146BCAA98A290CDC8625645200742D7B NR key name: SendTo: Eileen_Sullivan @ jfk-arrb.gov (Eileen Sullivan) @ internet CopyTo: **DisplayBlindCopyTo:** CN=Eileen Sullivan/O=ARRB BlindCopyTo: MGriffith 2@ compuserve.com ("Michael T. Griffith") From: **DisplayFromDomain: DisplayDate:** 03/06/1997 DisplayDate_Time: 3:04:57 PM **ComposedDate:** ComposedDate_Time: Subject: Important Research Issue--Marrion Baker FROOF THAT OSWALD DID NOT SHOOT JFK. THE DAKER-OSWALD ENCOUNTER SECOND LUILION WILLIGET 1.

Griffith 1996 @All Rights Reserved The fact that Officer Marrion Baker saw Lee Harvey Oswald on he second floor of the Texas School Book Depository (TSBD)building less than 90 seconds after President Kennedy was shot isproof that Oswald could not have been the assassin. OfficerBaker claimed he spotted Oswald just inside the foyer doorleading to the second-floor lunchroom. Baker said he saw Oswaldthrough the foyer door's window. If so, then Oswald could nothave been on the sixth floor during the shooting, and thereforecould not have shot President Kennedy from the window identifiedby the Warren Commission (WC) as the point from which all theshots were allegedly fired. Let us begin by analyzing Officer Baker's actions after heheard the shots. Here is how the WC described what Baker didafter he heard gunfire: When the shots were fired, a Dallas motorcycle patrolman, Marrion L. Baker, was riding in the motorcade at a point several cars behind the President. He had turned right from Main Street onto Houston Street and was about 200 feet south of Elm Street when he heard a shot. Baker, having recently returned from a week of deer hunting, was certain the shot came from a high-powered rifle. He looked up and saw pigeons scattering in the air from their perches on the Texas School Book Depository Building. He RACED his motorcycle to the building, dismounted, scanned the area to the west and pushed his way through the spectators toward the entrance. There he encountered Roy Truly, the building superintendent, who offered Baker his help. They entered the building, and RAN toward the two elevators in the rear. Finding that both elevators were on an upper floor, they DASHED up the stairs. (WCR 5, emphasis added) The evidence is clear that on the day of the shootingPatrolman Baker encountered Oswald less than 90 seconds after theshots were fired. During the WC's reenactments, Baker's fastesttime was 75 seconds; this was the time for his second, and final, simulation. Although Baker claimed to the Commission that his75-second reenactment time was the "minimum" time in which hecould have reached the secondfloor landing, the evidencestrongly indicates otherwise. For example, Baker admitted to theWC that in that test he merely "kind of ran" outside the BookDepository and that he moved only at "kind of a trot" inside thebuilding. And these were not the only aspects of the WC'ssimulations that were unrealistic. Roy Truly, the building manager who ran ahead of Bakerthrough the building, likewise said his simulation time was theminimum time. But Truly did not seem certain about this. When asked if his simulation pace had even been "about" the sameas his pace on the day of the shooting, Truly replied, "I THINKso" (3 H 228, emphasis added). If he wasn't positive that thesimulation pace had even been "about" the same as his 11/22/63pace, one wonders how he could have been certain that hissimulation time was the "minimum" possible time. At one

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