

THE LUNCHROOM INCIDENT: A SHORT PROOF AND LONG EXPLANATION

The purpose of this essay is to conclusively refute the hypothesis that the 2nd-floor lunchroom encounter between Lee Harvey Oswald, Roy Trully and Marrion Baker never occurred. Hopefully it will be crystal clear, to the interested reader, that this hypothesis is no longer tenable.

INTRODUCTION

Moments after the assassination, when Victoria Adams and Sandra Styles raced down the corner stairs from the 4th to the 1st floor, they encountered no one. This is a rock-solid witness assertion we can build every other assertion around, as regards what happened in the Texas School Book Depository. For as is well-known, they should have encountered the fleeing Lee Harvey Oswald. The fact that they didn't speaks everlastingly to his innocence.

In those same moments Roy Trully and Officer Marrion Baker raced into the Depository building. They ran to the rear of the warehouse and attempted to get to the roof via the freight elevators. Since these were "hung several floors up", they were forced to use the adjacent stairs. And on the way upstairs, after Baker caught a glimpse of Oswald in a door window-insert, Baker entered the lunchroom to investigate.

THE PROOF

Adams & Styles did not beat Trully & Baker to the freight elevator area. And their supervisor, Dorothy Garner, formally stated that she saw Adams & Styles descend from the 4th floor before Trully & Baker ascended to the 4th.

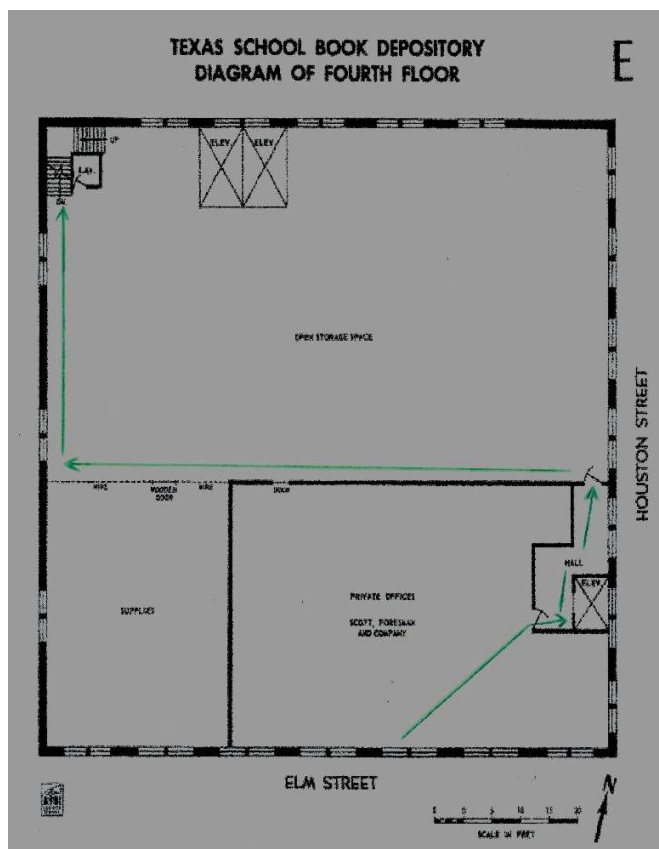
Therefore Adams & Styles were descending from the 4th floor to the freight elevator area during the same timeframe that Trully & Baker were ascending from the freight elevator area, on their way up to the 4th floor. Their paths should have intersected, but they didn't. It is safe to conclude that Adams & Styles passed by Trully & Baker while they were in the lunchroom.

THE FIRST PARAMETER

Adams & Styles did not beat Truly & Baker to the freight elevator area. How can we maintain this with extraordinary confidence? We need to compare time estimates of their respective itineraries.

Adams, who was running in 3-inch high heels, testified that it took her “no longer than a minute at the most” after the shots to reach the bottom of the stairs. Setting Z-313 at 0:00, Adams is estimating she reached the foot of the stairs at 1:00. Is this accurate? Let us give her every benefit of the doubt, conspiring in her favor to get her downstairs as quickly as humanly possible.

Her testimony approximated her time at the 4th-floor window as “between 15 and 30 seconds” before decoding to head outside. But we learn from Barry Ernest’s *The Girl on the Stairs* that Vicki actually left the window much sooner, once she saw Clint Hill climb onto the presidential limousine and it began speeding up for the Triple Underpass.¹ The earliest she could have left is in the neighborhood of Z-400, about :05 after Z-313.



We have another piece of information, thanks to an e-mail Sandra Styles sent to researcher Sean Murphy. She and Vicki at first tried the passenger elevator, but “it did not come when we called it.” Adams had travelled a minimum of 40 feet to the passenger elevator in the hallway. We will give her an unobstructed path and assign her a maximum speed of 12 ft/sec. This says Adams can run a 100-yard dash in 25 seconds in those high heels. Not too shabby. She reaches the passenger elevator at :09.

Because of her heightened alertness, she quickly sizes up that the elevator isn’t operating. She leaves there at :13. She has 26 feet of hallway ahead, to get through the door into the warehouse, and she manages this at :16.

¹ The Girl on the Stairs, p. 329

The stairwell is 104 feet away, but we know she doesn't have a beeline there. Although no photos of the 4th-floor storage area are available, pictures of the basement show book cartons stacked to the rafters, and even the landing area outside the lunchroom is crammed with book cartons. We have every reason to expect this 4th-floor storage to be arranged in aisles of book cartons. Adams has to travel the 49- and 92-foot sides of the triangle, rather than the 104-foot hypotenuse, and reaches the stairs at :28.

There are about 10 steps per half-flight, with a 12-foot landing across each floor that brings one to the next set of steps. We will give her 3 seconds to descend each half-flight, and 2 further seconds to round each landing- a total of 8 seconds per floor. Then Adams reaches the stairs leading down to the 2nd at :36, to the 1st at :44, and reaches the bottom of the stairs at :50.

But we're not done with her. Adams testified she encountered someone downstairs and told them the President had been shot, but received no response. This was at a point "slightly east of the front of the east elevator, and probably as far south as the length of the elevator." For Barry Ernest she described this point as "inside the building right near the loading dock right after I got down the stairs."²² This point measures 36 feet from the bottom of the stairs. Adding 2 seconds for this conversation and non-reaction, Adams doesn't leave this point until :55.

Here we are going to make a judgment, sound and firm. At all places on the 1st floor previous to this point, Truly & Baker would have noticed Adams & Styles, had Truly & Baker been inside the warehouse will-call counter. They could not have helped but asked something along the lines of "Why are you running?" on the chance that the reply would be "There's a gunman up on the 4th." That kind of information would be vital to Truly & Baker's endeavor, and could entirely change their destination. They could not avoid asking such a question. At all places beyond this east elevator point, Adams & Styles run unnoticed out the rear door for the steps outside.

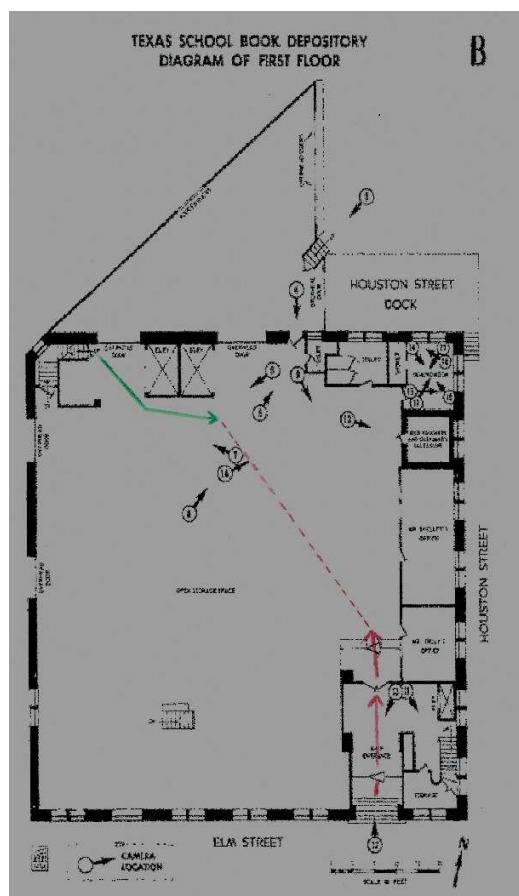
This is simply another way of saying that Truly & Baker certainly would have said something, had they been looking where they were going and seen Adams & Styles across the warehouse. And that they wouldn't have noticed the women beyond a certain point.

A word about margin of error- these values are skewed in Adams' favor. In terms of a Bell-curve distribution of possible values, they represent a collection from the narrow left-hand region. There is not an equally-balanced, plus-minus margin of error in these estimates. For example, we have estimated that Adams made it from her window to the passenger elevator in 4 seconds. It is much less likely that she made it in 3.9 rather than 7 seconds. And we will

²² The Girl on the Stairs, p. 347

soon appreciate that the values assigned to Adams' movements are not realistic. The numbers, in the final analysis, only give us a *qualitative* understanding of the events addressed here. But that understanding is precise.

Now we can turn to the Truly/Baker estimates, and give them the slowest times that reason allows. Baker was captured in the early moments of the Couch/Darnell film, racing for the Depository steps. He actually brushed past Truly, who was standing in the Elm St. Extension and turned and watched the officer dash up the steps. A study at JFKLancer in July 2007 established a value of Z-313 + 22 seconds as the time for when Baker's foot contacts the first step. Unfortunately Lancer's archives are not yet on-line. Because Couch began filming at 10 seconds after the last shot,³ and in Baker's March 20th re-enactment he reached the door of the Depository in 15 seconds, and this from the spot where he heard the first shot.⁴ For the purposes of this essay it will be sufficient to set Baker's first-step contact at :22.



Couch's film pans left down Elm St., and we can't see Baker climb the front steps. He was in full stride and there are only 7 steps and he made it onto the top landing no later than :24. We now have to determine just when he and Truly reached the will-call counter at the front of the warehouse.

Baker's affidavit on November 22nd stated that he "ran inside the building. As I entered the door I saw several people standing around. I asked these people where the stairs were. A man stepped forward and stated he was the building manager and that he would show me where the stairs were."

His testimony further clarified that he met up with Truly in the front lobby: "As I entered this lobby there were people going in as I entered. And I asked, I just spoke out and asked where the stairs or elevator was, and this man, Mr. Truly, spoke up..."

Truly's November 23rd affidavit stated "I saw an officer break through the crowd and go into our building. I realized he did not know anything about the building, so I ran in with him. The officer and I went through the shipping department to the freight elevator." His

³ Presumed Guilty by Howard Roffman, Chapter 8

⁴ WCH VII p. 593

November 22 FBI statement said more generally that “*he accompanied the officer into the front of the building.*”

His testimony explained that “*As [Baker] ran up the stairway- I mean up the steps, I was almost to the steps, I ran up and caught up with him. I believe I caught up with him inside the lobby of the building, or possibly the front steps.*”

The Darnell film shows that Truly was standing only about 10 feet in front of the Depository steps when Baker brushed by him. This was an adrenalized, frantic situation in which people would have been communicating at a rapid-fire pace. But let us grant Baker a full 5 seconds atop the front landing, and a further 5 seconds inside the front lobby until he encounters Truly, at :34. This means that Truly has 12 seconds to watch Baker climb the steps and enter the building, follow him and catch up with him in the front lobby. And then let us grant Truly a full 10 seconds to explain to Baker the most direct route upstairs. This, in circumstances where a cop is in pursuit of a gunman, where every second counts. Truly and Baker now enter the warehouse at :44.

The will-call counter was 7 feet inside the warehouse, but surprisingly, the partition door was latched shut. Truly had to undo the bolt and Baker was moving so fast he bumped into him. Each man mentioned this in his testimony.

And the reader can well appreciate that the amount of time required for them to undo the latch, get through the door and look across the warehouse toward the freight elevator area is safely under the threshold of 55 seconds that was set for Adams’ departure from the corner of the east elevator. And understands that even the speediest Adams estimate and slowest Truly estimate doesn’t win the day for Adams.

With this realization comes the realization that Adams exaggerated her arrival time downstairs somewhat. Not only didn’t she win the race to the corner of the east elevator, she wasn’t in the freight elevator area when Truly & Baker spent several seconds trying to summon one, and she wasn’t on the 2nd-floor landing when they went up a flight of stairs. The fastest re-enactment time for Baker to reach that landing was 75 seconds. The Commission used this as a counterweight to get Oswald down from the 6th floor into the lunchroom in 74 seconds.

The Commission never asked for a re-enactment from Adams, as that would have been disastrous to their case against Oswald. This omission was one of numerous ambiguities darkening the truth.

THE SECOND PARAMETER

In 2010 Barry Ernest made known his discovery of the Stroud document at the National Archives. It had been found in the papers of the U.S. Attorney's office in Dallas, a copy of a letter they had sent in June of 1964 to J. Lee Rankin, the Warren Commission's Chief Counsel. After enclosing some minor corrections to Victoria Adams' signed transcript of her testimony, Assistant U.S. Attorney Martha Joe Stroud added:

"Mr. Belin was questioning Miss Adams about whether or not she saw anyone as she was running down the stairs. Miss Garner, Miss Adams' supervisor, stated this morning that after Miss Adams went downstairs she (Miss Garner) saw Mr. Truly and the policeman come up."

This document was written in the context of Adams' testimony regarding her estimate of arriving downstairs "no longer than a minute at the most" after the shots. Because the Commission knew too well that, if her time estimate was correct, she should have encountered Lee Harvey Oswald fleeing from the sniper's nest. They had little choice but to construe her as mistaken, and maintain that she actually used the stairs several minutes later.

Dorothy Garner, Adams' boss at Scott-Foresman publishers, came to the U.S. Attorney's office to support Adams' contention. For she had gone out into the storage area herself shortly after Adams & Styles and heard them going down the noisy wooden stairs. She soon saw Truly & Baker come up onto the 4th-floor landing.

Garner was completely ignored by the Commission and the Stroud letter survived only because the U.S. Attorney's office had made a copy for their records. And since it was found unexpectedly, and addressed solely the Adams/Oswald issue, it has innocence of provenance. It is untainted evidence and the information it supplies can be applied without qualms to our knowledge of the lunchroom incident.

Garner's eyewitness account constitutes proof that Truly & Baker came up the stairs after Adams & Styles went down. This establishes a boundary condition and we can properly put the lunchroom problem in mathematical language. Because Adams & Styles were in the same region at the same time as Truly & Baker, between the 4th-floor landing and the freight elevators. One set was going down while the other set was going up, yet they did not intersect. And it is a mathematical certainty that Adams & Styles passed by Truly & Baker while they were in the lunchroom.

A great deal of confusion has been produced over the years due to Sandra Styles' poor memory. No accounts of her interviews with authorities ever came forward, and it is a credit to Sean Murphy that he located her and elicited what details she could remember. Styles long held the impression that she and Vicki had run down the stairs several minutes after the shooting. But she left open the possibility that Adams' account may have been the more accurate one. Even Garner, who was recently contacted, did not recall seeing Truly & Baker

come up to the 4th-floor landing. Fortunately we have a document from the time period that reproduces what was experienced when memories were fresh.

There isn't any wiggle room here. When we examine the vestibule door with the plate-glass window, that Baker first glimpsed Oswald looking through, we understand better why Truly & Baker missed hearing Adams & Styles. The fresh grain pattern indicates this was a new door, installed during the last years of Sexton Grocery or during the late 1962 renovations to accommodate the TSBD company. It had an automatic closing device and took several seconds to close.



This heavy-duty door helped to muffle sounds from the landing and stairwell, so that people in the lunchroom could eat in relative peace and quiet. Truly, Baker and Oswald were in an intense, confrontational situation just inside the lunchroom doorframe. Even if they heard some noise from those high heels, it was only high heels- irrelevant to the gestalt- and they quickly forgot about it.

MURPHY'S POSTULATE

Sean Murphy circumvents the certitude imparted by the Stroud letter by postulating that Truly & Baker had in reality taken the west freight elevator upstairs. This thesis requires that Baker made a false statement in his affidavit, since he wrote that "The elevator was hung several floors up so we used the stairs instead."

Baker is alleged to have lied here at the behest of Captain Fritz, the longtime Chief of Homicide. Fritz is supposedly frustrated that Baker's search of the TSBD turned up nothing, no trace of a gunman. He needs some sort of evidence that his suspect, Oswald, was fleeing the scene of the crime. He thus coaxes Baker into adding into his affidavit that "as we reached the third or fourth floor I saw a man walking away from the stairway."

Baker worked in the Traffic & Security division as a solo motorcycle officer and had no obligation to answer to Fritz. But more importantly, we are never given any indication as to when Fritz's supposed coaxing took place. Several established details render this coaxing scenario as too strained to be plausible.

Oswald's first interrogation lasted until 4:05 PM, when he was brought downstairs for a line-up. Fritz wrote in his interview summary that "Mr. Truly had told me that one of the police officers had stopped this man immediately after the shooting somewhere near the back stairway." Evidently Truly had told Fritz this when he went upstairs during the 6th-floor search to inform the Captain he had "a boy missing".

Baker had been out to Parkland Hospital and Love Field before returning to DPD headquarters. About 4:45 PM he was filling out his affidavit in a back room in the Homicide Office when Oswald was brought in, accompanied by the Secret Service's Forrest Sorrels and Thomas Kelley. It has been an endless source of perplexment as to why Baker didn't mention this in his affidavit, as he surely would have recognized Oswald, even with a welt on his left eye. We know that Oswald was soon brought back into the main interrogation room, because Baker overheard the shouting from within: "Did you kill the President?!... That's absurd!! I want a lawyer!!"

Fritz was a seasoned interrogator with a renowned ability for extracting confessions. Yet- if we are to believe Murphy's postulate- he has a sudden loss of self-confidence after just one session with Oswald. Somewhere between 4:05- 4:45 he quickly co-opts Baker into a risky plan- risky because Baker may have a change of conscience someday and expose it. And Baker is going to have to remember two lies from now on, without getting crossed up- that he encountered a man on the "3rd or 4th floor" and that the elevator was "hung several floors up".

We are also asked to interpret the last line of the Stroud letter- "*after Miss Adams went downstairs she (Miss Garner) saw Mr. Truly and the policeman come up.*"- in a manner contrary to common sense. As *come up* [on the elevator] rather than *come up* [those same stairs]. This was

a U.S. Attorney's office, and it was clearly defined via parentheses that it was Miss Garner who had seen Truly & Baker. Had they come up on the elevator, this would have been explicitly stated, so it would be clearly understood. The writer apparently truncated the sentence because she had already added in the parentheses for clarification.

We are also asked to imagine TSBD order-filler Jack Dougherty as covering for Truly & Baker, since he finally admitted near the end of his testimony that it was he who had taken the west elevator downstairs; this was admitted in order to explain why Truly had testified that the west elevator was curiously missing once he had climbed the stairs to the 5th. While looking up the shaft from the 1st floor Truly said he was sure he had seen it hung up on the 5th.

Dougherty thus went along with this ploy- this despite telling the DPD on November 22nd that he was on the 5th floor at the time of the shots. He reacted by going down to the 1st, and we are asked to imagine that he used the stairs in this instance. He subsequently returned to the 6th, he added. Dougherty explicitly stated in his December 18th FBI statement that "he used the elevator" on this subsequent return.

With Truly & Baker supposedly usurping the west elevator for their search of the roof, Dougherty has only the east elevator available for this subsequent return. Yet we are asked to imagine further that the assassin(s) of JFK used the east elevator to escape. Dougherty, even descending at the pace of Adams & Styles, would have arrived downstairs well ahead of the assassins- by :35, and those elevators required 25 seconds to descend from the 6th to the 1st. Dougherty allegedly reacted at the first shot, and with 5 seconds to get off the remaining shots, the assassins have nowhere near enough time to get into the elevator and beat Dougherty to the 1st floor. This exposes a glaring omission in Murphy's postulate- how does Dougherty miss seeing the assassins on the 1st, or why doesn't he mention them at DPD headquarters?

The lunchroom non-event hypothesis doesn't get salvaged by this postulate. In the end we are forced to accept the original story- at least its location.

SOME COMMENTS

The totality of the evidence used to support the lunchroom non-event hypothesis must be re-evaluated in favor of a more prosaic explanation. This means that conflicts between the earlier and later accounts don't indicate that the encounter didn't happen at all. Possibly they indicate that a telling piece of evidence was withheld- one that spoke for Oswald's innocence.

Baker's crummy description of his whereabouts inside the Depository doesn't definitively indicate he was referring to a place other than the 2nd-floor landing. Nor does his failure to remark upon Oswald in custody in his affidavit definitively indicate a malignant intent.

Properly interpreted, the key detail in the phrase "I saw a man walking away from the stairway" tells us Oswald walked away from the plate-glass window once Baker spotted him. Had he stayed put, Baker's reaction might have been quite different. What clues does Oswald's behavior give us?

Unfortunately, the state of affairs in the research community is such that objective truth is deciphered based on tribal allegiances. Proponents of the lunchroom non-event hypothesis are deeply embedded in their beliefs, which are fortified with hard feelings. And I do not await capitulation from this obstinate school of thought.

Richard Gilbride

in memory of Sylvia Meagher

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