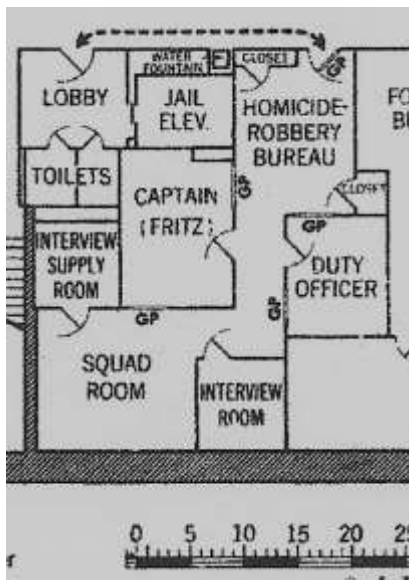


FURTHERING THE LUNCHROOM EVIDENCE

This essay reviews DPD Detective Marvin Johnson's after-action report. Almost alone, it is proof that the 2nd-floor lunchroom encounter actually occurred. Also reviewed is the recent interview of Rosa Daniel, daughter of TSBD clerk Sarah Stanton, by researcher Brian Doyle. This is new evidence supporting the contention that Oswald was stationed in the lunchroom area during the shooting of President Kennedy.

MARVIN JOHNSON'S REPORT

Researchers have long wondered why motorcycle patrolman Marrion Baker did not mention recognizing Lee Harvey Oswald in his November 22nd affidavit, since the suspect was brought into same small interrogation room where Baker was writing, and had been confronted only a few hours earlier when Baker raced upstairs into the Book Depository with superintendent Roy Truly. And there will probably never be complete agreement on the specific psychological reason.



But Oswald was brought in as part of an entourage of at least 6 law enforcement officers.¹ These included Secret Service agents Forrest Sorrels and Thomas Kelley, FBI agents James Hosty and James Bookhout, and DPD detectives Richard Sims and Elmer Boyd. Not only was

¹ WCH VII p. 353; WCH XIII p. 57

Baker's train of thought interrupted- which led to a couple of vague descriptions in the affidavit when describing his location within the unfamiliar Book Depository. Baker was suddenly immersed in a situation where any accusatory statements he made could be misinterpreted adversely, later in a legal setting. And he apparently reacted with police discipline and remained quiet about what he recognized. The less said, the better.

But he was quite mindful of this omission. And as soon as his affidavit was typed up he brought it into Marvin Johnson's office. And confided to Johnson that this suspect was the same guy he'd encountered down at the Depository. He'd even "*started to search the man.*"

Johnson's undated after-action report² included the statement that he'd "*returned to duty Tuesday November 26, 1963 at 8:00 am,*" so it wasn't composed until at least 4 days afterward. And it contained a glaring inaccuracy, which might be better understood with a brief review of his post-assassination activities.



² WCH XXIV pp. 307-308

Johnson had assisted in the initial search of the building and was one of the few officers remaining once police departed en masse in response to the shooting of Officer Tippit out in Oak Cliff. He emerged more than an hour and a half later carrying some items recovered from the vicinity of the 6th-floor sniper's nest- a lunch bag with chicken bones, a Dr. Pepper bottle, and crushed pack of Viceroy cigarettes. His partner, Leslie Montgomery, emerged with a long paper bag suspected of having been used to smuggle the assassination rifle into the Book Depository.



Johnson reported: *“At approximately 2:30 pm we left the Book Depository and transported the items mentioned above to the crime lab located in city hall. We then returned to our office, arriving at the office at approximately 3:00 pm.”*

Yet researcher Ian Lloyd discovered, in a 2010 post at JFKLancer, that a blowup of this William Allen photo shows that Montgomery's watch actually reads 3:00 PM. And researcher Gil Jesus, in an exhaustive study of this long paper bag, determined that it had been constructed during the 2:00 hour right within the Depository.³ And the Viceroy cigarettes were omitted, not only from Johnson's report, but from any and all official recountings of the crime scene investigation. They didn't turn up again until a crime lab invoice was found many years later, which shows that these items were not turned in until 3:20 PM.

³ “The Bag Job” @ giljesus.com

IDENTIFICATION BUREAU
CRIME SCENE SEARCH SECTION
POLICE DEPARTMENT, DALLAS, TEXAS

DATE SUBMITTED 11-22-63 TIME 3:00 PM

OFFICER _____ OF _____

THE OFFICE OF THE IDENTIFICATION BUREAU RECEIVED THE FOLLOWING:

in evidence room
 1 Dr. Paper bottle
 1 paper bag - made from wrapping paper
 1 80 Viceroy cigarette pack
 1 lb for prints

EXAMINATION REQUESTED: _____

LOCATION WHERE COMMITTED _____

NATURE OF OFFENSE _____ DATE _____ OFFENSE# _____

COMPLAINANT _____

SUSPECT _____ RACE _____ SEX _____ AGE _____ ID# _____

_____ RACE _____ SEX _____ AGE _____ ID# _____

SIGNATURE OF PERSON SUBMITTING SPECIMEN M. Johnson ID# 879

SIGNATURE OF PERSON RECEIVING SPECIMEN W. Baker ID# _____

SPECIMEN RELEASED TO _____

DATE _____ TIME _____ BY _____

RESULTS: _____

But this essay is not concerned with the monkey business that went on when the DPD doctored the physical evidence. We're interested in what one cop related to another- about his encounter with Oswald at the Book Depository- as evidenced in Marvin Johnson's report:

"While in the office from 3:00 pm until 2:00 am I answered the phone and took an affidavit from Patrolman M.L. Baker. Patrolman Baker stated in his affidavit that he was riding escort on his motorcycle for the President's motorcade..."

*...After determining the origin of the shots, he jumped from his motor and ran into the building. He found a man that said he was the building manager. Officer Baker and the building manager then went to a stairway and started up the stairs to search the building. On about the 4th floor Officer Baker apprehended a man that was walking away from the stairway on that floor. **Officer Baker started to search the man**, but the building manager stated that the man was an employee of the company and was known to him. Officer Baker released the man and continued his search of the building. **Officer Baker later identified Lee Harvey Oswald as the man** he had seen on the 4th floor of the Texas Book Depository...*

...When Patrolman M.L. Baker identified Lee Harvey Oswald as the man that he stopped in the Texas School Book Depository Building, Patrolman Baker was in the Homicide Bureau giving an affidavit and Oswald was brought into the room to talk to some Secret Service men. When Baker saw Oswald he stated, "That is the man I stopped on the 4th floor of the School Book Depository."

The last portion of Baker's affidavit was composed when 6 law officers barged into that small back room in the Homicide Office. It stated inaccurately that "***As we reached the third or fourth floor I saw a man walking away from the stairway.***" And Johnson compounded this by mis-reporting it as "*On about the 4th floor.*" But there was no question that the man Baker had encountered "walking away from the stairway" was the same man who was brought into that small back room at the Homicide Bureau.

Baker identified Oswald while he was in that back room, and, according to Johnson, even stated there and then that "*That is the man I stopped on the 4th floor of the School Book Depository.*" This back-room assertion was not described in Baker's affidavit, nor in his subsequent testimony- counsel David Belin had not narrowed the location of where this recognition occurred more specifically than "in the police station."⁴ And Belin never asked whether Baker had asserted anything upon recognizing the suspect.

We don't find support in the testimonies of Sorrels, Kelley, Hosty, Bookhout, Boyd, Sims or Johnson that corroborates this assertion. We wouldn't even know from them that Baker was in that small back room. This was a brief questioning episode that took place just after Oswald's first police line-up, when Dallas SAIC Sorrels arrived and asked Captain Fritz if he could ask a few questions. And it is Baker himself who tells us about this episode:

"As I was in the homicide office there writing this, giving this affidavit, I got hung in one of those small little offices back there, while the Secret Service took Mr. Oswald in there and questioned him and I couldn't get out by him while they were questioning him, and I did get to see him at that time."⁵

But whether or not Baker actually asserted "*That is the man I stopped*", it is a certainty that Baker at least recognized the suspect. Marvin Johnson devoted nearly a full page of his 2 ¼ page after-action report, which described his activities on November 22-23, to what Officer Baker had expressed to him. He rendered a lengthy paragraph relating Baker's information, which concluded "*Officer Baker later identified Lee Harvey Oswald as the man he had seen on the 4th floor of the Texas Book Depository.*" He then rendered a lengthy paragraph describing his November 23rd activities. He subsequently concluded his report with a short paragraph, as an afterthought, which additionally specified where Baker was when he "*identified Lee Harvey Oswald.*" Baker was "*in the Homicide Bureau giving an affidavit and Oswald was brought into the room.*" Thanks to this afterthought, we can be sure that Baker recognized Oswald.

But Baker himself remembered it differently 14 years later in a brief contact interview with the HSCA. He said "*He returned to hdq. and put his bike away. He gave a statement and found out from the officer who had also taken a statement from Mr. Truly that **the man he accosted** on the second floor of the TSBD was Oswald.*"⁶ With the passage of time, in this brief recounting, Baker omitted the back-room episode and attributed the recognition to someone else.

⁴ WCH III p. 262

⁵ Ibid, p. 257-258

⁶ HSCA interview of Marrion Baker by James Kelly & Harold Rose, 10/25/77

Simply put, Baker did not want to get involved with the HSCA, because he knew that since he'd encountered Oswald as quickly as he did, circa 50-60 seconds after the assassination, that it was not possible for him to be standing calmly in the 2nd-floor lunchroom if he'd just run down from the 6th-floor sniper's nest. Baker knew that Oswald could not have killed President Kennedy. And he did not testify before the HSCA.

The HSCA snippet that "*he accosted*" this man in the lunchroom does correlate with Johnson's detail- which was not included in the affidavit or testimony- that Baker had "*started to search the man*" until Truly vouched that he was an employee. This correlation suggests that a quick search of the suspect did in fact occur, and gives some body to the estimated 30-second encounter with Oswald.

With Johnson's report we have evidence that the suspect being held in Captain Fritz's office was the same man that Officer Baker had encountered down at the Texas School Book Depository. Couple that with Truly's FBI report the night of the 22nd, which explicitly states that this incident took place "*in a snack bar*" on the 2nd floor⁷, and you have rigorous court-presentable proof that the lunchroom encounter actually occurred.

Never once have proponents of the belief that the lunchroom incident was hoaxed offered substantive evidence that supports their claim. They present not one scintilla of documentation that establishes how this circumstance may have transpired. They do not even conduct a voice-stress analysis of the filmed interviews that would help indicate where Officer Baker may have been lying. They refuse to explain their case to a professional detective, or one of Baker's children, or to anyone who could make a difference.

Instead they resort to pitchforks and torches to petition their cause, relying on censorship and ridicule to stifle dissenting opinions, fomenting a false consensus that they take as an indicator of correctness. They pile up innuendo upon innuendo without a firm epistemological connection- offering up barroom scholarship- and fail to deliver a thesis that can withstand every assault of Reason.

Because in the final analysis, the abundance of ambiguities in the lunchroom evidence arose due to the human tendency to mis-report second-hand information. It was abundant simply because of the volume of reportage. Every evidentiary item has a mundane explanation that supports the occurrence of this incident, if you only pause and dig deep enough to find it.

Baker recognized Oswald and told this to Marvin Johnson- which is all the proof the researcher needs to know that the 2nd-floor lunchroom encounter is fact, not fiction. Denial of this fact entails cognitive dissonance comparable to the cerebral shutdown lone-nutters experience when confronted with evidence speaking for Oswald's innocence. Is it not the responsibility- and difficult calling- of researchers to stem the tide of misinformation that has flooded the Kennedy assassination from day one?

⁷ WCD 5 p. 322

ROSA DANIEL INTERVIEW

On June 17, 2018 researcher Brian Doyle conducted a phone interview with the former Rosa Daniel, who was the daughter-in-law of Sarah Stanton, a clerk for the Texas School Book Depository Company who worked in the large central office on the 2nd floor. Also present was Rosa's own daughter Wanda, who was Sarah Stanton's grand-daughter. Doyle had spoken with Wanda on a previous occasion, and learned the startling new information that, shortly before the assassination, Sarah Stanton had spoken with Oswald "in a break room... by the stairs."

What follows is a partial transcript of the interview available on youtube at https://www.youtube.com/watch?v=Z_y9gZ3IW50



DOYLE: OK. So you told me that Sarah regularly discussed what happened the day of the assassination with you and family members.

ROSA: We- it was, uh- my- with me and, uh, my husband at the time.

WANDA: Her son.

DOYLE: Her son Jack, right?

ROSA: Yes.

DOYLE: So- so Wanda gave me the impression that she was very conversational about what happened that day and discussed it with family members?

WANDA: Um, when we would get together with family members they would discuss what she talked about to them. But it was always the same- which is, what my mom recalled.

DOYLE: Yeah, um, all right. So- she told you that she- she was on the front steps watching the motorcade, and that she immediately went upstairs to get a better view?

ROSA: Yes, yes.

DOYLE: And-

ROSA: She says he was drinking a soda.

DOYLE: But- but I'm talking about Sarah Stanton herself. She was- she was on the-

ROSA: She was- yes.

DOYLE: Yes.

ROSA: And the way to find her is, she was a very big woman.

DOYLE: Yeah. I've already done the footwork on that, and I've located her in the NBC newsreel footage of the assass-

ROSA: Yes.

DOYLE: They ran the camera by the front steps of the Book Depository and you can see Sarah, she's all the way to the left on the front steps.

ROSA: Oh, OK. Yes.

DOYLE: But- so, in her stories to the family members, she told you that she saw Lee Harvey Oswald in a break room right before going outside to watch the motorcade?

ROSA: In- **at the stairs.**

DOYLE: She told-

ROSA: That's what she said. **At the stairs. And she asked him if he was going to go down to see it? And he said, "No, I'm going to go upstairs."**

DOYLE: She asked him, "Are you going to go **down** to see the motorcade?"

ROSA: Yes.

DOYLE: She said-

ROSA: And- and he said, "**No, I'm- I'm just going to get this soda- I came down to get this soda and I'm going back**"- back to- to the room where he was working.

DOYLE: Right. So, you very- you very- this is important. You very specifically remember Sarah told you that she asked Oswald if he was going to go **downstairs** to see the motorcade.

ROSA: Yes.

DOYLE: And- and he said, “No, I’m just here for a soda, and I’m going to go back- back and do- continue my work?”

ROSA: Yes- to his- yes.

DOYLE: The- the other thing that’s important is that Sarah said she saw Lee Harvey Oswald with a **soda**?

ROSA: Yes.

DOYLE: So she very specifically said he was holding a soda.

ROSA: A soda...

.....
(The next couple of minutes clarify that this was a Coca-Cola)

.....
DOYLE: ...Sarah was the second witness to any kind of soda.

ROSA: Yes. Yes. And, uh, she said that he wasn’t going to go eat. That he had just come down to get the soda.

DOYLE: That’s- that’s- that- the wording of that is very important. Because it helps establish his location, and-

ROSA: Yes.

DOYLE: And I- see, Sarah worked on the second floor, and the way she would go outside would be by the lunchroom. Where the soda machine was. So I think- I think Sarah encountered Oswald by the entrance to that lunchroom.

ROSA: Yes.

DOYLE: And that’s why- you remember- she told you that she asked Oswald, “Are you going to eat lunch?” Right?

ROSA: Yes.

DOYLE: She was very specific about that. She asked Lee Harvey Oswald, “Are you going to eat lunch?”

ROSA: **“Are you going up to lunch?”** Yeah. And, uh- **he said, “No, I’m going back to- to my room.”**

DOYLE: Now, I think the reason she asked him if he was going to lunch is because he was standing in front of the 2nd-floor lunchroom door. But that’s-

ROSA: That- the reason- the reason is she wanted to talk to him. ‘Cause he was a very quiet person. And he was not going to- to have conversations with nobody. So, she said that- he never talked. So, she asked- she asked him if he was going out to lunch. If he was going to lunch. **And he said, “No, just the soda.”**

DOYLE: Yeah, I think- I think, uh, the reason she asked him that is he was standing in front of the lunchroom. Which, you know, made her ask-

ROSA: Yes.

DOYLE: “Are you about to go to lunch?” But that’s- that’s on my end. Your end is just what you heard from Sarah, so, uh-

ROSA: Yes.

DOYLE: So, uh, let’s see- because Sarah worked on the 2nd floor in the offices there. But it makes sense to me that just when she left her offices that’s when she sees Oswald right in front of the 2nd-floor entry to the lunchroom. So-

ROSA: Yes.

DOYLE: Um, is there any way you remember if she said exactly how long before Kennedy was shot that this- that she witnessed Oswald?

ROSA: That, uh- she said, “I went down because they said that, uh, the- that the President was going- they were already coming, but not- not there yet.” So she wanted to prepare herself and be on the stairs- where- where she met Oswald.

DOYLE: The reason I ask you for that detail- that- I don’t blame you. It’s 55 years- it’s 55 years ago.

ROSA: Oh, yes, yes.

DOYLE: It’s a meaningless detail unless you’re trying to piece together what I’m doing. But, um- because the other woman Carolyn Arnold, the secretary, she said she saw Oswald 5 minutes before Kennedy arrived.

ROSA: Oh.

WANDA: That’s what- Carolyn said that she saw Oswald 5 minutes-

ROSA: Oh.

WANDA: -before. But, do you remember, did grandma tell you how many minutes before?

ROSA: No, no. He went up- he went upstairs.

DOYLE: Yeah. And we can find- we can find that out from witnessing because their specialties, so that's not really (pertinent). Uh- do you remember if Sarah mentioned speaking to the FBI or any other interviewers about this?

ROSA: I- I don't think so. Because, uh- I don't think so-

WANDA: All I had ever heard- and this is Wanda speaking now, is, uh- she didn't wanna speak. And we don't know what her reasons were, but- if she- she was- she didn't want to speak to anybody. And they were harassing her. Or not harassing her. But any calls or- I don't know if they were coming over and trying to get information. But she- she had already given her statement and she didn't want to be bothered.

DOYLE: So-

WANDA: Not that she didn't think that it was important, you know, it's just- that- that was my understanding. Was that she had already done her thing and she didn't want to give any more statements.

DOYLE: The reason I ask is because there is an- there's an FBI document where it claims that Sarah did not see Oswald at all that day- quote unquote- which- the reason I'm asking is because this is somewhat diametrically opposite. So it makes me wonder if, you know, if she told this to the FBI. But it makes it sound like she just never told it to anybody.

WANDA: Well, that- we couldn't tell you. She's gone now.

DOYLE: Yeah.

WANDA: All we know is what we know...





This important interview gives us an eyewitness account of Oswald's whereabouts inside the Book Depository close to the 12:30 assassination. Not since 1978 has comparable information come to light. And comparable to Carolyn Arnold, Sarah Stanton told the FBI that following spring that she "did not see Lee Harvey Oswald at that time or at any time during that day."⁸

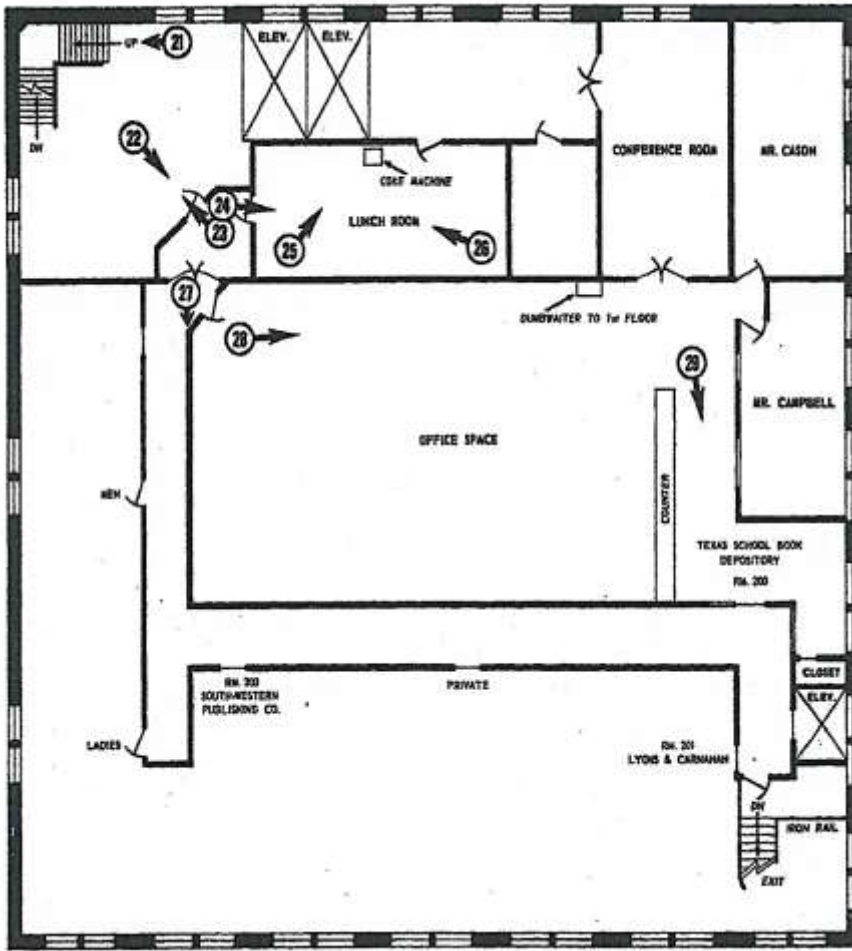
Stanton, in fact, had flat-out denied ever seeing him when personally interviewed by two special agents on **November 23rd**.⁹ The FBI spoke to her- and Arnold- again on the 27th, because they handled many of the incoming TSBD Company phone calls, but they could not recall anything for Lee Harvey Oswald.¹⁰ And the researcher is left to wonder whether the FBI changed these womens' witness sightings- which would have exonerated the suspect- or whether they were intimidated into silence in the public atmosphere of Oswald's guilt.

Yet Stanton's story "was always the same" to her family members, which bears the imprimatur of truth, since nothing seems to have been changed or exaggerated to impress upon the listener that this is what had happened. Her brief encounter with Oswald took place "**at the stairs**" where he was holding a "**soda**". She asked him if he was going to go **down** to see the President's motorcade. Was he going to have lunch? And Oswald told her, "**No, just the soda.**" He was going back to work.

⁸ WCH XXII p. 675

⁹ WCD 7, p. 20

¹⁰ WCD 205, pp. 238-239



Every salient detail of Sarah Stanton’s account correlates with an encounter on the 2nd-floor landing just outside the lunchroom, where the Coke machine was located. It does not make sense that Oswald would be standing with a soda at the other possible encounter spot, at the head of the front lobby stairs. Why would Stanton ask him if he was going to have lunch, if he were not near the lunchroom? Why would he be lingering at the lobby stairs with a soda, a Coca-Cola, that had to have been purchased right in the lunchroom?

We also get corroboration from Carolyn Arnold, because she told newsman Earl Golz that she saw Oswald in the lunchroom “as she was on her way out... I just recall that he was sitting there... in one of the booth seats on the right-hand side of the room as you go in. He was alone as usual and appeared to be having lunch. I did not speak to him but I recognized him clearly.”¹¹ Unlike Arnold, who told the FBI she left the Depository “at about 12:25,” we have no indication of when Stanton exited the building. But because she watched the motorcade from atop the front landing, we can be confident that she was one of the last employees to leave, and encountered Oswald in close proximity to Carolyn Arnold’s sighting.

¹¹ Was Oswald in window? by Earl Golz, Dallas Morning News, 11/26/78

Stanton's eyewitness account reinforces Carolyn Arnold's eyewitness account. These are the only two people to have ever come forward to state that they saw Lee Harvey Oswald between noon and the assassination. A calm demeanor having a Coke on the 2nd-floor landing, to being calmly absorbed in the act of eating inside the lunchroom, to a calm composure when confronted by Officer Baker- this paints a consistent picture of Oswald lingering in and around the lunchroom area as the motorcade came and went.

Not only does this consistency demolish any notion that he was in the 6th-floor sniper's nest. It exposes Oswald's claim to Captain Fritz- that he was having his lunch on the 1st floor about the time the President was shot- as a mere alibi.

When the research community finally accepts that the 2nd-floor lunchroom encounter is an established fact, the fact that Oswald had been there during the shooting sequence will naturally follow.

Was he not assigned to the lunchroom?

Richard Gilbride

January 2019

for Duke Lane



