I understand.

Mr. BALL. What time did you leave; do you know?

Mr. HICKS. I left it was shortly after 2. I don't know the exact time, maybe 2:15.

Mr. BALL. You think he was arraigned after you left?

Mr. HICKS. I am rather certain that he was because I believe I would have known about it had he been arraigned before I left because there is only one door in our office to go out and had any other group been there, I would have noticed it, I believe.

Mr. BALL. Did you talk to Oswald any?

Mr. HICKS. I only asked him his name when I made his fingerprints and I did not question him or go to any details on talking to him.

Mr. BALL. You were not present at any showups of Oswald?

Mr. HICKS. No, sir.

Mr. BALL. Did you make any fingerprint study in this case or palmprint study?

Mr. HICKS. No, sir—any comparisons to the prints that we had?

Mr. BALL. Yes.

Mr. HICKS. No, sir; I did not.

Mr. BALL. You did not compare the prints you took of Oswald with any specimen that might have been taken from the Texas School Book Depository?

Mr. HICKS. No, sir; I did not.

Mr. BALL. Did you ever see a paper sack in the items that were taken from the Texas School Book Depository building?

Mr. HICKS. Paper bag?

Mr. BALL. Paper bag.

Mr. HICKS. No, sir; I did not. It seems like there was some chicken bones or maybe a lunch; no, I believe that someone had gathered it up.

Mr. BALL. Well, this was another type of bag made out of brown paper; did you ever see it?

Mr. HICKS. No, sir; I don't believe I did. I don't recall it.

Mr. BALL. I believe that's all, Mr. Hicks.

Mr. HICKS. All right.

Mr. BALL. This will be written up and submitted to you for signature if you want, or you can waive signature; which do you prefer?

Mr. HICKS. Well, when would I have to come back to sign this?

Mr. BALL. Probably next week sometime.

Mr. HICKS. Well, that will be all right.

Mr. BALL. Suit yourself, either way. If you want to waive signature it's all right with us or if you want to come back.

Mr. HICKS. I will come back.

Mr. BALL. All right, she will notify you. Thanks very much.

TESTIMONY OF HARRY D. HOLMES

The testimony of Harry D. Holmes was taken at 4 p.m., on April 2, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. David W. Belin, assistant counsel of the President's Commission.

Mr. BELIN. Sir, would you rise and raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLMES. I do, sir.