

II. THE ODIO INCIDENT

(62) In connection with the question of anti-Castro Cuban involvement in the Kennedy assassination, the committee examined one incident which, over the years, particularly intrigued critics of the Warren Commission's investigation. It became known as the "Odio incident" and involved a young Cuban exile, Silvia Odio. Here, in part, is how the Warren Commission detailed the incident and its conclusions in its final report:

(63) The Commission investigated [Mrs. Odio's] statements in connection with its consideration of the testimony of several witnesses suggesting that Oswald may have been seen in the company of unidentified persons of Cuban or Mexican background. Mrs. Odio was born in Havana in 1937 and remained in Cuba until 1960; it appears that both of her parents are political prisoners of the Castro regime. Mrs. Odio is a member of the Cuban Revolutionary Junta (JURE) an anti-Castro organization. She testified that late in September 1963, three men came to her apartment in Dallas and asked her to help them prepare a letter soliciting funds for JURE activities. She claimed that the men, who exhibited personal familiarity with her imprisoned father, asked her if she were "working in the underground," and she replied that she was not. She testified that two of the men appeared to be Cubans, although they also had some characteristics that she associated with Mexicans. Those two men did not state their full names, but identified themselves only by their fictitious underground "war names." Mrs. Odio remembered the name of one of the Cubans as "Leopoldo." The third man, an American, allegedly was introduced to Mrs. Odio as "Leon Oswald," and she was told that he was very much interested in the Cuban cause. Mrs. Odio said that the men told her that they had just come from New Orleans and that they were then about to leave on a trip. Mrs. Odio testified that next day Leopoldo called her on the telephone and told her that it was his idea to introduce the American into the underground "because he is great, he is kind of nuts." Leopoldo also said that the American had been in the Marine Corps and was an excellent shot, and that the American said the Cubans "don't have any guts * * * because President Kennedy should have been assassinated after the Bay of Pigs, and some Cubans should have done that, because he was the one that was holding the freedom of Cuba actually."

(64) Although Mrs. Odio suggested doubts that the men were in fact members of JURE, she was certain that the American who was introduced to her as Leon Oswald was

Lee Harvey Oswald. Her sister, who was in the apartment at the time of the visit by the three men, and who stated that that she saw them briefly in the hallway when answering the door, also believed that the American was Lee Harvey Oswald. By referring to the date on which she moved from her former apartment, October 1, 1963, Mrs. Odio fixed the date of the alleged visit on the Thursday or Friday immediately preceding that date, i.e., September 26 or 27. She was positive that the visit occurred prior to October 1.

(65) During the course of its investigation, however, the Commission concluded that Oswald could not have been in Dallas on the evening of either September 26 or 27, 1963. It also developed considerable evidence that he was not in Dallas at any time between the beginning of September and October 3, 1963. * * *

(66) In spite of the fact that it appeared almost certain that Oswald could not have been in Dallas at the time Mrs. Odio thought he was, the Commission requested the FBI to conduct further investigation to determine the validity of Mrs. Odio's testimony. The Commission considered the problems raised by that testimony as important in view of the possibility it raised that Oswald may have had companions on his trip to Mexico. The Commission specifically requested the FBI to attempt to locate and identify the two men who Mrs. Odio stated were with the man she thought was Oswald. * * *

(67) On September 16, 1964, the FBI located Loran Eugene Hall in Johnsandale, Calif. Hall has been identified as a participant in numerous anti-Castro activities. He told the FBI that in September of 1963 he was in Dallas, soliciting aid in connection with anti-Castro activities. He said he had visited Mrs. Odio. He was accompanied by Lawrence Howard, a Mexican-American from East Los Angeles and one William Seymour from Arizona. He stated that Seymour is similar in appearance to Lee Harvey Oswald; he speaks only a few words of Spanish, as Mrs. Odio had testified one of the men who visited her did. While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September of 1963. (1)

(68) The evidence did not support the definitive character of the Warren Commission's conclusions. The Commission had based its conclusion on two points: the "considerable" evidence that Oswald could not have been in Dallas on the evening Mrs. Odio alleged she saw him; (2) the FBI's report of Loran Eugene Hall's speculation that Odio misidentified his companion, William Seymour, as Lee Harvey Oswald. (3) Although the Warren Commission Report stated that Odio "fixed" the date of the alleged Oswald visit on September 26 or September 27, she actually told the FBI that she was not at all positive about the exact date, (4) and that it might have been as early as September 25. (5)

(69) The Warren Commission asserted that Oswald left New Orleans by bus for Houston, on his way to Mexico, on September 25.(6) Yet there was no documentary evidence as substantiation, and neither the bus driver nor any passenger could recall seeing Oswald on that bus.(7) In fact, Warren Commission General Counsel J. Lee Rankin asked the FBI to investigate the possibility that Oswald left New Orleans on September 24,(8) when a neighbor saw him leaving his apartment carrying two suitcases.(9) Rankin pointed out in his letter to J. Edgar Hoover that:

Marina Oswald told the Commission that her husband told her he intended to leave New Orleans the very next day following her departure on September 23, 1963. She has also indicated that he told her an unemployment check would be forwarded to Mrs. Ruth Paine's address in Irving from his post office box in New Orleans. * * * It also seems impossible to us that Oswald would have gone all the way back to the Winn-Dixie store at 4303 Magazine Street to cash the unemployment check which he supposedly picked up at the Lafayette Branch of the Post Office when he could have cashed it at Martin's Restaurant, where he had previously cashed many of his Reily checks and one unemployment check. That is particularly true if he received the check on September 25, 1963, as previously thought, and had left his apartment with his suitcases the evening before.(10)

(70) The FBI never came up with any evidence which resolved the questions raised in Rankin's request. In sum, the Warren Commission developed no hard evidence that could substantiate the fact that Oswald was or was not in Dallas during the time period Odio said she saw him.

(71) Although the Warren Commission stated that the FBI had not yet completed its investigation at the time its report went to press,(11) it was only 2 days after its September 16, 1964, interview of Loran Eugene Hall that the FBI interviewed William Seymour, who denied he ever had any contact with Silvia Odio and that he had been in Dallas with Hall in September 1963.(12) The FBI subsequently confirmed the fact that Seymour was working in Florida during September 1963.(13) On September 23, 1964, the FBI interviewed Loran Hall's other associate, Lawrence Howard.(14) Howard also denied he had ever contacted Silvia Odio.(15) The FBI then went back and re-interviewed Hall who then said that he had been accompanied on his trip to Dallas not by Seymour but by a Cuban friend he knew as "Wahito" and that he no longer recalled any contact with Odio.(16) The FBI determined that "Wahito" was Celio Sergio Castro(17) who, when interviewed, said he had never heard of or met Silvia Odio.(18) On October 1, 1964, the FBI showed Silvia Odio photographs of Loran Hall, William Seymour, Lawrence Howard and Celio Sergio Castro.(19) She examined the photographs and said that none of the individuals were identical to any of the three men who had come to her apartment door in Dallas.(20)

(72) In view of the premature character of the Warren Commission's conclusion based on the impeached Loran Hall allegation and

the unresolved question of Oswald's whereabouts at the time, the Odio incident remains one of the lingering enigmas in the original assassination investigation. Unfortunately, the nature of the incident makes it, from an investigative standpoint, particularly susceptible to the erosive effects of time. The canvassing, for instance, of both pro-Castro and anti-Castro groups in Dallas, New Orleans, and Miami in search of descriptive similarities to the men who visited Odio might have been fruitful at the time; today it is impractical. The construction of a composite sketch of the individuals when their features were still fresh in Odio's memory might have provided productive evidence 15 years ago; today it is of questionable value considering the natural adulteration of recall over that period of time. A search for the car that the men were driving might have been very productive at the time; today it is useless. The committee was, therefore handicapped by the limitations of the initial investigation and the paucity of evidence developed. The valid investigative approaches remaining were distressingly limited. Nevertheless, because of the potential significance of the Odio incident to a possible conspiracy in the Kennedy assassination, the committee decided that, in addition to pursuing any substantive leads it possibly could, it would also attempt to verify the record regarding Silvia Odio's credibility and the details of her allegations.

(73) Also of interest to the committee, of course, were the initial assertions of Loran Hall that he and two associates, William Seymour and Lawrence Howard, were the ones who had visited Odio in September.(21) All three had been actively involved in anti-Castro activity and were members of a group of soldiers of fortune called Interpen.(22) The group was arrested at No Name Key, Fla., in December 1962 as part of the Kennedy administration's crackdown on anti-Castro operations.(23) That policy, which highly incensed the anti-Castro and rightwing factions, was the result of an agreement Kennedy had made with Khrushchev and Castro.(24) Those factions considered the agreement a "betrayal." (25)

(74) Loran Hall provided sworn testimony to the committee at an executive session on October 5, 1977. The following passage is an excerpt from that testimony :

Q. Did there come a time when the FBI spoke to you about whether or not you visited Silvia Odio in September 1963?

HALL. Yes; there was.

Q. Who spoke to you?

HALL. An FBI agent.

Q. At that time were you advised why you were being questioned about Silvia Odio?

HALL. I really don't recall. He stated as I recall, he stated something to the effect that were you ever in Dallas, Tex., and I said yes. He said do you know a Mrs. Odio, and I said I don't recall knowing a Mrs. Odio. I think I knew a Professor Odio, who was a professor at Texas, some university in Texas, just outside of Dallas, as I recall. He asked me anyway about the apartment building on Magellan, and I said it is possible, I don't know. I said do you have a picture of her

and he said no; I do not have. And I said, it is possible I met her but I don't recall. He then asked me who was with me and I told him I was with Alba and Howard, and then it was like maybe a month or two.

Q. And you told him you were there with Howard and Alba?

HALL. Yes.

Q. On the first trip?

HALL. Yes. We both read the same FBI report. You know it is directly contradictory to what I am saying.

Q. So it is your testimony that at no time did you ever tell an FBI agent that you were in Dallas accompanied by Lawrence Howard and William Seymour, is that your testimony?

HALL. That is true.

Q. Were you ever directly or indirectly involved with Silvia Odio in acquiring military equipment for anti-Castro raids?

HALL. No; I was not. (26)

(75) The committee interviewed Lawrence Howard on May 23, 1978. Howard stated he has never met Silvia Odio. (27) The committee also interviewed William Seymour, who acknowledged his relationship with Hall and Howard but did not recall any details of a trip to Dallas, including meeting any Cubans there. (28)

(76) The committee believed it important in its investigation to examine in detail the substance of Silvia Odio's allegations as well as their credibility. One of the problems faced by the committee was Odio's negative attitude toward a governmental investigation of the Kennedy assassination. Her attitude, she said, was the result of her relationship with the Warren Commission. (29) She expressed sharp disillusionment with the Warren Commission and said that it was obvious to her that the Commission did not want to believe her story. (30) A committee investigator noted that her whole demeanor was "one of sharp distrust of the Government's motives. She claims she feels she was just used by the Warren Commission for their own ends and she does not want to be put in the same position." (31) Nevertheless, after contact was established by the committee, Odio's cooperation with the committee was excellent, and she voluntarily submitted to interviews and, subsequently, sworn testimony.

(77) Evidence indicated that Odio's story remained basically consistent with her Warren Commission testimony. There are, however, details concerning Odio, her background, and certain points of her story developed by the committee, which should be noted.

(78) Silvia Odio was one of 10 children of Amador and Sarah Odio who were sent out of Cuba when their parents began taking an active part in a counterrevolutionary movement shortly after Castro took power. (32) Amador Odio was among's Cuba's wealthy aristocracy, the personal friend of diplomats and Ambassadors, including, during the last days of the U.S. presence there, American Ambassador Phillip Bonsal. (33) Odio was owner of the country's largest trucking business and was once described in Time magazine as the "transport tycoon" of Latin America. (34) Yet, from their youth, both he and his wife were active, frontline fighters against the succession of tyrants who ruled

Cuba. During the reign of Gen. Gerardo Machado in the 1930's, Sarah Odio was captured and beaten with a machete until her ribs were broken.(35) Twice during the dictatorship of Fulgencio Batista, the Odios were forced into exile for their revolutionary activity.(36) Amador Odio's trucks were the main supply line for the weapons and ammunition which kept Castro's hopes alive in the mountains. Yet when the Odios decided that Castro had "betrayed the revolution,"(37) they were among the founding members, with Manolo Ray, of one of the early, most aggressive anti-Castro groups, the Movimiento Revolucionario del Pueblo (MRP).(38)

(79) Amador and Sarah Odio were arrested by Castro on October 26, 1961.(39) Their arrest was the result of the capture of MRP national coordinator Reynald Gonzales in hiding on their country estate.(40) Ironically, the Odios had once hosted the wedding of one of Fidel Castro's sisters on the very estate, a large, resortlike retreat in El Caño, outside of Havana.(41) Later, Castro would turn it into a national women's prison and Sarah Odio would spend 8 years incarcerated there, while her husband was placed in a cell on Isla de Pinos.(42) Reynald Gonzales had been wanted in connection with his involvement in the assassination attempt on Castro that had been organized by Antonio Veciana.(43)

(80) Silvia was the oldest of the Odio's 10 children.(44) She had been sent for her early education to a private girls' school near Philadelphia and later returned to Cuba and attended law school there.(45)

(81) When her parents were arrested, Silvia Odio was 24 years old, living in Puerto Rico with her husband and four young children.(46) The next year her husband, sent to Germany by the chemical firm for which he was working, deserted her and her children.(47) Destitute and alone, she began having emotional problems.(48) By that time, Silva's younger sisters, Annie and Sarita, were settled in Dallas.(49) Sarita, a student at the University of Dallas, had become friendly with Mrs. Lucille Connell, the leader of a women's club at a local Episcopal church who had organized a club program to provide financial and social support to the Dallas Cuban Refugee Center.(50) Connell also happened to be very active in the Mental Health Association of Dallas and, since her son was a psychiatrist, had personally acquired an interest in mental health problems.(51) When Sarita told Connell of her sister Silva's plight, Connell made arrangements to have Silvia move to Dallas and to receive psychiatric treatment for her emotional problems at the Southwestern Medical School.(52)

(82) According to Connell, who for a period was Silvia's closest confidante, Silvia's emotional problems, brought on by her suddenly being left alone with four young children, her parents being imprisoned and her lifestyle abruptly changing from one of wealth to one of deep destitution, were manifested in attacks of total loss of consciousness "when reality got too painful to bear."(53) Connell said she personally witnessed Odio suffer these attacks in her home when she first arrived in Dallas, but with psychiatric treatment their frequency subsided and they subsequently ended, until the Kennedy assassination.(54)

(83) Silvia Odio had moved to Dallas in March 1963.(55) By September 1963 she was well established in the community, had a decent income from a good job, had her emotional problems under control and was doing well enough to be planning a move into a better apartment.(56) She was scheduled to make that move on October 1, 1963, a Monday.(57) The week before, she recalled, she had done some packing in preparation for the move and there were boxes scattered across her living room floor which she had to jump over to get to the door.(58) Her sister Annie, who was then 17, had come to the apartment to help her and babysit with her children.(59) When the doorbell rang early one evening in that last week of September, it was Annie who went to the door to answer it.(60)

(84) The complex in which Silvia Odio lived at 1084 Magellan Circle in Dallas was a series of garden-type rental apartments, two-story units with four apartments to each unit.(61) The two lower units had front doors that faced a common inner vestibule which, in turn, bordered a small, open cement porch elevated a few steps above the ground level.(62) Both the vestibule and porch had overhead lights.(63) Silvia Odio lived in apartment A of the 1084 unit, a first floor apartment.(64)

(85a) Annie Odio provided the committee with a sworn statement of her independent recollection.(65) She remembered the evening when three men came to the door of Silvia's apartment in Dallas.(66) One of the men asked to speak to Sarita.(67) He spoke English initially but when Annie answered him in Spanish he subsequently also spoke Spanish.(68) Annie told him that Sarita didn't live there.(69) Then, according to Annie's recollection:

He said something, I don't recall exactly what, perhaps something about her being married, which made me think that they really wanted my sister Sylvia. I recall putting the chain on the door after I told them to wait while I went to get Silvia. I don't exactly recall but they may have also said something about belonging to JURE, the anti-Castro movement.(70)

(85b) Annie also recalled that Silvia was initially reluctant to talk with the strange visitors because she was getting dressed to go out. But she remembered Silvia coming out in her bathrobe to go to the door.(71) Annie said that she could only recall what one of the two Latin men looked like, but it is not a specific recollection, only that he was heavy set, had dark shiny hair combed back and "looked Mexican."(72) She said "the one in the middle was American."(73)

(85c) In testimony to the committee, Silvia Odio also recalled that it was early evening and that she was getting dressed to go out when the three men came to the door.(74) She recalled that it was a weekday because she worked that day.(75) She said the men identified themselves as members of JURE, spoke of both its founder, Manola Rav, and her father, who had worked closely with Ray.(76) Odio said that almost all the conversation she had was with only one of the men, the one who identified himself as "Leopoldo." (77)

(85d) Odio was positive in her recollection of the name "Leopoldo"(78) but said that the men admitted to her they were giving her aliases or "war names." (79) She was less certain of the other Latin's name, but believed it might have been "Angelo" or "Angel." (80) She described him, as her sister did, as being stocky, with black hair and looking "more Mexican than anything else." (81) The third visitor, the "American," (82) was introduced to her as "Leon Oswald." (83) She said "Leon Oswald" acknowledged the introduction with a very brief reply, perhaps in idiomatic Spanish, (84) but she later concluded that he could not understand Spanish because of his lack of reaction to her Spanish conversation with "Leopoldo." (85)

(86) Silvia Odio was relatively consistent in her testimony to the Warren Commission and to the committee in her specific descriptions of the three visitors. (86) Her description of "Leopoldo" was especially noteworthy because he has certain very distinct features, including an unusual hairline that is sharply recessed on the sides. (87) Her description of "Leon Oswald" was similar to the characteristics of Lee Harvey Oswald. (88) There was absolutely no doubt in her own mind that her visitor was, in fact, Lee Harvey Oswald. (89) She pointed out that she did have ample opportunity to view him, her conversation with the three men lasting more than 20 minutes, her viewing distance being only about 3 feet and the light available more than adequate. (90) She also recalled but not very clearly, that "Leopoldo" may have told her that they had just come from New Orleans. (91).

(87) Odio told the committee, as she did the Warren Commission. (92) that the reason the men came to her was to get her help in soliciting funds in the name of JURE from local businessmen. (93) She said:

He (Leopoldo) told me that he would like for me to write them in English, very nice letters, and perhaps we could get some funds. (94)

That is consistent with the recollection of her sister Annie, who was in the apartment at the time the conversation was being conducted through the open door in the vestibule. She recalled that the men came because "they wanted something translated." (95)

(88) According to Silvia Odio, her conversation with "Leopoldo" ended without her giving him any commitment to do anything, but he gave her the impression he would contact her again. (96) The visit ended without "Leon" or "Angelo" having any conversation with her aside from a brief greeting word or two. (97) After the men left, Odio decided to go to the window and watch them. (98) She saw them get into a red car that was parked in the driveway in front of the apartment. (99) She said she could not see who was driving the car, but did see "Angelo" on the passenger side of the car. (100)

(89) The cloudiest part of Odio's recollection concerned the telephone call she later received from "Leopoldo." (101) It could have occurred, she said, the day after the visit or 2 days after the visit. (102) She thought it was in the afternoon, but she cannot remember. (103) She believed it was on a Saturday, when she was not working, but is not certain. (104) She was, however, relatively clear in her recollection of the gist of what "Leopoldo" told her when he called her on the telephone and that, too, was consistent with her testimony before the Warren Commission. (105) She said that "Leopoldo" told her that "the

Gringo" had been a Marine, that he was an expert marksman and that he was "kind of loco." (106) She recalled:

He said that the Cubans, we did not have any guts because we should have assassinated Kennedy after the Bay of Pigs. (107)

(90) On the day that President Kennedy was assassinated, Silvia Odio was coming back from lunch when she heard the news. (108) She recalled:

As soon as we got back to the office, everybody had their radios on and everybody was listening to it. By the time the news came that the President was dead, the president of the company told us that we could go home. I started going back to—I was very frightened and very upset * * * I started moving across the warehouse toward the parking lot where we kept our cars * * * I think next I had passed out. My mind was going around in circles * * * (109)

(91) During her testimony before the committee, Odio was asked if, when she heard that Kennedy was assassinated, she thought of the three men who had visited her apartment almost 2 months prior. Her reply: "Oh, very definitely, very definitely." (110) She added: "I had put them out of my mind, but they came back that day." (111)

(92) The next thing she remembered after blacking out was regaining consciousness later in a hospital room. (112) She recalled that her sister Annie had just entered. (113) She remembered watching the first image of Oswald she saw coming across the television screen in the hospital room: "Annie and I sort of looked at one another and sort of gasped. She said, 'Do you recognize him?' I said yes, and I said, 'Do you recognize him?' She said, 'It is the same guy, isn't it?' I said, 'Yes, but do not say anything.'" (114)

(93) This excerpt from the independent sworn statement given to the committee by Annie Odio concerns the day of the assassination.

On the day of the assassination of President Kennedy I had gone with my girlfriend, Cherie Matlock, and some other friends to a place where we could see the President's motorcade pass by. I don't remember where it was, only that it was quite a distance from downtown Dallas and Dealey Plaza. After the motorcade passed by we went to a drive-in restaurant for some hamburgers. When we were coming out of the drive-in we heard that Kennedy was shot. When I first heard that Kennedy was shot I did not make any connection between the shooting and the men who came to Silvia's door. Later in the afternoon I was by myself in the Matlock home when I first saw Oswald on television. My first thought was, "My God, I know this guy and I don't know from where! But I'm not going to tell anybody because they're going to think I'm crazy." But I kept thinking, "Where have I seen this guy?" Then my sister Sarita called and told me that Silvia had fainted at work and that she was sending her boyfriend Jim, who is now her husband to pick me up and take me to the hospital to see Silvia. Sarita did not tell me then why Silvia had

fainted. I remember that it was getting dark when Jim picked me up and that we had to drive by Dealey Plaza. I don't remember Jim coming up to the room in the hospital with me when I saw Silvia. I don't remember anyone else in the room, but it was a very small room. Silvia was in bed. The first thing I remember when I walked into the room was that Silvia started crying and crying. I don't remember her saying anything. I think that I told her: "You know this guy on TV who shot President Kennedy? I think I know him." And she said: "You don't remember where you know him from?" I said: "No, I cannot recall, but I know I've seen him before." And then she told me: "Do you remember those three guys who came to the house?" And that's when I realized I had seen Oswald before. And then she told me everything, including the fact that one of the men had called back, that she had called him "Leon," that he said he wanted to be called "Leon," and that he said something like the Cubans should kill Kennedy because of what he did with the Bay of Pigs. Silvia also told me that when she first heard that President Kennedy was shot, she started saying: "Leon did it. Leon did it!" I remember that Silvia was very excited at the hospital and that she kept saying that she knew that Leon was going to do it. (115)

(94) Because they were extremely frightened, concerned for their brothers and sisters and their own safety, worried about their mother and father in prison in Cuba and terrifyingly bewildered about the meaning of the three men's visit, Silvia and Annie Odio decided not to reveal the incident. (116) It was, in fact, only circuitously that the FBI came to learn of it.

(95) According to Silvia Odio's close friend, Lucille Connell, she received a call from Silvia's sister Sarita who told her that Silvia had fainted and was in the hospital. (117) Sarita also told her why Silvia had fainted and the fact that Silvia had met Oswald and that he had come to her apartment. (118) Connell could not recall exactly when Sarita called; she said it was either the day of the assassination or the day after. (119) Connell said that Sunday, however, she was speaking on the telephone to a friend of hers, Mrs. Sanford Pick, then working as a receptionist in a Dallas law firm office, when they both saw Ruby shoot Oswald on their television sets. (120) Connell recalled: "And she said to me, 'Oh my goodness, Ruby was in our office last week and had power of attorney drawn for his sister.'" (121)

(96) Connell said that later that same day she happened to be speaking with another friend, Marcella Insua, the daughter of the head of the Dallas Cuban Relief Committee. Connell mentioned to Insua what her other friend had said about Ruby being in her law office. (122) Insua, Connell said, happened to have a class of American children to whom she was teaching Spanish. (123) In that class, she got into a discussion of the Kennedy assassination and mentioned that she knew someone who knew someone who had some dealings with Ruby. (124) It also happened that there was a son of a local FBI agent in Insua's class. (125) That was how the FBI subsequently came to contact Connell and learn about the Odio incident. (126)

(97) A factor in judging Odio's credibility was evidence that indicates that she told someone prior to the Kennedy assassination that three men visited her, that one of them was introduced to her as "Leon Oswald," and that she was told that this "Leon" had suggested assassinating President Kennedy.

(98) Silvio Odio told the committee that immediately after the visit of the three men, she wrote to her father in prison in Cuba to ask him if he knew who they were. (127) Amador Odio, who was released from prison in 1969 and is now living in Miami, told committee investigators that he received Silvia's letter and replied to it. (128) He did not recall when he received the letter, but his reply, dated December 19, 1963, indicated it was very likely in late October or early November 1963. (129) He wrote: "Tell me who this is who says he is my friend—be careful. I do not have any friend who might be here, through Dallas, so reject his friendship until you give me his name." (130)

(99) Silvia Odio told the committee she recalled, although her recollection was "not very strong," that she also told Lucille Connell prior to the Kennedy assassination that three men had visited her apartment. (131) She said it had to have been before the assassination because she did not see Connell after the assassination as the result of a falling out between them. (132) Prior to that, however, Odio said, she was frequently at Connell's house and she specifically recalled a dinner party, "which may have had something to do with the Mental Health Association or been given in honor of some doctor or psychiatrist," at which, during a conversation in the library, she mentioned the visit of the three men. (133) She said it would have been very likely that she told Connell because "she was the type who was a very curious person about the details of your life. She always asked a lot of questions about my life and what I was doing." (134)

(100) Lucille Connell told the committee she did not recall Silvia Odio specifically telling her about Oswald at any time, before or after the assassination. (135) She did not recall talking with Odio at a dinner party prior to the assassination, although, she said, she may have. (136) She said her contact with Silvia Odio had not been frequent within the months prior to the assassination. (137)

(101) In her recollection the one person that Silvia Odio was most positive of telling prior to the assassination about the visit of the three men was her psychiatrist at the time, Dr. Burton C. Einspruch. (138) At the time of the Kennedy assassination, Odio had been seeing Einspruch for about 7 months, (139) usually on a weekly basis and occasionally more frequently. (140) She was suffering from what Einspruch described as "a situational life problem. She had a large family, she was semi-impooverished, she was an immigrant, her parents were imprisoned * * * she had all the difficulties one might anticipate a displaced person would have." (141)

(102) Both the FBI and the Warren Commission staff questioned Einspruch after the assassination. (142) The FBI report noted that Einspruch believed Odio "is telling the truth." (143) The Warren Commission staff report noted that "Dr. Einspruch stated that he had great faith in Miss Odio's story of having met Lee Harvey Oswald." (144) Neither report indicated that Einspruch had been questioned about the specific details of Odio's allegations, whether he had been

asked if Odio told him about the visit of the three men and, if she did, when she did. (145)

(103) In sworn testimony to the committee, Einspruch reiterated his judgment of Odio as a "truthful" person. (146) He said he no longer had any files available to document his recollection, but he believed that Odio's visits to him had been scheduled, at around the time of the assassination, on Wednesdays. (147)

(104) Einspruch specifically recalled that Odio had told him, during the normal course of the "format" of the sessions with her in which she related what happened during the previous week, (148) that she had been visited by three men. (149) He recalled that she told him of the visit prior to the assassination. (150) He was definite that she told him that two of the visitors were "Cubans or Latins" and that the third was an "Anglo." (151) He is not sure she mentioned the name "Leon" at his session with her prior to the assassination. (152) He did remember that when he telephoned Odio on the day of or the day after the assassination, she did mention "Leon" and she did "in a sort of histrionic way" connect the visit of the three men to the Kennedy assassination and did recognize one of those men as "Leon." (153) Einspruch could not recall, however, that Odio told him prior to the assassination that "Leopoldo" had telephoned her and spoke of "Leon" suggesting Kennedy be assassinated. (154)

(105) As noted earlier, the committee's ability to investigate the substance of Silvia Odio's allegations was severely restricted, not only by the time that has elapsed since they were originally made, but also by the lack of material available in the basic investigative files. Both the Warren Commission and the FBI failed to pursue adequately the investigation when several leads still held a potential for development. The description provided by Odio of at least one of the Latin visitors, for instance, was detailed enough to justify a thorough canvassing of both the anti-Castro and pro-Castro militant Cuban communities in Dallas, New Orleans, and Miami for individuals with similar striking characteristics. That, in conjunction with a search for the specifically described car the men were seen driving, might have been fruitful. Committee reviews of Warren Commission files and FBI reports revealed no such investigative approach. The focus, instead, was on attempting to determine the possibility of Oswald being in Dallas when Odio reported she saw him. That approach proved inconclusive.

(106) Nevertheless, there were other points that could be examined in attempting to determine the identity of the Silvia Odio visitors. The fact, for instance, that the men claimed to know her father and have knowledge of his activities appeared to be of possible investigatory significance. It was discovered, however, that a front page article in the Dallas News on May 5, 1962, could have provided a source of background information on Odio's parents. (155) The article featured a large photo of Annie and Sarita Odio and detailed the plight of their parents in prison as well as their backgrounds. (156) It also could be related to the fact that "Leopoldo" initially asked for Sarita when Annie Odio answered the door. (157)

(107) Although the committee considered the possibility that the Odio visitors were being deceptive in claiming an association with the anti-Castro organization JURE, it nevertheless attempted to determine if they were, in fact, members of that group. The committee

conducted extensive interviews with Amador Odio, (158) who was very active with JURE in Cuba prior to his imprisonment, and made an attempt to contact remaining members of the Dallas chapter of JURE. (159) Although the results of the committee's efforts must be viewed in terms of the lengthy period of time that had elapsed, no present recollection of JURE members active in 1963 who used the war names of "Leopoldo" or "Angelo" or fitted the descriptions provided by Silvia Odio could be found. (160)

(108) In addition, the committee also interviewed the founder and leader of JURE, Manolo Ray, now living in Puerto Rico. (161) Ray said he had been questioned by the FBI about the Odio incident some time after the Kennedy assassination, but he was asked only about Silvia Odio's reliability and credibility. (162) "They told me that she had met Oswald," Ray said. "I don't remember them telling me that the men who came to her said they were members of JURE * * * (163) Ray told the committee that he knew of no members of JURE traveling through Dallas in September 1963 in search of money or arms. (164) He does not recall anyone by the name of "Leopoldo" or "Angelo" associated with JURE at the time. (165) He said he had no American contacts in Dallas, nor did he receive any major financial support from anyone there. (166)

(109) In addition to these attempts to identify the Odio visitors, the committee asked Silvia Odio to review some 300 photographs of Cuban activists, both pro-Castro and anti-Castro, and individuals who had or may have had some association with Lee Harvey Oswald and the Kennedy assassination. (167) She could not identify any of the individuals in the photographs as being the two who came to her apartment with "Leon Oswald."

(110) Finally, the committee requested the CIA to run a check on all individuals who used the "war names" of "Leopoldo" and "Angelo" during the period of interest. (168) The CIA response resulted in the photographs of three individuals who might have been in Dallas in September 1963. (169) The photographs were shown to Silvia Odio with negative results. (170)

CONCLUSIONS

(111) It appears that Silvia Odio's testimony is essentially credible. From the evidence provided in the sworn testimony of corroborating witnesses, there is no doubt that three men came to her apartment in Dallas prior to the Kennedy assassination and identified themselves as members of an anti-Castro Cuban organization. From a judgment of the credibility of both Silvia and Annie Odio, it must be concluded that there is a strong probability that one of the men was or appeared to be Lee Harvey Oswald. No conclusion about the significance of that visit could be reached. The possibilities were considered that Oswald actually had some association with JURE, the anti-Castro group headed by Manolo Ray, and that Oswald wanted it to appear that he had that association in order to implicate the group, politically a left-of-center Cuban organization, in the Kennedy assassination.

(112) Additionally, no definite conclusion on the specific date of the visit could be reached. The possibility that it could have been as early as September 24, the morning of which Oswald was seen in New Orleans, exists. The visit was more likely on September 25, 26, or 27. If it were, then Oswald, judging from evidence developed by both the

Warren Commission and this committee, had to have had access to private transportation to get to Dallas from New Orleans a situation that indicates possible conspiratorial involvement.

(113) The scope of its investigation in the Odio incident was limited as a result of the inadequate investigation performed by the FBI and the Warren Commission at the time. The lack of immediate recognition of the significance of the Odio incident produced a far from comprehensive investigation at the only time a comprehensive and, perhaps, fruitful investigation would have been possible.

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(4) FBI report DL 100-10461, Sept. 10, 1964, pp. 2, 3, Warren Commission Exhibit 3147.

(5) Ibid.

(6) See ref. 1, Warren Report, p. 333.

(7) Warren Commission Exhibit 2134; Warren Commission Exhibit 2962.

(8) Warren Commission Exhibit 3045.

(9) See ref. 1, Warren Report, p. 730.

(10) Warren Commission Exhibit 3045.

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(51) *Ibid.*

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- (87) Ibid.
- (88) See ref. 55, Odio deposition, pp. 11, 70.
- (89) Id. at p. 70.
- (90) Id. at pp. 15, 21, 24.
- (91) Id. at p. 60.
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- (93) See ref. 55, Odio deposition, p. 53.
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- (117) Contact report with Lucille Connell, May 15, 1978, House Select Committee on Assassinations (J. F. K. Document 013340).
- (118) Ibid.; See also ref. 50, Connell interview, p. 2.
- (119) Ibid., Connell interview.
- (120) Ibid.
- (121) Ibid.
- (122) Ibid.
- (123) Ibid.
- (124) Ibid.
- (125) Id. at p. 3.
- (126) Ibid.; See also FBI Report DL 44-1639, Nov. 29, 1963. Note: It was not possible to resolve the inconsistency of the substance of this and certain related FBI reports. DL 44-1639 stated only that Connell said that Odio told her that she knew Oswald and that he had spoken to groups of refugees in Dallas. Nothing is noted about a visit of three men. Connell told a committee investigator (ref. 50, memorandum, p. 3) that she did not recall ever telling the FBI that. Neither did the FBI report of the Bureau's initial interview with Odio on Dec. 19, 1963 (Report DL 100-10461) mention that she had knowledge of Oswald speaking to refugee groups. Neither did the FBI interview with Connell note Connell's report of her conversation with her friend, Mrs. Sanford Pick, regarding Ruby's visiting the law firm where Pick worked. Connell said she is positive she told that to the FBI. The committee found that neither Pick nor the attorney who handled Ruby's case at the law firm were questioned by the FBI (ref. 50, memorandum, pp. 4-6). Because neither Pick nor the attorney, Graham R. E. Koch, could specifically recall Ruby requesting power of attorney for his sister, and because, according to Koch, his firm's records on the case were later routinely destroyed (ref. 50, memorandum), the committee was unable to pursue the possibility further.
- (127) See ref. 55, Odio deposition, p. 43.
- (128) See ref. 39, Amador Odio interview, p. 2.

- (129) Warren Commission Odio Exhibit No. 1, vol. XX, p. 690.
- (130) Ibid.
- (131) Contact report, May 17, 1978, House Select Committee on Assassinations (J. F. K. Document 013341).
- (132) Ibid.
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- (135) See ref. 50, contact report, Lucille Connell.
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- (160) Ibid.
- (161) Staff interview of Manolo Ray, June 28, 1978, House Select Committee on Assassinations (J. F. K. Document 013333).
- (162) Id. at p. 8.
- (163) Ibid.
- (164) Ibid.
- (165) Ibid.
- (166) Ibid.
- (167) See ref. 55, Odio deposition, pp. 91-103.
- (168) Staff memorandum, Aug. 30, 1978, House Select Committee on Assassinations (J. F. K. Document 013332).
- (169) Ibid.
- (170) Ibid.

