

Hearings Before the President's Commission on the Assassination of President Kennedy

Thursday, April 2, 1964

TESTIMONY OF SEBASTIAN F. LATONA AND ARTHUR MANDELLA

The President's Commission met at 9 a.m. on April 2, 1964, at 200 Maryland Avenue NE., Washington, D.C.

Present were Chief Justice Earl Warren, Chairman; Representative Hale Boggs, Representative Gerald R. Ford, and Mr. Allen W. Dulles, members.

Also present were Melvin Aron Eisenberg, assistant counsel; Norman Redlich, assistant counsel; Samuel A. Stern, assistant counsel; and Charles Murray and Charles Rhyne, observers.

TESTIMONY OF SEBASTIAN F. LATONA

The CHAIRMAN. The Commission will be in order.

Mr. Latona, the purpose of today's hearing is to take your testimony and that of Arthur Mandella. Mr. Mandella is a fingerprint expert from the New York City Police Department. We are asking both of you to give technical information to the Commission.

Will you 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. LATONA. I do.

The CHAIRMAN. You may be seated. Mr. Eisenberg will conduct the examination.

Mr. EISENBERG. Mr. Latona, could you state your full name and give us your position?

Mr. LATONA. My full name is Sebastian Francis Latona. I am the supervisor of the latent fingerprint section of the identification division of the Federal Bureau of Investigation.

Mr. EISENBERG. What is your education, Mr. Latona?

Mr. LATONA. I attended Columbia University School of Law, where I received degrees of LL.B., LL.M., M.P.L.

Mr. EISENBERG. And could you briefly outline your qualifications as a fingerprint expert?

Mr. LATONA. Well, I have been with the Federal Bureau of Investigation for a little more than 32 years. I started in the identification division as a student fingerprint classifier, and since that time I have worked myself up into where I am now supervisor of the latent fingerprint section.

Mr. EISENBERG. Could you approximate the number of fingerprint examinations you have made?

Mr. LATONA. Frankly, no. There have been so many in that time that I would not be able to give even a good guess.

Mr. EISENBERG. Would the figure run in the thousands or hundreds?

Mr. LATONA. So far as comparisons are concerned, in the millions.

Mr. EISENBERG. Have you testified in court?

Mr. LATONA. I have testified in Federal courts, State courts, commissioners' hearings, military courts, and at deportation proceedings.

Mr. EISENBERG. Mr. Chief Justice, I ask that this witness be accepted as an expert.

The CHAIRMAN. The witness is qualified.

Mr. EISENBERG. Mr. Latona, could you briefly outline for us the theory of fingerprint identification?

Mr. LATONA. The principle of fingerprint identification is based on the fact primarily that the ridge formations that appear on the hands and on the soles of the feet actually are created approximately 2 to 3 months before birth, on the unborn child, and they remain constant in the same position in which they are formed until the person is dead and the body is consumed by decomposition.

Secondly, the fact that no two people, or no two fingers of the same person, have the same arrangement of these ridge formations, either on the fingers, the palms, or the soles and toes of the feet. Plus the fact that during the lifetime of a person this ridge formation does not change, it remains constant—from the time it is formed until actual destruction, either caused by voluntary or involuntary means, or upon the death of the body and decomposition.

Mr. EISENBERG. Mr. Latona, do you have any personal experience indicating the uniqueness of fingerprints?

Mr. LATONA. Yes; I do. My experience is based primarily upon the work which I have actually done in connection with my work with the FBI. I have had the experience of working on one case in particular in which millions of comparisons were actually and literally made with a small portion of a fingerprint which was left on a piece of evidence in connection with this particular case, which was a kidnapping case.

This fragmentary latent print which we developed consisted of approximately seven to eight points. Most fingerprints will have in them an average roughly of from 85 to about 125.

This fragmentary latent print was compared with literally millions of single impressions for the purpose of trying to effect an identification. And we were unable, over a lengthy period while we were making these millions of comparisons, not able to identify these few fragmentary points.

The important thing is simply this; that on the basis of that fragmentary print, it was not possible to determine even the type of pattern that the impression was. Accordingly, we had to compare it with all types of fingerprint patterns, of which there are really four basic types—the arch, tented arch, loop, and whorl. And we are still making comparisons in that case, and we have not been able to identify these few points.

Now, that means simply this—that the theory that we are going on an assumption that people do not have the same fingerprints—and we find it not necessary to compare, say for example, a loop pattern with a whorl pattern, and as there is a possibility that, it is contended by some of these so-called authorities, that maybe the points that you find in a loop may be found in the same arrangement in a whorl—is not true. I think that that case, a practical case we have actually worked on, disproves that theory so strongly in my mind that I am convinced that no two people can possibly have the same fingerprints.

Mr. EISENBERG. That is, you had a print with seven points, and these same seven points appeared in none of the millions—

Mr. LATONA. Of the millions that we actually compared over a period—well, since 1937. You may recall the case. It was the Matson kidnaping case out in Tacoma, Wash. That is one of only three major kidnaping cases the FBI has not yet solved.

Mr. EISENBERG. Are palmprints as unique as fingerprints?

Mr. LATONA. Yes; palmprints are. They are not as useful for purposes of setting up a file in order to conduct searches, for the simple reason that there are not as many variations of patterns occurring with any frequency in the palms as occur on the tips of the fingers. That is primarily why the fingertips are used—because you have 10 digits, and there is a possibility of finding

variations of the four basic pattern types which can be additionally subdivided by utilizing certain focal points which occur in those particular patterns, which enable us to actually subdivide our files into millions of groups. Accordingly, when you make a search in the fingerprint file, it can be reduced actually to a matter of minutes, whereas to attempt to set up a palmprint file to the extent of the size of the fingerprint file we have in the FBI would be a practical impossibility, much less a waste of time.

The CHAIRMAN. Approximately how many fingerprints do you have these days?

Mr. LATONA. At the present time, we have the fingerprints of more than 77 million people, and they are subdivided in this fashion: we have two main files; we have the criminal files and we have what are referred to as civil files.

As the names imply, in the criminal files are the fingerprints of criminals, people who have had a prior criminal record or whose fingerprints have been received in connection with an investigation or interrogation for the commission of a crime. In that file we have approximately 15 million sets of fingerprint cards, representing approximately 15 million people.

In our civil files, in which are filed the fingerprints of the various types of applicants, service personnel and the like, we have fingerprints of approximately 62½ million people.

Mr. EISENBERG. Returning to palmprints, then, as I understand your testimony, they are not as good as fingerprints for purposes of classification, but they are equally good for purposes of identification?

Mr. LATONA. For purposes of identification, I feel that the identifications effected are just as absolute as are those of fingerprints.

Mr. EISENBERG. Are experts unanimous in this opinion, Mr. Latona?

Mr. LATONA. As far as I know, yes.

Mr. EISENBERG. Now, Mr. Latona, I hand to you an object which I will describe for the record as being apparently a brown, homemade-type of paper bag, and which I will also describe for the record as having been found on the sixth floor of the Texas School Book Depository Building near the window, the easternmost window, on the south face of that floor.

I ask you whether you are familiar with this paper bag?

Mr. LATONA. Yes, I am. This is a piece of brown wrapping paper that we have referred to as a brown paper bag, which was referred to me for purposes of processing for latent prints.

Mr. EISENBERG. And you examined that for latent prints?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. Mr. Chairman, may I have this admitted into evidence as Commission Exhibit 626?

The CHAIRMAN. It may be admitted.

(The item referred to was marked Commission Exhibit No. 626 and received in evidence.)

Mr. EISENBERG. Mr. Latona, do your notes show when you received this paper bag?

Mr. LATONA. I received this paper bag on the morning of November 23, 1963.

Mr. EISENBERG. And when did you conduct your examination?

Mr. LATONA. I conducted my examination on that same day.

Mr. EISENBERG. When you had received it, could you tell whether any previous examination had been conducted on it?

Mr. LATONA. When I received this exhibit, 626, the brown wrapper, it had been treated with black dusting powder, black fingerprint powder. There was nothing visible in the way of any latent prints on there at that particular time.

Mr. EISENBERG. Were you informed whether any fingerprints had been developed by means of the fingerprint powder?

Mr. LATONA. No; I determined that by simply examining the wrapper at that particular time.

Mr. EISENBERG. Could you briefly describe the powder process?

Mr. LATONA. The powdering process is merely the utilizing of a fingerprint powder which is applied to any particular surface for purposes of developing any latent prints which may be on such a surface.

Now, we use powder in the FBI only on objects which have a hard, smooth, nonabsorbent finish, such as glass, tile, various types of highly polished metals, and the like.

In the FBI we do not use powder on paper, cardboard, unfinished wood, or various types of cloth. The reason is that the materials are absorbent. Accordingly, when any finger which has on it perspiration or sweat comes in contact with an absorbent material, the print starts to become absorbed into the surface. Accordingly, when an effort is made to develop latent prints by the use of a powder, if the surface is dry, the powder will not adhere.

On the other hand, where the surface is a hard and smooth object, with a nonabsorbent material, the perspiration or sweat which may have some oil in it at that time may remain there as moisture. Accordingly, when the dry powder is brushed across it, the moisture in the print will retain the powder giving an outline of the impression itself.

These powders come in various colors. We utilize a black and a gray. The black powder is used on objects which are white or light to give a resulting contrast of a black print on a white background. We use the gray powder on objects which are black or dark in order to give you a resulting contrast of a white print on a dark or black background.

Mr. EISENBERG. Now, Mr. Latona, how did you proceed to conduct your examination for fingerprints on this object?

Mr. LATONA. Well, an effort was made to remove as much of the powder as possible. And then this was subjected to what is known as the iodine-fuming method, which simply means flowing iodine fumes, which are developed by what is known as an iodine-fuming gun—it is a very simple affair, in which there are a couple of tubes attached to each other, having in one of them iodine crystals. And by simply blowing through one end, you get iodine fumes.

The iodine fumes are brought in as close contact to the surface as possible. And if there are any prints which contain certain fatty material or protein material, the iodine fumes simply discolor it to a sort of brownish color. And of course such prints as are developed are photographed for record purposes.

That was done in this case here, but no latent prints were developed.

The next step then was to try an additional method, by chemicals. This was subsequently processed by a 3-percent solution of silver nitrate. The processing with silver nitrate resulted in developing two latent prints. One is what we call a latent palmprint, and the other is what we call a latent fingerprint.

Mr. EISENBERG. Can you briefly explain the action of the silver nitrate?

Mr. LATONA. Silver nitrate solution in itself is colorless, and it reacts with the sodium chloride, which is ordinary salt which is found in the perspiration or sweat which is exuded by the sweat pores.

This material covers the fingers. When it touches a surface such as an absorbent material, like paper, it leaves an outline on the paper.

When this salt material, which is left by the fingers on the paper, is immersed in the silver nitrate solution, there is a combining, an immediate combining of—the elements themselves will break down, and they recombine into silver chloride and sodium nitrate. We know that silver is sensitive to light. So that material, after it has been treated with the silver nitrate solution, is placed under a strong light. We utilize a carbon arc lamp, which has considerable ultraviolet light in it. And it will immediately start to discolor the specimen. Wherever there is any salt material, it will discolor it, much more so than the rest of the object, and show exactly where the latent prints have been developed. It is simply a reaction of the silver nitrate with the sodium chloride.

That is all it is.

Mr. EISENBERG. Do you frequently find that the silver nitrate develops a print in a paper object which the iodine fuming cannot develop?

Mr. LATONA. Yes; I would say that is true, considerably so. We have more success with silver nitrate than we do with the iodine fumes.

The reason we use both is because of the fact that this material which is exuded by the fingers may fall into one of two main types—protein material and salt material. The iodine fumes will develop protein material. Silver nitrate will develop the salt material.

The reason we use both is because we do not know what was in the subject's fingers or hands or feet. Accordingly, to insure complete coverage, we use both methods. And we use them in that sequence. The iodine first, then the silver nitrate. The iodine is used first because the iodine simply causes a temporary physical change. It will discolor, and then the fumes, upon being left in the open air, will disappear, and then the color will dissolve. Silver nitrate, on the other hand, causes a chemical change and it will permanently affect the change. So if we were to use the silver nitrate process first, then we could not use the iodine fumes. On occasion we have developed fingerprints and palmprints with iodine fumes which failed to develop with the silver nitrate and vice versa.

Mr. EISENBERG. Now, Mr. Latona, looking at that bag I see that almost all of it is an extremely dark brown color, except that there are patches of a lighter brown, a manila-paper brown. Could you explain why there are these two colors on the bag?

Mr. LATONA. Yes. The dark portions of the paper bag are where the silver nitrate has taken effect. And the light portions of the bag are where we did not process the bag at that time, because additional examinations were to be made, and we did not wish the object to lose its identity as to what it may have been used for. Certain chemical tests were to be made after we finished with it. And we felt that the small section that was left in itself would not interfere with the general overall examination of the bag itself.

Mr. EISENBERG. That is, the small section of light brown corresponds to the color which the bag had when you received it?

Mr. LATONA. That is the natural color of the wrapper at the time we received it.

Mr. EISENBERG. And the remaining color is caused by the silver nitrate process?

Mr. LATONA. That is correct.

Mr. EISENBERG. Does paper normally turn this dark brown color when treated by silver nitrate?

Mr. LATONA. Yes; it does. It will get darker, too, as time goes on and it is affected by light.

Mr. EISENBERG. Mr. Latona, does the silver nitrate process permanently fix the print into the paper?

Mr. LATONA. Permanent in the sense that the print by itself will not disappear. Now, it can be removed, or the stains could be removed chemically, by the placing of the object into a 2 percent solution of mercuric nitrate, which will remove the stains and in addition will remove the prints. But the prints by themselves, if nothing is done to it, will simply continue to grow darker and eventually the whole specimen will lose its complete identity.

The CHAIRMAN. May I ask a question here?

So I understand from that that this particular document that you are looking at, or this bag, will continue to get darker as time goes on?

Mr. LATONA. Yes; it will.

The CHAIRMAN. From this date?

Mr. LATONA. That's right.

Mr. EISENBERG. Returning to the prints themselves, you stated I believe that you found a palmprint and a fingerprint on this paper bag?

Mr. LATONA. That is correct.

Mr. EISENBERG. Did you find any other prints?

Mr. LATONA. No; no other prints that we term of value in the sense that I felt that they could be identified or that a conclusion could be reached that they were not identical with the fingerprints or palmprints of some other person.

Mr. EISENBERG. Did you attempt to identify the palmprint and fingerprint?

Mr. LATONA. The ones that I developed; yes.

Mr. EISENBERG. Were you able to identify these prints?

Mr. LATONA. I—the ones I developed, I did identify.

Mr. EISENBERG. Whose prints did you find them to be?

Mr. LATONA. They were identified as a fingerprint and a palmprint of Lee Harvey Oswald.

Mr. EISENBERG. Now, Mr. Latona, what known sample of Lee Harvey Oswald's prints, finger and palm, did you use in making this identification?

Mr. LATONA. The known samples I used were the ones forwarded by our office at Dallas, the Dallas office.

Mr. EISENBERG. Do you have those with you?

Mr. LATONA. I do.

Mr. EISENBERG. Mr. Latona, you have handed me three cards, one of which appears to be a standard fingerprint card, and the other two of which appear to be prints of the palms of an individual. All these cards are marked "Lee Harvey Oswald."

Are these the cards which you received from your Dallas office which you just described as being the prints of Lee Harvey Oswald?

Mr. LATONA. They are.

Mr. EISENBERG. Mr. Chairman, I would like these admitted into evidence as 627, 628, and 629. I would like the standard fingerprint card, 10-print card, admitted as 627.

The CHAIRMAN. It will be admitted.

(The item referred to was marked Commission Exhibit No. 627 and received in evidence.)

Mr. EISENBERG. I would like the card which is—which appears to be the left palm admitted as 628.

The CHAIRMAN. It will be admitted.

(The item referred to was marked Commission Exhibit No. 628 and received in evidence.)

Mr. EISENBERG. I would like the card which is the right palm admitted as 629.

The CHAIRMAN. That may be admitted.

(The item referred to was marked Commission Exhibit No. 629 and received in evidence.)

Mr. LATONA. May I ask a question, please? Would it be possible to accept copies instead of the originals?

The CHAIRMAN. They are identical?

Mr. LATONA. These are true and faithful reproductions of the originals which Mr. Eisenberg has.

The CHAIRMAN. The originals, then, may be withdrawn, and the copies substituted for them.

Mr. EISENBERG. Shall I mark those 627, 628, and 629 in the same manner as the originals?

The CHAIRMAN. Exactly.

Mr. EISENBERG. Mr. Latona, do you know how the known samples we have just marked 627, 628, and 629 were obtained?

Mr. LATONA. How they were obtained?

Mr. EISENBERG. Yes. Can you tell the process used in obtaining them?

Mr. LATONA. You mean in recording the impressions?

Mr. EISENBERG. Yes, sir.

Mr. LATONA. Fingerprints are recorded by the use of a printer's ink, heavy black ink, which is first placed on a smooth surface, such as glass or metal, and it is rolled out in a smooth, even film. Then the subject's fingers are brought in contact with the plate by a rolling process, rolling the finger from one complete side to the other complete side, in order to coat the finger with an even film of this heavy ink. Then the finger is brought in contact with a standard fingerprint card and the finger again is rolled from one complete side to the opposite side in order to record in complete detail all of the ridge formation which occurs on the tip of the finger, or the first joint, which is under the nail.

Mr. EISENBERG. Did you received a second submission of known prints?

Mr. LATONA. Yes; we did.

Mr. EISENBERG. When did you receive those?

Mr. LATONA. Those were received in the identification division on November 29, 1963.

Mr. EISENBERG. Did this include two palms, or was this simply——

Mr. LATONA. No; it did not. It was simply a fingerprint card.

Mr. EISENBERG. Do you know why the second submission was made?

Mr. LATONA. The second submission was made, I believe, in order to advise us formally that the subject, Lee Harvey Oswald, had been killed, and it has the notation on the back that he was shot and killed 11-24-63 while being transferred in custody.

Mr. EISENBERG. And did you examine that second submission?

Mr. LATONA. Yes, I did.

Mr. EISENBERG. And is it in all respects identical to the first?

Mr. LATONA. The fingerprints appearing on this card are exactly the same as those that appear on the card which you have previously referred to as Commission Exhibit 627.

Mr. EISENBERG. Mr. Latona, do you have a copy of the second submission?

Mr. LATONA. No; I do not.

Mr. EISENBERG. I wonder whether you could supply one to us at a later date.

Mr. LATONA. Yes; I could. If you feel it necessary, you can take this one.

Mr. EISENBERG. Well, it is up to you. We will accept a copy.

The CHAIRMAN. If you wish, you may substitute a copy for it later.

Mr. LATONA. All right.

The CHAIRMAN. And then you may withdraw it.

Mr. EISENBERG. May I mark that as 630, with the understanding that it can be substituted for by a copy?

The CHAIRMAN. Yes.

(The item referred to was marked Commission Exhibit No. 630 and received in evidence.)

(At this point, Representative Ford entered the hearing room.)

Mr. EISENBERG. Mr. Latona, could you tell us what portion of the palm of Lee Harvey Oswald was reproduced on the paper bag, Exhibit 626?

Mr. LATONA. The portion of the palm which was identified was of the right palm, and it is a portion which is sometimes referred to as the heel. It would be the area which is near the wrist on the little-finger side. I have a photograph here which has a rough drawing on it showing the approximate area which was identified.

The CHAIRMAN. Which hand did you say?

Mr. LATONA. The right hand.

Mr. EISENBERG. That little finger, is that sometimes called the ulnar side?

Mr. LATONA. The ulnar side; yes, sir.

Mr. EISENBERG. Is this a true photograph made by you?

Mr. LATONA. This is a true photograph of one of the exhibits you have received.

Mr. EISENBERG. That is to say, the exhibit showing the right palmprint, which is marked 629?

Mr. LATONA. That's correct.

Mr. EISENBERG. Mr. Chairman, may I have this photograph admitted into evidence as 631?

The CHAIRMAN. It may be admitted.

(The item referred to was marked Commission Exhibit No. 631 and received in evidence.)

Mr. EISENBERG. Do you have another photograph there?

Mr. LATONA. I have here a photograph which is a slight enlargement of the latent palmprint developed on the bag. It has a red circle drawn around it showing the palmprint which was developed.

Mr. EISENBERG. Is that a true photograph made by you?

Mr. LATONA. This is. It is approximately a time-and-a-half enlargement of the palmprint which I developed on the paper bag.

Mr. EISENBERG. May I have that admitted, Mr. Chairman, as 632?

The CHAIRMAN. It may be admitted by that number.

(The item referred to was marked Commission Exhibit No. 632 and received in evidence.)

Mr. EISENBERG. Having reference to the paper bag, Exhibit 626, Mr. Latona, could you show us where on that bag this portion of the palm, the ulnar portion of the palm, of Lee Harvey Oswald was found?

Mr. LATONA. This little red arrow which I have placed on the paper bag shows the palmprint as it was developed on the wrapper.

The CHAIRMAN. Is it visible to the naked eye?

Mr. LATONA. Yes; it is. I think you can see it with the use of this hand magnifier.

Mr. EISENBERG. Mr. Latona, could you mark that arrow "A"—the arrow you have just referred to on Exhibit 626, pointing to the portion of the palmprint of Lee Harvey Oswald?

The CHAIRMAN. What is the number of the exhibit that it is on?

Mr. EISENBERG. That is 626.

Mr. LATONA. May I—I tell you, I am going to furnish you a copy of this, but I cannot make a copy unless I have it.

Mr. EISENBERG. We can lend it to you for that purpose.

The CHAIRMAN. You may have it to make the copy.

Mr. LATONA. And I will send you the copy. Thank you.

Mr. EISENBERG. Now, I believe you said you also found a fingerprint of Lee Harvey Oswald on this paper bag, 626.

Mr. LATONA. Yes; I did.

Mr. EISENBERG. Can you tell us what finger and what portion of the finger of Lee Harvey Oswald you identified that print as being?

Mr. LATONA. The fingerprint which was developed on the paper bag was identified as the right—as the left index fingerprint of Lee Harvey Oswald. I also have a slight enlargement of it, if you care to see it.

Mr. EISENBERG. You are showing us a true photograph of the actual fingerprint?

Mr. LATONA. As it appeared on the bag, slightly enlarged.

Mr. EISENBERG. May I have that admitted as 633, Mr. Chairman?

The CHAIRMAN. It may be admitted.

(The item referred to was marked Commission Exhibit No. 633 and received in evidence.)

Mr. EISENBERG. You are holding another photograph, Mr. Latona?

Mr. LATONA. I have here a photograph of the fingerprint card, of the one which I just took back, and it is actually a true reproduction of the front of the card. That was Exhibit 630. This one here is a true reproduction of the front of Exhibit 630.

Mr. EISENBERG. And have you circled on that, the photograph which you are holding, the left index finger?

Mr. LATONA. That's right.

Mr. EISENBERG. And would you show that to the Chief Justice? That is a true reproduction, Mr. Latona?

Mr. LATONA. Yes; it is.

Mr. EISENBERG. I would like that admitted as 633A.

The CHAIRMAN. It may be admitted.

(The item referred to was marked Commission Exhibit No. 633A and received in evidence.)

Mr. LATONA. Could that take the place of this?

Mr. EISENBERG. I think our exhibits would be confused.

Mr. LATONA. Very well.

Mr. EISENBERG. Now, what portion of the left index finger was that, Mr. Latona?

Mr. LATONA. That is the area which is to the left, or rather to the right of the index finger.

Mr. EISENBERG. On which joint?

Mr. LATONA. On the first joint, which is under the nail.

Mr. EISENBERG. Is that known as the distal phalanx?

Mr. LATONA. That's right.

Mr. EISENBERG. So it is the right side of the distal phalanx of the left index finger?

Mr. LATONA. That is correct. Now, that would be looking at an impression made by the finger. If you were to look at the finger, you would raise the finger up and it would be on the opposite side, which would be on the left side of the distal phalanx.

Mr. EISENBERG. Now, when we were talking before about the palmprint, and you said that it was on the right side—you said it was on the ulnar portion of the palm?

Mr. LATONA. That is correct.

Mr. EISENBERG. And that is looking at the palm itself?

Mr. LATONA. Looking at the palm itself.

Mr. EISENBERG. Now, I would rather—

Mr. LATONA. That would still be the ulnar side when you look at the print.

Mr. EISENBERG. Why don't we use ulnar and radial then when we refer to portions of fingerprints, ulnar referring to the little-finger side, and radial to the thumb side? So referring to the left index fingerprint now, that would correspond to the ulnar side of the left index finger of Lee Harvey Oswald?

Mr. LATONA. That is correct.

The CHAIRMAN. Congressman Ford, I'm going to leave now to attend a session of the Court. If you will preside in my absence, Mr. Dulles will be here in a few moments, and if you are obliged to leave for your work in the Congress, he will preside until I return.

(At this point, Mr. Dulles entered the hearing room and the Chairman left the hearing room.)

Mr. EISENBERG. Mr. Latona, could you show us where on the paper bag, Exhibit 626, this left index finger was developed by you?

Mr. LATONA. The left index fingerprint was developed in the area which is indicated by this small red arrow.

Mr. EISENBERG. Could you put a "B" on that arrow to which you are pointing?

Mr. Latona, did you make comparison charts of the known and latent or the inked and latent palmprints of Lee Harvey Oswald which you have been referring to as found on this paper bag, 626?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. Could you—

Mr. DULLES. Shouldn't you change that question a little bit? I don't think you should say Lee Harvey Oswald at this point.

Mr. EISENBERG. He has identified the print as being that of Lee Harvey Oswald.

Mr. DULLES. Excuse me.

Mr. EISENBERG. Mr. Latona, could you show us that chart and discuss with us some of the similar characteristics which you found in the inked and latent print which led you to the conclusion that they were identical?

Mr. LATONA. Yes. I have here what are referred to as two charted enlargements. One of the enlargements, which is marked "Inked Left Index Fingerprint. Lee Harvey Oswald" is approximately a 10-time enlargement of the fingerprint which appears on Exhibit 633A. The other enlargement, which is marked "Latent Fingerprint on Brown Homemade Paper Container," is approximately a 10-time enlargement of the latent fingerprint which was developed on the brown wrapping paper indicated by the red arrow, "B."

Mr. EISENBERG. And that also corresponds to the photograph you gave us, which is now Exhibit 633?

Mr. LATONA. That's correct.

Representative FORD. And the arrow, "B," is on Exhibit 626?

Mr. LATONA. That's correct. Now, in making a comparison of prints to determine whether or not they were made by the same finger, an examination is made first of all of the latent print.

An examination is made to see if there are in the latent print any points or characteristics which are unique to the person making the determination. In other words, in looking at the latent print, for example, this point, which is marked "1," is a ridge. The black lines are what we term ridges. They were made by the ridge formations on the fingers. That is, when the finger came in contact with the brown paper bag, it left an outline in these black lines on the brown paper bag.

Now, in looking at the latent print in the enlargement you notice there is one black line that appears to go upward and stop at the point which has been indicated as point No. 1.

Mr. EISENBERG. Mr. Latona, may I interrupt you there for a second.

Mr. Chairman, I would like to introduce this chart, this comparison chart, as an exhibit.

Representative FORD. It may be admitted.

Mr. EISENBERG. That will be 634.

(The item referred to was marked Commission Exhibit No. 634 and was received in evidence.)

Mr. LATONA. Looking further we notice—

Mr. DULLES. Could I just ask a question about this? This is referring to Exhibit 634. I want to make sure what line we are talking about. You are talking about a black line that goes up as though two rivers came together there, and here is the point where this line stops.

Mr. LATONA. That's correct.

Mr. DULLES. No. 1. This is the latent?

Mr. LATONA. This is the imprint. This is the print on the bag.

Mr. DULLES. Yes.

Mr. LATONA. The contrast here is not as good as it is here.

Mr. DULLES. This goes up here, and these two lines come in there, so there is the point where your black line stops?

Mr. LATONA. Right at the end of the red line which is marked "1."

Mr. DULLES. Thank you.

Mr. LATONA. Now, looking further we find this point that has been indicated as No. 3. And No. 3 is located—

Mr. DULLES. Why do you skip 2?

Mr. LATONA. I am going to come to that.

Mr. DULLES. I see.

Mr. LATONA. I am going to tie these three in. Point No. 3 is above and to the left one ridge removed from—one black line—there is No. 3. Now looking further, we can look over to the right, or rather to the left, and we notice that one ridge removed from No. 3 are two ridges that come together and give you a point which has been indicated as No. 2.

Mr. EISENBERG. Is that what you might call a bifurcation?

Mr. LATONA. That is referred to, generally speaking, as a bifurcation.

Mr. EISENBERG. That is No. 2?

Mr. LATONA. And No. 1 is what is referred to as a ridge end.

Now, keeping those three points in mind, and the relationship they have to each other, if this print here, the inked print, were made by the same finger which left the print on the brown paper bag, we should be able to find those three points in the same approximate area, having the same relationship to each other.

Now, at this point we have not made a determination of any kind as to whether they are or are not identical. Examining the inked fingerprint, bearing in mind the general formation of this print that we see here, the latent print, we would examine the inked print and that would direct us to this approximate area here. And looking, we find sure enough there is point No. 1—or rather there is a point which appears to be the same as point No. 1 here. Bearing in mind how we located points Nos. 2 and 3, we would then check the inked print further and say to ourselves, "If this print were the same, there should be a point No. 2 in exactly the same relationship to No. 1 as there was in this latent print." We look over here—one, two, three, four—there is point No. 2.

Mr. EISENBERG. That point, or that count that you are making, is of ridges between the first and second point?

Mr. LATONA. Between the points, that's right. Then we have over here one, two, three, four. And bearing in mind again how point No. 3 bears a relationship to point No. 2, we should find point No. 3 in the same relative position in the inked print that it occurs in the latent print. Counting over again—one—we find a point which could be considered No. 3.

Now, at this time we have coordinated three points. We have tied three points together. On that basis, by themselves, we would not give a definite determination. Accordingly, we would pursue a further examination to determine whether there are other characteristics which occur.

Mr. DULLES. How many times is that magnified?

Mr. LATONA. This is magnified approximately 10 times.

Then we would pick up point No. 5. We notice point No. 5 is again one of those bifurcations which occurs above and slightly to the left of point No. 3. We also notice that it envelops point No. 1—as we go down further, slightly to the right of point No. 5, we notice that bifurcation envelops point No. 1. So we would look around for such a characteristic in the latent print.

If the same finger made those two prints, we have to find point 5. And looking over here we find such a formation, we look at it, and sure enough it envelops point No. 1—exactly the same relationship to each other appears in the latent print, and in the inked print. It has the same relationship to point No. 3 that occurs in the latent print as occurs in the inked print. Then we would pick up point No. 4—one, two, three, four.

Mr. EISENBERG. Again you are counting ridges?

Mr. LATONA. Counting ridges again, from point No. 5—one, two, three, four. There is a so-called ridge end, which occurs above, above and almost slightly to the left of point No. 5, point No. 5 enveloping No. 1. Point No. 5.

Mr. DULLES. Is 5 a ridge-end?

Mr. LATONA. Five is what we term a joining, forking, or bifurcation. These two come together at point 5. Over here, together at point 5.

Mr. DULLES. Is that where the two ridges come together there and encase it?

Mr. LATONA. Yes, sir. From point No. 5 we pick up point No. 7, which is another one of those so-called bifurcations. One, two, three, four.

Mr. EISENBERG. Again a ridge count?

Mr. LATONA. Ridge counting from 5 to 6. That is in the latent print. We must find the same situation in the inked print. Counting from point No. 5 the ridges which intervene, one, two, three, and then we count four, the point itself. There is the bifurcation right here.

Mr. EISENBERG. Mr. Latona, in making these ridge counts, do you also pay attention to the so-called, let's say, geographical relation, the spacial relation of the two points?

Mr. LATONA. Very definitely. Now, it does not always follow that the so-called geographical position will coincide exactly the same. That would be caused because of variations in the pressure used when the print was made. For example, when you make a print on a fingerprint card: when the inked print was made, the print was made for the specific purpose of recording all of the ridge details. When the print was left on the paper bag, it was an incidental impression. The person was not trying to leave a print. In fact, he probably did not even know he left one. So the pressure which is left, or the position of the finger when it made the print, will be a little different. Accordingly the geographical area of the points themselves will not always coincide. But they will be in the general position the same.

Mr. EISENBERG. Mr. Latona, without going into detail, there are some apparent dissimilarities on the two sides of that chart. Can you explain why there should be apparent dissimilarities?

Mr. LATONA. The dissimilarities as such are caused by the type of material on which the print was left, because of the pressure, because of the amount of material which is on the finger when it left the print. They would not always be exactly the same. Here again there appears a material difference in the sense there is a difference in coloration. This is because of the fact that the contrast in the latent print is not as sharp as it is in the inked impression, which is a definite black on white, whereas here we have more or less a brown on a lighter brown.

Mr. EISENBERG. Now, Mr. Latona, when you find an apparent dissimilarity between an inked and a latent print, how do you know that it is caused by absorption of the surface upon which the latent print is placed, or by failure of the finger to exude material, rather than by the fact that you have a different fingerprint?

Mr. LATONA. That is simply by sheer experience.

Mr. EISENBERG. Would you say, therefore, that the identification of a fingerprint is a task which calls for an expert interpretation, as opposed to a simple point-by-point laying-out which a layman could do?

Mr. LATONA. Very definitely so; yes.

Mr. EISENBERG. How much training does it take before you can make an identification?

Mr. LATONA. Well, I cannot tell you exactly how much in terms of time, insofar as what constitutes an expert. I can simply tell you what we require of our people before they would be considered experts.

Mr. EISENBERG. Yes, could you do that?

Mr. LATONA. We require our people before they would be—

Mr. DULLES. This is the FBI?

Mr. LATONA. Yes; this is the FBI. It would be 10 years of practical work in connection with the classifying and searching and verifying of regular fingerprint cards which bear all 10 prints. Those prints would be searched through our main fingerprint files. That means that that person would have to serve at least 10 years doing that. Of course, he would have to progress from the mere searching operation to the operation of being what we call unit supervisor, which would check—which would be actually the checking of the work of subordinates who do that work. He would be responsible for seeing that the fingerprints are properly searched, properly classified.

Mr. EISENBERG. And how long will he work in the latent fingerprint section?

Mr. LATONA. He would have to take an adaptability test, which would take 3 or 4 days, to determine, first of all, do we feel he has the qualifications for the job. Then if he passed the adaptability test, he would receive a minimum of 1 year's personal training in the latent fingerprint section—which means that he would have to serve at least 11 years in fingerprint work constantly, day in and day out, 8 hours a day in fingerprint work, before we would consider him as a fingerprint expert for purposes of testifying in a court of law.

Mr. EISENBERG. So that when you show us this chart, this is actually, or I should say, is this actually a demonstration, rather than a chart from which we could make an identification?

Mr. LATONA. That's right. The purpose is simply a hope on my part that by my explanation you may have some idea as to how a comparison is made, rather than for me to prove it to you through these charts, because unquestionably there are certain points that you will not see which to me are apparent.

Mr. EISENBERG. Now, Mr. Latona—

Mr. DULLES. May I ask a question? Is this ridge formation, sort of two ridges coming together, is that one of the most distinctive things you look for? I note on these charts, Exhibit 634, the various examples you have given us have been of one type so far.

Mr. LATONA. Two.

Mr. DULLES. I did not get the two. I get the two ridges coming together with sort of the ending of a valley. You were saying there were two distinctive things. I have only caught so far one distinctive thing—that is the two ridges coming together in a kind of valley with no exit.

Mr. LATONA. Two that come together, like a fork. And the other one was the one that just ends by itself—does not join.

Mr. EISENBERG. Which is an interrupted ridge?

Mr. DULLES. I do not get the distinction.

Mr. EISENBERG. Is that an interrupted ridge you just described?

Mr. LATONA. What we call an ending ridge.

Mr. EISENBERG. Off the record.

(Discussion off the record.)

Mr. EISENBERG. Back on the record. Mr. Latona, could you prepare a diagram which would show some of the characteristics, in broad outline, which we have been discussing, and have those labeled, and could you submit that diagram to us at a future date?

Mr. LATONA. Yes; I could.

Mr. EISENBERG. We will append it to your testimony, so that your testimony may be more easily followed in the record—with the permission of the Chairman.

Representative FORD. It will be prepared and submitted and included in the record.

(The item referred to was later supplied and was marked Commission Exhibit No. 634A.)

Mr. LATONA. Well, if you could give me your indulgence, I could do it right here as fast as I did it on the board.

Representative FORD. Off the record.

(Discussion off the record.)

Representative FORD. Back on the record.

Mr. DULLES. These, I understand, are the particular distinguishing points, the points that you would look for to determine whether the latent print—

Mr. LATONA. Not so much the looking for the points, as to finding points having a relationship to each other. It is the relation that is the important thing, not the point itself. In other words, all of us would have to a certain extent these points.

Mr. DULLES. They have to be in the same relation to each other.

Mr. LATONA. That is correct. For example, on the illustration I have here—

Mr. EISENBERG. This is an illustration on the blackboard.

Mr. LATONA. The mere fact that this is an ending ridge and bifurcation and another ending ridge and a dot in themselves mean nothing. This is a type of pattern which is referred to as a loop, which is very common. These comprise approximately 65 percent of pattern types. It has four ridge counts, for example. You can find hundreds of thousands and millions of four-count loops. But you would not find but one loop having an arrangement of these characteristics in the relation that they have. For example, the enclosure is related to this ending ridge. This ending ridge is related by one ridge removed from the dot. This bifurcation is next to the so-called core which is formed by a rod, the ending ridge.

The points themselves are common. The most common type of points are the ending ridge and the bifurcation. Those are the two points we have covered so far.

Mr. EISENBERG. Mr. Latona, I see that you have marked nine characteristics on your chart. Are these all the characteristics which you were able to find—

Mr. LATONA. On this particular chart; yes. They were the only ones that bore—actually, there is still one more characteristic—there could have been 10.

Mr. EISENBERG. Now, is there any minimum number of points that has to be found in order to make an identification, in your opinion?

Mr. LATONA. No; in my opinion, there are no number of points which are a requirement. Now, there is a general belief among lots of fingerprint people that a certain number of points are required. It is my opinion that this is an erroneous assumption that they have taken, because of the fact that here in the United States a person that qualifies in court as an expert has the right merely to voice an opinion as to whether two prints were made by the same finger or not made. There are no requirements, there is no standard by which a person can say that a certain number of points are required—primarily because of the fact that there is such a wide variance in the experience of men who qualify as fingerprint experts.

Mr. EISENBERG. Mr. Latona, you said that not all experts are in agreement on this subject. Is there any substantial body of expert opinion that holds to a minimum number of points, let's say, 12?

Mr. LATONA. In the United States, to my knowledge, I know of no group or body that subscribe to a particular number. Now, quite frequently some of these departments will maintain a standard for themselves, by virtue of the fact that they will say, "Before we will make an identification, we must find a minimum of 12 points of similarity."

I am quite certain that the reason for that is simply to avoid the possibility of making an erroneous identification. Now, why they have picked 12—I believe that that 12-point business originated because of a certain article which was written by a French fingerprint examiner by the name of Edmond Locard back in 1917, I think—there was a publication to the effect that in his opinion where there were 12 points of similarity, there was no chance of making an erroneous identification. If there were less than 12, he voiced the conclusion that the chances would increase as to finding duplicate prints.

Now, today we in the FBI do not subscribe to that theory at all. We simply say this: We have confidence in our experts to the extent that regardless of the number of points, if the expert who has been assigned to the case for purposes

of making the examination gives an opinion, we will not question the number of points. We have testified—I personally have testified in court to as few as seven points of similarity.

Mr. DULLES. But you would not on two, would you?

Mr. LATONA. No, sir; because I know that two points, even though they would not be duplicate points, could be arranged in such a fashion that it might possibly give me the impression that here are two points which appear to be the same even though they are not.

Mr. DULLES. But it is somewhere between two and seven—somewhere in that range?

Mr. LATONA. That is right. Where that is, I do not know. And I would not say whether I would testify to six, would I testify to five, would I refuse to testify to four.

Mr. DULLES. You say you would—or would you?

Mr. LATONA. I don't know. That's a question I could not answer. I would have to see each case individually before I could render a conclusion.

Now, going outside of the United States, we have been approached—I mean the FBI—have been approached by other foreign experts in an attempt to set a worldwide standard of 16 characteristics, a minimum of 16, as opposed to 12, which is generally referred to by people in this country here. Now of course we would not subscribe to that at all. And I think—

Mr. DULLES. That would be 16 on the fingerprint of the same finger?

Mr. LATONA. That's right.

Mr. DULLES. Obviously, if you have two fingers that would alter the number—if you had three on one and two on the other, would you consider that five?

Mr. LATONA. We would.

Now, whether the foreign experts would not, I don't know. In other words, if we were to go along with this European theory of 16 points, we would not testify to this being an identification. That is really what it would amount to. Yet to me, in my mind, there is no question that these prints here—

Mr. EISENBERG. Which is what exhibit?

Mr. LATONA. The enlargements in Exhibit 634—are simply reproductions of the left index fingerprint of Lee Harvey Oswald.

Representative FORD. There is no doubt in your mind about that?

Mr. LATONA. Absolutely none at all. The fact that there are only the nine points charted—and I feel this way, it is purely a matter of experience. They simply do not have the experience that we have in the FBI. The FBI has the world's largest practical fingerprint file. We receive on an average of 23,000 to 25,000 cards a day which are processed within a 3-day period.

Mr. DULLES. In a 3-day period?

Mr. LATONA. In a 3-day period.

Mr. DULLES. And by processed do you mean they are filed according to certain characteristics?

Mr. LATONA. They are. At first they are recorded as having been received from a particular agency, as to the number that we have received, as to the type of the card. Then they are checked to see if the impressions which are on the fingerprint card are complete and legible, that they are placed in their proper sequence, that is they are properly classified.

Then they are checked through our files to see if the person has or has not a prior criminal record. Then a reply is prepared and forwarded to the contributor. That is done in a 3-day period.

Mr. DULLES. How old is the art, roughly?

Mr. LATONA. Insofar as this country is concerned, I would say back to 1903, when the first fingerprint file for purposes of classification and filing was set up in this country in New York.

Mr. DULLES. Did it start in France?

Mr. LATONA. No. Really, I daresay the English were probably as early as any, or even down to South America—you have in Argentina the setting up of fingerprint files as early as 1891. For a long time we never recognized the fact that Argentina had a fingerprint file. I think it is primarily because all of the works on fingerprinting were written in Spanish, and it was just a question of finding somebody to take the time and effort to translate it into English.

The French are credited with the so-called Bertillon system, which is a measurement of the bone structure of the body. Alphonse Bertillon was a French—

Mr. DULLES. Didn't Bertillon go into fingerprints later?

Mr. LATONA. Very reluctantly. He was very reluctant to accept it. He was a sort of diehard. He felt that his method, the measurement of certain bones of the body, would not change after a person reached the adult stage. But we know that that is not true. There is a change—because of age, disease, dissipation. A person that was once 6'2" may, because of the fact he is getting older, hump down a little more and instead of being 6'2" he might be 5'11". Certain bone structures over the years make certain changes—plus the fact that his system was not a good system in that certain allowances had to be made because of the way that people were measured.

Sometimes one operator might measure the bones of the arm, for example, too tight, and another too loose. And they used the metric system of measurement, which in terms of their measuring might sometimes mean that the same person would not measure the same bone the same way twice.

We have the celebrated case here which we refer to as the Will West case, here in the United States, in which a man was sentenced to the penitentiary in Leavenworth. He was a colored man by the name of Will West. The operator there, going through the mechanics of taking the various measurements and his photograph, said, "I see you are back here again." The man said, "No, this is the first time I have been to Leavenworth." The operator was certain he had measured and photographed this man before. He went to check his records and he came up with a prior record which disclosed a Will West who had practically the same Bertillon measurements as the man currently being examined.

He said, "Isn't this you?" And he showed him a picture. He looked at the picture and recognized the picture as being one of himself. He said, "Yes, that is me, but I have never been here before."

They checked the records and found still there in the penitentiary was another Will West who looked almost exactly like a twin. But they were not even related. Their features were the same, their measurements were the same, but then their fingerprints were completely different.

If they made that error that one time, how many other times could the same error have been made? And accordingly, we here in the United States, around 1903—the Bertillon method was slowly put out of use. It became obsolete.

Bertillon, before he died, conceded that fingerprints was a good means of identification, and he very reluctantly conceded that the two systems, his method and fingerprints together, would be an absolute means of identification.

We completely did away with the Bertillon system. In fact, the FBI never used it. We started our fingerprint work years after all that had been resolved, back in 1924.

On July 1, 1924, that is actually when the FBI went into the fingerprint business.

Mr. DULLES. Thank you very much. I found that very interesting.

Representative FORD. Go ahead, Mr. Eisenberg.

Mr. EISENBERG. Mr. Latona, did you also prepare a chart showing a comparison of the latent and known left-index fingerprint of Lee Harvey Oswald found on the paper bag, Exhibit 626?

Mr. LATONA. The left index finger. That is the one we just discussed.

Mr. EISENBERG. I'm sorry—the right palmprint.

Mr. LATONA. Right.

Mr. EISENBERG. And before we go any further, I should state for the record that the exhibit we have been referring to as 626 was earlier introduced as 142, and it is 142.

Mr. DULLES. Off the record.

(Discussion off the record.)

Mr. DULLES. Back on the record.

Mr. EISENBERG. Also, before we get to the palmprint—

Mr. DULLES. Just a moment. It seems to me it would be well to have for the files of the Commission copies of the earlier fingerprints of Lee Harvey Oswald that were taken, and the time that they were taken.

Mr. EISENBERG. I agree, sir. Mr. Latona——

Mr. LATONA. Do I understand you are asking——

Mr. EISENBERG. I will develop this on the record.

Mr. Latona, you had earlier submitted to us, and we had marked as an exhibit, copies of fingerprint cards and two palmprint cards which were made up by the Dallas police and forwarded to you, received by you from your Dallas office; is that correct?

Mr. LATONA. Yes, sir.

Mr. EISENBERG. Now, in addition, did the Federal Bureau of Investigation have in its files prints of Lee Harvey Oswald which it had received at some earlier date, prior to November 22?

Mr. LATONA. Yes, sir; I believe there is a Marine Corps print.

Mr. EISENBERG. Would these prints have been taken by the FBI?

Mr. LATONA. No; they would not.

Mr. EISENBERG. They were taken by——

Mr. LATONA. The regular service.

Mr. EISENBERG. And forwarded to the FBI?

Mr. LATONA. That's right.

Mr. EISENBERG. Did you compare the 10-finger card which you received from the Dallas office of the FBI and compare it with the Marine fingerprint card?

Mr. LATONA. Yes, sir.

Mr. EISENBERG. Were they identical?

Mr. LATONA. They were the same.

Mr. EISENBERG. Were the palmprints taken by the Marines?

Mr. LATONA. No; not to my knowledge.

Mr. EISENBERG. Could you submit to us a copy of the 10-print card which you received from the Marine Corps?

Mr. LATONA. Yes; I could.

Mr. EISENBERG. With the Chairman's permission, that will be appended as an exhibit to Mr. Latona's testimony.

Representative FORD. Do you wish to identify it by a number at this time?

Mr. EISENBERG. Yes. If we could give it a number in advance of receiving it, I would like to give it Commission Exhibit No. 635.

(The item referred to was later supplied and was marked Commission Exhibit No. 635.)

Representative FORD. It will be admitted.

Mr. DULLES. Do you know whether any fingerprints were taken after Lee Harvey Oswald returned from the Soviet Union?

Mr. LATONA. Those after he was arrested in connection with this particular offense.

Mr. DULLES. Apart from the fingerprints obtained in connection with the assassination.

Mr. LATONA. I do not.

Mr. DULLES. Do you have a right to go to anybody and demand their fingerprints?

Mr. LATONA. No.

Mr. DULLES. Under law?

Mr. LATONA. No, sir; only persons taken into custody for Federal violations as such. Now, the FBI has actually no authority at all, except in cases of making an arrest.

Mr. DULLES. There is nothing done in connection with the census or anything of that kind?

Mr. LATONA. No, sir. Some persons are ordered, by virtue of being aliens, to be fingerprinted—those that are domiciled here in the United States must register under the Alien Registration Act.

Mr. DULLES. And fingerprints then are taken of aliens in connection with their registration?

Mr. LATONA. That's right.

Mr. DULLES. Otherwise there is no general procedure for the taking of anybody that you may happen to want to take?

Mr. LATONA. The Services, of course, require it. Applicants for certain positions are required by law. For example, all civil service, Federal civil service

applicants must be fingerprinted. Locally, there are certain local cases. For example a man may in some localities, if he even applies for a chauffeur's license, has to be fingerprinted. If he desires a gun permit, he has to be fingerprinted. In some places, if he applies for certain jobs he must be fingerprinted.

Mr. DULLES. As I recall, I gave a fingerprint when I got my automobile license. Is that general throughout the United States?

Mr. LATONA. What State was that?

Mr. DULLES. Here in the District. Didn't I give that?

Mr. LATONA. No, sir. To my knowledge, there are none that require it—fingerprinting—for an automobile license. In California I believe it is voluntary—to place the finger, if you desire to, on your card.

Mr. DULLES. Thank you very much.

Mr. EISENBERG. Mr. Latona, Exhibit 630, which is one of the known 10-print cards submitted by the Dallas office, is marked "Refused to sign" in the box with the printed caption "Signature of person fingerprinted." Do you recall whether Lee Harvey Oswald signed the Marine Corps card?

Mr. LATONA. Offhand, I do not.

Mr. EISENBERG. I think it would be interesting, for the record, to see if that is signed, and, of course, as we read the record and get the card, we will be able to note that information.

We were discussing whether you had made a chart of the known and latent right palmprint of Lee Harvey Oswald found on Exhibit 142, as I will refer to it from now on.

Mr. LATONA. I believe I have already furnished you smaller photographs.

Mr. EISENBERG. Yes; you have. Those have been marked into evidence.

Mr. LATONA. This is the inked—the right inked palmprint, a photograph of the right inked palmprint of Lee Harvey Oswald.

Mr. EISENBERG. You say "this." Can you identify that exhibit? It is 631.

I am handing you Exhibit 632.

Mr. LATONA. Exhibit 632 is approximately a time and a half enlargement of the latent palmprint which was developed on the brown wrapper.

Mr. EISENBERG. That is Exhibit 142.

Mr. LATONA. Exhibit 142—which is indicated by the red arrow A.

Mr. EISENBERG. Did you prepare this chart, Mr. Latona?

Mr. LATONA. Not personally, no. This was made under my personal direction and supervision.

Mr. EISENBERG. And is it an accurate reproduction of the known and latent prints which were earlier introduced into evidence?

Mr. LATONA. It is. It is a true and faithful reproduction of these areas, enlarged to approximately eight times the originals.

Mr. EISENBERG. May I have this introduced into evidence as 636, Mr. Chairman? Representative FORD. It will be introduced.

(The item referred to was marked Commission Exhibit No. 636 and received in evidence.)

Mr. DULLES. May I ask whether this was discovered immediately after the assassination—at what time did you discover this particular palmprint?

Mr. LATONA. It was on the 23d of November, the day after.

Mr. EISENBERG. Using this chart, 636, Mr. Latona, could you demonstrate to us some of the points which led you to the conclusion that the latent palmprint on 142 was the palmprint of Lee Harvey Oswald?

Mr. LATONA. The procedure in making this comparison was exactly the same as the procedure followed in connection with making the prior examination of the fingerprint. Now, the area which shows in approximately an eight-time enlargement, and is marked "Latent Palmprint Developed on Brown Homemade Paper Container," which is Exhibit 636, is roughly outlined on Commission Exhibit 631 in red, which is a photograph of the inked right palmprint of Lee Harvey Oswald.

This area below the little finger, or what we referred to as the ulnar portion of the palm—now, in making the examination or comparison, here again—first of all I would like to point out that there is a black line that goes right through—in an upward fashion—through the enlargement of the latent fingerprint. That line is caused by virtue of the fact that the palmprint which is developed is

partially on a piece of tape as well as the wrapper itself. In other words, a part of the print is on a piece of tape and the other part is on the paper itself.

Mr. EISENBERG. Mr. Latona, could you show how the palm lay on the paper to produce that impression?

Mr. LATONA. The palm lay in this fashion here.

Mr. EISENBERG. You are putting your right hand on the paper so that the fingers are pointing in the same direction as the arrow A?

Mr. LATONA. That's right.

Mr. EISENBERG. And it is at approximately right angles to the paper bag?

Mr. LATONA.. That's right.

Here again, in making the comparison, a check is made for the location of certain points.

Now, we notice here that the points appear to be much closer than they were in the fingerprint, and that is probably because of the pressure which was exercised, possibly in holding the object which was in this paper container.

Now, you notice this point No. 1 here, which we term the ending ridge. Point No. 2 is also an ending ridge. And you notice in between these points there is a ridge. Point No. 2 is to the left of point No. 1.

Then we find there is a point No. 3 which is a point which is similar in character to point No. 2 and is almost directly below, but there are two intervening ridges. Then there is a point No. 4 which is below point No. 3, and going in a direction opposite from point No. 3.

If we bear those four points in mind—and if the latent palmprint was made by the same palm that made the inked palmprint—then we should find these four points in that position over there.

Now, in order to first of all find the particular area where we would look to see if those points exist, we would bear in mind the general formation of the print itself. We notice the so-called looping formation in the inked print. We see that there is a looping formation here. Definitely it is not as pronounced in the latent print as it is in the inked print. But to the experienced eye, it is right here.

Accordingly, bearing in mind where these points would occur, we would generalize in the area to the extreme right of the enlargement, and find that there is a point which is somewhat similar to the point which appears in the inked impression, which momentarily we would say appears to be the same point as No. 1.

Now, bearing in mind how No. 2 is related to point No. 1, does such a point appear in the latent print? And making the check, exactly in the same fashion and relationship that occurred in the inked print, we find that there is such a point.

Does a third point appear in the same relationship to point No. 2 as it appears in the inked print?

Counting down one, two, and then the three point being the point itself. And in the same general flowing direction we count here, one, two, three—there it is.

Bearing in mind again that we found point No. 4 is what we refer to as a bifurcation going in the opposite direction from No. 3, which was directly below and to the left, do we find such a point here? Sure enough, there it is.

Now, an additional test would be this: At this point here we notice there is an abrupt ending of a ridge at this point here. It was not even charted. The fact is, it also occurs here. You see this point here, through which there is no line drawn, here it is right here—

Mr. EISENBERG. You are pointing above 4?

Mr. LATONA. Directly above 4 to a ridge going—what we term flowing to the right. Now, at this point here, to a fingerprint examiner of any experience at all, he would start saying these prints were probably made by the same fellow. To satisfy himself, he would continue to point No. 5—one, two, three, four—there is point No. 5. Then there is No. 6, and there is No. 6 here, having exactly the same relationship to each other.

On the basis of those six points alone, I would venture the opinion that these palmprints were made by the same person. But for purposes of carrying it out further, here is point No. 7. Point No. 7 is obliterated to a certain degree

to the inexperienced eye by virtue of the fact that it almost coincides with that line there. You probably do not see that.

And here is point No. 8, which is related to point No. 7 by the separation of those ridges in the same way. One, two, three, four—one, two, three, four. In its relationship to No. 9 here—just above and to the left, flowing in the same general direction. Here it is here.

Then your point No. 10, which is tied into point No. 11 in this fashion here, and 12 and 13. All of them have the same relationship insofar as the intervention of ridges is concerned, the same general area, plus the fact that they all flow in the same general direction.

Picking up No. 14, which is going upward, to point No. 15, which stands out rather easily—15 here. To throw in just one point extra—see this little point here, that ends here?

Mr. EISENBERG. That is to the upper right of 15?

Mr. LATONA. To the right and upward of 15.

Mr. DULLES. So you really have 16 points there?

Mr. LATONA. Actually, there are more than that in here, which I have not even bothered to chart. The opinion here, without any question at all, this latent print, which was developed on the brown bag marked "A"—142—was made by the right palm of Lee Harvey Oswald. And in my opinion, this identification is absolute. There is no question at all that only the right palm of Lee Harvey Oswald made this print, or could have made it.

Mr. EISENBERG. Are there any further questions on the prints appearing on this bag?

Representative FORD. Mr. Murray?

Mr. MURRAY. May I suggest this, Mr. Chairman? Since the print on the bag may become obliterated, and since members of the Commission have already seen it, it might be advisable to put on the record that they have seen it, because in time to come it may not be visible to anybody.

Representative FORD. Well, I for one would be willing to state that I have personally seen that fingerprint through a glass on the bag—both the finger and the palm.

Mr. DULLES. I would be glad to concur that I also have seen the fingerprint and the palmprint to which Congressman Ford refers.

Mr. EISENBERG. In that general connection, Mr. Latona, do you commonly make your fingerprint identifications on the basis of the object on which the latent print appears, or on the basis of a photograph of that object?

Mr. LATONA. Normally it is made on the basis of photographs. We work more or less like an assembly-line basis, and we do not have the time or the opportunity to work from the originals, as was done in this case—this being quite an exceptional case. So the usual identification would be made—this was made on the basis of the bag itself, rather than to wait and get finished photographs from our photographic laboratory.

If I recall correctly, this was on a Saturday—the 23d?

Mr. EISENBERG. Yes; it was.

Mr. LATONA. We did not have our full staff there. We were called in to handle this case specially. There were no photographers available at that time for that particular purpose. Frankly, under the circumstances it would not have made any difference whether they were available or not. This had a priority over everything we were working on and naturally we had to proceed as fast as we could, in a sense, to render conclusions and opinions at that time.

Accordingly, the original comparisons were made directly from the wrapper, rather than a photograph, which was prepared subsequently to this.

Representative FORD. The suggestion has been made, Mr. Murray, that perhaps you would like to look at that palmprint and the fingerprint on the wrapping, and you might make a statement the same as Mr. Dulles and I have made.

Mr. EISENBERG. Could you point out to Mr. Murray, Mr. Latona, the two prints?

Mr. LATONA. Yes, sir. "A" is the fingerprint.

Mr. DULLES. And the witness certifies that these are true photographs of the fingerprint and the palmprint that you have exhibited?

Mr. LATONA. Yes, sir.

Mr. MURRAY. May I say for the record, Mr. Chairman, that I definitely and clearly saw what appeared to me to be a palmprint in the part of Exhibit 142 which was designated with a "B," and less clearly, but nevertheless I did see, the fingerprint on the other portion of the bag.

Mr. EISENBERG. Mr. Latona—

Mr. LATONA. "B" is the finger, and "A" is the palm.

Mr. MURRAY. Yes; that's correct. And the palm "A"—there I definitely saw what appeared to be a palmprint, and more faintly I saw a fingerprint in the portion marked "B."

Mr. DULLES. And these are exhibits—

Mr. EISENBERG. This is Exhibit 142.

(At this point Representative Boggs entered the hearing room.)

Mr. DULLES. Both the palmprint and the fingerprint are on Exhibit 142.

Mr. EISENBERG. Yes—marked "A" and "B" respectively.

Mr. Latona, one further question on this subject. When you testify in court, do you frequently testify on the basis of the photographs rather than the original object?

Mr. LATONA. If the originals are available, I would prefer that they be brought into court. If they are not, then photographs are used—plus the original negative of the latent prints which were photographed.

Mr. EISENBERG. Now, Mr. Latona, I hand you Commission Exhibit 139 which, for the record, consists of the rifle found on the sixth floor of the TSBD building, and which was identified yesterday as the rifle—and the day before yesterday—as the rifle which fired the fatal bullets, and I ask you whether you are familiar with this weapon?

Mr. LATONA. Yes; I am.

Mr. EISENBERG. And did you examine this weapon to test—did you examine this weapon to determine whether there were any identifiable latent fingerprints on it?

Mr. LATONA. I examined the weapon to determine whether there were any identifiable latent prints on the weapon.

Mr. EISENBERG. When did you receive the weapon?

Mr. LATONA. On the morning of November 23, 1963.

Mr. EISENBERG. And when did you proceed to make your examination?

Mr. LATONA. I proceeded to make my examination that same day that I received it.

Mr. EISENBERG. Can you tell us what techniques you used?

Mr. LATONA. Well, the technique that I used first was simply to examine it visually under a magnifying glass, a hand magnifying glass, primarily for the purpose of seeing, first of all, whether there were any visible prints. I might point out that my attention had been directed to the area which we refer to as the trigger guard on the left side of the weapon, Commission Exhibit 139.

Mr. EISENBERG. The trigger-guard area?

Mr. LATONA. The trigger-guard area.

Mr. EISENBERG. Which actually, in the case of this particular weapon, is the area in which the magazine is inserted at the top; is that correct? You are looking at the weapon now, and the magazine comes out the bottom of what is called the trigger-guard area, which would be a trigger guard on another weapon.

Mr. LATONA. That's correct. There had been placed over that area a piece of cellophane material. My attention had been directed to it, to the effect that a prior examination had been made of that area, and that there were apparently certain latent prints available—visible under that area.

I first examine most prints to see—

Mr. DULLES. Who placed the cellophane material there, in your opinion?

Mr. LATONA. Well, I was told—my information was simply that the Dallas Police Department had done so. I have no personal knowledge as to who did it, other than information that the Dallas Police had examined the weapon and they had found these visible marks on there, that they had developed the prints.

Now, by what means they did it, I do not know, but I would assume they used a gray powder.

Mr. DULLES. What was the purpose of putting the cellophane there?

Mr. LATONA. To protect the prints while the rifle was in transit to the FBI.

Mr. EISENBERG. Now, when you received it with the cellophane cover, what portion did it cover?

Mr. LATONA. Closest to the trigger area.

Mr. EISENBERG. On the trigger guard, closest to the trigger area?

Mr. LATONA. That's right.

Mr. EISENBERG. Was that on the right or left side of the weapon?

Mr. LATONA. Left side.

Mr. EISENBERG. And was there a print visible to you underneath the cellophane?

Mr. LATONA. I could see faintly ridge formations there. However, examination disclosed to me that the formations, the ridge formations and characteristics, were insufficient for purposes of either effecting identification or a determination that the print was not identical with the prints of people. Accordingly, my opinion simply was that the latent prints which were there were of no value.

Now, I did not stop there.

Mr. EISENBERG. Before we leave those prints, Mr. Latona, had those been developed by the powder method?

Mr. LATONA. Yes; they had.

Mr. EISENBERG. Was that a gray powder?

Mr. LATONA. I assumed that they used gray powder in order to give them what little contrast could be seen. And it took some highlighting and sidelighting with the use of a spotlight to actually make those things discernible at all.

Representative FORD. As far as you are concerned.

Mr. LATONA. That's right.

Mr. DULLES. Is it likely or possible that those fingerprints could have been damaged or eroded in the passage from Texas to your hands?

Mr. LATONA. No, sir; I don't think so. In fact, I think we got the prints just like they were. There had, in addition to this rifle and that paper bag, which I received on the 23d—there had also been submitted to me some photographs which had been taken by the Dallas Police Department, at least alleged to have been taken by them, of these prints on this trigger guard which they developed. I examined the photographs very closely and I still could not determine any latent value in the photograph.

So then I took the rifle personally over to our photo laboratory. In the meantime, I had made arrangements to bring a photographer in especially for the purpose of photographing these latent prints for me, an experienced photographer—I called him in. I received this material in the Justice Building. My office of operations is in the Identification Division Building, which is at 2d and D Streets SW. So I made arrangements to immediately have a photographer come in and see if he could improve on the photographs that were taken by the Dallas Police Department.

Well, we spent, between the two of us, setting up the camera, looking at prints, highlighting, sidelighting, every type of lighting that we could conceivably think of, checking back and forth in the darkroom—we could not improve the condition of these latent prints.

So, accordingly, the final conclusion was simply that the latent print on this gun was of no value, the fragments that were there.

After that had been determined, I then proceeded to completely process the entire rifle, to see if there were any other prints of any significance or value—any prints of value—I would not know what the significance would be, but to see if there were any other prints. I completely covered the rifle. I also had a firearms man—

Representative BOGGS. What do you cover it with?

Mr. LATONA. Gray fingerprint powder.

Representative BOGGS. What is that powder?

Mr. LATONA. It is usually a combination of chalk and mercury, or possibly white lead and a little bit of resin material to give it some weight.

Mr. EISENBERG. And you testified earlier that that adheres—

Mr. LATONA. To the moisture that was left by the finger, the fingers or the hands, when it came in contact with the surface.

Representative Boggs. How long will that condition remain?

Mr. LATONA. Going from one extreme to the other, it may remain for years; under other circumstances, it may not even last for 15 or 20 minutes.

Representative Boggs. Why the difference?

Mr. LATONA. Because of the amount of material which was left and the condition of the material which was left. Basically, the material may be made up of protein material and salt and water—primarily water. If it is totally water, with very little salt or oily material, when the evaporation is effected, then it is complete—there will be nothing left.

Representative Boggs. You mean that it is gone?

Mr. LATONA. Right. On the other hand, if there is an oily matter there, we know that latent prints will last literally for years on certain objects.

Representative Boggs. Well, just for purposes of information, if I make fingerprints there on the table, how long would they normally last?

Mr. LATONA. I don't know.

Representative Boggs. Well, would there be any way to know?

Mr. LATONA. No, sir.

Mr. DULLES. It depends on temperature, on the amount of moisture involved? What does it depend on?

Mr. LATONA. First of all, I saw him touch it, but I am not even sure he left a print there.

Representative Boggs. Well, I can see it.

Mr. LATONA. As to the quality of the print, there again it is simply a matter of what material you have in your hands that made that print, as to how long it will last, how long it will take for it to evaporate.

Actually, when it dries out, it may, in itself, leave a print with such clarity that it would not—even though it would not accept the powder, still by highlighting it, the way you did to see that the print was there, we could photograph it so it would come out just as clear as though it were black on white.

Representative Boggs. Does the material that one touches have any effect?

Mr. LATONA. Very definitely. It depends on how hard or smooth the material is.

Representative Boggs. Now, does a weapon lend itself to retaining fingerprints?

Mr. LATONA. This particular weapon here, first of all, in my opinion, the metal is very poorly finished. It is absorbent. Believe it or not, there is a certain amount of absorption into this metal itself. It is not finished in the sense that it is highly polished.

Representative Boggs. So this would be conducive to getting a good print, or would it?

Mr. LATONA. It would not.

Representative Boggs. I see—because it would absorb the moisture.

Mr. LATONA. That's right. Now, there are other guns—for example, Smith and Wesson, which have exceptionally nice finishes, the blue metal finishes are better surfaces for latent prints. Where you have a nickel-plated or silver-plated revolvers, where it is smooth—they are much more conducive to latent prints than some of these other things, say like the army type, the weapons used in wartime that are dull, to avoid reflection—things of that type—they are not as good.

Mr. DULLES. I wonder if you would like to look at the fingerprints we have gone over. They are quite apparent there with the glass.

Representative Boggs. I would like to look at them. That is all I want to ask right at the moment.

Mr. DULLES. I would like to ask a general question.

Mr. LATONA (addressing Representative Boggs). This is one of the fingerprints developed on the brown wrapper. It is this print here.

Mr. DULLES. You can see these prints quite clearly, and the palmprint.

Representative Boggs. This is a photograph of that?

Mr. LATONA. This is approximately a time and a half enlargement. This is the left index finger. Here is the palmprint that was developed.

Representative Ford. Mr. Boggs—each of us here, Mr. Dulles, Mr. Murray, and myself, have said on the record that we have seen the prints on the wrapping.

We did this because, as Mr. Latona has indicated, such prints may disappear over a period of time. We thought it might be well for the record to indicate that we saw them. If you wish to do the same—

Representative BOGGS. I would like to do the same, having just seen it.

Mr. DULLES. The witness has certified to the fact that these are true photographs of the prints that we have seen.

Representative BOGGS. And the witness has also certified that those are Oswald's prints?

Mr. LATONA. No; I cannot certify to that.

Mr. EISENBERG. Do you want to explain that?

Mr. LATONA. As I am not the one that fingerprinted Oswald, I cannot tell from my own personal knowledge that those are actually the fingerprints of Lee Harvey Oswald.

Mr. EISENBERG. But you can certify that those prints are identical with the prints on the card which bears the name of Lee Harvey Oswald which was furnished to you?

Mr. LATONA. That is right.

Mr. EISENBERG. We will get other evidence in the record at a subsequent time to show those were the prints of Oswald. Mr. Latona, you were saying that you had worked over that rifle by applying a gray powder to it. Did you develop any fingerprints?

Mr. LATONA. I was not successful in developing any prints at all on the weapon. I also had one of the firearms examiners dismantle the weapon and I processed the complete weapon, all parts, everything else. And no latent prints of value were developed.

Mr. EISENBERG. Does that include the clip?

Mr. LATONA. That included the clip, that included the bolt, it included the underside of the barrel which is covered by the stock.

Mr. EISENBERG. Were cartridge cases furnished to you at that time?

Mr. LATONA. They were, which I processed, and from which I got no prints.

Mr. EISENBERG. Therefore, the net result of your work on Exhibit 139 was that you could not produce an identifiable print?

Mr. LATONA. That's correct.

Mr. DULLES. May I ask one question? Does the Secret Service do fingerprinting work, or do they turn it over to you—turn to you for all of that?

Mr. LATONA. I think they do some of their own, and on occasion we will do some for them, too. Primarily I think they do their own. I am not too familiar with the Secret Service as to how elaborate their laboratory is.

Mr. EISENBERG. So as of November 23, you had not found an identifiable print on Exhibit 139?

Mr. LATONA. That is right.

Mr. EISENBERG. I now hand you a small white card marked with certain initials and with a date, "11-22-63." There is a cellophane wrapping, cellophane tape across this card with what appears to be a fingerprint underneath it, and the handwriting underneath that tape is "off underside of gun barrel near end of foregrip C 2766," which I might remark parenthetically is the serial number of Exhibit 139. I ask you whether you are familiar with this item which I hand you, this card?

Mr. LATONA. Yes; I am familiar with this particular exhibit.

Mr. EISENBERG. Can you describe to us what that exhibit consists of, that item rather?

Mr. LATONA. This exhibit or this item is a lift of a latent palmprint which was evidently developed with black powder.

Mr. EISENBERG. And when did you receive this item?

Mr. LATONA. I received this item November 29, 1963.

Mr. EISENBERG. Before we go any further may I have this admitted into evidence?

Representative FORD. It will be. What is the number?

Mr. EISENBERG. That will be No. 637.

(The document referred to was marked Commission Exhibit No. 637, and received in evidence.)

Mr. EISENBERG. Mr. Latona, could you describe to us what a lift is?

Mr. LATONA. A lift is merely a piece of adhesive material which is used for purposes of removing a print that has been previously developed on an object, onto the adhesive material. Then the adhesive material is placed on a backing, in this case which happens to be the card. The adhesive material utilized here is similar to scotch tape. There are different types of lifting material. Some of them are known as opaque lifters, which are made of rubber, like a black rubber and white rubber, which has an adhesive material affixed to it, and this material is simply laid on a print which has been previously developed on an object and the full print is merely removed from the object.

Mr. EISENBERG. When you say "the print" is removed, actually the powder—

Mr. LATONA. The powder that adhered to the original latent print is picked off of the object.

Mr. EISENBERG. So that the impression actually is removed?

Mr. LATONA. That is right.

Representative FORD. Is that a recognized technique?

Mr. LATONA. Yes; it is.

Representative FORD. In the fingerprinting business?

Mr. LATONA. It is very common, one of the most common methods of recording latent prints.

Mr. EISENBERG. Who did you get this exhibit, this lift from?

Mr. LATONA. This lift was referred to us by the FBI Dallas office.

Mr. EISENBERG. And were you told anything about its origin?

Mr. LATONA. We were advised that this print had been developed by the Dallas Police Department, and, as the lift itself indicates, from the underside of the gun barrel near the end of the foregrip.

Mr. EISENBERG. Now, may I say for the record that at a subsequent point we will have the testimony of the police officer of the Dallas police who developed this print, and made the lift; and I believe that the print was taken from underneath the portion of the barrel which is covered by the stock. Now, did you attempt to identify this print which shows on the lift Exhibit 637?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. Did you succeed in making identification?

Mr. LATONA. On the basis of my comparison, I did effect an identification.

Mr. EISENBERG. And whose print was that, Mr. Latona?

Mr. LATONA. The palmprint which appears on the lift was identified by me as the right palmprint of Lee Harvey Oswald.

Mr. EISENBERG. Now, Mr. Latona, as I understand it, on November 23, therefore, the FBI had not succeeded in making an identification of a fingerprint or palmprint on the rifle, but several days later by virtue of the receipt of this lift, which did not come with the weapon originally, the FBI did succeed in identifying a print on Exhibit 139?

Mr. LATONA. That is right.

Mr. EISENBERG. Which may explain any inconsistent or apparently inconsistent statements, which I believe appeared in the press, as to an identification?

Mr. LATONA. We had no personal knowledge of any palmprint having been developed on the rifle. The only prints that we knew of were the fragmentary prints which I previously pointed out had been indicated by the cellophane on the trigger guard. There was no indication on this rifle as to the existence of any other prints. This print which indicates it came from the underside of the gun barrel, evidently the lifting had been so complete that there was nothing left to show any marking on the gun itself as to the existence of such—even an attempt on the part of anyone else to process the rifle.

Mr. DULLES. Do I understand then that if there is a lifting of this kind, that it may obliterate—

Mr. LATONA. Completely.

Mr. DULLES. The original print?

Mr. LATONA. That is right.

Mr. EISENBERG. So that you personally, Mr. Latona, did not know anything about a print being on the rifle which was identifiable until you received, actually received the lift, Exhibit 637?

Mr. LATONA. On the 29th of November.

Mr. EISENBERG. Seven days after the assassination.
And in the intervening period, correspondingly, the FBI had no such knowledge?

Mr. LATONA. As far as I know.

Mr. EISENBERG. Mr. Latona, could you tell us what portion of the palm of Lee Harvey Oswald you identified that print as being?

Mr. LATONA. Yes. Here again I have a photograph that will show the approximate area involved, which is on the ulnar side of the lower portion of the palm.

Mr. EISENBERG. The ulnar—

Mr. LATONA. Down near the base of the palm toward the wrist.

Mr. EISENBERG. This is the right palm?

Mr. LATONA. The right palm.

Mr. EISENBERG. As it was in the case of the paper bag, Exhibit 142?

Mr. LATONA. Yes, sir.

Mr. EISENBERG. Could you display that photograph, please? This is a photograph which you took of the inked print which was furnished to you by the Dallas office?

Mr. LATONA. I didn't personally prepare the photographs. They were prepared at my personal direction.

Mr. EISENBERG. Was it prepared under your supervision?

Mr. LATONA. Yes, sir.

Mr. EISENBERG. Is it an accurate reproduction?

Mr. LATONA. It is.

Mr. EISENBERG. Mr. Chairman, may I have this admitted as 638?

Representative FORD. It shall be admitted.

(The photograph referred to was marked as Commission Exhibit No. 638, and received in evidence.)

Mr. LATONA. I might point out that you have the original of this which has been previously admitted.

Mr. EISENBERG. Yes; but this photograph shows a red circle around the portion which you identified—

Mr. LATONA. That is right.

Mr. EISENBERG. As being the latent found on the lift, is that right?

(Discussion off the record.)

(The reporter read the last question.)

Mr. LATONA. Yes.

Mr. EISENBERG. Mr. Latona, now you are showing me another photograph which appears to be a photograph of the lift itself, Exhibit 637, but an enlargement thereof?

Mr. LATONA. Slightly enlarged; yes, sir.

Mr. EISENBERG. Was this prepared by you or under your supervision?

Mr. LATONA. It was.

Mr. EISENBERG. And there is a red circle around this, on this photograph, that is around the print, the latent print?

Mr. LATONA. That is right.

Mr. EISENBERG. Mr. Chairman, may I have this photograph admitted as 639?

Representative FORD. It shall be admitted.

(The photograph referred to was marked Commission Exhibit No. 639, and received in evidence.)

Mr. EISENBERG. Mr. Latona, did you also prepare a chart showing an enlarged portion of the inked and latent palmprint?

Mr. LATONA. Yes, sir; I did.

Mr. EISENBERG. Illustrating some of the points which you used in making your identification?

Mr. LATONA. Yes, sir; I did.

Mr. EISENBERG. Was this chart prepared by you or under your supervision?

Mr. LATONA. This was prepared under my direct supervision.

Mr. EISENBERG. May I have this admitted as 640?

Representative FORD. It shall be admitted.

(The chart referred to was marked Commission Exhibit No. 640, and received in evidence.)

Mr. EISENBERG. What is the enlargement of this chart?

Mr. LATONA. Approximately an eight-time enlargement of the latent print which appears on the lift, Commission Exhibit——

Mr. EISENBERG. 637?

Mr. LATONA. 637. And the inked right palmprint enlargement is approximately eight times an enlargement of the Exhibit 638.

Mr. EISENBERG. The inked print?

Mr. LATONA. Which is encircled in red, a portion of that area.

Mr. EISENBERG. I wonder whether you could put that up on this easel here so that we can all see it, and explain to us some of the points which led you to your conclusion.

Mr. LATONA. Here again the approach insofar as making a comparison is concerned is exactly the same. That never changes. In making a comparison of fingerprints or palmprints, the mechanics are exactly the same.

First to look for what might be considered as points which are easy to see to the fingerprint man.

Representative FORD. May I ask first was the lift a good print for technical purposes?

Mr. LATONA. Yes; to the extent that the identification was made. There is no question as to the identity.

Now, insofar as quality is concerned, I believe that is what you have in mind, we don't, in fingerprint circles, don't say that this is a good latent as compared to a bad latent. If it is valuable for purposes of identification, so far as we are concerned it is good.

Now, that may not appear to the inexperienced eye possibly as being as clear as some of those others which you have already seen, but for the purpose of identification the points are here. That is the main thing.

Now, in making the comparison here it is easy to see the inked print. There is very little question here. This print was made on purpose for purposes of recording the ridges. This was made more or less incidental or possibly accidental.

Mr. DULLES. How does the left one differ? I thought you told us before it was 10 times.

Mr. LATONA. No; those were the others.

Mr. DULLES. That was the fingerprint that was 10 times?

Mr. LATONA. That is right.

Mr. DULLES. And the palm has always been eight times?

Mr. LATONA. That is right, because of the fact to make it 10 times it would have been enlarged to the extent that maybe you wouldn't be able to see the significance as to what it purports to be.

If you enlarge a fingerprint too much, it loses its identity. I have seen them where they were enlarged so big that you couldn't tell what they were, and if somebody would tell you it is a fingerprint you would say, if you say so it is, but it doesn't look like it to me.

Now, in some other sciences, for example, like handwriting and things of that kind, you can enlarge them pretty good size, typewriting and things of that type, but a fingerprint because of the poorness in contrast plus the fact that in themselves these black marks have no particular significance, they might lose their identity, you won't reconcile a palmprint with a palmprint.

So, actually for purposes of making comparisons we never make a comparison from an enlargement. The best way to make a comparison, the more complete, is to make it from the actual size, utilizing a regular fingerprint glass which enlarges approximately four diameters.

We would never think of enlarging the prints for purposes of making our initial comparison. We make them on the basis of the actual size, just like you see it here, utilizing a fingerprint, which gives you a better picture.

Mr. EISENBERG. Fingerprint glass, you mean?

Mr. LATONA. Fingerprint glass, because you get a much better view of the impression than you do where it is enlarged because in enlarging you have a tendency to distort the dissimilarities, to exaggerate what may be considered as dissimilarities.

Now, looking at these marks here again, which are very apparent here in the

ink print, this No. 1 which is a black line which flows over to the right, then one ridge directly below it and off to the left is this point No. 2. Then by counting down 1, 2, 3, 4 we come to this portion, a short-ending ridge, which is similar to this short-ending ridge in the illustration drawn on the board, is No. 3.

Now, here again the fingerprintman simply mentally says to himself, "If these palmprints were made by the same palm I should be able to find three such points in approximately the same area of this palmprint as was found here."

The manner of isolating the area is by virtue of the fact that you see this looping formation, the looping formation is right in here, rather vague but it is there.

Looking in that approximate area, you notice faintly this black line that comes over to this area and stops at the point there. Now, is this point No. 1 the same as this point No. 1? If it is, then there should be a point No. 2 in the latent print which is in the same relative position as point No. 2 occurs in the ink print. By looking in such a position by this one ridge removed and to the left, there is this point No. 2.

Then looking down to point No. 3, we notice one, two, three, four, there is this so-called short-ending ridge which to me shows up very clearly here in the enlargement of the latent print.

Point No. 4 is this black line which is coming toward point No. 3, and right within the same area or line, there is point No. 4.

Point No. 5 is picked up in this position over here, which is another one of these short-ending ridges. It is removed by one ridge or rather to the left of point No. 6 as is seen here.

Then we pick up point No. 7, which is this point showing a cluster of ridge formation here.

Point No. 8 is tied in. You can tie in point No. 8 to point No. 4, point No. 5 to point No. 7, and that coincides with point No. 8 here. In that way we pick up point No. 9, showing the relationship of one, two, three and over here one, two, three, always the same formation, the same general area, the same relationship to each other. In that way we pick up point No. 10, point No. 11, and point No. 12, which have exactly the same formation.

Here is point No. 10 coming this way, point No. 11 going that way, these two ridges are in between. It checks perfectly. The same way with point No. 12 which is just below point No. 11, and having the same relationship to point No. 10, the same general areas, identically the same type of characteristics, and exactly the same relationship to each other.

On the basis of those points, the obvious conclusion to an experienced fingerprintman is simply that the same palm made both of these prints. Only one palm could have made it, and that palm is the one which is alleged to be of Lee Harvey Oswald, his right palm.

Representative Boggs. Is it true that every fingerprint of each individual on earth is different?

Mr. LATONA. Yes, sir; that is my sincere belief. I say that not only on earth but all those that have died before and all those to come. There will never be duplication.

Mr. DULLES. The same is true of palmprints, isn't it?

Mr. LATONA. Absolutely; yes, sir; fingerprints and palmprints and footprints.

Representative Boggs. Can they be distorted, destroyed?

Mr. LATONA. They can be destroyed in the sense that—

Representative Boggs. Cut your finger off, that is right?

Mr. LATONA. Sure, you can cut your finger off. You can resort to what is known as—they can be transferred. You can slice off a pattern from one finger and place it on another but you will see the scar. They can have what is known as surgical planing.

Representative Boggs. That is what I was thinking about.

Mr. LATONA. That can be done, too.

Representative Boggs. What happens then?

Mr. LATONA. What happens is that you lose the ridge area and you will simply have a scar. There will be no more pattern. Now, the pattern is formed by what are known as dermal papilla, which is below the epidermis or outer layer of skin. As long as you only injure the outer surface the ridge formation will grow back

exactly the same as it was before. If you get down to the dermal papilla, which lay like this—

Mr. EISENBERG. You are drawing an illustration on the board which shows short, broad, downward strokes.

Mr. LATONA. If you destroy or injure these to the extent that there is actual bleeding, you will get a permanent scar.

Fingerprints can be destroyed or scarred in such a fashion that we would not be able to successfully classify them.

Mr. DULLES. Do criminals do that?

Mr. LATONA. Yes; they do. We have had one case, probably the most successful was known as the so-called Roscoe Pitts case. This was a fugitive who in order to avoid identification went to an unscrupulous doctor who performed an operation and he did so by virtue of first cutting five slits on one side of his chest. Then he removed the pattern areas, what we call the pattern areas, which would consist of removal of the whole core area down to the delta area, sliced that off.

Representative Boggs. How much would that be?

Mr. LATONA. He would literally have to draw blood. He would have to get down and just slice that off completely. He did that with five fingers. Then he taped the five fingers to the side of his chest and he kept them there for about 2 weeks. The same procedure was gone through with the other hand, and at the end of that time they were taken down and bound up individually. When they finally healed, all he has now is scar tissue for his pattern areas; but all we did in order to identify him was to drop down to the second joint. We made the identification from the second joint.

Now, at that particular time—

Representative Boggs. After all that business.

Mr. LATONA. It didn't do him any good. Literally, the easiest person in our files to identify is Roscoe Pitts. He is the only one that has scar patterns like that. As soon as they see anything like that, everybody that knows anything about our files knows—Roscoe Pitts.

Representative Boggs. Develop, if you will, please, that point that no two human beings ever have similar prints. Why is that, in your opinion?

Mr. LATONA. Well, earlier we went through a case which we have in the FBI, in which we literally have compared millions, millions of single prints with a fragmentary latent print which we developed on a demand note in a kidnapping case, one of our major kidnapping cases which occurred back in 1937, and we have compared this fragmentary print.

Now, ordinarily in fingerprints there are four basic pattern types. You have an arch, tented arch, a loop, and a whorl.

Now in making a comparison, naturally if you can tell the type of pattern you are going to restrict your comparison to the particular type.

In this instance we cannot tell what type of pattern this fragment that we developed is. We know that it is from a finger. And in attempting to identify the subject of this kidnapping case, we have compared it literally with millions of cards.

Now, existing in this fragmentary print there are only about seven to eight points that can be found, it is so fragmentary. We cannot determine the pattern. Accordingly then, when you compare it, you have to compare it with a person's 10 fingers regardless as to the pattern types. Bearing in mind that the average fingerprint has from 85 to 125 points—identifying characteristics—we have literally made millions of comparisons with only a portion of a finger, and we have failed to identify these 8 points in all types of patterns.

Isn't it sufficient to say then that people simply will not have the same fingerprints? Yet you have authorities, so-called authorities, who say that it is possible to find all 10 prints duplicated in 1 chance out of 1 followed by 60 zeros, if you can figure out what that figure is.

Representative Boggs. Who are these authorities?

Mr. LATONA. They are really in my opinion mathematicians who on the basis of the so-called characteristic points have said 5 points times 125 times 125 times 125 to about the 10th power and wind up something like 1 followed by 60 zeros. They are mathematicians but they are not fingerprint people.

Mr. DULLES. What is your card system like? If this is too confidential I don't want to get anything in the record here that is too secret.

We can take it off the record.

Mr. LATONA. Nothing is secret about our files.

Mr. DULLES. How many characteristics do you file on a card so that when you find these characteristics you can go to the right cabinet and the right filing drawer and then pull out the right card in time?

Mr. LATONA. Literally they can break down into hundreds of thousands of groups.

Representative BOGGS. How many do you have on file?

Mr. LATONA. We have the fingerprints of 77½ million people?

Representative BOGGS. That includes all of those who were in the Army, Navy—

Mr. LATONA. 15 million criminals and about 62.5 million what we call civil. I explained earlier that our files consist of two main files, it is criminal files and the civil files. In the civil files are the fingerprints of individuals, those prints that we have retained, who have been fingerprinted in connection with some civil affair like the services, for example, security, sensitive jobs, all types of applicants, alien registrations. Then we also will accept the fingerprints of just a private citizen who would like to have his prints on record for simply identification purposes.

They are in the category of 62.5 million. Criminal prints, 15 million.

(Discussion off the record.)

Representative FORD. I have to leave, Mr. Dulles, will you take over as Chairman for the rest of the time that you can be here?

Mr. DULLES. I will do so.

Representative BOGGS. May I ask a question which is not particularly pertinent to this particular witness, but how many prints on various things like these boxes and other paraphernalia that the Commission may now have in its possession have been identified as those of Oswald?

Mr. LATONA. Six all told.

Representative BOGGS. Six altogether?

Mr. LATONA. Six.

Representative BOGGS. That includes these?

Mr. LATONA. That is right.

Representative BOGGS. How many, three?

Mr. LATONA. Three so far.

Mr. DULLES (addressing Mr. Eisenberg). You have dealt with three so far?

Mr. EISENBERG. Three so far. We should modify this. We are only introducing this morning evidence associated with the crime, directly with the crime. Now, there were many papers submitted to the identification division. I believe you did identify—

Mr. LATONA. Personal effects, wallet, pictures, papers, and things of that kind which in themselves bear Oswald's prints, which they should because they belong to him.

Representative BOGGS. May I ask another question in this connection. A weapon of this type, in your examination do you find a lot of other prints on it as well? You do not?

Mr. LATONA. No. First of all the weapon itself is a cheap one as you can see. It is one that—

Representative BOGGS. Is what?

Mr. LATONA. A cheap old weapon. The wood is to the point where it won't take a good print to begin with hardly. The metal isn't of the best, and not readily susceptible to a latent print.

Representative BOGGS. Was this weapon picked up first by the police?

Mr. EISENBERG. Yes, sir.

Representative BOGGS (addressing Mr. Eisenberg). Did anyone touch it as far as you know?

Mr. EISENBERG. No, no. It was picked up by a police officer attached to the Dallas police force first.

Mr. DULLES. It came to you directly then from the Dallas police and not through the Secret Service?

Mr. LATONA. No; the FBI turned it over to me, the Dallas office of the FBI flew it up here.

Representative BOGGS. What I am trying to determine is, the average police officer when he would pick up a weapon of that kind would take steps to secure whatever prints might be on that and also prevent the addition of prints, is that right?

Mr. LATONA. I would assume so.

Representative BOGGS. I mean this is part of his training, isn't it?

Mr. LATONA. Yes, sir; especially if he is—yes; I would say so. That is almost elementary today. There are so many schools today going that an officer that doesn't give some thought to latent fingerprints, he hasn't been to school.

Representative BOGGS. Of course not. But do you have that problem in your normal examination?

Mr. LATONA. Well, a lot of times that all depends. Sometimes they don't realize the significance of a latent examination, and it is unavoidable that an object has been contaminated. And then a lot of times it is simply because of the circumstances. Sometimes possibly in an instance of this kind because of the crime itself which was involved, I dare say there must have been a lot of panic there at that time. That is just pure conjecture on my part. I don't know whether they were thinking in details as to the examination. I don't think they sat down and just figured very calmly what they were going to do.

Representative BOGGS. Of course not.

Mr. LATONA. I imagine everybody just poured into that room where they found the thing, somebody would say, "Was this the gun?" and he handed it to someone else and then he would look at it. Lord knows what went on down there.

By the time the gun got there—on the other hand, if the right officer was there he would have protected it from the beginning and that is unquestionably what happened here.

Mr. DULLES. I have to make a telephone call. I will be right back.

Mr. EISENBERG. I believe that the print showing in the lift was taken from an area which had been covered by the wooden stock so that it was protected even against—

Mr. LATONA. Promiscuous handling, yes. If that were on the underside, if that was covered by the wood then very obviously those people there never did touch that.

Mr. EISENBERG. At any rate, we are going to find out exactly what they did.

Representative BOGGS. Yes. Go ahead.

Mr. EISENBERG. Now, just to elaborate on some questions which Mr. Boggs was asking earlier, Mr. Latona, referring specifically to this weapon, do you believe that a determination could have been made as to the age of the print found on the weapon which you have identified as being Oswald's print, and a lift of which is Exhibit No. 637?

Mr. LATONA. No; I don't.

Mr. EISENBERG. You don't?

Mr. LATONA. No; I don't.

Mr. EISENBERG. Are experts unanimous in this opinion?

Mr. LATONA. No; they are not. There are some experts who contend that they can determine from the way the print develops, and they will use the term "fresh."

Now, on the other hand, so far as the definition of "fresh," then it resolves itself into an hour, a day, a week, a month. What is "fresh" as aside from an "old" one? And my opinion simply is this. That on the basis of the print itself, on the basis of the print itself I cannot determine how old it is.

Mr. EISENBERG. At least specifically on this type, or in particular focusing on this type of weapon?

Mr. LATONA. Particularly on that weapon.

Mr. EISENBERG. That is 139?

Mr. LATONA. That is right.

Mr. EISENBERG. If there are no further questions on Exhibit 139, Commissioner Boggs, I will move on to another exhibit.

Mr. Latona, I hand you now a small cardboard carton which has written

on it "Box A" in red pencil and has various other marks which I won't go into, and I ask you whether you are familiar with this box, this carton?

Mr. LATONA. Yes; I am.

Mr. EISENBERG. And did you examine this carton, Mr. Latona, to determine whether there were any identifiable latent fingerprints present?

Mr. LATONA. I did not personally process this box, but I was present at the time that the box was, and I had occasion to examine that during the course of its being processed while it was being done.

Mr. EISENBERG. It was processed in your presence?

Mr. LATONA. In my presence and under my direction.

Mr. EISENBERG. Mr. Chairman, I would like this admitted as a Commission exhibit with your permission.

Representative Boggs. It will be admitted.

Mr. EISENBERG. That will be 641.

(The box referred to was marked Commission Exhibit No. 641, and received in evidence.)

Mr. EISENBERG. Mr. Latona, when you received this box which is now 641, did it bear any evidence that it had been dusted or otherwise tested for fingerprints?

Mr. LATONA. No; it had not, just a plain cardboard box.

Mr. EISENBERG. So far as you could tell then it had not been?

Mr. LATONA. That is right; it had not been processed.

Mr. EISENBERG. How was it processed in the FBI laboratory?

Mr. LATONA. First by the iodine fume and subsequently by chemical means.

Mr. EISENBERG. Did the iodine fume develop any identifiable prints?

Mr. LATONA. It did not.

Mr. EISENBERG. Did the chemical means?

Mr. LATONA. The silver nitrate did develop a latent fingerprint.

Mr. EISENBERG. Just one?

Mr. LATONA. A latent fingerprint; yes.

Mr. EISENBERG. Just one identifiable print?

Mr. LATONA. One identifiable print; yes.

Mr. EISENBERG. Do you want to check your notes on that, Mr. Latona?

Mr. LATONA. There was another print identified on that. There were two prints, one palmprint. There was developed on Box A, Exhibit No. 641, one palmprint and one fingerprint.

Mr. EISENBERG. Were those the only identifiable prints, Mr. Latona?

Mr. LATONA. No; there were other fingerprints developed on this box.

Mr. EISENBERG. Do you recall how many there were?

Mr. LATONA. On Box A, in addition to these two prints there were developed eight fingerprints and three palmprints.

Mr. EISENBERG. That is, a total of 13?

Mr. LATONA. Nine fingerprints and four palmprints.

Mr. EISENBERG. Thirteen identifiable prints?

Mr. LATONA. That is right.

Mr. DULLES. Could I just get caught up. What is this box we have here?

Mr. EISENBERG. This is a box which was found near the window in the TSBD from which the assassin apparently fired, that is, the easternmost window or the south face of the TSBD. Yesterday, cartridge cases—and the day before—cartridge cases were discussed which were also found near that window. This box is labeled on there, I believe—

Mr. LATONA. "A."

Mr. EISENBERG. Yes; and I think it also says "top box": yes; it says "top box."

Mr. DULLES. This is the "Rolling Reader?"

Mr. EISENBERG. That is right.

Mr. DULLES. The Rolling Reader has played quite a role in our testimony.

Mr. EISENBERG. Yes; now, this particular box is labeled "top box," and I believe this particular box was on the top of the three boxes, two of which were Rolling Reader boxes, which were found near the window and which may have been used as a rest by the assassin for his rifle.

Mr. DULLES. As I recall, previous testimony indicates that the Rolling Reader box had been moved from its normal place——

Mr. EISENBERG. Apparently so.

Mr. DULLES. With the other Rolling Reader boxes, and put in a position near the window from which it was alleged the shot was fired.

Mr. EISENBERG. Apparently so, and, apart from the two boxes—the two Rolling Reader boxes which were found near the sixth floor window—the regular storage area for the Rolling Reader boxes was a distance away from the sixth floor window.

Mr. DULLES. Yes; I recall that testimony.

Mr. EISENBERG. So you found 13 identifiable prints, Mr. Latona. Were you able to identify any of these prints as belonging to a specific individual?

Mr. LATONA. We were able to identify one fingerprint and one palmprint.

Mr. EISENBERG. And whose prints were they?

Mr. LATONA. The fingerprint was identified as Harvey Lee Oswald.

Mr. EISENBERG. That is Lee Harvey Oswald?

Mr. LATONA. That is right.

Mr. EISENBERG. And the palm?

Mr. LATONA. The palmprint was identified also as Harvey Lee Oswald.

Mr. EISENBERG. Again Lee Harvey Oswald?

Mr. LATONA. That is right.

Mr. EISENBERG. Now, again you used, did you, the known print which was marked into evidence earlier?

Mr. LATONA. Yes.

Mr. EISENBERG. And you used those in all your identifications, I believe?

Mr. LATONA. That is right.

Mr. EISENBERG. Mr. Latona, can you tell us what portion of the palm of Lee Harvey Oswald is reproduced on this box, this carton 641, as a latent print?

Mr. LATONA. I have here a photograph of the palmprint which has an area indicated by a rough red circle showing the approximate area, which is the ulnar area of the left palm.

Mr. EISENBERG. That is the area closest to the little finger?

Mr. LATONA. On that side; yes, sir.

Mr. EISENBERG. This is a true photograph which was prepared by you or under your supervision?

Mr. LATONA. A true reproduction of the original, which you already have.

Mr. EISENBERG. May I have this admitted as 642, Mr. Chairman?

Mr. DULLES. May I ask a question. Apparently the red mark on this exhibit on the palm is in a different place, isn't it, a slightly different place?

Mr. LATONA. It is a different palm. This is the left palm.

Mr. EISENBERG (addressing Mr. Dulles). This is the left palm. The other two are right palms.

Mr. DULLES. Good, that straightens me out.

Mr. EISENBERG. Actually they were both on the ulnar side of the palm?

Mr. LATONA. That is correct.

Mr. EISENBERG. And they were both taken on what is commonly called the heel of the palm?

Mr. DULLES. This is a different hand. This is the left hand, and what we have had so far is the right hand on the palmprints.

Mr. EISENBERG. Yes, sir.

Mr. LATONA. Previously we had two palmprints on the right hand. This third one is from the left.

Mr. EISENBERG. May this photograph be admitted as 642, Mr. Chairman?

Mr. DULLES. This will be admitted.

(The photograph referred to was marked Commission Exhibit No. 642, and received in evidence.)

Mr. EISENBERG. Mr. Latona, do you have another photograph in your hand there?

Mr. LATONA. Here I have another photograph, a slight enlargement time and a half, which is a latent palmprint found on the cardboard box marked "A," which is the Commission's Exhibit 641. This is indicated by a red arrow.

Mr. EISENBERG. Let's hold that just a second and get the photograph admitted.

Representative BOGGS (addressing Mr. Eisenberg). Where did these boxes come from?

Mr. EISENBERG. These boxes were located in front of the window from which the assassin apparently fired. There were three boxes stacked immediately in front of the window, of which this Exhibit No. 641 was the topmost box, and these were apparently used as a rest by the assassin for positioning his rifle.

As you can see, there are several other boxes in the room which will be introduced shortly.

Mr. DULLES. I may say that there was testimony, I don't recall whether you were here at the time, about some boxes called Rolling Reader, Hale. Do you recall the testimony on the Rolling Reader?

Representative BOGGS. No.

Mr. DULLES. These boxes were moved from a place on the sixth floor room where a great many Rolling Reader boxes were placed, and they were put near the window, and a Rolling Reader—apparently these are cubes, and they are for small children and they roll them out on the floor and they learn how to read the letters of the alphabet and other things from these Rolling Readers.

These boxes, because of their nature—do you know what the blocks are made of?

Mr. EISENBERG. No; I don't.

Mr. DULLES. They weren't solid wood but they were light cubes and therefore presumably these boxes were moved because they were a good deal lighter and easier to handle than other boxes. Is that consistent with the testimony as you recall it?

Mr. EISENBERG. Yes.

Representative BOGGS. Were they full when you got them?

Mr. EISENBERG. You will have to ask Mr. Latona.

Mr. LATONA. They were empty. They had been opened and the books removed or the contents, whatever it was.

Mr. DULLES. The contents were apparently these cubes, as we were told, and small children use them and roll them on the floor and then they got the A's and the B's and the C's.

Representative BOGGS. In the opening process, this would not have any effect on the fingerprints or the palmprints?

Mr. LATONA. It could. I mean in the sense that somebody else's prints, the people opening them if they didn't take the time and effort to protect themselves, they could have left their prints there. I don't know how that was done.

Mr. DULLES. Do you recall whether the testimony shows whether the boxes were presumably filled when they were originally moved from their normal place in the Book Depository to the window?

Mr. EISENBERG. I think they were, although I haven't read the testimony.

Mr. DULLES. I am not sure there is testimony on that point but I think that is the general assumption.

Mr. EISENBERG. Based on reproduction photographs we have seen—

Mr. LATONA. That is the understanding that we have, that this was the depository for new material. I think there was new material in these boxes. They were simply stored there.

Representative BOGGS. They wouldn't have acted as a very good rest had they been empty.

(Discussion off the record.)

Mr. EISENBERG. Back on the record.

Mr. Chairman, may I have this photograph of the latent palmprint admitted as 643?

Mr. DULLES. It shall be admitted.

(The photograph referred to was marked Commission Exhibit No. 643, and received in evidence.)

Mr. EISENBERG. Can you show us where on the box, the box 641, this latent palmprint appears?

Mr. LATONA. The latent palmprint appears on box A, Commission's Exhibit 641. It has been indicated by a red arrow.

Mr. EISENBERG. Can you mark that arrow with an "A"?

Mr. LATONA. The red arrow is being marked "A."

Mr. EISENBERG. That points to the palmprint of Lee Harvey Oswald—identified by you as being Lee Harvey Oswald's, is that right?

Mr. LATONA. That is right.

Mr. EISENBERG. Let the record show that Mr. Dulles and Mr. Boggs and Mr. Murray are looking at the actual print marked "A," or marked with an arrow next to which is written the letter "A."

Mr. MURRAY. I see what appears to be a print; yes.

Mr. EISENBERG. Mr. Dulles and Mr. Boggs?

Mr. DULLES. I also see what appears to be a print.

Representative BOGGS. I see the same thing.

Mr. DULLES. And it is too big in my opinion to be a fingerprint.

Mr. EISENBERG (addressing Mr. Latona). Did you prepare a photograph also of the fingerprint which appears on this box—

Mr. LATONA. Yes; I did.

Mr. EISENBERG. 641, Mr. Latona?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. And is this a true photograph of that fingerprint?

Mr. LATONA. It is.

Mr. EISENBERG. May I have this admitted, Mr. Chairman, as 644?

Mr. DULLES. This is a fingerprint now?

Mr. EISENBERG. Yes; which also appears on the box that Mr. Latona just testified as to, 641.

Mr. DULLES. Has he identified what fingerprint?

Mr. EISENBERG. Did you testify that this was the fingerprint—

Mr. LATONA. No.

Mr. EISENBERG. Did you identify this fingerprint as belonging to a given individual?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. And that individual was?

Mr. LATONA. Lee Harvey Oswald, and it is the right index fingerprint.

Mr. EISENBERG. Mr. Chairman—

Mr. DULLES. The right index finger.

Mr. EISENBERG. That will be 644.

Mr. DULLES. Admitted.

(The fingerprint referred to was marked Commission Exhibit No. 644, and received in evidence.)

Mr. EISENBERG. You also have a photograph of a 10-finger card showing that print encircled?

Mr. LATONA. I do.

Mr. EISENBERG. It is a red circle, and you are handing that to me now?

Mr. LATONA. Yes.

Mr. EISENBERG. May I have that admitted, Mr. Chairman, as 645?

Mr. DULLES. It may be admitted.

(The photograph referred to was marked Commission Exhibit No. 645, and received in evidence.)

Mr. EISENBERG. What portion of the finger of Lee Harvey Oswald does that print represent?

Mr. LATONA. It represents what is referred to as the distal phalanx of the right index finger.

Mr. EISENBERG. That is the phalanx or the tip furthest away from the wrist?

Mr. LATONA. The palm.

Mr. EISENBERG. Or from the palm?

Mr. LATONA. That is right.

Mr. EISENBERG. Is that a full or partial print of the distal phalanx?

Mr. LATONA. That is a partial print.

Mr. EISENBERG. And does it take on the center, or the ulnar or the radial portion of the phalanx?

Mr. LATONA. No, that takes actually the central portion of the print.

Mr. EISENBERG. The central portion?

Mr. LATONA. The so-called pattern area is disclosed by the latent print.

Mr. DULLES. Off the record.

(Discussion off the record.)

Mr. EISENBERG. Could you show us, Mr. Latona, on 641, where the fingerprint impression that you have just identified is?

Mr. LATONA. That appears on one of the ends of the box indicated by a red arrow.

Mr. EISENBERG. Could you mark that arrow, "B"?

Mr. LATONA. Marked "B."

Mr. EISENBERG. Mr. Dulles, would you care to take a look at that?

Mr. LATONA. Here you are going to see several clear prints but it is only one that we have identified, and that is the one directly under the arrow.

Mr. DULLES. I see four there, or five.

Mr. LATONA. It is the little one here in the middle, right here.

Mr. DULLES. Is it this one here, right there?

Mr. LATONA. No; the one next to it.

Mr. DULLES. That one there?

Mr. LATONA. That is right.

Mr. DULLES. What are all these other fingerprints?

Mr. LATONA. They are all other fingerprints.

Mr. EISENBERG. There were a total of 13 identifiable prints on the box, did you say?

Mr. LATONA. That is right. Those are not Oswald's prints.

Representative BOGGS. Those may have been other people opening the box?

Mr. DULLES. The box was carried around probably.

Mr. LATONA. Yes.

Mr. DULLES. When it was first put there and moved.

Mr. EISENBERG. Could you put your finger on that box, Mr. Latona, in the way that the finger was placed?

Mr. DULLES. How do you think he was carrying that box?

Mr. LATONA. I don't know.

Mr. EISENBERG. Is your finger now placed in the way the finger was placed to create the impression? It is pointing with the fingernail towards the arrow and in the same line as the arrow, with just the tip of the finger on the box.

Mr. DULLES. Everybody seems to have held that box.

Mr. LATONA. It is a little one right there.

Mr. EISENBERG. Mr. Murray, do you want to take a look?

Representative BOGGS. You have not identified any of these others?

Mr. LATONA. No.

Mr. EISENBERG. Let the record show that Commissioners Dulles and Boggs and Mr. Murray are looking at that fingerprint, and have apparently satisfied themselves——

Mr. MURRAY. The portion shown to me appears to be part of a fingerprint.

Mr. EISENBERG. They have satisfied themselves that the print is on the box.

Now, therefore, to recapitulate: You found on this carton 641 the left palmprint and the right index fingerprint of Lee Harvey Oswald?

Mr. LATONA. That is correct.

Mr. EISENBERG. One other thing. Getting back to the palmprint, marked "A," could you show us how a hand would lie to produce that print?

Mr. LATONA. In the position of the palm pointing towards the arrow.

Mr. EISENBERG. Pointing towards the arrow, that is, in the opposite direction that the arrow points?

Mr. LATONA. That is right.

Mr. EISENBERG. But in the same line as the arrow. Your hand is parallel with the line but covering that completely?

Mr. LATONA. Yes.

Mr. EISENBERG. And although it covers it, I would say that the arrow would fall in the midline of the palm, is that right?

Mr. LATONA. That is right.

Mr. EISENBERG. Now, Mr. Latona, did you prepare a chart showing some of the points which led you to the conclusion that the latent palmprint found on 641 was identical with the inked palmprint submitted to you by the Dallas police?

Mr. LATONA. I had charts prepared; yes.

Mr. EISENBERG. These were prepared under your supervision?

Mr. LATONA. They were.

Mr. EISENBERG. Mr. Chairman, may I have that chart admitted as 646?

Mr. DULLES. It will be admitted.

(The chart referred to was marked Commission Exhibit No. 646, and received in evidence.)

Mr. EISENBERG. What is the magnification?

Mr. LATONA. Approximately eight times.

Mr. EISENBERG. Is the magnification equal on both sides?

Mr. LATONA. Both sides; the inked palmprint and latent palmprint both the same.

Mr. EISENBERG. Is that true of all of the charts that you have submitted and will be submitting this morning?

Mr. LATONA. That is true.

Mr. EISENBERG. Mr. Latona, could you point out some of these points? I think in the interest of time it would be better if you took several of the points instead of all 13 points you have marked.

Mr. LATONA. I believe you will find this will be a little bit more difficult to see in view of the fact that the ridge formations are cut up a little bit more. However—

Mr. DULLES. Would you put that over there. You have identified 13 points of similarity?

Mr. LATONA. Yes; 13 have been drawn but there are quite a few others.

Mr. EISENBERG. You have marked 13 in other words, is that it, Mr. Latona?

Mr. LATONA. Sir?

Mr. EISENBERG. You have marked 13?

Mr. LATONA. Yes.

Mr. DULLES. On this exhibit?

Mr. LATONA. That is right. Here, for example, is an easy one to show up, this point No. 1 as compared to point No. 1 here, and its relationship to point No. 2, the relationship of point No. 2 to point No. 3.

Looking over here we find that there is a relationship between points Nos. 1 and 2, one, two, three, four, five, one, two, three, four, five.

Then there's a relationship of one ridge between point 1—or rather between point 2 and point 3, both points going in the same general direction.

Point No. 3 is below point No. 2. Also the point No. 2 is what is referred to as a short ending ridge. We look over here and we see that point No. 2 is a short ending ridge.

Point No. 3 is below that. Then we notice that there is another point which is one point removed—one ridge removed—from point No. 3 which we have not charted, which shows up very definitely in that position there. Then there is point No. 4, which is another piece of a ridge, point No. 4 here.

Mr. EISENBERG. Mr. Latona, when you testify in court do you generally discuss every marked point?

Mr. LATONA. No.

Mr. EISENBERG. Just the more salient points?

Mr. LATONA. Just to give a general idea as to how these comparisons are made, more or less for demonstration purposes, because the actual comparison is the same, the relationship is a determination of the relationship with the others, and just by an examination, that would be borne out if each and every point was gone into in detail.

Mr. EISENBERG. With you permission, Mr. Chairman, I would like to move on to the next chart since we do have witnesses waiting who have to return to New York.

Mr. DULLES. Right.

Mr. EISENBERG. Did you prepare a chart, Mr. Latona, of the fingerprint—

Mr. LATONA. Yes.

Mr. EISENBERG. Which was found on the carton 641?

Mr. LATONA. Here is the chart, which is of the right index fingerprint of Lee Harvey Oswald.

Mr. EISENBERG. Was this prepared by you or under your supervision?

Mr. LATONA. They were. The enlargement here is approximately 10 times both in the inked print and in the latent print.

Mr. EISENBERG. Mr. Chairman, may I have this admitted as 647?

Mr. DULLES. It shall be admitted.

(The chart referred to was marked Commission Exhibit No. 647, and received in evidence.)

Mr. EISENBERG. Would you discuss again just a few of the more salient points, Mr. Latona?

Mr. LATONA. Here, starting first of all with the apparent pattern type itself, it is readily discernable. You can see that these are what we term whorl-type prints. This point No. 1, for example, is a small ridge which terminates at this point which has been indicated by the figure No. 1.

It is related by being joined onto point No. 2, which is the end of the black line going upward. Then one ridge to the left, one ridge removed and to the left and a little bit above is point No. 3. Here the same thing occurs in the inked print.

Point No. 4 is related to point No. 3 by one ridge removed and is upward and one ridge to the left.

Mr. DULLES. And similarly you have identified up to 10 points of similarity?

Mr. LATONA. These you can see rather easily that they appear.

Mr. EISENBERG. If there are no further questions on the carton 641 I will move on to another exhibit.

I now hand you a carton, somewhat larger in area than the 641 which we were just discussing, with various markings on it which I won't discuss, but which is marked Box "D" in red pencil at the upper left-hand corner of the bottom of the box.

Are you familiar with this carton, Mr. Latona?

Mr. DULLES. Has that been admitted?

Mr. EISENBERG. It has not so far been admitted.

Mr. LATONA. This Box D, I received this along with Box A for purposes of examining for latent prints.

Mr. EISENBERG. Was that examined by you or under your supervision for that purpose?

Mr. LATONA. Yes, it was.

Mr. EISENBERG. When was that received?

Mr. LATONA. That was received on the 27th of November 1963.

Mr. EISENBERG. Mr. Chairman, may I have this admitted as 648?

Mr. DULLES. What date?

Mr. LATONA. 27th.

Mr. EISENBERG. That is 5 days after the assassination?

Mr. LATONA. Yes.

Mr. EISENBERG. May I have this admitted as 648?

Mr. DULLES. It shall be admitted.

(The box referred to was marked Commission Exhibit No. 648, and received in evidence.)

Mr. DULLES. Can you identify it in some further way? I think there are some markings on here.

Mr. EISENBERG. There is "Box D." It is a little hard to read. It says "1 40 N TH&DO"—

Mr. DULLES. "New People and Progress."

Mr. EISENBERG. Apparently referring to the name of the textbook. This is not a Rolling Reader carton.

Mr. DULLES. No.

Mr. EISENBERG. Mr. Latona, when you received this box, could you tell whether it had been previously examined for latent fingerprints?

Mr. LATONA. A portion of it had.

Mr. EISENBERG. And can you tell us what portion had been?

Mr. LATONA. The bottom evidently, because a piece had been cut out.

Mr. EISENBERG. You are pointing to a place on the bottom of the box which is to the left of the point at which I have affixed the sticker "Commission Exhibit No. 648," immediately to the left of that point?

Mr. LATONA. That is correct.

Mr. EISENBERG. Was that portion of the box given to you?

Mr. LATONA. Yes, it was.

Mr. EISENBERG. With the box?

Mr. LATONA. At the time we got the box.

Mr. EISENBERG. I think I have that.

I now hand you what appears to be a portion of a cardboard carton and a piece of tape with various writings, included among which is "From top of box Oswald apparently sat on to fire gun."

Do you recognize this piece of paper, Mr. Latona?

Mr. LATONA. Yes, I do. This is a piece of paper that evidently had been cut from the box.

Mr. EISENBERG. Does that fit into the box?

Mr. LATONA. It does.

Mr. EISENBERG. Mr. Chairman, may I have this admitted as 649?

Mr. DULLES. It shall be admitted as 649.

(The piece of carton referred to was marked Commission Exhibit No. 649, and received in evidence.)

Mr. EISENBERG. Mr. Latona, did you find any identifiable prints on the cardboard carton 648?

Mr. LATONA. Yes; in addition to this one which has been cut out and which had been covered by a piece of lifting tape, there were two fingerprints developed in addition to that one.

Mr. EISENBERG. Two identifiable fingerprints?

Mr. LATONA. That is right.

Mr. EISENBERG. Palmprints?

Mr. LATONA. No; they were fingerprints.

Mr. EISENBERG. I mean were there any palmprints?

Mr. LATONA. There were no palmprints.

Mr. EISENBERG. How did you process this box?

Mr. LATONA. By the use of iodine fumes and silver nitrate solution.

Mr. EISENBERG. Did you find evidence of processing prior to your receipt apart from the exhibit which is now 649?

Mr. LATONA. Yes; this particular area which has been cut out had been processed with powder.

Mr. EISENBERG. Was there powder on other areas of the box?

Mr. LATONA. I don't believe there was.

Mr. EISENBERG. Did you identify any of the prints on the carton 648 as belonging to a specific individual?

Mr. LATONA. The two fingerprints which were developed on Commission Exhibit 648 by silver nitrate are not identified as anyone's, but the print which appears on the piece which was cut out has been identified.

Mr. EISENBERG. That is 649?

Mr. LATONA. Of Exhibit 648—which is Exhibit 649—

Mr. EISENBERG. Yes?

Mr. LATONA. Which came from Exhibit 648 has been identified as a palmprint of Harvey Lee Oswald, the right palmprint.

Mr. EISENBERG. That is Lee Harvey Oswald, Mr. Latona?

Mr. LATONA. That is right, Lee Harvey Oswald.

Mr. EISENBERG. Now, Mr. Latona, can you tell how this was developed, this print on 649?

Mr. LATONA. The appearance is it was developed with black powder.

Mr. EISENBERG. You testified before concerning the aging of fingerprints. Considering the material on which this print was developed, 649, do you think you could form an opinion, any opinion at all, concerning the freshness or staleness of this print?

Mr. LATONA. Bearing in mind the fact that this is an absorbent material, and realizing, of course, that a print when it is left on a material of this type it starts to soak in. Now, the reason that we in the FBI do not use powder is because of the fact that in a short period of time the print will soak in so completely that there won't be any moisture left.

Accordingly when you brush powder across there won't be anything developed.

Under circumstances, bearing in mind that here the box was powdered, and a print was developed with powder, the conclusion is that this is comparatively a fresh print. Otherwise, it would not have developed.

We know, too, that we developed two other fingerprints on this by chemicals. How long a time had elapsed since the time this print was placed on there until the time that it would have soaked in so that the resulting examination would have been negative I don't know, but that could not have been too long.

Mr. EISENBERG. When you say "not too long," would you say not 3 weeks, or not 3 days, or not 3 hours?

Mr. LATONA. Very definitely I'd say not 3 days. I'd say not 3 weeks.

Mr. EISENBERG. And not 3 days, either?

Mr. LATONA. No; I don't believe so, because I don't think that the print on here that is touched on a piece of cardboard will stay on a piece of cardboard for 3 days.

Mr. EISENBERG. Would you bring that any closer?

Mr. LATONA. I am afraid I couldn't come any closer.

Mr. EISENBERG. 3 days?

Mr. LATONA. That is right.

Mr. EISENBERG. That would be the outermost limit that you can testify concerning?

Mr. LATONA. We have run some tests, and usually a minimum of 24 hours on a material of this kind, depending upon how heavy the sweat was, to try to say within a 24-hour period would be a guess on my part.

Mr. EISENBERG. I am not sure I understand your reference to a minimum of 24 hours.

Mr. LATONA. We have conducted tests with various types of materials as to how long it could be before we would not develop a latent print.

Mr. EISENBERG. Yes?

Mr. LATONA. Assuming that the same print was left on an object or a series of similar prints were left on an object, and powdering them, say, at intervals of every 4 hours or so, we would fail to develop a latent print of that particular type on that particular surface, say, within a 24-hour period.

Mr. EISENBERG. So that is a maximum of 24 hours?

Mr. LATONA. That is right.

Mr. EISENBERG. You would not care, you say, though—

Mr. LATONA. No.

Mr. EISENBERG. To employ that here, but your experiments produced a maximum time of 24 hours.

Mr. LATONA. Bear that out; yes. Like I say, undoubtedly this print was left on there—between the time that the print was left and the time that it was powdered could not have been too long a time. Otherwise, the print would not have developed with the clarity that it did.

Mr. EISENBERG. You identified that, I believe, as the right palmprint of Lee Harvey Oswald?

Mr. LATONA. That is right.

Mr. EISENBERG. What portion of the right palm was that, Mr. Latona?

Mr. LATONA. It happens to be the center part of the palm close to the wrist.

Mr. EISENBERG. Can you show how the palm must have lain on the 649, the part of the 648 carton, to produce that print?

Mr. LATONA. It would have been placed on there in this fashion.

Mr. EISENBERG. Now, you are pointing so that your hand is parallel with the long axis of the box, and at right angles to the short axis?

Mr. LATONA. Yes.

Mr. EISENBERG. And just the bottom of the palm rests on the box, isn't that correct?

Mr. LATONA. That is right.

Mr. EISENBERG. Now, before going to this fingerprint or this palmprint rather, Mr. Latona, we have palmprints, a palmprint here on this 649, and a finger and a palm on 641, and those are the only identified prints on these two objects.

Is it possible that Lee Harvey Oswald could have touched these two cartons at other places without leaving identifiable prints?

Mr. LATONA. He could have.

Mr. EISENBERG. And how would that come about?

Mr. LATONA. Simply by the fact that he did not have any material on his finger at the time he touched the box.

Mr. EISENBERG. So that you can touch a carton at one point and leave a print, and at another point not, is that right?

Mr. LATONA. Very definitely, that is true.

Mr. EISENBERG. And when you say he doesn't have any material, how would that come about? Will he have used his material up, or not produced material with the particular finger?

Mr. LATONA. He could have used it up and failed to produce it fast enough to have left anything at the time he touched that.

Mr. EISENBERG. Is it uncommon or common for you to find an object which a person has touched more than once but only left one identifiable print?

Mr. LATONA. It is very common.

Mr. EISENBERG. It is common?

Mr. LATONA. Especially in, for example, the reading of a letter, a long letter where the person would run his finger and index finger down the edges. You might find prints at the top and then you don't find any at the bottom.

Mr. EISENBERG. Of course, I am not asking you to draw an inference whether or not Oswald touched the box in more than one place, but I just want to explore whether he could have touched the box in more than one place—

Mr. LATONA. Yes; he could.

Mr. EISENBERG. And not left a second imprint?

Mr. LATONA. He very definitely could have and not left one.

Mr. DULLES. May I add for the record, Commission Exhibit 648 apparently contained books of Scott Foresman and Co., from Scott, Foresman & Co., "Building for Today, Pioneering for Tomorrow."

Mr. EISENBERG. Mr. Latona, did you take a photograph of the lift, or the print rather, which we see in 649?

Mr. LATONA. Yes.

Mr. EISENBERG. And this is an accurate photograph?

Mr. LATONA. It is, it is a true reproduction of the print which appears on Commission Exhibit 649 and it is enlarged about a time and a half.

Mr. EISENBERG. Mr. Chairman, may I have this admitted as 650?

Mr. DULLES. It will be admitted.

(The photograph referred to was marked Commission Exhibit No. 650, for identification and received in evidence.)

Mr. EISENBERG. Did you take a photograph of the known palmprint and make a red circle around it, as you had in previous cases?

Mr. LATONA. Yes.

Mr. EISENBERG. To show what portion of the palm of Oswald that was?

Mr. LATONA. Showing a portion of the right palm.

Mr. EISENBERG. Mr. Chairman, may I have that admitted?

Mr. DULLES. It will be admitted as 651.

(The photograph referred to was marked Commission Exhibit No. 651, and received in evidence.)

Mr. EISENBERG. By the way, Mr. Latona, on 649 there seems to be a scotch tape or cellophane tape over the fingerprint, is that right?

Mr. LATONA. That is right.

Mr. EISENBERG. Now, apparently there was no attempt at a lift being made here?

Mr. LATONA. No. This evidently was a print which was developed directly on the paper itself. The employing of that adhesive material like scotch tape was to protect the print itself.

Had they tried to lift that up I am afraid they would have spoiled that because they would have lifted the fibers of the cardboard along with it.

Mr. EISENBERG. Is that why, you think, they didn't lift it?

Mr. LATONA. Yes; very definitely.

Mr. EISENBERG. By the way, did the Dallas police take photographs of the lift which we had earlier, the lift which was apparently taken from Exhibit 139, or to put the question—actually I am not interested in whether they took photographs of the lift; do you know whether they took photographs of the print?

Mr. LATONA. I don't know.

Mr. EISENBERG. Is it normal to take a photograph of a print before it is lifted?

Mr. LATONA. If it is fairly visible, yes.

Mr. EISENBERG. What is the purpose of the lift, as opposed to a photograph reproducing the print?

Mr. LATONA. The purpose of the lift is simply to insure the probability of getting a good record of the print, because a lot of times when you photograph a print, you have to go through the process of having it developed and then printed and at the same time by lifting it you may, that would be an additional security that you are getting the best results.

Then you take your choice as to which result turns out the best.

Mr. EISENBERG. So these are alternative routes?

Mr. LATONA. That is right.

Mr. EISENBERG. Lifting and photographing?

Mr. LATONA. That is right. Well, primarily our recommendation in the FBI is simply every procedure to photograph and then lift. Then you choose the one which you feel gives you the best results in your final photograph.

Mr. EISENBERG. Returning to the palmprint on 649, taken from the carton 648, did you make up a chart showing some of the points—

Mr. LATONA. Yes.

Mr. EISENBERG. Which led you to your conclusion that that print was the print of Lee Harvey Oswald?

Mr. LATONA. Yes, I did.

Mr. EISENBERG. And was that prepared by you or under your supervision?

Mr. LATONA. Prepared by me—under my supervision.

Mr. EISENBERG. May I have this chart admitted as 652?

Mr. DULLES. It will be admitted as Exhibit 652.

(The chart referred to was marked Commission Exhibit No. 652, for identification and received in evidence.)

Mr. EISENBERG. Again, without going into detail, Mr. Latona, could you show us some of the more salient points which led you to your conclusion that the print on 649 was the palmprint of Lee Harvey Oswald?

Mr. LATONA. The easiest points visible here, right offhand, point No. 11 which is a black line that goes upward and its relationship to point No. 10. This is known as the short ending ridge as is seen here. Its relation to point No. 8. Point No. 11 is a black line going upward. Point No. 8 is a black line going downward and there are one, two, three, ridges which are between the two. Over here in the latent print you find No. 11 which is a black line going upward. It is a short line to the other end of the point No. 10, and three ridges intervene between that and point No. 8, which is going downward.

One ridge to the right and going in an upward direction is point No. 7—7, 8, 9, 10, 11.

Mr. DULLES. And you identified 11 points of similarity?

Mr. LATONA. That is right.

Mr. DULLES. Between the inked palmprint of Lee Harvey Oswald and this palmprint taken from this cardboard carton?

Mr. LATONA. That is right.

Mr. DULLES. What is this white line that goes up through each?

Mr. LATONA. This is a crease in the center of the palm, a flexure crease of that area.

Mr. DULLES. The palm did not touch the carton at that point?

Mr. LATONA. That is right.

Mr. DULLES. And those two creases are in approximately the same location in the photograph and in the latent palmprint?

Mr. LATONA. Very definitely.

Mr. EISENBERG. Mr. Latona, I now hand you two further cartons, which are labeled Box B and Box C, the B box being a 10 Rolling Reader, and the C box being also a Scott, Foresman box with printing on the back, "The Three Pre-primers," apparently the name of the book contained in this box.

Mr. DULLES. Primers.

(Discussion off the record.)

Mr. EISENBERG. Mr. Latona, did you examine Box B, which I have handed to you, to determine whether it had on it any identifiable latent fingerprints?

Mr. LATONA. Yes, sir; I did.

Mr. EISENBERG. Mr. Chairman, I would like that box admitted as 653.

Mr. DULLES. It shall be admitted.
(Commission Exhibit No. 653 was marked and received in evidence.)

Mr. EISENBERG. How many identifiable prints did you find on this carton?

Mr. LATONA. There were seven fingerprints and two palmprints developed on Commission Exhibit 653.

Mr. EISENBERG. That is, identifiable prints?

Mr. LATONA. Identifiable prints.

Mr. EISENBERG. Did you identify any of those prints as belonging to a specific person?

Mr. LATONA. I did not.

Mr. EISENBERG. May I have 654 marked, Box C, Mr. Chairman? Did you also examine Box C?

Mr. LATONA. Box C, yes, sir.

Mr. EISENBERG. May I have that admitted as 654?

Mr. DULLES. It shall be admitted as Commission Exhibit 654.
(Commission Exhibit No. 654 was marked and received in evidence.)

Mr. EISENBERG. Did you find any latent identifiable prints on 654?

Mr. LATONA. I found two fingerprints and one palmprint.

Mr. EISENBERG. Did you identify them as belonging to a specific individual?

Mr. LATONA. I did not identify them.

Mr. EISENBERG. Now, did you attempt to identify them with Lee Harvey Oswald's known prints?

Mr. LATONA. Yes; and they are not Lee Harvey Oswald's prints.

Mr. EISENBERG. When did you receive cartons 653 and 654?

Mr. LATONA. I received cartons 653 and 654 November 27.

Mr. EISENBERG. That is, with the earlier cartons, Boxes A and D, which have received Commission exhibit numbers?

Mr. LATONA. Yes.

Mr. EISENBERG. Had they been processed? Could you tell whether they had been processed for latent fingerprints?

Mr. LATONA. I couldn't tell whether they had been or not.

Mr. EISENBERG. You could not tell?

Mr. LATONA. Could not tell. They had the appearance of not having been processed.

Mr. EISENBERG. How did you process them in your laboratory, Mr. Latona?

Mr. LATONA. Iodine fumes and chemicals.

Mr. EISENBERG. Did the prints react to the iodine fumes at all?

Mr. LATONA. No.

Mr. EISENBERG. Just to the chemicals?

Mr. LATONA. The silver nitrate prints which were developed.

Mr. DULLES. Do you mean that the prints were of such a caliber and character that you couldn't make anything out of them, or that you couldn't identify them with any known—

Mr. LATONA. They are not identical with those that they have been compared with.

Mr. DULLES. But the prints themselves were perfectly good prints?

Mr. LATONA. Oh, yes; the prints are good but they are not Lee Harvey Oswald's.

Mr. EISENBERG. At any subsequent time have you attempted to identify any of these prints on the boxes as belonging to any person other than Lee Harvey Oswald?

Mr. LATONA. Yes.

Mr. EISENBERG. And how did you proceed with this attempt?

Mr. LATONA. An effort was made to locate the fingerprints of all people employed in that building in which these cartons were found, on the basis of the names and birth dates which were furnished, and we located the fingerprints of 16 of those people who work in that building.

Mr. EISENBERG. Yes?

Mr. LATONA. And the fingerprints of those 16 employees were compared with all of the latent prints which were developed on these boxes. They do not belong to any of those 16 people.

Mr. DULLES. May I ask for my information here, Mr. Eisenberg, were all of these cartons, including the last two admitted in evidence, were they found in the general area of the sixth floor of the building from which it is believed the shot was fired?

Mr. EISENBERG. Yes; Mr. Chairman. I believe that the two boxes which were just admitted into evidence as 653 and 654 were two of the three boxes which were apparently used as a rest by the assassin. They were apparently either the two bottom boxes, or there might have been an arrangement such as that one was stacked on top of the other, and the box earlier admitted into evidence was some evidence of that.

Mr. DULLES. And in any event, does our evidence indicate that these boxes were moved from their normal position on the sixth floor to a new position near the window?

Mr. EISENBERG. Again I believe it does indicate that at least the 10 Rolling Reader carton was moved. There was some other movement of boxes that morning, and I think they are still in the process of tracing down all of the movements.

Mr. DULLES. Thank you.

Mr. EISENBERG. I have a letter, Mr. Latona, from Mr. Hoover to Mr. Rankin, the general counsel of our Commission, setting forth the names of the employees of the TSBD whose prints were compared in this recent attempt you mentioned. Would you recognize the names?

Mr. LATONA. Yes; I would because I believe that report is based on my report.

Mr. EISENBERG. If I read the name could you verify whether these individuals were the ones whose prints you checked out against the latents?

Mr. LATONA. Yes.

Mr. EISENBERG. Haddon Spurgeon Aiken?

Mr. LATONA. Yes.

Mr. EISENBERG. Jack Charles Cason?

Mr. LATONA. Yes.

Mr. EISENBERG. Warren Cason?

Mr. LATONA. Yes.

Mr. EISENBERG. Jack Edwin Dougherty?

Mr. LATONA. Yes.

Mr. EISENBERG. Charles Douglas Givens?

Mr. LATONA. Yes.

Mr. EISENBERG. Mary Madeline Hollis?

Mr. LATONA. Yes.

Mr. EISENBERG. James Earl Jarman?

Mr. LATONA. Yes.

Mr. EISENBERG. Spaulden Earnest Jones?

Mr. LATONA. Yes.

Mr. EISENBERG. Herbert L. Junker?

Mr. LATONA. Yes.

Mr. EISENBERG. Billy Nolan Lovelady?

Mr. LATONA. Yes.

Mr. EISENBERG. Joe R. Molina?

Mr. LATONA. Yes.

Mr. EISENBERG. Edward Shields?

Mr. LATONA. Yes.

Mr. EISENBERG. Joyce Maurine Stansberg?

Mr. LATONA. Yes.

Mr. EISENBERG. Roy Sansom Truly?

Mr. LATONA. Yes.

Mr. EISENBERG. Lloyd R. Viles?

Mr. LATONA. Yes.

Mr. EISENBERG. Troy Eugene West?

Mr. LATONA. Correct.

Mr. EISENBERG. Now as I understand it, these employees were not selected because any particular suspicion fell on them, but merely because of all the employees, those were the ones whose cards you knew you had in your files?

Mr. LATONA. That is right.

Mr. EISENBERG. And it was just accidental——

Mr. LATONA. That is right.

Mr. EISENBERG. That those employees were picked?

Mr. LATONA. That is right.

Mr. EISENBERG. There is no inference that there was any suspicion whatsoever attaching to any of these employees?

Mr. LATONA. That is right.

Mr. DULLES. We believe all these employees had access to the sixth floor of the building?

Mr. EISENBERG. We are still looking into that question. This is a recent effort on your part?

Mr. LATONA. Yes.

Mr. DULLES. Is that letter to be admitted as evidence or not?

Mr. EISENBERG. I think not——

Mr. DULLES. Right.

Mr. EISENBERG. Since I don't think the witness could identify the actual letter.

Mr. DULLES. It will be in the files, though?

Mr. EISENBERG. Yes; it is a Commission document in the files.

Mr. LATONA. I believe that out of the total number of six prints you have identified today as being Lee Harvey Oswald's, four were palmprints, is that correct?

Mr. LATONA. Three.

Mr. EISENBERG. Three?

Mr. LATONA. Three, two rights and one left, three palms and three fingers.

Mr. EISENBERG. There was a palm on——

Mr. LATONA. The bag.

Mr. EISENBERG. A palm on the weapon?

Mr. LATONA. One on the gun and on this box.

Mr. EISENBERG. Four and two then?

Mr. LATONA. Three.

Mr. EISENBERG. There was a palm on each box?

Mr. LATONA. That is right.

Mr. EISENBERG. That is two palms?

Mr. LATONA. One off the gun.

Mr. EISENBERG. That is three palms, and the palm on the wrapping paper bag. Here is the wrapping paper bag.

Mr. LATONA. One palm and one finger.

Mr. EISENBERG. That is four palms all together?

Mr. LATONA. Four palms, okay.

Mr. EISENBERG. Is that correct?

Mr. LATONA. Yes.

Mr. EISENBERG. Now, is the proportion of recovered fingerprints here an unusual one in your estimation? That is, we usually hear about fingerprints rather than palmprints, whereas here we have four palm and two finger prints. Is there anything unusual in this?

Mr. LATONA. Well, in that manner there is because—well no, I guess not. It is just as logical to assume that a person will leave a palmprint as a fingerprint. It depends upon primarily the way he handles it. Objects of this type being so large you can probably expect to get a palmprint.

Mr. DULLES. And what he is handling?

Mr. LATONA. That is right. On the other hand, if the object is small there is probably no reason for the palm to touch it. For example, in a rearview mirror; ordinarily on a rearview mirror of these stolen cars we process you get mostly fingerprints.

On the other hand if you get back into the trunk, the chances of something of a large nature, a stolen wheel, or something of that type, you will get finger and palm prints. Cartons like this, where you have to use both hands to pick it up because of its weight, the probability is that you will get a palmprint as well as a fingerprint.

Mr. EISENBERG. Would the same thing be true of a heavy rifle?

Mr. LATONA. Sure, very definitely.

Mr. EISENBERG. And if the bag contained a heavy object inside?

Mr. LATONA. That is right, it would take more than just the finger area of the hand to hold on to it.

Mr. EISENBERG. Mr. Latona, did you prepare at my request a series of photographs for transmission by me to the New York City Police Department—photographs of finger and palm prints found on some of the evidence we have been looking at?

Mr. LATONA. I furnished you photographs of all of the remaining unidentified latent prints from these cartons.

Mr. EISENBERG. And also did you furnish me a photograph—just of the remaining unidentified prints?

Mr. LATONA. No; including the ones which I identified.

Mr. EISENBERG. Did you also furnish me with a photograph of the two prints you identified—which parenthetically were the only two identifiable prints—on the brown wrapping paper bag?

Mr. LATONA. Yes.

Mr. EISENBERG. Which is Exhibit 142. And of the lift from the weapon 139?

Mr. LATONA. Yes; I did.

Mr. EISENBERG. And you also furnished me with photographs of the finger and palmprints of Lee Harvey Oswald—

Mr. LATONA. Yes.

Mr. EISENBERG. As transmitted to you by the Dallas office of the FBI?

Mr. LATONA. Yes.

Mr. EISENBERG. Can you identify these as the photographs you furnished to me? (Discussion off the record.)

Mr. EISENBERG. Have you identified the envelope marked "two photos Box D"?

Mr. LATONA. Yes; I have.

Mr. EISENBERG. Mr. Chairman, may I have that admitted as 655?

Mr. DULLES. Yes.

(Commission Exhibit No. 655 was marked and received in evidence.)

Mr. DULLES. I think there ought to be some cross-identification inside the envelope. Because obviously if you take that envelope and put anything in it, we ought to have the others identified properly.

Mr. EISENBERG. There are two photographs within this. Let the record show there are two photographs within this envelope, marked "7" and "13," and I believe these are the only photographs so marked. Each photograph is marked with an individual number, so these are the only two photographs in the entire set marked "7" and "13."

Mr. DULLES. Excellent.

Mr. EISENBERG. Now I have an envelope marked "10 photos Box A." Have you identified these photographs Mr. Latona?

Mr. LATONA. Yes; I have.

Mr. EISENBERG. May I have these photographs admitted as group 656?

Mr. DULLES. It shall be.

(Commission Exhibit No. 656 was marked and received in evidence.)

Mr. DULLES. How many enclosures in that?

Mr. EISENBERG. There are 10 enclosures and numbered as follows: 25, 26, 27, 28, 29, 30, 31, 32, 34, 35.

Mr. DULLES. There is no 33?

Mr. EISENBERG. No, sir.

Mr. DULLES. It shall be admitted as Commission Exhibit—

Mr. EISENBERG. 656.

Mr. DULLES. That is 656 with the enclosures as noted and identified.

Mr. EISENBERG. I have here photographs—an envelope—labeled "Photographs, Fingerprints, and Palmprints, Lee Harvey Oswald." These are accurate reproductions?

Mr. LATONA. They are.

Mr. EISENBERG. Mr. Chairman, with your permission I will later put sub-numbers on these.

Mr. DULLES. Seven numbers with seven enclosures?

Mr. EISENBERG. No, sir; three enclosures.

Mr. DULLES. With three enclosures?

Mr. EISENBERG. And I will number the 10-print card—first may I have the envelope with the photographs admitted as 657?

Mr. DULLES. The envelope shall be admitted with——

Mr. EISENBERG. I will subnumber the cards with your permission at a later time.

Mr. DULLES. How many enclosures in it, three?

Mr. EISENBERG. Three. I will subnumber the 10-print card 657-A, the right palm 657-B, and left palm 657-C.

Mr. DULLES. It shall be admitted.

(Commission Exhibits Nos. 657-A, 657-B, and 657-C were marked, and received in evidence.)

Mr. EISENBERG. I have an envelope with photos marked "one photo of lift 'underside of gun barrel.'" Is this a photograph which you provided me?

Mr. LATONA. It is.

Mr. EISENBERG. May I have this admitted as 658, Mr. Chairman?

Mr. DULLES. 658 with how many enclosures?

Mr. EISENBERG. Just one.

Mr. DULLES. Just one enclosure.

(Commission Exhibit No. 658 was marked, and received in evidence.)

Mr. EISENBERG. Now, an envelope marked "two photos brown bag (wrapping paper)."

This is the two photos, Mr. Latona, which you gave to me?

Mr. LATONA. It is.

Mr. EISENBERG. May I have that admitted as 659, Mr. Chairman?

Mr. DULLES. It shall be admitted as 659 with one enclosure in the envelope. Is it one or two?

Mr. EISENBERG. There are two enclosures.

Mr. DULLES. With two in the envelope.

Mr. EISENBERG. One has printing on it and with your permission I will mark that "659-A," and the other has no printing and I will mark it "659-B."

Mr. DULLES. It will be so admitted.

(Commission Exhibits Nos. 659-A and 659-B were marked, and received in evidence.)

Mr. EISENBERG. Now an envelope marked "eight photos Box B." This is, Mr. Latona, the photographs you provided me?

Mr. LATONA. It is.

Mr. EISENBERG. May I have this admitted as Exhibit 660, Mr. Chairman, collectively?

Mr. DULLES. It shall be admitted as Commission Exhibit No. 660 with——

Mr. EISENBERG. With eight enclosures——

Mr. DULLES. Eight enclosures.

Mr. EISENBERG. Marked "15"—the next one has 17 scratched out and also 18 appearing on it—19 for the third enclosure. 20, 21, 22, 23, and 24.

Mr. DULLES. With the numbers as indicated in the record.

(Commission Exhibit No. 660 was marked, and received in evidence.)

Mr. EISENBERG. And finally an envelope of the same size, marked "three photos, Box C." Mr. Latona, these are the photos you gave me?

Mr. LATONA. Yes; they are.

Mr. EISENBERG. May I have these admitted as 661, Mr. Chairman?

Mr. DULLES. It will be admitted as Exhibit 661, with how many enclosures?

Mr. EISENBERG. There are three enclosures.

Mr. DULLES. And the three enclosures; are they identified in any way?

Mr. EISENBERG. Yes, sir; they are subnumbered 10, 11 and 12.

Mr. DULLES. With the subnumbers 10, 11 and 12.

(Commission Exhibit No. 661 was marked, and received in evidence.)

Mr. EISENBERG. Are all these photographs accurate reproductions of the prints appearing on the objects whose name is on the front of the envelope in which the photographs are stored?

Mr. LATONA. They are.

Mr. EISENBERG. They were taken by you or under your supervision?

Mr. LATONA. They were.

Mr. EISENBERG. Can you identify by number, Mr. Latona, the photographs of box A which contain prints of Lee Harvey Oswald?

Mr. LATONA. I will have to do it in a negative fashion and tell you that it is not 26, 27, 28, 29, 30, 31, 32, or 35.

Mr. EISENBERG. Then it would be No. 25 which is in that sequence?

Mr. LATONA. Yes.

Mr. EISENBERG. And did you mention 34?

Mr. LATONA. I did not.

Mr. EISENBERG. So 34 would also be an identified print in that sequence?

Mr. LATONA. That is right.

Mr. EISENBERG. Did you print anything on the back of these photographs, Mr. Latona?

Mr. LATONA. At the time I gave you the photographs I marked nothing on them.

Mr. EISENBERG. So that any printing here would have been put on subsequent to the time you prepared them?

Mr. LATONA. That is correct.

Mr. EISENBERG. Referring specifically to a photograph I take at random, which is No. 35, is this your handwriting?

Mr. LATONA. It is not.

Mr. EISENBERG. None of the printing appearing on the back of that photograph?

Mr. LATONA. It is not.

Mr. EISENBERG. Let the record state that, as will be dealt with later, this printing was put on by Mr. Mandella of the New York Police Department. Now in the case of box D, of which there are two photographs, 7 and 13, could you state which was the photograph of Oswald's print?

Mr. LATONA. Thirteen.

Mr. EISENBERG. Just to reiterate, in no case did you put writing on the back of these photographs?

Mr. LATONA. I did not.

Mr. EISENBERG. Mr. Latona, did anyone else in the FBI examine the objects which you have been discussing today—

Mr. LATONA. Yes.

Mr. EISENBERG. To determine whether the fingerprints of Lee Harvey Oswald appeared on them?

Mr. LATONA. Yes.

Mr. EISENBERG. What was that person's name?

Mr. LATONA. His name is Ronald G. Wittmus.

Mr. EISENBERG. Was his examination conducted independently of yours?

Mr. LATONA. It was.

Mr. EISENBERG. Who conducted the examination first?

Mr. LATONA. In the case of the wrapping paper, I did. In the case of the boxes I believe he did.

Mr. EISENBERG. And the rifle?

Mr. LATONA. I conducted the examination of the rifle.

Mr. EISENBERG. The lift from the rifle?

Mr. LATONA. Yes; directly.

Mr. EISENBERG. And the—

Mr. LATONA. Brown wrapping paper.

Mr. EISENBERG. In any case when you conducted your examination first did you tell Wittmus of your conclusions?

Mr. LATONA. I did not.

Mr. EISENBERG. When Mr. Wittmus conducted his examination first did he tell you of his conclusions?

Mr. LATONA. No.

Mr. EISENBERG. Were his conclusions the same as yours?

Mr. LATONA. Ultimately, yes.

Mr. EISENBERG. When you say, "ultimately"?

Mr. LATONA. When the whole thing was completed.

Mr. DULLES. There was no difference of views between you at any stage?

Mr. LATONA. No, sir.

Mr. EISENBERG. Did anyone who examined these various objects—as to which

you have testified—in the FBI laboratory come to a conclusion different from the one you did?

Mr. LATONA. They did not.

Mr. EISENBERG. Were there any identifications of fingerprints as being Lee Harvey Oswald's in addition to the ones which you have given us?

Mr. LATONA. There were a number of identifications effected with latent prints developed on personal effects.

Mr. EISENBERG. No, sir; on the material you have testified as to today.

Mr. LATONA. No; there were no others.

Mr. EISENBERG. Were any prints found—were the three fragmentary prints found on the rifle, which were not sufficient for purposes of identification, in any way inconsistent with the prints of Oswald which you found?

Mr. LATONA. Very definitely, no. I might point out that actually what was visible was consistent, in the sense that even though there were no ridge formations available for purposes of making a positive conclusion, the indications were that the pattern types were there, were consistent with the pattern types which were on the hands of Lee Harvey Oswald.

Mr. DULLES. As far as you know the conclusions of the Texas police authorities who examined these objects, were your conclusions the same as theirs, or was there any differences between you on this subject?

Mr. LATONA. Frankly, I don't know what there conclusion was.

Mr. EISENBERG. Mr. Chairman, I have no further questions.

Mr. DULLES. Have you any questions, Mr. Murray?

Mr. MURRAY. I have not.

Mr. DULLES. I have no further questions. Thank you very much indeed, Mr. Latona. You have been very helpful. I have learned a great deal myself.

Mr. LATONA. Thank you very much.

TESTIMONY OF ARTHUR MANDELLA, ACCOMPANIED BY LT. JOSEPH A. MOONEY, NEW YORK POLICE DEPARTMENT, BUREAU OF CRIMINAL IDENTIFICATION

Mr. DULLES. Mr. Mandella, will you raise your right hand.

Do you swear that the testimony you give before this Commission will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANDELLA. I do.

Mr. DULLES. Thank you.

Mr. EISENBERG. Mr. Mandella, could you give us your full name and position?

Mr. MANDELLA. Arthur Mandella. I am a detective on the New York Police Department and I work at the bureau of criminal identification in that department.

Mr. EISENBERG. Could you briefly outline your qualifications as a fingerprint identification expert, Mr. Mandella?

Mr. MANDELLA. In 1945 to 1948 I was a fingerprint technician in the U.S. Navy. My principal duties were the classification and filing of fingerprints, the developing and photographing of latent fingerprints found at crime scenes, the comparison of latent fingerprints with suspects, and the searching of fingerprint files in general.

From 1948 to 1953 I was employed by the U.S. Government as a criminal investigator. However, my principal duties were the lifting and developing and identification of latent fingerprints, also the preparation of fingerprint exhibits for court presentation. From 1953 to the present I have been employed by the New York Police Department and assigned to the bureau of criminal identification as a fingerprint technician and performing the same duties that I just outlined. During these past 17 years I have been examining not only fingerprints but palmprints and infant footprints as well.

I graduated from the following fingerprint schools: in 1945, the U.S. Naval Air Station; in 1948 I graduated from the Institute of Applied Sciences, which is a fingerprint school, fingerprint and identification school; in 1953 I graduated from the New York Police Fingerprint School at the police academy; and in