

Mr. HUBERT. Well, let me correct you. You were interviewed by me just before the beginning of this deposition?

Mr. STEVENSON. Yes; I was. I answered too quick then.

Mr. HUBERT. That interview took place this afternoon for about an hour and a half, I think, immediately preceding the time that we started to take the deposition?

Mr. STEVENSON. That's right.

Mr. HUBERT. You have not been interviewed by any other member of the Commission staff except that interview with me?

Mr. STEVENSON. No, sir; I have not.

Mr. HUBERT. Can you tell me whether you perceive any inconsistency between the deposition you have given and the interview that I conducted with you prior to the taking of the deposition?

Mr. STEVENSON. No, sir; I don't believe I can see any inconsistency.

I did do this at your request, or I say with your permission I looked over some of my notes before the taking of this, and the only thing that I think was any change made was in answer to Captain Talbert's question as to what the route of transfer would be.

I think when I discussed it with you prior to the taking of this deposition, I told you that we told him we thought it would go down Elm. When I reviewed my notes, it was Main Street that we had told him.

Mr. HUBERT. Now do you know of any other material information that was covered in the interview that preceded this deposition which has not been developed during the deposition?

Mr. STEVENSON. No, sir; not that I recall.

Mr. HUBERT. I think that is all unless you have anything else.

Mr. STEVENSON. I don't recall a thing else, Mr. Hubert.

Mr. HUBERT. Thank you very much.

TESTIMONY OF CAPT. CECIL E. TALBERT

The testimony of Capt. Cecil E. Talbert was taken at 7:30 p.m., on March 24, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Leon D. Hubert, Jr., assistant counsel of the President's Commission.

Mr. HUBERT. This is the deposition of Capt. Cecil T. Talbert, patrol division, Dallas Police Department.

My name is Leon D. Hubert, Jr.; I am a member of the advisory staff of the general counsel of the President's Commission on the Assassination of President Kennedy. Under the provisions of Executive Order 11130, dated November 29, 1963, joint resolution of Congress 137, and the rules of procedure adopted by the Commission in conformance with the Executive order and the joint resolutions, I have been authorized to take a sworn deposition from you, Captain Talbert. I will state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate, and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald.

In particular as to you, Captain Talbert, the nature of the inquiry tonight is to determine the facts you know about the death of Oswald and any other pertinent facts you may know about the general inquiry of the Commission. Now, Captain Talbert, you have appeared here tonight by virtue of a general request made by the general counsel of the staff of the President's Commission, Mr. J. Lee Rankin. Under the rules adopted by the Commission, you are entitled to a 3-day written notice prior to the taking of this deposition, but those rules also provide that a witness may waive the 3-day notice in writing. Are you willing to waive that notice?

Captain TALBERT. I'd like to waive it, sir.

Mr. HUBERT. Now, will you stand and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Captain TALBERT. I do.

Mr. HUBERT. Will you please state your name?

Captain TALBERT. Cecil Earl Talbert.

Mr. HUBERT. Your age?

Captain TALBERT. I am 44.

Mr. HUBERT. Your residence?

Captain TALBERT. 1211 Toltec, Dallas.

Mr. HUBERT. What is your present occupation, sir?

Captain TALBERT. Police department. Captain of patrol division.

Mr. HUBERT. How long have you been with the police department?

Captain TALBERT. Seventeen years.

Mr. HUBERT. How long have you held the rank of captain?

Captain TALBERT. You will have to forgive me just a minute.

Mr. HUBERT. Well, just approximately is all right.

Captain TALBERT. January 26, 1960.

Mr. HUBERT. What are your duties and responsibilities on the Dallas Police Force?

Captain TALBERT. I have a patrol platoon. Three captains assigned to the patrol division. Each has a platoon. We rotate around the clock and while on duty would have the patrol function.

Mr. HUBERT. That is the patrol function throughout the city.

Captain TALBERT. Throughout the city; yes, sir.

Mr. HUBERT. Who is your immediate superior?

Captain TALBERT. Chief Fisher; N. T. Fisher.

Mr. HUBERT. And he is head of the patrol division in general?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Three captains under him?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Who are the other captains?

Captain TALBERT. J. M. Souter relieves me, and Capt. William Frazier, who relieves Souter.

Mr. HUBERT. Were you in that same position with the same duties and responsibilities on the 24th of November 1963?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Were you on duty on the 23d of November 1963?

Captain TALBERT. Yes, sir.

Mr. HUBERT. What hours did you serve then?

Captain TALBERT. Seven to three.

Mr. HUBERT. 7 a.m. to 3 p.m.?

Captain TALBERT. Yes.

Mr. HUBERT. Did you go off duty at 3 p.m. on the 23d?

Captain TALBERT. Close to that, I mean close to that time; yes, sir.

Mr. HUBERT. At the time you went off duty about 3 p.m. on the 23d of November, had you been informed of any plans for a transfer of Oswald to the county jail?

Captain TALBERT. Not by police supervisors. I had heard the information the chief had given the news media who had insisted on setting up their equipment in our jail office, or adjacent to the jail office, and he insisted that they not set it up there, and that they would be in the general public way, and only that they could report after 10 o'clock on the next day.

Mr. HUBERT. Now, you didn't hear that from the chief himself?

Captain TALBERT. Not from the chief. Only—that is hearsay.

Mr. HUBERT. You obtained from the radio or television or newspapers?

Captain TALBERT. Possibly radio and newspapers, yes, sir. You might know we were attentive to all news media at the time.

Mr. HUBERT. Now, what time, then, did you go on duty on the 24th?

Captain TALBERT. The morning of the 24th I reported when—I gave my time of duty as 7 to 3. Actually, we report about an hour early so that we can prepare the platoon, or any revision in the platoon that we have to make. So, at approximately 6 o'clock, I reported to our office and relieved Captain Frazier.

Mr. HUBERT. Now, at the time that you relieved Captain Frazier, did he convey any information to you?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Tell us what he said?

Captain TALBERT. Said he had a communication with Sheriff Decker and Mr. Newsom, with the FBI, and both were anxious to transfer Oswald at the time. Transfer him immediately to the county jail, and that he had been unable to contact the chief due to a phone malfunction. That he couldn't call him.

Mr. HUBERT. Did he tell you what time he had received that information?

Captain TALBERT. He did; but I don't recall what time, sir.

Mr. HUBERT. Did he tell you of any security plans that had been made to transfer Oswald?

Captain TALBERT. No, sir.

Mr. HUBERT. Did he tell you of any security plans that should be made, or had been ordered?

Captain TALBERT. No, sir.

Mr. HUBERT. Did he then go off duty? I am talking about Captain Frazier now.

Captain TALBERT. Yes, sir; I relieved him and he went off duty.

Mr. HUBERT. What did you do then with reference to the transfer?

Captain TALBERT. Continued his efforts to contact the chief through—going through the telephone exchange. I wanted to contact him by telephone. He had contacted Captain Fritz with the information from both Mr. Newsom and the sheriff, and Captain Fritz said he couldn't transfer him until the chief authorized it.

Mr. HUBERT. Did you talk to Fritz yourself?

Captain TALBERT. No, sir; that was conveyed to me by Captain Frazier before he left.

Mr. HUBERT. I see.

Captain TALBERT. And I got the telephone company to put a buzzer on the chief's line, and there is no response, and they have something that is louder than a buzzer. I can't recall the term they use, but you have to get permission from the chief operator to utilize that. I had that put on the chief's line, and still no response. Obviously the line was defective, so, I had a squad sent to the chief's home with the request that he call me.

Mr. HUBERT. Did he call you?

Captain TALBERT. Yes, sir.

Mr. HUBERT. From his home?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Was his phone out of order?

Captain TALBERT. I don't know, sir, but by all appearances, it was out of order. I think that latter item I was speaking of was around the entire neighborhood, almost. It is quite loud, even though a phone may be off the hook.

Mr. HUBERT. What did you say to the chief?

Captain TALBERT. I repeated the conversation that Frazier had told me that the sheriff had told him, and also Mr. Newsom had told him about two calls received by the FBI office during the night. Both by men speaking in a calm voice and both conveyed the same message that before Oswald reached the county jail "A hundred of us will see that he is dead." And the request by Sheriff Decker, and Mr. Newsom, that he be transferred immediately.

Mr. HUBERT. It was your understanding that Newsom had received a message twice?

Captain TALBERT. His office. Not Mr. Newsom personally. His office.

Mr. HUBERT. I see. Do you know whether any such message had also been received by the sheriff's office independently?

Captain TALBERT. No, sir; I don't.

Mr. HUBERT. What time did you convey that information?

Captain TALBERT. It was approximately 6:30, my conversation with Chief Curry.

Mr. HUBERT. Did he give you any instructions?

Captain TALBERT. He said if I would call the sheriff and Mr. Newsom, tell them that he would be in his office between 8 and 9, and he would contact them.

Mr. HUBERT. Did you do that?

Captain TALBERT. Yes, sir.

Mr. HUBERT. All right. After that, what did you occupy yourself with?

Captain TALBERT. The usual duty of getting my platoon on duty and balancing the detail.

Mr. HUBERT. Did you do anything looking toward the ultimate transfer of Oswald?

Captain TALBERT. Not at that time; no, sir.

Mr. HUBERT. When did you begin to do anything with reference to the transfer?

Captain TALBERT. Approximately 9 a.m. Traffic was building up rather heavy on the downtown streets. Primarily on Commerce, people going by the intersection of Commerce and Houston and the—viewing the Book Depository Building, and we had a few people gathering on Commerce Street side of the city hall.

Mr. HUBERT. Did you ever see them gathering on the Main Street side?

Captain TALBERT. No, sir.

Mr. HUBERT. Do you know why?

Captain TALBERT. Evidently the people who were gathering realized that our exit side was Commerce and our entrance side was Main.

Mr. HUBERT. Is that a fact?

Captain TALBERT. That is a fact.

Mr. HUBERT. That is to say internally, your traffic goes from Main to Commerce, and goes no other way?

Captain TALBERT. That's right.

Mr. HUBERT. That is a one-way ramp?

Captain TALBERT. Yes, sir; all of our vehicles enter on Main Street and exit on Commerce Street.

Mr. HUBERT. Of course, there is no physical reason why it couldn't be the opposite?

Captain TALBERT. Yes, sir; there is. Commerce is one way, and makes it more difficult to—Oh, I'm sorry. There is no physical reason.

Mr. HUBERT. No. That's all right. You have explained it. You had misunderstood what I meant when I said, "physical."

Captain TALBERT. Sure.

Mr. HUBERT. Actually, it is an internal rule, that is, a normal rule because of the fact that Commerce is a one-way street.

Captain TALBERT. The accessibility to the street.

Mr. HUBERT. Main is a two-way street?

Captain TALBERT. Yes, sir.

Mr. HUBERT. What time did Chief Curry come in?

Captain TALBERT. I don't know, sir. I didn't see him all day.

Mr. HUBERT. You didn't see him all day on the 24th?

Captain TALBERT. No, sir. I mean I don't recall having seen him. I didn't converse with him. If I saw him I didn't converse with him.

Mr. HUBERT. Did you take any action about looking to the movement or transfer and the security thereof, of Oswald?

Captain TALBERT. That is a very broad statement and can we narrow it down into my actions taken of any probable disturbance that we might have around the city hall?

Mr. HUBERT. Just tell us what you did.

Captain TALBERT. All right, sir. At 9, or about, Lieutenant Pierce, that is Sam Pierce.

Mr. HUBERT. That is Rio Pierce?

Captain TALBERT. Sam.

Mr. HUBERT. Sam Pierce?

Captain TALBERT. Rio Sam Pierce. R. S. Pierce. [spelling] R-i-o, just like the river. Rio Sam Pierce is my central area lieutenant, and I talked the situation over with him about the traffic problem, and the people that were giving the appearance of going to start gathering on the Commerce Street side, and what we should do about the possible security around the city hall. It would have to alleviate having to call the squads in over the dispatcher.

At the time, we were working on a Sunday detail, which is one of our smallest. Sunday is a less active day, and we have fewer people working on Sunday, that is, than we do any other. That is the day we try to get most of our—not “most,” I’m sorry, that is a poor term. We cut our detail down on Sunday due to the fact that police activity is light. So, I talked it over with him about what we should do about the method of security of the area, and finally decided that if—for him to pull three squads from each of the three substations, and four squads out of the central station, and to pick two-men squads where possible so that we could build up the total number of men that we had as quick as possible.

This second platoon, the day platoon, works primarily one-man squads, and our two-man squads are trainee squads. The trainees work with an older officer and create a two-man squad there. Could you leave this off just a moment? That is something—

Mr. HUBERT. All right; off the record.

(Discussion off the record.)

Mr. HUBERT. All right; then, you decided to set up some system of security for the police department building?

Captain TALBERT. I further told Lieutenant Pierce to have the basement cleared of all personnel. Have them searched. Thorough search, and secure it, letting only the authorized news media and police officers into the basement.

Mr. HUBERT. What—

Captain TALBERT. The basement area that—

Mr. HUBERT. What system of authorizing newsmen was in use?

Captain TALBERT. Using their press identification.

Mr. HUBERT. Had that been issued specially?

Captain TALBERT. That is the general order, 81, I believe that is the number of it. I don’t know whether you want to include that in here or not. I believe general order 81, is that we would utilize—this is a long-standing—that we will utilize the normal press identification to permit news media into scenes of incident areas. The amateurs, bystanders, were kept out because they don’t have those identification—

Mr. HUBERT. Is that an identification commonly known to police personnel?

Captain TALBERT. They scrutinize it. No, sir; each could utilize these different types, but you have to scrutinize their identification.

Mr. HUBERT. Do you say that you permit these persons to enter, but civilians without news identification could not enter?

Captain TALBERT. Yes, sir.

Mr. HUBERT. That was in effect that day?

Captain TALBERT. I utilized it.

Mr. HUBERT. Well, I mean, the order was in effect?

Captain TALBERT. It had not been revoked.

Mr. HUBERT. So, you utilized it?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Therefore, it was determined that when you were clearing out the basement, you would clear out all persons who were not police officers or news media properly identified?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Now, can you tell me why you did that as to the basement?

Captain TALBERT. The basement—I am using a very loose term in “basement,” I meant, and did convey to Lieutenant Pierce, “the area,” in which Oswald would be—if he was transferred, and I used that term, “if he was transferred,” I didn’t know that he would be. Although, our basement was becoming cluttered with newsmen at that time.

Mr. HUBERT. Had you been told by anyone that Oswald would be removed from the upper story of the building by use of the jail elevators to the jail office, and from the jail office through the jail corridor into the basement ramps.

Captain TALBERT. At that time; no, sir.

Mr. HUBERT. But—

Captain TALBERT. But, of my own knowledge that is the only way he could be removed to a car unless he went through another floor and out on the street. That is the way you go in the normal police building area.

Mr. HUBERT. And do you mean that the normal method for handling would be one where he would be brought to the elevator to the jail office, and into the basement?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Now, would you state just what you did by way of clearing the basement area?

Captain TALBERT. Lieutenant Pierce gave the assignment to Sergeant Dean, and in turn to Sergeant Putnam to carry out, and in various stages of the searching of the basement I think he checked it himself, at approximately 10 o'clock, and I gave, by the way, the initial instructions to bring those squads in. I told them to disperse their cars, park them on the street, but disperse them. Not have them grouped up, and to report to my office by at least 9:30, and he did have that accomplished, and he gave the instructions to clear the area and search it to Sergeant Dean, who got Sergeant Putnam to assist him in it. About 10 o'clock, I went down to check and see how he had progressed at that time. They had checked the news media, they were set up in the jail office. The jail office proper. They had cameramen, cameras, reporters on top of the booking desk, on top of everything available. The news media was taking over the jail office rather heavily, and insisted the chief had given them permission to do so. That was about 10. I went into the basement area and Sergeant Putnam gave me a lengthy rundown, step by step, on what he had done, or had done—see what I mean about my English?—and had accomplished in clearing that area, and I personally checked all the doors to the several rooms that led from the parking area to see that they were locked.

Mr. HUBERT. Can you specify for the record what doors you did check?

Captain TALBERT. Starting in around on the side of the ramp, janitor's room. Could you hold it a minute and let me see if I can identify it?

Mr. HUBERT. All right.

(Discussion off the record.)

Mr. HUBERT. All right. Now, I think we'll get on the record.

Captain TALBERT. Shall we just say "checked the painters' room"?

Mr. HUBERT. No; I want to get more particular points than that. Now, since you are about to describe your activities with reference to a definite area, I want to show you a map or chart of the basement and jail office area, and in order that we may properly use it in connection with your testimony, it is necessary for me to identify it. Therefore, I am marking it, "Dallas, Texas, March the 24th, 1964. Exhibit 5070, deposition of Capt. C. E. Talbert." And I am signing my name to it, and for the purposes of identification, I'll ask you to sign your name just below mine. Now, you say that you, yourself made a personal check of what is shown on this Exhibit 5070, as the parking area?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Wait. Where did you begin? Right in here?

Captain TALBERT. Right about here, to here [indicating].

Mr. HUBERT. Now, I am marking with a numeral, "1" in a circle, a point that you have indicated to me as the starting point of your inspection tour, and exactly just what did you do there?

Captain TALBERT. Well, that's—

Mr. HUBERT. And then I am going to ask you to just simply draw a line as to the general portion that you want, and whenever you stopped, we will mark the stop with No. "2, 3 and so forth", and just use this map and mark it in that way, keeping in mind that you must speak in such a way that a person who reads this later on may be able to understand the movements. Now, you are starting at a point that is marked No. "1" in a circle?

Captain TALBERT. I checked the door No. "1", which is the painters' room to see that it was properly locked. I proceeded to the doctor's room, and I checked it.

Mr. HUBERT. And you are marking that—

Captain TALBERT. That is "2."

Mr. HUBERT. "2" in a circle?

Captain TALBERT. I asked what has been done about the doctor's services. Sergeant Putnam told me he had moved that doctor out of that room and into the police locker room.

Mr. HUBERT. Did you check those doors?

Captain TALBERT. Checked the door to see that it was locked, and it was; yes, sir.

Mr. HUBERT. It was locked from the outside? Could somebody in there have come in?

Captain TALBERT. There should have been no one in there, because there is no entrance to it.

Mr. HUBERT. Did you check in the doctor's room?

Captain TALBERT. No, sir; I had no key to get in. The doctor and the porter would have the key, but I didn't have. I went to this [indicating]. This is the stairway, and this—there is another—there is another stairway coming in here [indicating].

Mr. HUBERT. From point "2"?

Captain TALBERT. Actually, this is—can you stop?

Mr. HUBERT. Yes.

(Discussion off the record.)

Captain TALBERT. I went to point "3" and tried the other door which was locked externally. Went to point "4"—

Mr. HUBERT. Before you leave point "3," did you know whether that door was locked from the other side?

Captain TALBERT. No, sir.

Mr. HUBERT. So, that a person in the stairwell—

Captain TALBERT. That is not the stairwell, sir, that is the second door of the first aid station.

Mr. HUBERT. Oh, the second door of the first aid station?

Captain TALBERT. "3" it is the second door of the first aid station. "4" to the stairwell leading downstairs to a subbasement, engineroom, and leading from the first floor down to the basement area is a fire escape type—that door was secured from the outside.

Mr. HUBERT. Do you know if anybody on the inside of that door could have come from the stairwell into the basement?

Captain TALBERT. Yes, sir; it has—that particular door, I have since learned—I didn't know it at that time, but I have since learned that that particular door has a fire escape type latch. That bar-type latch, and I did check and find that the first floor—not the basement, but the first floor of the city hall had its interior door, both on the Commerce Street, Main Street, and the hallway locked. It is a procedure that they use over the weekend, and after 6 p.m., in the afternoon, those doors are locked, so, anyone not in the building at the time wouldn't have had access to this unless someone unlocked it for them.

Mr. HUBERT. Did you check those entrances at the first floor of the municipal building on the 24th?

Captain TALBERT. Yes, sir.

Mr. HUBERT. How did you do that?

Captain TALBERT. As I recall, just from the—this particular time after finishing this search, I went to the sidewalk area on Commerce, and into the entrance that is left open for payment of water bills and the interior door there was secure and locked.

Mr. HUBERT. So, then a person could not get into the first floor of the city hall through that door on Commerce Street?

Captain TALBERT. Yes, sir; and in further checking around the building I went through the police courts building and in checking the Main Street door and then, in turn, checked the Main Street entrance, and it was locked.

Mr. HUBERT. Main Street entrance to the municipal building?

Captain TALBERT. To the municipal building.

Mr. HUBERT. And it was locked?

Captain TALBERT. And it was locked; yes, sir.

Mr. HUBERT. Now, did you check the several entrances on the alleyway which runs from Main to about halfway up the block and makes an L-turn and then runs to Pearl?

Captain TALBERT. I did not check that entrance, because the thing is locked any time after 6, and on the weekends. We can't enter that way. Matter of fact, we have orders not to enter that way at anytime, but sometimes we, in

parking, we find it convenient to enter through that elevator and the service elevator from that entrance, and we always find it locked. We have to get a porter's attention by banging on the door to get it unlocked.

Mr. HUBERT. Since we are on that subject, how would you go through that service entrance on the alleyway into the first floor of the municipal building?

Captain TALBERT. The service entrance has some side doors leading off of it. I don't know whether they are broom closets, or go into rooms or what, but into the service elevator, both sides of the elevator has operable doors.

Mr. HUBERT. That is—so call it the Harwood side on the elevator, and the Pearl Street side.

Captain TALBERT. This is going to the Central Expressway over here [indicating].

Mr. HUBERT. Yes.

Captain TALBERT. And, so, the—the expressway side and the Harwood Street side has doors that do open. Both sides of that elevator have doors that would open, and the operator could open either one of them, and you can come in from the entrance and exit from this Harwood Street side. Enter from the expressway side and exit from the Harwood Street side.

Mr. HUBERT. If it were possible for a person to gain entrance through the service entrance into the first floor of the municipal building by use of the service elevator, that is to say, by walking through both of the doors of the elevator, he could then get into the stairwell of the fire escape on the first floor, could he not?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And by walking down to the basement level at the point—

Captain TALBERT. Designated "4"?

Mr. HUBERT. Designated "4," he could get into the basement area in that way.

Captain TALBERT. Yes, sir; but we had an operator on the service elevator with instructions not to allow anyone to basement, and he was—allowed no one to come in.

Mr. HUBERT. Do you know who that person was?

Captain TALBERT. I believe his name is Mitchell, sir, to the best of my memory, is his name.

Mr. HUBERT. Is he a member of the police department?

Captain TALBERT. No, sir; he is a porter, a colored porter who works within the city hall building, itself.

Mr. HUBERT. Did you talk to that man?

Captain TALBERT. Yes.

Mr. HUBERT. What did you tell him?

Captain TALBERT. At the time, I told him to take his elevator up on the first floor. I put the parking attendant on that elevator, or instructed the parking attendant to get on that elevator and go up to the first floor, and for the parking attendant to maintain a vigil lookout on this elevator marked Nos. "1" and "2" here, which will be "5" and "6" in my route. I told him to see that no one came nearby those elevators, and told the operator of the service elevator to stay on it, and not bring anyone to the basement.

Mr. HUBERT. Who was the parking attendant?

Captain TALBERT. I'm going to have to utilize his nickname, and it is rather far-afeld. I should know his name. His nickname is "King," it is one we have used for quite some time.

Mr. HUBERT. Is he a member of the police department?

Captain TALBERT. No, sir; he is a colored parking attendant who works for the municipal garage.

Mr. HUBERT. Do you know whether he carried out your orders, Captain Talbert?

Captain TALBERT. To my knowledge, he did. I don't know that he did, but to my knowledge, he did.

Mr. HUBERT. You don't know to the contrary then?

Captain TALBERT. No, sir.

Mr. HUBERT. Well, will you continue, then, your security search which we had left off, I think, at a point marked "4"?

Captain TALBERT. I went from point "4," the elevator—the stairwell, to the

elevator. The first service elevator to the building on the—not service elevator, delete that, young lady—first elevator in the building marked “1”, here, but will be marked “5” in this route. And that door was closed. Went to the next elevator which was immediately adjacent to the first one marked “6,” that door was closed, indicating the elevator was not on that floor. These are automatic elevators and the doors would be open if it was. Then went to the service elevator, and had the foregoing conversation with the operator and the parking attendant. That is marked No. “7.”

Mr. HUBERT. All right, just continue your search?

Captain TALBERT. From that area, or in that immediate area I had another discussion with Sergeant Putnam and asked him about the engineroom elevator, this elevator being on the extreme corner of the parking area on Commerce Street, next to the ramp. This elevator comes from the engineroom to the parking area only, and doesn't go to the first floor. Anyone entering through that elevator would have to be in the engineroom, which is a subbasement, to enter into this basement. That is the only place it goes. One floor.

Mr. HUBERT. And you have marked that how?

Captain TALBERT. Marked that “8.” Sergeant Putnam had placed a reserve officer at that point to—

Mr. HUBERT. All right. Now, were any other reserve officers placed in the parking area, to your knowledge, or any other officers for that matter?

Captain TALBERT. May I mark on—

Mr. HUBERT. Surely.

Captain TALBERT. A reserve officer whose name I do not recall, was placed at a point marked “9,” with the instructions not to permit anyone to enter the parking area from the elevators or stairwell. But a reserve officer was placed in the point marked “8.” We—I think we have that in the deposition now. Reserve officers were, at that time, brought forward when I asked if the conduits had been searched, the top of the conduits, and—the air-conditioning conduits, if they had been searched. They brought the two reserve officers forward who had the filthiest uniforms. It was quite obvious that they had been crawling around on top of them. They had searched them, and I took their condition to state that their search had been thorough and the fact that Sergeants Putnam and Dean told me that they had covered each one, that the engines, engine compartments, the trucks as well as the vehicles parked in the basement had been searched for possible hiding places, and all of this was accomplished. After the search was accomplished, after officers were placed in the adjacent ramps on the Commerce Street side, on the Main Street side, and from the lobby of the police building marked “10,” lobby of the police building into the area in front of the jail office leading into the ramp area—may I mark the places where the officers were now? The reserve officers—we are getting a—can I hold it for a minute?

Mr. HUBERT. Yes.

(Discussion off the record.)

Captain TALBERT. All right, now, I will go ahead and mark the area where we had each—

Mr. HUBERT. Yes; you marked “10,” that you had an officer there.

Captain TALBERT. I had an officer and—a reserve officer was at “11.” Two detectives were—Lowery and Beaty—Beaty and Lowery. “12” and “13” most of this period. Number “14” on the Main Street entrance to the police ramp was Vaughn, R. E. Vaughn, and number “15” and “16” were Patrolman Jez and Patrolman Patterson.

Mr. HUBERT. Now, did you ever order the reserve officer at the point “9” removed?

Captain TALBERT. No, sir.

Mr. HUBERT. Do you know that he had been?

Captain TALBERT. No, sir; at 11 o'clock, when the detail was made up to put traffic men on Elm Street, it was gathered in that area, and that man was in place at that time, at 11.

Mr. HUBERT. Do you know that?

Captain TALBERT. If he was moved after 11 I don't know who moved him or where he went, but the reserve officer “9” was in place at that time.

Mr. HUBERT. You don't know what his name was?

Captain TALBERT. I believe Brock is going to be his name, but I am not sure.

Mr. HUBERT. I think it is Brock. Now, then, you mentioned something about drawing off persons to patrol the intersection of Elm Street?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Would you tell us something about that, please?

Captain TALBERT. We had kept as many officers out of the basement area as possible to keep from adding to the confusion of the search so we could make a systematic search, and I had retained all of the excess officers, and, as I recall, numbered about 13 regular police officers in my office and the reserve officers, and excesses were retained in an assembly room which would be behind the jail office, and after about 11—let's back up and make that about 10:45—in that vicinity, Chief Stevenson and Chief Lumpkin contacted me about the route of the proposed transfer of Lee Harvey Oswald, and they asked—correction—I asked if we were going to use marked cars or plain cars, or if we were going to utilize sirens to stop traffic at intersections?

Chief Stevenson said he didn't want any attention attracted to the transfer that wasn't already attracted to it, and asked if I had enough personnel to put in the intersection of Elm Street. First he said Main Street. The first route planned was Main, and it was changed to Elm before I could so disperse the personnel, so, actually, we utilized Elm all through this.

Mr. HUBERT. Just as it was?

Captain TALBERT. And they said first Main and then before—after I had removed the men from my office to the ramp—not the ramp area, but the parking area and told Sergeant Dean and Sergeant Steele to place them on each intersection to stop traffic for the lights as the people making the transfer approached them. Found then that it was to be Elm Street instead of Main, that it was to be Elm rather than Main and the traffic could go—the reason being that they could swing off of Elm into Houston, directly into the prisoner loading area of the sheriff's office, and those 13 men were placed by Sergeant Steele at each intersection. He didn't have enough. I instructed him that he obtain any additional men he might need from the captain who was in the area of the county jail, and he later called me by phone and told me of the traffic conditions down there, and I had an estimate, I don't recall whether from him or some other officer of the approximate number of people in that area, said around 600 or so gathered up around the county jail; so I instructed Steele to have each one of the men fall in behind or follow fairly closely behind the conveying vehicle so they would be available for any trouble that might develop around the county jail.

Mr. HUBERT. Were you ever told by anyone of the plans of the transfer?

Captain TALBERT. Yes.

Mr. HUBERT. That is, the ultimate plan or the—

Captain TALBERT. Well—

Mr. HUBERT. Any sequence of plans?

Captain TALBERT. After the plans had been instituted, Lieutenant Pierce, who I had sent to the homicide bureau previously to see if we could be of any assistance, or see if he could do anything—I didn't see him enter the basement, but as he pulled up onto the ramp—or in an effort to enter the ramp, he stopped his vehicle and called me over and asked me to get in his car. I opened the door, got in on the right-hand side of his car and he told me my—I omitted something, I believe, about this armored car, haven't I? Do you want that in there?

Mr. HUBERT. We'll come back to it.

Captain TALBERT. All right. He told me that he had been instructed to take a car out and get in front of the armored car which was backed into the ramp on the Commerce Street side and to lead the armored car. He was to be the lead vehicle and the armored car, it would go up northbound on Central to Elm, west on Elm and swing in off of Elm on to Houston Street. That two plain cars would pull up behind of the armored car. The prisoner would actually be in the last plain car, and the first plain car would be full of armed homicide officers, and it would cut off on Main Street, west. It would leave the city hall with the cavalcade, and when it hit Main Street the two plain

cars with the homicide officers in them with the prisoner would make a left and go west and the armored car and the lead vehicle there would continue to Elm and then west. The two vehicles, or rather the two groups of vehicles would be paralleling each other. One on Main, and one on Elm.

Mr. HUBERT. Do you know what the plans were with reference to the controlling of traffic on Main Street on which the prisoner was actually going to be transferred?

Captain TALBERT. No, sir; that was the first information I had is the fact that the prisoner would not be in the armored car. Up until that point, I assumed he would be in the armored car.

Mr. HUBERT. But, at that point, it became apparent that he was not going to be in the armored car?

Captain TALBERT. Right.

Mr. HUBERT. You had already set up a traffic-control system by having assigned men at various intervals on Elm?

Captain TALBERT. Elm; yes, sir.

Mr. HUBERT. But, if they were going to use Main Street, what control would be used for cross traffic, crossing Main Street?

Captain TALBERT. I have no knowledge, sir. Probably normal transportation, more than likely. That is strictly my idea.

Mr. HUBERT. Now, you said that you wanted to say something about the armored car.

Captain TALBERT. Yes, sir; I had previously been instructed about the armored car by Chief Stevenson and Chief Lumpkin, that was at the time they asked that the officers be placed on Main, and later transferred in to Elm Street, and at the instruction I had, was to have a man be observant, to make sure that the armored car didn't hit—didn't jam it into the overhead of the rampworks.

When the armored car arrived they did back it into the Commerce Street side, and the driver left it up near the front of the ramp because of its weight, rather than height. Although, due to its height, it couldn't have backed much farther down the ramp, but he was afraid that due to the weight of the car—the it wouldn't pull it out. The engine wouldn't have enough power to pull it out of the ramp, and so it was left in that position until after Lieutenant Pierce pulled the plain car that was his normal assignment car, I think equipment 239, although, that is irrelevant, attempted to pull it up the ramp. He couldn't get through the news media, which I would like to add to a little later. I previously had the news media in the jail office. Now, during one of my inspection trips I inspected the first floor of the Police and Courts Building from the doors for Harwood and Main Street to see that there was no congestion, and also, to look the crowds over on Commerce, and during one of my trips, or perhaps I was contacting the dispatcher—I was still conducting my regular patrol duties—the news media was moving from the jail office to the ramps to clear the jail office of them.

Mr. HUBERT. Did you supervise that movement?

Captain TALBERT. No, sir; Chief Batchelor arrived and was told of the preparation that had been made in the basement, and I assumed looked at the office. I wasn't present, but I assume he looked in the office and asked that that news media be removed. He was talking to Sergeant Putnam and Sergeant Dean. I wasn't present, nor was Lieutenant Pierce there.

Mr. HUBERT. So, the news media were moved out of the jail area and where did they then go?

Captain TALBERT. I was told—and this by Sergeant Putnam—that they were first placed on each side of the ramp leading from Main and Commerce, and after the chief observed the conflict there, he had those on the Harwood Street side of the ramp moved across the ramp onto the Main Street side to keep—to make more room for vehicular traffic, and that, of course, was from Sergeant Putnam to me. I don't know what instigated—

Mr. HUBERT. Well, did you have occasion to observe the news media in the ramp and parking areas just prior to the shooting of Oswald?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Well, now, I think I should like to have you describe that, and in order to facilitate that, I am going to draw a general oblong figure which I am

marking "Area A," and I'm going to draw another general oblong figure which I am marking "Area B," and I would like you to tell us for the record—

Captain TALBERT. May I inject another—

Mr. HUBERT. Well, then, I will mark another oblong area, which I will call "Area C."

Captain TALBERT. All right, sir.

Mr. HUBERT. I would like you to describe that for the record—that is, what were the conditions of those areas particularly with reference to congestion of people?

Captain TALBERT. Across from "Area A," there was complete double line and in some instances triple line of men. That was men with cameras and those without. Just the reporters who had no cameras, and in "Area B," in the center of "Area B" I—

Mr. HUBERT. Before you leave "Area A," would you say that the men were shoulder to shoulder?

Captain TALBERT. Oh, more than that. Crammed in there. Jammed—

Mr. HUBERT. Touching each other?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And about three ranks back toward Main Street?

Captain TALBERT. That is my impression, yes, sir, about three ranks back.

Mr. HUBERT. Describe "Area B," then?

Captain TALBERT. And "Area B," you had a railing as indicated here by a dotted line. In front of that railing you had at least two or—probably three ranks of people all the way down to the turnoff area, which is the beginning of "Area C." In the center of "Area D," there were two fixed cameras.

Mr. HUBERT. Television cameras?

Captain TALBERT. Television cameras, yes, sir. The others were movie or still cameras and other cameramen, or strictly reporters, and in "Area C," we had a fairly dense group in the immediate Main Street side, and two to three ranks over towards the Commerce Street side dividing it in half.

Now, immediately after Lieutenant Pierce informed me of the change in plans, we had to remove the people from the ramps so that he could get out on the Main Street side, and they immediately closed back up, and as he cleared the parking area to enter the ramp, a plain white or light-colored car pulled onto it, and pulled up behind the armored car on the Commerce Street side, and another plain light-colored car attempted to pull up behind him, but he wasn't up far enough, so, we had to holler at them to pull up a little further, which he did. That car was attempting to back in, and had to cut to the left in order to back up the vehicle—go to the right to get back into the jail-office entrance. That was my understanding of his efforts to do, and the news media was crowding in on him, so, that there was danger of him running over them with his vehicle, should it move. So, I was by the left front fender of that vehicle, Chief Batchelor was to my right, Captain O. A. Jones to my left and we were—and one or two—perhaps more reserve officers were there, too, pushing the news media back to let that car have room to maneuver.

Mr. HUBERT. I am going to mark on the map an area which I am marking "auto," and—

Captain TALBERT. All right, sir.

Mr. HUBERT. With the understanding that the front of it indicated by an arrow is pointed toward Commerce Street?

Captain TALBERT. All right, sir.

Mr. HUBERT. All right. Now, would you mark the circle where you were about the time of the event you have just described?

Captain TALBERT. This auto is angled in here.

Mr. HUBERT. Maybe we had better angle it then.

Captain TALBERT. Would you like that black pen?

Mr. HUBERT. You do it. We are changing the blue-pen marking because Captain Talbert indicates that the automobile was on an angle, and he is now marking it with the black pen. Would you put the word "auto," in that, please. Now, draw a circle and indicate where you were standing.

Captain TALBERT. I was standing by the left front fender of the car, as I previously said.

Mr. HUBERT. [Drawing a circle and indicating it number "7."]

Captain TALBERT. Compared with the other, yes. And Chief Batchelor was standing just to the left front of the vehicle, and—I can't draw it in there with this circle correctly, but—we'll indicate that "18." Capt. O. A. Jones was standing to my left, or to the rear of the vehicle from me. Indicating that to be "19," and at the time that vehicle was attempting to back up, we had pushed them back far enough for it to maneuver. At the time it was attempting to back up, there was a muffled report, a muffled shot and bedlam broke out in the vicinity of the jail office entry into the ramp.

Mr. HUBERT. Did you see the shot?

Captain TALBERT. No, sir; I heard it, but did not see the shot and that there was my first knowledge that the prisoner was in the ramp area.

Mr. HUBERT. Which way were you facing just before the shot?

Captain TALBERT. Just before the shot, I was facing the crowd. I had faced, alternately, the automobile and the crowd, as we were attempting to get the thing back, and I was facing the crowd and could feel the automobile pushing against me, I was turning around and pushing back against the car, and as I made a little room, faced the crowd again and pushed them back.

Mr. HUBERT. Did you see Lieutenant Pierce's car leave?

Captain TALBERT. No, sir; I didn't see Lieutenant Pierce's car leave, because of the news media across "Area A." They screened it from me and also because of my preoccupation of getting these two plain cars up behind the armored vehicle.

Mr. HUBERT. Do you know Ruby?

Captain TALBERT. I know his face. I know his name. I know his reputation well. I don't know him personally.

Mr. HUBERT. Have you ever met him before?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Did you see him that day?

Captain TALBERT. No, sir.

Mr. HUBERT. I mean after the shot?

Captain TALBERT. After the shot, yes, sir. I'm sorry. After the shot, or after this muffled report, I went over the back of the trunk of this automobile we were trying to back in. Because of these people pushing in I couldn't get—so, I went over the back trunk of it to get to the officers. I saw they were down, and the melee that was taking place, as news media was crowding around in on them, and I give them a little room, and saw both Oswald and another man there who was being dragged into the jail office by the other officer. As soon as we got some room for them to drag them in, I shouted to the top of the entrance both on Commerce and on Main—this may not give you the perspective scope correctly, but it is about 90 feet on—from the place of the shooting to the Main Street entrance. I shouted up to the entrance, "let nobody out," or "nobody out," or something to that effect, and shouted to the top past the armored car the same thing. "Nobody out," and officers on this door told them, "Nobody out," and then went into the jail office, and Ruby was lying on the jail office floor where—with the officers at the time, attempting to handcuff him, as I recall.

Mr. HUBERT. Did you recognize him at that point?

Captain TALBERT. I saw his face. That I recognized, but I didn't recognize him as "Ruby." I asked a question, and may I say this in front of the young lady? I have to apologize. Do you want it verbatim?

Mr. HUBERT. Yes. I'm afraid so.

Captain TALBERT. I asked the question—I said, "Who is this son-of-a-bitch?" And he was saying, "I'm Jack Ruby. Everybody knows me. I'm Jack Ruby." At the same time another officer, or perhaps to answer that—"That's Jack Ruby, he operates the Carousal Club."

Mr. HUBERT. That was when you first recognized him?

Captain TALBERT. Yes, sir.

Mr. HUBERT. As being someone that you knew?

Captain TALBERT. Yes, sir.

Mr. HUBERT. You had not seen him prior to that time on that day, to your knowledge?

Captain TALBERT. No, sir, nor for 2 years prior to that, to my knowledge.

Approximately 2 years prior to that I was having breakfast at the Pancake House at the Ramada Inn with other officers when a man going out—we were sitting down and the man was going out and passed by and stopped. Was—and he was obtrusively friendly with the other officer, one of them he knew. He knew Lieutenant Pierce who was with me, and Lieutenant Pierce introduced me to him, and from that point until the point where he was on the floor at the jail office, I don't recall having seen him, and the only reason that I remember the Pancake incident, it was after the incident I was reminded of the incident by Lieutenant Pierce. I don't recall of having met him at any time since the old days of his operation at the Silver Spur.

Mr. HUBERT. Did you talk to him, or see him after that?

Captain TALBERT. No, sir, I asked—at that time, I didn't know they had the gun. I didn't see the gun, so, I thought it was still in the crowd, and I asked Chief Batchelor for permission to put all of the news media in the police assembly room for interrogation, or somebody said, "I don't think we have the gun." One of the officers who was kneeling on Ruby—literally, you couldn't hardly see Ruby for this officer kneeling on him—said, "I have the gun." Or perhaps he said, "Graves has the gun." And then I told Chief Batchelor that it wouldn't be necessary to search them.

I got a batch of memo pads from the jail office and gave some of them to Sergeant Everett, passed some out myself, told the officers to get the names, identification and location at the time of the shooting of anyone before they let them out of the basement. Chief Batchelor had told me to go to Parkland and secure it. I immediately got in my car, got on there and told the dispatcher to gather up all of my squads and to have them to report to me code 3, at Parkland and followed the ambulance out to Parkland.

Mr. HUBERT. When did you first hear that Ruby had stated that he had come down the Main Street ramp?

Captain TALBERT. I started my own investigation. Of course, I had nothing to do with this official investigation of the incident in the basement, but it is only natural that a police officer and a police supervisor is going to instigate his own investigation. I started mine from the hospital on the phone, and that question would be impossible to answer. I may have heard it through the news media. I heard—may have heard it through another officer who had overheard what they said up in the jail. It could have been something of that sort. I couldn't tell you exactly, sir.

Mr. HUBERT. Did you, in fact, conduct an independent investigation of your own?

Captain TALBERT. Just a very cursory one, and during a very brief period until the official investigation got underway.

Mr. HUBERT. How long a time would that have been?

Captain TALBERT. Well, maybe—

Mr. HUBERT. Put it this way, what did you do by way of instigating the investigation?

Captain TALBERT. Contacted, attempted to ascertain how Ruby entered the ramp, or entered the parking area rather. I contacted each of my officers who were on the entrances, and I did that while I was at the hospital. That was before the death of—or during the operation on Oswald, and while we still had the hospital secured by the squads, and I contacted the supervisors who were there, and after that I was told that an official investigation would be conducted, and I dropped it.

Mr. HUBERT. Would you say that it was about an hour?

Captain TALBERT. No, sir; I wouldn't estimate the time.

Mr. HUBERT. Did you contact Vaughn particularly?

Captain TALBERT. Yes, sir; I had contacted Vaughn. Then contacted him the next day. I found that Vaughn had let one man in onto the ramp that he hadn't included in his report the next day. This man being a city employee, a—one who Vaughn thought was authorized to enter the ramp. He was Chenault, the mechanic in charge of the garage, so Chenault told Vaughn. This was not in Vaughn's report, but when Vaughn was broached with it, and this was on the 26th—I believe that could have been the 27th. Could you hold the—

Mr. HUBERT. Well—

Captain TALBERT. Let me just say that when Vaughn was broached with having described this one entry into the ramp, that was the day after his report had been written, and I had had a chance to review all the reports, I obtained a copy of all the officers' reports and let them stand even though some of them were conflicting and deleting things—now, these were not the officers on the door, but the officers on the street. That some of them conflicted about who told them to do what. But I didn't have them change them as I normally would, because of the incident, and also because of the nature of the incident, and also because of my involvement in this.

Mr. HUBERT. Isn't it a fact that Vaughn had filed a report in which he failed to report that he had let Chenault go down the ramp?

Captain TALBERT. Yes, sir; Vaughn, in his report, did not note anything about anyone coming in the ramp other than squad cars and the paddy wagon. No pedestrian traffic denoted, but when I went over it with him in the presence of Chief Fisher and Sergeant Putnam, he recalled—Vaughn without our having to bring it to his attention.

Mr. HUBERT. He recalled Chenault?

Captain TALBERT. I'm sorry. He recalled Chenault without our having to bring it to his attention and inserted it in his verbal report, and that was after the written report, which was an oversight on his part. Chenault, may I add, was immediately evicted from the basement by Sergeant Putnam when he saw him come down the ramp. He had him leave. Chenault said that he needed to check the vehicles in the basement and to see if any of them needed to be in the garage, and Sergeant Putnam told him that he could do that later; to leave the ramp area at that time, and he did.

Mr. HUBERT. You mentioned the paddy wagon coming down the Main Street ramp.

Captain TALBERT. It is a fact that the paddy wagon did come in. However, each vehicle coming in was searched, and the paddy wagon was operated by an officer named Lewis. The front seat of the paddy wagon was searched and the back of the paddy wagon was searched—

Mr. HUBERT. By whom?

Captain TALBERT. Chief Fisher—before they let them into the ramp. By Sergeant Putnam, himself, as I recall.

Mr. HUBERT. You don't know of any record of how many paddy wagons or other vehicles came down Main Street ramp after Vaughn was posted and until the shooting?

Captain TALBERT. I recall three in the reports. I didn't see any of it—of them, but I recall three in the reports. One being a paddy wagon. One vehicle contained two detectives. Another vehicle operated by R. A. Watts, with a juvenile prisoner. Watts was not permitted to leave the station and the prisoner was booked, and he was retained to assist in the security.

Mr. HUBERT. Now, Captain Talbert, I am going to mark for identification an FBI report of an interview which you made on November 24, 1963, Dallas, Tex., March 24, 1964, as Exhibit 5065, deposition of C. E. Talbert, and I have signed my name to it. It is a one page document. I am marking another document consisting of two pages. Placing upon it, "Dallas, Tex., March 24, 1964, Exhibit 5066, deposition of C. E. Talbert." I am signing my own name below that, all of which is on the first page of the document which is the FBI report by Special Agent Vincent Drain, dated November 25, 1963. It consists of two pages and I am placing my initial on the bottom right-hand corner on the second page. I also am marking for identification another document, being a copy of a letter apparently addressed by you, Capt. Cecil Talbert to Chief Curry, dated November 26, containing five pages. The first page I am marking as follows: "Dallas, Tex., March 24, 1964, Exhibit 5067, deposition of Capt. C. E. Talbert." And I am signing my name below that now, and I am placing my initials in the lower right-hand corner of each of the following pages. I am marking on a single page document purporting to be an FBI report made by Special Agents Logan and Bramblett, dated December 10, 1963, by placing upon that document the words, "Dallas, Tex., March 24, 1964, Exhibit 5068, deposition of Capt. C. E. Talbert," and I have signed my name, and that document—that exhibit consists just of a single page. And finally

marking upon a report of an interview which you had with Special Agents Bramblett and Logan of the FBI, on December 12, the following: "Dallas, Tex., March 24, 1964, Exhibit 5069, deposition of Capt. C. E. Talbert," under which I am signing my name. Now, that document consists of eight pages, and I am marking the seven other pages with my initials on the lower right-hand corner, on each of the pages. Now, Captain, I ask you if you have had a chance to study and to read these various documents?

Captain TALBERT. Yes, sir.

Mr. HUBERT. Let the record note, by the way, that Exhibit 5070, is the tour of the basement which has been previously identified and signed. In a moment I am going to ask you to identify and endorse your signature or initials below my signature or initials on each one of these pages of the various documents. In other words—in order to separate them, I direct your attention now to Exhibit 5065, being the FBI report of November 24, 1963. As to each one of these documents, I want to ask you this: Does that document correctly represent the truth and facts such as you know them? Has anything been deleted? Has anything been omitted? Do any facts stated need any modification or change of any sort whatsoever?

Captain TALBERT. You want me to read them again; do you, sir?

Mr. HUBERT. Just enough to identify them. You have already studied them.

Captain TALBERT. The first document marked—

Mr. HUBERT. 5065?

Captain TALBERT. 5065. In the last three and a half lines reading: "He said the press and other news agencies had set up for Oswald's transfer from the city jail to the county jail, and that day he did not feel the police department would want to cross the news agencies," and if those were my words it wouldn't be—it is probably a matter of semantics. Probably a matter of our conversation with the sheriff—after he conversed with me, I had a interview, a brief conversation with Newsom concerning the fact that chief would contact him upon returning to city hall, and I do not recall that. I don't recall that. I don't refute it. I just don't recall it. Shall I initial it?

Mr. HUBERT. Please. If you will please sign your name under it. I understand, therefore, that you have no recollection of having said that you doubted that they were changing the plans because of any fear that they might have of crossing the press?

Captain TALBERT. Sure, it would be improper, and the—even an inference of a statement like that sort would be improper for a police captain to make, and those are not my words.

Mr. HUBERT. Do you think you expressed any idea of the same nature, but in other words?

Captain TALBERT. Perhaps the time lapse, I can't recall, but, as I say, it may be a matter of semantics, and the way he understood it and what I had said. As I recall my conversation with him, it was rather difficult to get him back to the phone. I went through two or three people to get him to the phone, and as I recall about the conversation, it was rather brief and to the point, that I had contacted the chief and the chief would contact him when he got to the office, which would be between 8:30 and 9.

Mr. HUBERT. Do you remember discussing any possible change of plans at all with him?

Captain TALBERT. None. I discussed no change of plans with Mr. Newsom.

Mr. HUBERT. Did you discuss the possibility of a change of plans in the light of the new—

Captain TALBERT. No, sir.

Mr. HUBERT. Do you recall mentioning, in any way, the concept, the basic concept of that sentence, that is, that the press would be considered whatsoever in the thinking about those plans for the transfer?

Captain TALBERT. In conversing with the sheriff, and our conversation either from the sheriff or from me, and I think probably from the sheriff, the subject arose that the chief had told the press that they could arrive at the city hall at 10 o'clock, or thereabouts, the previous day, and that was with Sheriff Decker. Not with Mr. Newsom, as I recall it. Now, I have—several months have passed since—and my memory becomes vague on it, so, must have been—possibly maybe

a matter of semantics, maybe a matter of conversing, or conversation between Newsom and the sheriff of our having had this brief conversation. Now, the rest, when you ask if we had any conversation regarding a change of plan in the transferring, I answered you incorrectly and I don't recall discussing it with Newsom at all. I did discuss it with Sheriff Decker and said that the chief would contact him. Any discussion with him was very brief and that the chief would contact him about the transfer of Oswald when he arrived at the office.

Mr. HUBERT. All right. Have you any other comments to make concerning this document?

Captain TALBERT. No, sir.

Mr. HUBERT. Would you pass then on back to 5066, which also is an FBI statement.

Captain TALBERT. Yes, sir; on this document 5066, it indicates—and this too is a matter of semantics, I am thinking. It indicates that Ruby rushed in with newsmen. That—shall I read it and finish it?

Mr. HUBERT. Yes, put the part you read in quotes and end the quote and make your comments. Just start off with the word "quote" where you want to start.

Captain TALBERT. "There were approximately 150 news reporters and television cameramen that——"

Closing the quote. The 150, in my opinion, mind, which is relatively fluid, by the way anybody will estimate a crowd, "150 including police officers, news media and television cameramen," approximately 150 in the basement. Now, not news media alone, and—" He stated in the rush to get down into the basement in which the loading ramp was located and Oswald was being brought down from the jail, it is highly possible that Jack Ruby may have been—walked down the ramp with the newsmen, unnoticed."

That is, again, something that I couldn't—could not and would not have stated, because the newsmen were in the basement. There was no rush of newsmen into the basement. They were in the basement, and they had been in the basement some hour before Oswald was brought into the basement. I don't know how this was injected into this report, but it is incorrect.

Mr. HUBERT. All right, sir. Have you any other comments to make in regard to Exhibit 5066?

Captain TALBERT. Yes, "According to Captain Talbert, now, Will Fritz was in charge about removing Oswald to the Dallas County Jail, and the attempted removal of the prisoner Oswald about 11 a.m." That was my opinion. Shouldn't that be inserted there? It was my opinion that Captain Fritz was in charge of the removal of Oswald from the city jail to the county jail. I had no prior information on it, and still have no information on it.

Mr. HUBERT. Do you know what was the basis of your opinion?

Captain TALBERT. The fact that he wanted him in his office from the jail. He had taken him out of the jail on a "tempo," which is a temporary release from the jail to the CID bureau, or CID office, is the fact that he had him out of the jail at the time is what I based it on.

Mr. HUBERT. I see. All right, now, have you any further comments on 5066?

Captain TALBERT. No, sir.

Mr. HUBERT. I would ask you to sign your name below mine and initial these pages. Have you done that?

Captain TALBERT. Yes.

Mr. HUBERT. Now, pass then to 5067, and I will ask the same basic questions as to that document and its several pages.

Captain TALBERT. 5067, is my report to the chief of police, and I have no exceptions on it. I read the report, and it is, in fact, similar to one that I had issued to the chief regarding the incident on the date of the 26th—November 26th.

Mr. HUBERT. You are initialing now each page below by initial, and you are signing your name to the first page below my signature?

Captain TALBERT. All right, sir.

Mr. HUBERT. Now, will you turn then to Exhibit 5068, and address yourself to the same basic questions that I asked you originally.

Captain TALBERT. In Exhibit 5068, I have no exceptions whatsoever.

Mr. HUBERT. Just sign your name below mine then. Finally that brings up to Exhibit 5069. Do you have any comments to make with reference to that document?

Captain TALBERT. Yes, sir; on Exhibit 5069, in there—and again due to semantics or to my lack of ability to express myself, some corrections that need to be made on the first page of 5069. It indicates "Captain Talbert directed Lieutenant Pierce to call in 3 squads from their district assignments from 3 different stations to take 4 individuals from the headquarters station." The word "individuals" should be squads.

Mr. HUBERT. In other words, you weren't talking about 4 people, but 4 squads?

Captain TALBERT. Four patrol squads.

Mr. HUBERT. Which would constitute a number of people—

Captain TALBERT. Which I had already directed him to get as many 2-man squads as possible. I do not have a copy of the details but I could get it.

Mr. HUBERT. No, that's all right.

Captain TALBERT. The actual number—and on to the next page of the same exhibit, he added at this time that there were no reserve officers utilized in the basement of the police building, and that specific arrangements were made to inspect the vicinity of the basement. There were reserve officers used in the police building. When it says "basement,"—there were reserve officers used in the basement of the police building. This up here about the "CID," I mean the "detectives," rather than the "supervisor," that should be changed too, and "Pierce's car," also.

Mr. HUBERT. Now, you are speaking of the fifth page of—

Captain TALBERT. Let me initial that down there.

Mr. HUBERT. Now, you were talking about something which appears on the fifth page of Exhibit 5069, in the top paragraph. Will you read the sentence, starting with the word "quote" and ending with the word "quote" and then comment upon the sentence?

Captain TALBERT. "Captain Talbert could also recall that upon arrival of the armored car, at the Commerce Street exit a plain car with three detectives were sent out the Main Street rampway so as to be in position in front of the armored car for the purpose of escort." The word "detective," should be changed to "three supervisors," "uniformed supervisors," and those men were Lieutenant Pierce and—it identifies them later, but they were uniformed supervisors, and this 5-minute element here, now, hold—

Mr. HUBERT. All right.

(Discussion off the record.)

Captain TALBERT. On page 5, of the same exhibit, quote—

Mr. HUBERT. First, top paragraph?

Captain TALBERT. The top paragraph quote, "Captain Talbert identified the occupants of this car as being Lieutenant Pierce, who was at that time driving, Sgt. J. A. Putnam who was in the right front seat, and Sgt. B. J. Maxey, he was in the left rear seat. He was later informed by Lieutenant Pierce that it was approximately 5 minutes prior to the shooting of Oswald that they had proceeded from the basement, left the city hall." That this seems to indicate the time element from the vehicle leaving the basement, and the time that Oswald was shot was indicated to me as being 5 minutes. That was incorrect and I believe now that the indication was that it was approximately 5 minutes from the time Lieutenant Pierce had left the homicide office until the time Oswald was shot.

Mr. HUBERT. In other words, your recollection is now that what Pierce told you later was that 5 minutes elapsed from the time of the shooting and the time prior thereto, that he had left the CID office?

Captain TALBERT. That's it.

Mr. HUBERT. Whereas, the statement that you have just read and quoted would indicate that the 5 minutes was between the time of leaving the basement and the shooting?

Captain TALBERT. Yes, sir.

Mr. HUBERT. And you think that it was a mistake, that you did not intend to convey that idea of what Pierce told you?

Captain TALBERT. That's quite correct. I didn't intend to convey that idea.

Mr. HUBERT. That, in fact, is your recollection now of what Lieutenant Pierce told you?

Captain TALBERT. As I recall now, Lieutenant Pierce told me that from the time he left the basement until the time—and from the time he left the basement ramp and the time he reached the Commerce Street ramp, the shooting had occurred, and that time lapse would be a minute and three quarters, or 2 minutes at the most.

Mr. HUBERT. Do you recall whether Pierce ever talked to you about a 5-minute interval?

Captain TALBERT. The 5-minute interval, I can't recall; no, sir. I don't recall that, but if we want to leave it in here it could have been from the time—it would have been right from the time he left the homicide office until the time of the shooting. I don't recall the 5-minute interval. Now, at the time, it may have happened, but my memory now is—does not bring it back.

Mr. HUBERT. Well, your correction really—

Captain TALBERT. Is incorrect?

Mr. HUBERT. Is, in a way, incorrect, because you have corrected to refer to a 5-minute interval and you now tell me that you have no recollection of talking about a 5-minute lapse at all.

Captain TALBERT. Right, sir. I am merely trying to account for the minutes there in my own—

Mr. HUBERT. But you do not recollect Pierce telling you anything about 5 minutes at all?

Captain TALBERT. I can recall the route he took and where he stopped, but I can't recall the 5 minutes entering into it at all, and—

Mr. HUBERT. All right; any further corrections or observations?

Captain TALBERT. Rather a minute one on page 6. Let me get that. That is about passing out the pads. I don't—to get that identification—I don't think there is any point in answering that.

On page 7, of the same exhibit and the first paragraph, "In regard to this particular assignment Captain Talbert advised that he was acting on his own behalf concerning the security measures and it wasn't on instructions by any particular superior as to what he was or was not to do. At no time prior to the transfer did Talbert receive specific instructions concerning the details of the transfer, and most of this information was obtained during the course of the morning."

In essence, that's true, but to understand the setup of the police function—I was the patrol commander on duty during that period and there was no necessity to give me instructions by anyone in—any superior or any of my superiors as to any incident that would require emergency action or restrictive action. The patrol function is for an emergency function, and to take care of the immediate difficulties, or immediate trouble. So, it leaves the impression in that paragraph that someone was derelict in their not informing me prior to that morning, about not informing me of the course of the transfer and the other details, when actually, it wasn't necessary. And had Captain Souter or Captain Frazier been on duty I think they would have taken the same action. This is a patrol function.

Mr. HUBERT. As I understand it, your comment is that what you did was standard operating procedure?

Captain TALBERT. Standard operating patrol function. If you find trouble arising, try to offset it.

Mr. HUBERT. And that you would be expected to put into operation such standard operating procedure?

Captain TALBERT. Yes.

Mr. HUBERT. And that they would understand that you would take such procedures without any particular orders?

Captain TALBERT. Yes.

Mr. HUBERT. That is the essence of your—

Captain TALBERT. The essence of what I was trying to convey. And, second paragraph, same page, it refers, "Captain Talbert continues to say he has never worked for Jack Ruby in any way whatsoever, but did hear through rumors that an individual by the name of Cox was alleged to be a reserve

officer, was at one time employed by Jack Ruby." That statement arose from having read the newspapers in which Cox gave a statement to the newspaper, the newsmen, and said that he had worked for Jack Ruby. It was not of my knowledge. I didn't know Cox. We have no police sergeant—that is supposed to have been a Sergeant Cox, and we have no police sergeant named Cox.

Mr. HUBERT. As I understand your explanation, you do not deny that you made that statement, but the information you based the statement on you received from the newspapers and not from your own knowledge at all?

Captain TALBERT. True, sir.

Mr. HUBERT. And do you have any knowledge on the point?

Captain TALBERT. No, sir; I still don't know Cox.

Mr. HUBERT. Any other comments?

Captain TALBERT. And the fourth paragraph, same page. That is fourth paragraph, page 7, same exhibit. "In regard to any background information concerning Jack Ruby, Captain Talbert stated that he was never personally acquainted with Jack Ruby, and when he did see Jack Ruby, he could only recall that it was a familiar face. He related that he could not associate the name with the face, and was not aware that Ruby was a nightclub owner in Dallas * * *." I intended to convey that the face of Ruby did not associate itself in my mind with nightclubs in the Dallas area. Although, the name of Ruby associates itself with a reputation of Ruby by—as a nightclub operator in Dallas, quite vividly. I am quite familiar with his nightclubs by name, and associate the name with the unsavory background.

Mr. HUBERT. And that knowledge concerning Ruby, had you used it prior to the events of the 24th?

Captain TALBERT. Yes; that knowledge existed prior to the events of the 24th, and were police records. And other police officers conveying their information to me as to activities around his club, I—around his sister's club out on Oak Lawn, the Vegas Club and the whole name of Ruby and Ruby's sister and their operation of their clubs was familiar to me.

Mr. HUBERT. I think you used the word "unsavory" in connection with him?

Captain TALBERT. Yes, sir; I did. Can she hold this?

Mr. HUBERT. Well, I'd rather—

Captain TALBERT. You can put it in later.

Mr. HUBERT. All right.

(Discussion off the record.)

Mr. HUBERT. All right. Do you have any other things, other comments to make with reference to it?

Captain TALBERT. Not to that specific exhibit, sir.

Mr. HUBERT. All right; will you then initial—

Captain TALBERT. I think that is the final one.

Mr. HUBERT. Do you know whether it was ever considered moving Ruby by use of the Main Street basement entrance?

Captain TALBERT. No, sir.

Mr. HUBERT. I mean moving Oswald.

Captain TALBERT. No, sir; I had no information on that and—

Mr. HUBERT. You did not hear that discussed?

Captain TALBERT. I had—I never heard any rumors to that effect. Didn't hear it discussed and I never heard any rumor.

Mr. HUBERT. Is there anything else that you would like to say concerning any of the matters that we have discussed, Captain Talbert?

Captain TALBERT. Only say that with the explanation of how the basement has been secured, and my personal examination of the basement, I was of the opinion that no unauthorized person could enter that basement.

Mr. HUBERT. To what did you attribute the failure of the security?

Captain TALBERT. The final reason, or the official investigation is one that I can't refute, and I am sure you are familiar with it, that Officer Vaughn on the Main Street entrance stepped out to the curb as Lieutenant Pierce pulled the plain car out to put it in front of the armored car just prior to the shooting, and that is the route that Ruby said he took into the station, and it—as far as any investigation has been, that is the route he took. I can't—

Mr. HUBERT. There is no positive evidence indicating any other route?

Captain TALBERT. No, sir; and the only—hold it a minute. I want—there was an extra police officer standing—still wanted in?

Mr. HUBERT. Well, all right.

(Discussion off the record.)

Mr. HUBERT. Is there anything else you would like to add other than what we have talked about?

Captain TALBERT. My primary concern that morning was with the crowd control, the mob control. Our warning had been against a possible larger group of people taking Ruby away from the officers. They had told the—

Mr. HUBERT. You mean Oswald?

Captain TALBERT. I'm sorry. Taking Oswald away from the officers. They had been told, the person who answered the phone in the FBI office, that he wanted the information transmitted to the police department that no police officers would be injured, and, of course, that was discounted as no police officer being injured by it, but nevertheless, the crowd action was highly probable, and our primary objective was to prevent, or control, crowd action. I had a total of three gas grenade kits and projectile kits in the basement, that is my own, and the officer's riot guns, if that becomes necessary, although, the crowd can be controlled by gas if we couldn't do it with brute force, we could do it with gas. But the event that did occur, where one person dashed out of a crowd and shot a person and literally laid down, said, "Here I am. I did it," in pride was rather stunning.

Mr. HUBERT. Now, captain, have you been interviewed by any member of the Commission other than the interview that you have had with me?

Captain TALBERT. No, sir.

Mr. HUBERT. As to the interview with me, now, there was one yesterday, I think that is about it, is that right?

Captain TALBERT. That's right.

Mr. HUBERT. They—the one with you yesterday and this one has been the only interview?

Captain TALBERT. The only interview has been with you yesterday.

Mr. HUBERT. Now, is there anything that you can think of between the deposition you have given today and the interview we had, which is inconsistent with one another?

Captain TALBERT. No, sir.

Mr. HUBERT. Have you, or did you provide any material or facts in any of the interviews which haven't been developed on the record?

Captain TALBERT. No, sir.

Mr. HUBERT. All right. Then one final thing; is there anything else you wish to say?

Captain TALBERT. I don't think there is anything else I could say that would add materially to your investigation, sir. It is—if there were, I'd be delighted to do so.

Mr. HUBERT. If something should occur to you which has not been covered here or in any other report, I want you to feel free to contact us and tell us that you want to add what should be added.

Captain TALBERT. I would do so immediately. There is no one more concerned with finding out how Ruby got in the basement to shoot Oswald than myself, so, I am with you. I would love to find out how he got there.

Mr. HUBERT. I certainly thank you, and on behalf of the Commission, I want to thank you for your cooperation and time.

TESTIMONY OF CHARLES OLIVER ARNETT

The testimony of Charles Oliver Arnett was taken at 8 p.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission. Robert T. Davis, assistant attorney general of Texas, was present.