

## TESTIMONY OF LYNDAL L. SHANEYFELT

The testimony of Lyndal L. Shaneyfelt was taken at 3:40 p.m., on June 12, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Mr. Melvin Aron Eisenberg, assistant counsel of the President's Commission.

(The oath was administered by the reporter.)

Mr. SHANEYFELT. I do.

Mr. EISENBERG. Could you state your full name, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes; Lyndal L. Shaneyfelt.

Mr. EISENBERG. And you have testified before the Commission in this proceeding before?

Mr. SHANEYFELT. Yes; I have.

Mr. EISENBERG. We will not rehearse your qualifications again, since you have already been accepted as an expert in the field in which you are going to be questioned today.

Mr. Shaneyfelt, I hand you a photograph marked Shaneyfelt Exhibit No. 1, consisting of a photograph of Lee Harvey Oswald holding a rifle, and I ask you whether you prepared that photograph?

Mr. SHANEYFELT. Yes; I did.

Mr. EISENBERG. Is this a photograph of an existing Commission exhibit?

Mr. SHANEYFELT. Yes; this is a copy of the small photograph that is a part of Commission Exhibit No. 133.

Mr. EISENBERG. That would be 133-A?

Mr. SHANEYFELT. I don't recall whether it is A or B.

Mr. EISENBERG. I hand you photographs of Commission Exhibits Nos. 133-A and 133-B and ask if this serves to refresh your recollection as to whether Shaneyfelt Exhibit No. 1 is a photograph of 133-A or 133-B?

Mr. SHANEYFELT. Yes; Shaneyfelt Exhibit No. 1 is a copy of the Commission Exhibit No. 133-A.

Mr. EISENBERG. Now, Mr. Shaneyfelt, I hand you the cover of Life magazine, issue of February 21, 1964, which I have labeled Shaneyfelt Exhibit No. 2, and I ask you if this is a photograph which you have previously examined in connection with earlier testimony given by you to the Commission?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. I hand you page 80 of the same issue of Life, which is labeled Shaneyfelt Exhibit No. 3, and I ask you the same question, that is, whether this is the photograph you have previously discussed in connection with earlier testimony?

Mr. SHANEYFELT. Yes; it is.

Mr. EISENBERG. Now, for the record, I am using duplicate originals rather than the actual exhibits, because the actual exhibits are now being printed up by the Government Printing Office.

Mr. Shaneyfelt, I hand you the front page of the Detroit Free Press, issue of February 17, 1964, containing a picture similar to Shaneyfelt Exhibit No. 1, and the other pictures thus far referred to—and I am labeling this Detroit Free Press page Shaneyfelt Exhibit No. 4—and ask you whether you have examined the picture of Lee Harvey Oswald and a rifle appearing on that exhibit?

Mr. SHANEYFELT. Yes; I have.

Mr. EISENBERG. Did you compare this picture with 133-A or Shaneyfelt Exhibit No. 1, your reproduction of 133-A?

Mr. SHANEYFELT. Yes; I did.

Mr. EISENBERG. What was your conclusion on the basis of that comparison?

Mr. SHANEYFELT. I found that the reproduction of the photograph of Oswald holding the gun on Shaneyfelt Exhibit No. 4 has insufficient detail to warrant positive identification as being the same photograph as Shaneyfelt Exhibit No. 1.

However, I did find that the photograph in the newspaper, Exhibit No. 4, is consistent in all respects with the photograph which is Exhibit No. 1, except for variations in retouching that are a normal part of the process of making halftone reproductions from photographs for newspapers. I further found that

there was nothing in these photographs to indicate that they are other than the same photograph.

Mr. EISENBERG. Now, when you say that the only variations appear to be variations in retouching, that would be based on the conclusion that they were the same photograph, is that correct?

Mr. SHANEYFELT. Yes.

Mr. EISENBERG. Could you describe those variations which are apparently due to retouching, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes. There is an area to the right of Oswald's head and shoulder, to my left as I look at the photograph, that has been airbrushed or otherwise altered, to intensify the outline of the shoulder, which would be Oswald's shoulder.

In addition there is retouching around the stock of the rifle, and along the other portions of the rifle where it crosses Oswald's body, that has been added to intensify the detail in that portion of the photograph.

Mr. EISENBERG. When you say "around the stock," could you specify as to whether you mean the top, bottom, end, or all three or any two of those boundaries?

Mr. SHANEYFELT. In Shaneyfelt Exhibit No. 4 there is retouching on both the top and bottom and butt of the stock, and also a highlight running along the top of the gun from the bolt forward toward the muzzle.

There is an additional highlight along the bottom of the gun just forward of the trigger assembly between the trigger assembly and the hand.

Mr. EISENBERG. Now, there is a highlight on Shaneyfelt Exhibit No. 1 running near the top of the barrel or receiver, is that correct—terminating at Oswald's left hand?

Mr. SHANEYFELT. Yes.

Mr. EISENBERG. What is the relation between the highlight at the top of the barrel or receiver in Shaneyfelt Exhibit No. 4 and the highlight just referred to in Shaneyfelt Exhibit No. 1?

Mr. SHANEYFELT. In Exhibit No. 1, that highlight along the bolt of the gun is in two parts, and the highlight in the photograph or the reproduction of the photograph, Exhibit No. 4, is a continuous highlight.

Mr. EISENBERG. Is it your opinion that the highlight in Shaneyfelt Exhibit No. 4 is based upon the highlight in Shaneyfelt Exhibit No. 1?

Mr. SHANEYFELT. Yes.

Mr. EISENBERG. But it differs, at least, in that it makes a continuous highlight where none appears in Shaneyfelt Exhibit No. 1, is that your testimony?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. Now, in Shaneyfelt Exhibit No. 1, a telescopic sight is apparent on the rifle, and no such sight is apparent in Shaneyfelt Exhibit No. 4. Do you have any opinion as to the reason for the lack of a sight appearing on Shaneyfelt Exhibit No. 4?

Mr. SHANEYFELT. Yes.

Mr. EISENBERG. Could you give that opinion?

Mr. SHANEYFELT. I believe that the sight does not appear in the reproduction of the photograph on Shaneyfelt Exhibit No. 4, because it was not retouched to intensify the detail of the sight, and, therefore was lost in the engraving process. I do not believe that there was any retouching over the sight in order to purposely obliterate it from the reproduction in Exhibit No. 4.

Mr. EISENBERG. Now, is there generally a loss of detail in reproduction of illustrations appearing in newspapers, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes; there is. This is apparent in other areas of this photograph when compared with Shaneyfelt Exhibit No. 1, in areas of Oswald's shirt, where wrinkling appears in Exhibit No. 1, and is lost in the reproduction. Also, the wrinkles in the dark areas of the trousers are not reproduced in the halftone process, but this detail is lost by the process.

Mr. EISENBERG. What is this halftone process which you mention?

Mr. SHANEYFELT. This is the halftone process by which a continuous tone photograph, such as Exhibit No. 1, is photographed through a screen so that it can be broken up into a dot pattern of black dots on a white background and

white dots on a black background to give the appearance of a continuous tone in the printed newspaper reproduction. And this is the only means by which a continuous-tone photograph can be reproduced.

Mr. EISENBERG. Why is it called a halftone process?

Mr. SHANEYFELT. I don't really know the answer but I would assume that it is because it gives you the tones in between black and white, or the halftones.

Mr. EISENBERG. Now, a loss of detail is inherent in this process, is it?

Mr. SHANEYFELT. That is true, particularly in regard to newspaper reproductions, where a relatively coarse screen is used in making the halftone. In a magazine publication, where a higher quality of printing is used, and a better quality of paper is used, it is possible to use a finer screen and thereby retain a greater amount of the detail.

Mr. EISENBERG. Now, referring once more to the highlight running along the top of the weapon, and terminating at Oswald's left hand in Shaneyfelt Exhibit No. 4; when you compare this exhibit with Shaneyfelt Exhibit No. 1, does it appear that that highlight actually runs along the top of the weapon?

Mr. SHANEYFELT. In the reproduction of the photograph on Exhibit No. 4, the impression is given that the highlight is along the top of the rifle, because you see no additional detail above that highlight along the top of the gun.

Mr. EISENBERG. Now, if you compare that with Shaneyfelt Exhibit No. 1, where a similar highlight appears, does that highlight actually denote the top of the weapon, or is any detail above the highlight apparent in Shaneyfelt Exhibit No. 1?

Mr. SHANEYFELT. On Shaneyfelt Exhibit No. 1, the highlight does not denote the top of the weapon. There is detail present that shows other areas of the gun, the breech, above the highlight.

Mr. EISENBERG. Now, would you say then that detail of the weapon itself, that is, the upper part of the weapon, had been lost along with detail representing the telescopic sight?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. Bringing your attention back to Shaneyfelt Exhibits Nos. 2 and 3, which are the Life photographs, how did these photographs compare with Shaneyfelt Exhibit No. 4, the Detroit Free Press photograph?

Mr. SHANEYFELT. The primary difference is in the retouching. In the area above and behind Oswald's right shoulder, the background has been retouched out on Exhibit No. 4, the Detroit Free Press. In the Life magazine reproduction, Exhibit No. 2, the background has been left in, and the retouching has been added to the shirt area around the right shoulder to enhance the detail along in that area.

The Life magazine reproduction, Exhibit No. 2, also has retouching around the scope of the rifle in order that it will not blend into the dark shirt that Oswald was wearing and thus be lost in the reproduction process; this has not been done in Exhibit No. 4. The retouching along the top of the rifle stock is generally similar, in that it is in a straight line from the butt of the stock to the bolt. However, Exhibit No. 4 has a different type of retouching along the end or butt of the stock and the bottom of the stock or the lower edge of the stock between the butt and the trigger guard. Highlights along the top and bottom of the breech area are different in Exhibit No. 4 than in Exhibit No. 2.

There is a dark shadow between the legs of Oswald that is about halfway between the knee and the crotch that has been left in the reproduction of Exhibit No. 4, but has been retouched out of the Life magazine reproduction, Exhibit No. 2. These are the primary variations in the retouching on the two exhibits.

Mr. EISENBERG. Does the highlight running at or near the top of the receiver or barrel in the bolt area show a continuous or an intermittent form in Commission Exhibit No. 2?

Mr. SHANEYFELT. Commission Exhibit No. 2 shows a break in the highlight along the bolt, and is reproduced very close to the original photograph, which is Exhibit No. 1.

In fact, this area was probably not retouched, or this highlight was probably not retouched, for the Life magazine reproduction.

Mr. EISENBERG. Now, you also mentioned that the retouching along the stock

was different when Shaneyfelt Exhibit No. 2 is compared with Shaneyfelt Exhibit No. 4. Could you go into a little bit of detail on that difference?

Mr. SHANEYFELT. Yes; I mentioned that the highlight along the top from the butt to the bolt is generally similar in that it is in a straight line. Although the rifle itself is actually curved along that area, they both have been retouched in a relatively straight line along the top edge of the stock. There has been a white or light line added along the butt of the stock where it crosses Oswald's leg in Exhibit No. 4 and this has not been done in Exhibit No. 2. In addition, a white outline has been drawn in along the bottom edge of the stock as it runs from the butt to the trigger guard in Exhibit No. 4. This has not been done in Exhibit No. 2.

Mr. EISENBERG. Now, Mr. Shaneyfelt, when retouching is effected, is it performed on a negative or on a print?

Mr. SHANEYFELT. Retouching for newspaper reproduction is almost always done on the print.

Mr. EISENBERG. And what about magazine reproductions?

Mr. SHANEYFELT. This would also be true of magazine reproductions.

Mr. EISENBERG. And would that explain how Shaneyfelt Exhibits Nos. 2 and 4 could differ from each other, even though they were apparently both taken from the same print, originally from the same print, of which Shaneyfelt Exhibit No. 1 is a photograph?

Mr. SHANEYFELT. Yes; that would explain the difference.

Mr. EISENBERG. That is—could you go into detail on that? Could you elaborate that answer? By what process would the result of a reproduction of the same print differ, as reproduced in two different media or two different magazines or newspapers?

Mr. SHANEYFELT. Well, the primary variation would be in the retouching—that has been added. Different publications and different retouch artists would handle a photograph differently, and add different retouching to them. Therefore, these would be the main variations which you would have between two different reproductions. In addition there can also be differences in the quality of the engraving, as there are differences in quality of many things. A newspaper reproduction is made with a coarser screen and gives less detail than a magazine reproduction that uses a finer screen and, therefore, reproduces more detail. These are some of the basic things that would affect these reproductions and make variations in the reproductions.

Mr. EISENBERG. Now, Mr. Shaneyfelt, I hand you page 80 of Newsweek magazine, issue of March 2, 1964, also containing a photograph like those we have been examining, and this is marked Shaneyfelt Exhibit No. 5, and I ask you whether you have examined that photograph?

Mr. SHANEYFELT. Yes; I have.

Mr. EISENBERG. Can you give us your conclusions, please?

Mr. SHANEYFELT. I found that the photograph reproduced in the Newsweek magazine, issue of March 2, 1964, which has been marked as Shaneyfelt Exhibit No. 5, is the same in all general characteristics as the photograph that has been marked as Commission Exhibit No. 133-A, and I found no differences to suggest that it is other than the same photograph—

Mr. EISENBERG. Yes?

Mr. SHANEYFELT. Except for variations in retouching.

Mr. EISENBERG. I take it that your testimony concerning Shaneyfelt Exhibits Nos. 4 and 5 is that due to some loss of detail it is impossible to say that these photographs are identical to Shaneyfelt Exhibit No. 1—or rather Exhibit No. 133-A, on which Shaneyfelt Exhibit No. 1 is based—in the same way you can say that a fingerprint is identical to a given fingerprint impression; is that correct?

Mr. SHANEYFELT. That is correct. I was not able to positively identify them, because of this loss of detail.

Mr. EISENBERG. What is your opinion as to the probability that they are identical, bearing in mind that it is impossible to make an absolute unqualified determination of identity?

Mr. SHANEYFELT. They may very well be identical since I found no significant differences other than the retouching.

Mr. EISENBERG. Is there much doubt in your mind?

Mr. SHANEYFELT. Very little.

Mr. EISENBERG. Apart from the factors which have been mentioned so far as apparently due to retouching, and those factors which you have not yet discussed but will, was there any difference between the reproductions and the original, between the apparent reproductions and the original? That is, was lighting the same, position, and so forth?

Mr. SHANEYFELT. Yes; I found them to be the same in all of these general characteristics as to lighting and position of hands and position of body, their relation to the background. I found no differences whatsoever.

Mr. EISENBERG. So that for the photograph to be a different photograph, I take it, you would have had to have Oswald line up exactly in the same position, with his elbows and torso in precisely the same relative position, with the rifle at precisely the same relative height and in precisely the same relative position as it had been in previously, with the lighting casting the exact same shadows, insofar as shadows are visible, and so forth, is that correct?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. And you found no discrepancies in those items I have just mentioned?

Mr. SHANEYFELT. That is correct.

(Discussion off the record.)

Mr. EISENBERG. Back on the record.

To make the record complete, is there any other possibility, no matter how remote?

Mr. SHANEYFELT. Yes; even though it would be extremely remote, it is conceivable that a person could actually make a drawing or painting of a picture exactly like this, that when reproduced in a newspaper or publication with its loss of detail would resemble Commission Exhibit No. 133-A, in the same manner that this picture or this reproduction resembles Exhibit No. 133-A.

Mr. EISENBERG. "This reproduction" being which, Mr. Shaneyfelt?

Mr. SHANEYFELT. Either Exhibit No. 4, or Exhibit No. 5, Exhibit No. 2, any of the magazine or newspaper reproductions that we have discussed.

Mr. EISENBERG. You are not talking about Commission Exhibit No. 133-A itself, which you testified to earlier?

Mr. SHANEYFELT. No, no.

Mr. EISENBERG. Do you see any evidence of this, Mr. Shaneyfelt?

Mr. SHANEYFELT. No; I do not, and I think it is in the realm of unreasonable doubt and it is highly improbable.

Mr. EISENBERG. Returning to Shaneyfelt Exhibit No. 5, could you describe the apparent retouching in that exhibit?

Mr. SHANEYFELT. Yes; there is airbrushing in the background area that shows beside the right shoulder of Oswald, where the tree that shows in Exhibit No. 1 has been airbrushed out to a darkened area. There have been highlights added to the rifle, a straight highlight along the top of the stock, running from the butt of the stock to the bolt, a bright highlight along the butt of the stock.

There has been rather elaborate retouching around the bolt area or breech area of the rifle. The highlight that appears in Shaneyfelt Exhibit No. 1 along the bolt of the gun, which appears as a broken line or two segments of a line or highlight, appears in the reproduction on Exhibit No. 5 as a broken line very much like the actual highlight in the photograph which is Exhibit No. 1.

There has been a highlight added parallel to that, along the bottom of or just below that area in the reproduction on Exhibit No. 5, which does not appear in Exhibit No. 1.

The top of the rifle has been emphasized with a strong highlight, and the highlight in the reproduction of Exhibit No. 5 along the top of the rifle does not conform to the actual top of the rifle as it can be seen in Shaneyfelt Exhibit No. 1.

There are some other highlights added above that, that are rather unexplainable but may be highlights relative to the lower portion of the scope.

Also a highlight has been added along the top of the barrel between Oswald's left hand and where the barrel extends past his left shoulder.

There has been some retouching added around the pistol on the right hip of Oswald, and around the holster. These are the primary points that have been retouched.

Mr. EISENBERG. Mr. Shaneyfelt, does this photograph, Shaneyfelt Exhibit No. 5, more closely resemble the Detroit Free Press photograph, which is Shaneyfelt Exhibit No. 4, or the Life photographs, Shaneyfelt Exhibits Nos. 2 and 3?

Mr. SHANEYFELT. It corresponds to the reproduction in the Detroit Free Press, Exhibit No. 4, and not as well to the reproduction on Exhibit No. 2, which is the Life magazine. In fact, the reproductions on Exhibits Nos. 4 and No. 5 both have two white specks along the right leg between the knee and the right foot, centrally located in that area one above the other, that do not appear in the original photograph, which is Commission Exhibit 133-A, and do not appear in the Life magazine reproduction on either Exhibit No. 2 or 3. This would indicate to me that these two photographs may have originated from the same basic source or basic print.

Mr. EISENBERG. Now, in fact, the credit under Shaneyfelt No. 5 says, "Copy-right 1964, Detroit Free Press," is that correct?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. But is the picture identical in all respects to the Detroit Free Press picture?

Mr. SHANEYFELT. No; the retouching, particularly around the breech of the rifle in Exhibit No. 5, which is the Newsweek reproduction, is different than the retouching on the reproduction in Exhibit No. 4, the Detroit Free Press.

Mr. EISENBERG. Does the reproduction around the breech, that is, just below Oswald's left hand, correspond to anything you have ever seen on a rifle, Mr. Shaneyfelt—that is, the four or five roughly parallel lines?

Mr. SHANEYFELT. No; it doesn't correspond to anything that I recall having seen on a rifle.

Mr. EISENBERG. What do you think the genesis of all those lines would be?

Mr. SHANEYFELT. I believe that they are possibly the artist's interpretation of how the rifle may have looked in that area, since the photograph being retouched was indistinct in that area.

Mr. EISENBERG. Would you say that would be likely to have been done by a person not familiar with rifles?

Mr. SHANEYFELT. That is a possibility, but I wouldn't be able to state that with any degree of certainty. That is one possibility.

Mr. EISENBERG. I also see that Shaneyfelt Exhibit No. 4 has an arrow pointing to the revolver, which is not present in Shaneyfelt Exhibit No. 5, is that correct?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. Can you explain why Shaneyfelt Exhibit No. 5 differs from Exhibit No. 4, although it seems to be substantially similar, and in fact Newsweek credits its photo to the Detroit Free Press, which is the Shaneyfelt Exhibit No. 4 picture?

Mr. SHANEYFELT. Yes; I would attribute these differences to the differences in retouching. Since it would be normal procedure in publications of this type for each publication to do its own retouching for its own reproductions, they would normally receive the picture in an unretouched condition from whatever source is available, such as the Associated Press, or, as in Exhibit No. 3, the credit to the Detroit Free Press, and after receiving the unretouched photograph, would then add the retouching that they desired to have on the photo before making the halftone reproduction.

Mr. EISENBERG. The area to the right of Oswald's shoulder and head, that is, to the left of the shoulder and head as we look at the picture, appears to be retouched or airbrushed out in the same way in both pictures. Would that be your conclusion?

Mr. SHANEYFELT. Yes; with one exception, that while the airbrushing is generally similar, it appears in the Detroit Free Press, which is Exhibit No. 4, as a light area against a black shirt, while in Newsweek, Exhibit No. 5, it appears as a black area against a rather dark shirt, with a light highlight added along the shoulder to make the area stand out against the background.

Mr. EISENBERG. Is it your conclusion, then, that two separate retouchings were done to accomplish that effect, one retouching by the Newsweek people and one retouching by the Detroit Free Press people?

Mr. SHANEYFELT. I have no foundation on which to base a positive statement in that regard, but this is suggested by the variations that are present.

Mr. EISENBERG. So that the presence of that same feature as a retouch in both photographs might be coincidental, or at least might not have been done by the same person?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. And in your mind that similarity of feature does not preclude the possibility that a completely unretouched photo was submitted by the Detroit Free Press to Newsweek?

Mr. SHANEYFELT. That is right.

Mr. EISENBERG. Now, Mr. Shaneyfelt, I hand you page 30 of the New York Times, issue of February 19, 1964, which again contains a photograph similar to those you have been testifying as to—and which page I have marked Shaneyfelt Exhibit No. 6—and I ask you whether you have examined that photograph?

Mr. SHANEYFELT. Yes; I have.

Mr. EISENBERG. And what is your conclusion concerning that photograph, Mr. Shaneyfelt?

Mr. SHANEYFELT. I found this to be generally similar in all visible characteristics to the photograph which is Commission Exhibit No. 133-A, and found no differences to suggest that it is other than the same photograph as Exhibit No. 133-A. However, the lack of detail in the halftone reproduction on Shaneyfelt Exhibit No. 6 precludes a positive identification with Commission Exhibit No. 133-A.

Mr. EISENBERG. Do you see any retouching in this photograph, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes, I do.

Mr. EISENBERG. Can you describe that?

Mr. SHANEYFELT. In the photograph reproduced on Exhibit No. 6 this is retouched along the right shoulder and to the right side of the face of Oswald. In this instance, that has been put in in a solid medium gray, to make it appear as the extension of the building or the fence that appears in the background of the original photograph.

There is retouching around the rifle stock—in fact, the stock itself seems to have been lightened all along the lower portion near the butt; a highlight along the top has been retouched along the top from the butt to the breech; some retouching along the butt of the stock, and also along the bottom edge of the stock, running upward toward the trigger.

The highlight that appears in Exhibit No. 1 along the bolt as a two-section highlight or a broken highlight appears in this same general area on the gun in the reproduction on Exhibit No. 6 as a solid highlight and one continuous line. There has been a highlight added along the bottom of the gun just forward of the trigger guard and just below Oswald's left hand. Also a highlight has been added along the top of the gun above Oswald's left hand to show the gun as apart from the dark shirt, so that the gun and shirt do not blend into one continuous tone at that point. There appears to be some retouching of Oswald's shadow, in that it has been toned down to a medium gray shadow so that it will not blend into the lower portion of his legs.

Mr. EISENBERG. Which of the reproductions which you have so far examined does this most resemble, Mr. Shaneyfelt: the Detroit Free Press, the Life, or the Newsweek reproduction?

Mr. SHANEYFELT. This corresponds to both the Detroit Free Press and the Newsweek reproductions of the photograph, in that it contains the two white dots along the right leg, centrally located between the ankle and the knee as they appear in those two reproductions, and, therefore, may be derived from the same basic print, since this characteristic does not appear in Commission Exhibit No. 133-A or in the Life magazine reproductions on Shaneyfelt Exhibits Nos. 2 and 3.

Mr. EISENBERG. What about the retouching in the New York Times photograph, Mr. Shaneyfelt, how does that compare with the retouching in the Detroit Free Press and Newsweek photographs?

Mr. SHANEYFELT. The retouching is different from any of the other Exhibits Nos. 4 and 5.

Mr. EISENBERG. Would you conclude, therefore, that the New York Times, like Newsweek, may have received from its source an unretouched photograph which it proceeded to retouch?

Mr. SHANEYFELT. Yes.

Mr. EISENBERG. And that again the similarity in retouching to the upper right of Oswald's shoulder and head might be coincidental?

Mr. SHANEYFELT. Yes; actually, there is considerable difference in the retouching in that area on the New York Times photograph as compared to the Newsweek and Detroit Free Press exhibits. The New York Times has attempted to make it appear as a wall, whereas the other two have merely airbrushed out the line, and it looks like foliage.

Mr. EISENBERG. The stock in all three of these photographs, that is, Detroit Free Press, Newsweek, and New York Times, has also been retouched in a similar manner, that is, so that the top of the stock appears straight, whereas actually the top of the stock is curved—is that correct?

Mr. SHANEYFELT. That is correct.

Mr. EISENBERG. What do you think accounts for the coincidence of the retouching in these two areas—that is, the top of the stock and the area to the upper right of Oswald's shoulder—given the differences you have noted in the details of retouching?

Mr. SHANEYFELT. I would attribute that to a lack of detail in the photographs that they had, and a lack of understanding of the formation of a normal rifle stock on the part of the retoucher.

Mr. EISENBERG. Now, Mr. Shaneyfelt, I hand you the front page of the New York Journal-American, issue of February 18, 1964, which again contains a photograph similar to those you have been discussing, and which I have labeled Shaneyfelt Exhibit No. 7, and ask you whether you have examined that photograph?

Mr. SHANEYFELT. Yes; I have.

Mr. EISENBERG. What is your conclusion?

Mr. SHANEYFELT. It is my conclusion that this photograph is the same in all visible characteristics as the photograph which is Commission Exhibit No. 133-A, and I found no differences that would suggest that it is other than the same photograph. However, because of the lack of detail in the reproduction on Exhibit No. 7, it is not possible to positively identify it as the same photograph.

Mr. EISENBERG. Is retouching apparent in this photograph, Mr. Shaneyfelt?

Mr. SHANEYFELT. Yes; it is.

Mr. EISENBERG. Could you describe that in detail?

Mr. SHANEYFELT. Yes; there has been retouching along the right shoulder of Oswald, and to some degree around the head, in order to have the head and shoulder not blend into the background. This appears to have been done by increasing the highlight or lightening the highlight along the shoulder, rather than darkening the background.

There is a highlight added along the top of the rifle stock that runs quite straight toward the bolt, but it is not as strong a highlight as in the other reproductions we have discussed. There is a highlight along the top of the rifle between Oswald's left hand and the point where the rifle passes his left shoulder. There is a suggestion of some retouching around the rifle scope, which is almost lost in the detail or almost lost against the black shirt, but it is barely visible. There is a dark shadow that appears in Commission Exhibit No. 133-A that has been retouched out of Exhibit No. 7 reproduction, that shadow being about halfway between the knee and the crotch of the trousers between the legs. Those are the primary points of retouching.

Mr. EISENBERG. Which of the various photographs which you have examined does this Journal-American photograph most resemble, Mr. Shaneyfelt?

Mr. SHANEYFELT. The Journal-American photograph reproduction on Exhibit No. 7 is different from the Detroit Free Press, Exhibit No. 4, Newsweek, Exhibit No. 5, and New York Times, Exhibit No. 6, in that the white spots along the right leg between the ankle and the knee do not appear in the reproduction in the Journal-American. It very closely corresponds to the reproduction on the front of the Life magazine, which is Shaneyfelt Exhibit No. 2. In fact, the retouching appears to be very nearly the same. The lack of detail in the Newspaper reproduction on Exhibit No. 7 precludes positively saying that it is identical, but it is my feeling that it is probably identical.

Mr. EISENBERG. Could you point out some of the similarities in retouching?

Mr. SHANEYFELT. Yes; the retouching along the top of the rifle stock, the retouching around the right shoulder and around the head, to the right of Oswald's head, the retouching around the top of the rifle above the left hand, the elimination of the shadow between the legs just below the breech of the trousers are the same in both reproductions.

Mr. EISENBERG. Is there any notable difference between those reproductions, the Life and Journal-American reproductions?

Mr. SHANEYFELT. No; no notable difference in the retouching.

Mr. EISENBERG. Do you have any opinion as to the source of the Journal-American photograph?

Mr. SHANEYFELT. Yes; it is not possible to positively state, but I note in examining the Journal-American reproduction, which is Exhibit No. 7, that the face area in particular has a design in the light shadow areas which I recognized as being typical of a halftone reproduction made from another halftone reproduction. And because of the presence of this characteristic in the shadow area of the face, and the manner in which the photograph is cropped or trimmed, I am of the opinion that it is highly possible that the reproduction in the Journal-American, Exhibit No. 7, was made from a Life magazine cover, issue of February 21, 1964, containing the reproduction of the photograph of Oswald.

Mr. EISENBERG. Could you elaborate on your statement that the cropping is a factor in leading to this conclusion?

Mr. SHANEYFELT. Yes; on Exhibit No. 2, which is the Life magazine cover, if a straight line is drawn vertically past the right edge of the Life sign on the front of the magazine, so that the sign is blocked out, and that straight line is continued through a shadow area comparable to the shadow in the reproduction of Exhibit No. 7, the cropping along that edge of the photograph then becomes identical to the cropping on the Journal-American photograph. This would suggest that the picture was purposely cropped in that manner to eliminate the Life magazine printing in the upper left-hand corner of the magazine cover.

Mr. EISENBERG. Does the Life magazine picture, and also the Journal-American picture, show cropping as against the original, that is, Exhibit No. 133-A?

Mr. SHANEYFELT. Yes. The Life magazine photograph does not show all of the photograph that appears on Commission Exhibit No. 133-A, the photograph having been cropped down closer to the head, cutting out some of the overhead area. There has also been considerable cropping on both the right and left margins, when you compare the Life magazine and Journal-American reproductions with Exhibit No. 133-A.

Mr. EISENBERG. Is there any other feature on the Journal-American photograph which leads you to conclude that it was taken from the Life photograph?

Mr. SHANEYFELT. Yes; in the lower right-hand corner of the Life magazine cover, Exhibit No. 2, there is a strip set in, containing the printing "February 21, 1964, 25 cents." If the Journal-American did, in fact, reproduce this picture from a Life cover, it would have been necessary for them to retouch out this strip of printing in the lower right-hand corner of the Life magazine cover, and I find on examination of the reproduction on the Journal-American that there is retouching in this area. The background of the grass is inconsistent, in that it has been darkened around that area, and there is also darkening along the foot and leg, and the shadow area has been altered in between the two feet in a manner to strongly suggest that this strip has been retouched out in order to make the reproduction on the Journal-American, Exhibit No. 7.

Mr. EISENBERG. Mr. Shaneyfelt, do you have anything to add to your testimony?

Mr. SHANEYFELT. I believe not.

Mr. EISENBERG. Well, thank you very much then. That will be all.

---

### TESTIMONY OF JAMES C. CADIGAN

The testimony of James C. Cadigan was taken at 3:45 p.m., on April 30, 1964,