The Paine's Participation in the Minox Camera Charade

By Carol Hewett, Esq.

Almost every JFK assassination researcher is aware that the Dallas police found and inventoried a tiny hi-tech Minox camera amongst Oswald's personal effects during the search of Ruth and Michael Paine's home after the assassination. This camera was later omitted from an inventory list once the FBI took over the investigation. What is not generally known is the Paines' role in the "appearance-disappearance" charade.

There were 3 separate inventory lists itemizing the evidence from the Paine household. This is typical of the routine procedures used by law enforcement in establishing chain of custody of physical evidence. First, there was the Dallas police list identifying a "small German camera and black case on chain and film". A pedometer and camera timer were also itemized; there was no mention of a light meter but there was mention of a "brown case (camera) with long chain".[1] Then there was the joint DPD and FBI list which was prepared in response to the FBI's assertion of jurisdiction over the crime. The camera is described in aggregate Item #375 as a "Minox camera" together with a pedometer and a camera timer; there is no mention of a light meter. Rolls of undeveloped Minox film and two rolls of exposed Minox film were also inventoried as Item #377. An unidentified electronic device in a brown case was listed as an unsubmitted and unnumbered item as having come from the Beckley Street rooming house.[2] When the evidence was taken to Washington, D.C., the FBI Lab prepared its very own inventory by way of a third list; any reference to the Minox camera would disappear from this third list.[3]

There were four separate sets of photographs of the items removed from the Paine household and Beckley Street residence. First, there were the photos made by the Dallas Police Crime Lab before the evidence was turned over to the FBI which shows the evidence grouped together on the floor of the police station and which depicts the Minox camera.[4] At the joint police and FBI inventory of November 26th, a second set of photographs were taken depicting each individual item or selectively grouped items with the numbered photos corresponding to the numbered items. The items ranged from #1 through #455 and required 5 rolls of film.

We know that the Minox camera was in possession of the FBI as of November 25th because on that date the FBI requested a comparison of the Minox film recovered from the possessions of Oswald with the Minox camera.

It was understood that the FBI Lab would develop these 5 rolls of film and furnish a set to Police Chief Curry. This intact set of photos from the original 5 rolls have disappeared from the National Archives – assuming that the FBI even turned them over to the Warren Commission or the Archives in the first place.[5]

The third set of photos consist of 2 rolls of microfilmed photos which the FBI Lab made after developing the photos jointly taken in Dallas; this microfilmed series was furnished to the Dallas Police which in turn furnished copies to other agencies, including the Secret Service.[6] In a letter dated December 3, 1963, Police Chief Curry advises the FBI that items #164 through #360 were missing and apparently did not record; he requests the FBI to re-photograph the items.[7] The fourth set of photos consist of the FBI's "re-photographed" items which were sent to the Dallas police to supplement the missing photos.[8]

Not only were there missing frames but some of those that existed had been altered. The Minox camera itemized in #375 of the joint inventory list ceased to exist in the set of microfilmed photos first returned to the Dallas Police by the FBI. Photo #375 which was supposed to be a group photo of the Minox—along with several other camera items—is now just a Minox light meter.[9]

It is generally unknown in the research community that much, if not all, of the evidence seized from the Paine household and Beckley Street residence was "loaned" to the FBI on the weekend of the assassination even before the FBI took charge of the crime. The FBI assigned number #Q-5 to the Minox camera and/or Minox film at that time. The evidence was returned to the Dallas police after the FBI's inspection. It was then turned over once again to the FBI on November 26th when the FBI assumed jurisdiction.[10] We know that the Minox film recovered from the Paine household was in possession of the FBI as of November 25th because on that date the FBI requested a comparison of the Minox film as recovered from the possessions of Oswald with Minox film designated as Specimen Q5. The laboratory results were that Minox film Q5 was not taken with the same camera as the other Minox film.[11] Was the FBI comparing the Minox film later designated as Item #377 with the cassette still remaining in the Minox camera recovered by the Dallas police?

The FBI's early efforts to conceal the existence of the Minox camera did not stay secret for long. According to author Gary Savage, a controversy ensued within the first two months following the assassination when news reporters received information that the FBI had altered the inventory list. Furthermore, the FBI had pressured Dallas police detective Gus Rose to change his recollection of what he had found from a Minox camera to a Minox light meter. Detective Rose steadfastly refused to alter his findings and insisted that he found the camera in Oswald's seabag the weekend after the assassination.[12]

The FBI was now squarely in the middle of an evidence tampering dilemma before the Warren Commission investigation was barely underway. One solution would be to produce the original camera, or *any* Minox camera for that matter, in order to resolve the discrepancy. This is precisely what the FBI did.

We now know that the controversy over the Minox camera reached the highest lev-

continued on page 22

The Paines and the Minox

continued from page 21

els of the FBI because on January 27, 1964, Mr. William A. Branigan, Chief of the FBI's espionage section, telephoned SAC Gordon Shanklin in Dallas to point out the inconsistency in the inventory lists. Branigan also advised Shanklin that the FBI Lab in Washington did not have the Minox camera in its possession.[13] On January 28, 1964 Shanklin responded by advising FBI Inspector Moore of the FBI Lab that no such Minox camera had been found – only a Minox light meter.[14] This, of course was an outright lie on Shanklin's part. FBI Director J. Edgar Hoover apparently found this reply unacceptable because on January 30, 1964, Hoover sent a teletype to Shanklin advising once again that the FBI Lab had all Minox related items except for the Minox camera. Hoover then instructed SAC Shanklin to immediately investigate this matter and to contact the Dallas Police, Mrs. Oswald and Mrs. Paine, if necessary.[15]

In an effort to "locate" the camera, Dallas FBI Agent Bardwell Odum on January 30, 1964, contacted Ruth Paine to inquire into whether the Paines owned a Minox camera.[16] Ruth recollected that her husband had a Minox which he had dropped into salt water several years ago; she was sure that he had thrown it away but she would ask him about it and get back to him. She also stated that the police took a Minox camera case along with a light meter belonging to Michael which may or may not have been a Minox light meter.[17] The next day on January 31, 1964, Ruth Paine called Odum to tell him that her husband still had the camera and that it was in a coffee can in the garage.[18] If this was true, one would have to conclude that the local police not only did a poor job of searching the garage the weekend of the assassination but also fabricated the Minox camera on both its original inventory list and joint DPD/FBI list. Since this was not the case, the collusion of the Paines is readily apparent.

Odum went out to the Paine home that same day and both of the Paines were present. Mr. Paine advised Odum that he still had his Minox camera, that it had been dropped in salt water several years ago and that he had repaired the water damage by cleaning the camera with kerosene.[19] Kerosene, of course, would remove any pre–existing fingerprints. According to Paine, the camera seemed to be in good working order but "someone" had bent the shutter and now it was not working.[20] According to Odum's typed report, Paine acknowledged having Minox film but indicated that such would be over 5 years old. He did not specify if the film was exposed or not.[21]

Paine recollected that when the law enforcement officers first searched his home, he gave them a drawer of his photographic equipment with everything in it except for the Minox camera. Paine went on to say that he had mentioned to the officers that the Minox camera was in the garage but they did not seem interested in it.[22] This was preposterous for the police had in fact found a Minox camera as evidenced by their original inventory list and crime lab photos. Paine also acknowledged that the Minox light meter seized that weekend belonged to him.[23]

Agent Odum "took" the camera, which was later marked as evidence on an inventory sheet as Exhibit "D-80 One Minox III camera, SN27259".[24] The camera was shipped to the FBI Lab on 2/2/63.[25] Now, as of January 29th, the FBI finally had the physical evidence to match the original inventory list of the Dallas Police Department complete with the still present film cassette. It would appear then, that the FBI had the camera all along. The FBI then attempted to conceal its existence and when caught in the act, the FBI embarked upon a charade with the full cooperation of Ruth and Michael Paine to "discover" the camera.

While present in the home on January 31st, Odum took the opportunity to ask Michael Paine about the "No Admittance" sign found in his garage by the Dallas police the weekend of the assassination. Paine denied having any knowledge of it.[26] This sign is identified in the joint DPD/FBI inventory as Item #107.[27] Might such a sign be used by someone developing film in a dark room? Did Michael Paine have dark room skills?

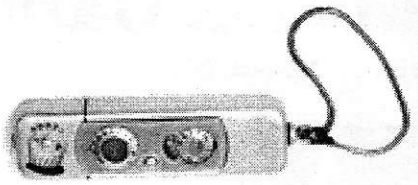
On January 31, 1964, Odum teletyped a report[28] to Washington setting forth the above "discovery" of the Minox camera but the teletype contains one inconsistency: that the exposed film would not have been taken more than 5 years ago. This is just the opposite of the type–written version of Odum's report. Perhaps this was simply a typographical error or perhaps this flip–flop was deliberate in order to lend confusion regarding the date the photos in the Minox film cassette had been taken – photos that in all likelihood had already been developed by the FBI before January 31, 1964.

The report also advised Hoover that the Dallas Police "were aware that no such Minox camera was taken in the original search". This was an outright falsehood on the part of the Dallas FBI field office for a Minox camera was photographed and inventoried by the police. Moreover, the FBI's own documents show that the Bureau was analyzing the Minox camera as early as November 25th! It bears mentioning that Odum and Agent-in-Charge Gordon Shanklin were extremely close according to James Hosty.[29] Are these Dallas FBI agents lying to, Director J. Edgar Hoover? Or are they only making a paper trail that will cover Hoover?

Did the Paines have a prior relationship with Agent Odum that would allow the three of them to participate in a ruse that had evidentiary implications? In his testimony before the Warren Commission, Michael Paine commented that he knew "Bob" Odum, having seen him on a frequent basis and that he was introduced to him prior to November 22nd. Paine casually refers to Bardwell Odum's nickname of "Bob", suggesting a degree of familiarity.[30] Odum, incidentally, appeared to have an acquaintance with barber shop owner, Clifton Shasteen, who told the Warren Commission that he not only cut Oswald's hair but that he cut Odum's hair as well.[31]

As unbelievable as it may seem, the Mi-

Minox Camera



"This ultraminiature precision camera has been a favorite of spies around the world for many years. The camera was originally designed in 1934 and, by 1939, 17,000 had been manufactured worldwide. The Minox was reintroduced in 1958 with an ultralight plastic body. Because of its small size, it was easy to conceal and operate in one hand. It could take excellent photographs of documents at close range and was a natural for clandestine photography. Convicted spy John A. Walker, Jr., used a Minox supplied by the KGB to photograph sensitive National Security Agency codes for the Soviets"

Text and picture from the CIA's website at http://www.odci.gov/cia/information/

nox camera was never a subject of inquiry or discussion by the Warren Commission. At no time did Counsel Albert Jenner query the Paines about the camera during their days of testimony despite the controversy that had ensued over the camera in January 1964.

On August 9, 1978, the House Select Committee on Assassinations deposed Marina Oswald and questioned her about *two* Minox cameras, not one. Marina could not identify either camera.[32] Of the two Minox cameras presented to her for identification, one was stored at the National Archives and the other came from an unidentified location.[33] From the HSCA record, the two cameras were described as follows:

Camera #1 Minox I: 3.5 F–15 mm, Serial #2339303 **which was not part of the material at the NARA** and is 1.5 inches longer than the other Minox. (Note the 7 digit serial number).

Camera #2 Minox D–80 **in the NARA** which is 1.5 inches shorter than the other, no serial number. [Comment: note that this camera must be the camera marked by Odum as a Minox III, Exhibit D–80 and hence it would have or should have serial #27259].

The Paines are never questioned about the Minox camera(s) by the HSCA or the obvious assistance which they gave to the FBI in January 1964. Where did the Minox I come from? Who owned it if Paine is claiming ownership to the Minox III? Why would Michael Paine lay claim to the Minox III model if that were the one found in Oswald's seabag? Is it possible that Paine loaned his Minox to Oswald? This would explain how Paine feels comfortable claiming ownership to the Minox III yet later denies that the photos from the camera were his. Or perhaps Paine and Oswald both owned Minox cameras and the government has been in possession of both as a result of the January 1964 camera charade.

In 1977, newspaper reporter Earl Golz questioned Agent Warren De Brueys about the Minox camera. De Brueys disclaimed any knowledge or participation in concealing evidence but went on to say that "there were limitations as to what I can say" because of the secrecy agreement which he signed before leaving the FBI.[34]

The above scenario is perhaps the most well documented instance of deliberate evidence tampering by the FBI. Michael Paine, Ruth Paine, Bardwell Odum and Warren De Brueys are still alive. They should submit to depositions before the ARRB and questioned under oath about the Minox camera. Any such questioning will only be effective if the present Director of the FBI voids the secrecy agreements entered into by the two former FBI agents. ⌖

Featured in next month's issue of Probe: the history of the Minox camera and strange Minox photographs.

Notes

[1] The first DPD inventory list, undated, was obtained from the Dallas Police Archives. It is attached to an undated joint statement of the officers which in turn is followed by a supplementary report dated 11/23. The inventory list does not seem to distinguished between those items recovered on the 22nd, and those items recovered on the 23rd pursuant to a search warrant. With respect to felonies, police officers have the power to search and seize what is in plain view. Closed containers, such as Lee Oswald's boxes, envelopes, suitcases, and seabags, etc. would require a search warrant. While the weekend reports are somewhat sloppy in this regard, the undisputable fact remains that the Minox camera was recovered at that time regardless of whether it was the 22nd or the 23rd. This author has entertained the possibility that the police officers' search on the 22nd went beyond proper legal limits and this was "rectified" by obtaining a search warrant the next morning.

[2] See Commission Exhibit #2003 at Vol. 24, p. 340. The evidence was delivered to the Dallas FBI office on 11/26. On forms supplied by the Dallas police, a detailed inventory list was prepared by police property clerk H.W. Hill and witnessed by FBI Agent Warren De Brueys and police captain J. M. English. The Minox camera is identified on Receipt No. 11192–G as one of the items voluntarily given to the police by Ruth Paine and Marina Oswald on the 22nd suggesting that the first police search went beyond its permissible scope as is often the case in criminal proceedings. The listing of the electronic device in the brown case from the Beckley Street address (set forth in the joint list at Receipt No. 11199–G) further clouds the issue of what items came from where and when—at least insofar as the weekend police search is concerned. The police department version in the Dallas Police Archives differs from the FBI's list of the 26th in only one respect: the Dallas list contains the signatures of the FBI agents receiving the property. The accompanying affidavit of Dallas officer H. H. Hill describes the process by which a joint inventory was made wherein FBI Agent De Brueys called out the items, one by one.

[3] See evidence list set out in CD 735. Item 375 has been altered to omit the Minox camera and turn it into a Minox light meter. For some reason this list contains the Dallas field office file number instead of the Headquarters file number suggesting that the FBI's own property list was prepared in Dallas before departure to Washington, D.C. We do know from an FBI document that Agent DeBrueys delivered the evidence to the FBI Lab on November 27th. Another document suggests that a 4th list was prepared by the FBI Lab which superseded all prior lists.

[4] *JFK First Day Evidence* by Gary Savage, pp.208, 210.

[5] See 11/26/63 report of FBI Agent Ronald E. Brinkley describing how the photos were made with the DPD photo–record camera. 5 rolls of photos were taken using 35mm Kodak High Contrast Copy microfilm. FBI agent James P. Hosty states in his recent book, *Assignment: Oswald*, p.77 that the photos were taken with a Minox camera. This is a mistake or falsehood on his part as Minox cameras use only Minox film. The documents setting forth the joint photo session with the Kodak film were supplied by Researcher John Armstrong and were obtained from the Dallas Police files. At Mr. Armstrong's request, the National Archives searched for these 5 rolls of photos and could not locate them.

[6] See FBI agent Robert Barrett's report of statement from Assistant Chief of Police, Charles Batchelor, dated 7/6/64, and available from the microfilmed collection of Dallas Police Archives. See also FBI memo dated 11/29/63 from Branigan to Sullivan.

[7] Curry's 12/3/63 letter from the Dallas Police Archives furnished by Mr. Armstrong.

[8] Author's conversation with John Armstrong whose opinion is based in part upon an undated FBI document bearing Agent Wallace Heitman's name, referencing dates of 1/23/64 and 2/4/64 and referring to 85 photographs of Oswald's belongings.

[9] Indeed there are two separate photos of #375, one still in the possession of the Dallas Police Archives showing the surrounding items covered up by scraps of paper and the one in the National Archives showing a blow up of the Minox light meter all by itself; copies furnished to author by John Armstrong. The National Archives also has a copy of the same DPD group photos that Gary Savage depicts in his book. However, these photos were enlarged, then cropped to omit the Minox camera featured in the top 1/3 of the original photograph. A copy of the NARA cropped photo was furnished to the author by Anna Marie Kuhns–Walko.

[10] See deposition of FBI Lab expert, James C. Cadigan, NARA: HSCA Record No. 124–10086–10013.

[11] The author's copy of this document was furnished to her by John Armstrong without the benefit of a RIF cover sheet from the NARA. It appears to be part of report prepared by Dallas FBI agent, Robert Gemberling. Note that the Minox film analysis was filed away in a New York City FBI field office file #65–22483 of the Espionage–Russia division. According to John Armstrong, a FOIA request failed to turn up this file.

[12] See Savage pp. 212-215,and transcript of Gus Rose's statement to the HSCA made on 4/13/78.

[13] FBI #105–82555–1643, memo dated 1/28/64.

[14] Ibid.

[15] FBI #105–82555–1580, teletype dated 1/30/64, RIF citation omitted. This teletype also clarifies the fact that there were two Minox cassettes,

continued on page 29

ing closely together in Mexico City, Anderson and Phillips were together again in Santo Domingo, during which time, according to Phillips, they had daily meetings. In Mexico City, Anderson and Phillips sprung a trap for a retired military man who appeared about to give military secrets to the Cubans. The episode Phillips details matches closely the case of Eldon Hensen, the account of which for some reason resided in Oswald's set of files. See *Oswald and the CIA* by John Newman, pp.506-7 and p. 362, and compare with Phillips' account in *The Night Watch*, 162-164.

[3] Phillips, p. 145
[4] HSCA Vol. XI, p. 173.
[5] Ibid., p. 52.
[6] Ibid., p. 150
[7] Ibid., p. 149
[8] Ibid., p. 149.
[9] Slawson Trip Report, pp. 13-14
[10] Ibid., p. 15
[11] Ibid., p. 15
[12] Ibid., p. 16
[13] Ibid., p. 16
[14] Ibid., p. 32
[15] From Silvia Duran's 10 page signed statement, forwarded to the CIA's Mexico City Station on 11/27/63, reprinted in the Lopez Report, p. 186
[16] Slawson Trip Report, p. 18
[17] Ibid., p. 18
[18] Ibid., p. 19
[19] Ibid., p. 43
[20] Ibid., p. 20
[21] Ibid., pp. 25-26
[22] *New York Herald Tribune*, 11/26/63. In the same article, Eugene Pugh, U.S. agent in charge of the Custom's office on the American side of the border, said Oswald had been checked at the border by American Immigration officials. He said this was "not normal" as Americans were not required to check in with immigration, adding "but U.S. immigration has a folder on Oswald's trip". *Probe* hopes the ARRB will pursue this folder.
[23] Ibid.
[24] From Frontline special which aired 11/16/93.
[25] *The Investigator Special Edition* #1, p.19
[26] Ibid., p. 21
[27] Ibid., p. 20

The Paines and the Minox

continued from page 23

one of which contained film.
[16] Dallas FBI field office file, #100–10461, Odum report of 1/30/64 interview with Ruth dictated on 1/31/64 and typed on 2/3/64
[17] Ibid.
[18] FBI #105–82555/#100–10461, report of 1/31/64 interview with Ruth Paine, dictated on 1/31/64 and typed on 2/1/64
[19] FBI #105–82555/#100–10461, report of 1/31/64 interview with Michael Paine, dictated on 1/31/64 and typed on 2/3/64
[20] Ibid.
[21] Ibid.
[22] Ibid.
[23] Ibid.
[24] FBI #105–82555/#100–10461, Bulky Exhibit Inventory Receipts, two versions, dated 1/31/64 and 2/8/64
[25] 2/2/64 cover letter with Airmail from Dallas to FBI Lab
[26] FBI #105–82555/#100–10461, report of 1/31/64 interview with Michael, dictated on 1/31/64 and typed on 2/3/64
[27] See Warren Commission Exhibit #2003 at Vol. 24, p. 333.
[28] FBI #105–82555/#100–10461, teletype dated 1/31/64
[29] *Assignment: Oswald*, p.86, by James P. Hosty
[30] See Warren Commission Vol. 9, p.444
[31] See Warren Commission Vol. 10, p.313 and p.325. It is not clear if Shasteen's relationship with Odum originated with the FBI investigation into the assassination or if it was pre–existing.
[32] See HSCA, Vol. 12, p. 373
[33] See HSCA, Vol. 12, p. 390
[34] See p. 211 of Gary Savage's book, *JFK: First Day Evidence* and *Dallas Morning News* reports by Earl Golz dated 6/15/78 and 8/7/78.

Cocaine Contra and the Media

continued from page 26

Oswald's possible association with the KGB or Cuba. So Pincus' present attempt to hose down more fires should have been expected.

Because of this built-in resistance, both by CIA-allied newspapers, and politicians, we at *Probe* suggest an investigation along the line that Maxine Waters was wise enough to suggest. That is, one without compromised Congressmen. She suggested a "Citizens Commission," one similar to the United Nations Truth Commission which reported so accurately on the El Mozote massacre in El Salvador. As Peter Kornbluh, who has investigated the Iran/Contra scandal for ten years, has stated:

> This current scandal is really about our U.S. government-sanctioned covert actions and the real harm that some of them do, not only to the targets but to our country and the people's trust in government . . . .I can almost guarantee you that unless we expand this debate to include the overall role of agencies like the CIA, we'll be back here again sometime next year.

We agree. Like *In These Times*, we would like to see the CIA abolished, or at least its covert action arm. But if there is to be an inquest, let it be a broad, real, and honest one. If not, both the Agency and its covert apparatus will survive. This time, let's be sure the multi-headed hydra is slain. ⌖

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R.I.P. Larry Ray Harris

J. Gary Shaw alerted the research community to a sad milestone through the Internet on October 5th. Debra Conway relayed a message that Shaw's friend, Larry Ray Harris died at the age of 44 in a car accident on October 4th in Atlanta. He was buried in Atlanta on October 9th. Harris and Shaw co-wrote the book *Cover-Up* which first appeared in 1976 and was then re-issued in 1992. The book was valuable, not just for its helpful text, but for its fine gallery of photographs. It was one of the books the HSCA used in the preliminary stages of its investigation to get a bearing on the JFK case. Harris was a longtime researcher in the Dallas area and he became an expert on both the Dallas police and the murder of Dallas policeman J. D. Tippit. He was a contributor to Penn Jones fine newsletter *The Continuing Inquiry* in the seventies, and he was a panelist at the ASK Conferences in Dallas that began in 1991 and ran for four years. Harris was always as helpful as he could be to researchers trying to pursue facts in his areas of expertise and would always send materials he had upon request. He was a genuine gentleman whose presence will be missed by those who knew him and his work. ⌖