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Donald E. Wilkes Jr.

University of Georgia School of Law, wilkes@uga.edu

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Lee Harvey Oswald and Ted Cruz's Father

By Donald E. Wilkes, Jr.

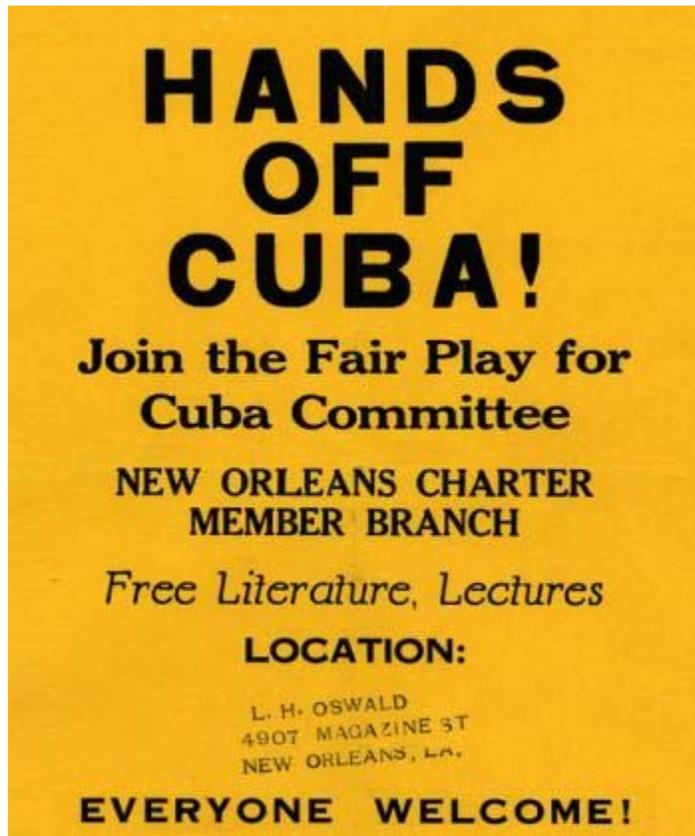


Photo Credit: NARA/President John F. Kennedy Assassination Records Collection
Hands off Cuba! flier for a meeting to be held at Oswald's New Orleans address.

Allegations Linking Rafael Cruz to Lee Harvey Oswald

Recently, stunning accusations have been made against Rafael Cruz, father of recent presidential candidate Sen. Ted Cruz. It is alleged that in New Orleans in 1963 the elder Cruz accompanied Lee Harvey Oswald while Oswald was handing out pro-Fidel Castro "HANDS OFF CUBA!" leaflets. It is further alleged that there is photographic proof of this. Finally, it is alleged that because of his connections with Oswald Rafael Cruz may have been involved in the assassination of President John F. Kennedy.

Can any of this be true?

According to blogger Ashley Feinberg, the first known allegation that the elder Cruz might be connected to the JFK assassination occurred on Nov. 24, 2013, when, in response to a blog entry about Lee Harvey Oswald's involvement with the Cuban exile community, someone posted anonymously this startling comment: "I truly believe that Rafael Cruz should be further investigated for his part in the Kennedy assassination."

The first known claim that there actually might be evidence that Rafael Cruz had ties to Lee Harvey Oswald—and possibly to the Kennedy assassination itself—was made in a blog entry posted two months ago, on April 7, 2016, by controversial investigative reporter and author Wayne Madsen.

According to Madsen, Oswald—the "alleged JFK assassin"—hired Rafael Cruz to assist in distributing the "HANDS OFF CUBA!" leaflets in downtown New Orleans on Aug. 16, 1963. Madsen's blog posting included a color image of the leaflet, two black-and-white 1963 photos depicting Oswald hawking the leaflets as several men stood close by, and a 1954 black-and-white photo of Rafael Cruz. One of the men standing near Oswald in the two 1963 photos is attired almost identically to Oswald; he is wearing a short-sleeved white shirt, a thin dark tie, and dark trousers. This man, Madsen maintains, "bears a striking resemblance to" Rafael Cruz. Then, based on his comparison of the man with the 1954 Rafael Cruz photo, and based also on information supplied him by an unnamed "source," Madsen announces that the man "is none other than Rafael Cruz." Positing that both Oswald and Cruz were affiliated with the CIA, Madsen brashly asks this loaded question: "Was the father of presidential hopeful Cruz involved in the JFK assassination?"

Two weeks later, in a lead article released April 20, the pro-Donald Trump, anti-Ted Cruz tabloid *National Enquirer* not only treated Madsen's allegations and insinuations as proven fact but wildly sensationalized them. The *Enquirer's* front page headline blares: "Ted Cruz Father Linked to JFK Assassination." The article describes Lee Harvey Oswald as both a man who "supported the communist regime in Castro's Cuba" and "the man who murdered America's 35th president." The article itself shouts out that "Rafael Cruz was [a] 'Commie' Pal of Lee Harvey Oswald." Reproducing the same three photos used by Madsen, and relying on selected experts in photography, the article excitedly concludes: "Republican presidential candidate Ted Cruz's father handed out pro-communist Fidel Castro flyers in New Orleans—ALONGSIDE LEE HARVEY OSWALD—just three months before the assassin blew President John F Kennedy's brains out!"

On May 3, in a phone interview with Fox News, Donald Trump seemingly agreed with the view that Rafael Cruz had ties to Lee Harvey Oswald, telling the interviewer: "His [Sen. Cruz's] father was with Lee Harvey Oswald prior to Oswald's... being shot... I mean, what was he doing with Lee Harvey Oswald?" The next day, however, Trump backed off, announcing that "of course" he didn't believe that the elder Cruz was connected to Oswald.

Reactions to the Oswald-Cruz Connection Allegations

Both Sen. Cruz and his father emphatically deny that the man in the 1963 photos is Rafael Cruz, and the senator says that assertions that his father ever had anything to do with Lee Harvey Oswald are "stupid," "kooky," and "garbage."

Photographic experts asked by journalists to comment on the *National Enquirer* article seem to agree that the *Enquirer's* photographic experts were wrong when they identified the man in the 1963 photos as Rafael Cruz. "The images [in the 1963 photos] are of a poor quality, black and white, and grainy. It would be very

difficult, even for a photo expert, to extract facial attributes," says Anil Jain, an expert on facial recognition and biometric identification at Michigan State University. "There is no scientific basis to say the unidentified person in the Lee Harvey Oswald photo[s] has any similarities with the Rafael Cruz picture." These critics also stress that the statements of the *Enquirer* experts identifying Rafael Cruz are, in an unscientific manner, vaguely and ambiguously worded.

Commentators vary in their responses to allegations of an Oswald-Cruz connection. Most flatly reject the claims as "completely tenuous and evidence-free speculations" and "tall tabloid tale[s]." Others, including bloggers who have studied the JFK assassination and are by no means crazies, believe the allegations have merit, and have posted comments with such titles such as "Ted Cruz's Father Spotted Pamphleteering with Lee Harvey Oswald." Still other commentators are simply wary. They decline to summarily dismiss the claims, and even acknowledge some resemblance between the man in the 1963 photos and the 1954 Cruz photo. They nonetheless tend to conclude, based on the available evidence, that an Oswald-Cruz connection is unproven.

According to JFKfacts, one of the best JFK assassination websites, "[t]here is no reason to think Rafael Cruz is the man in the [1963 photos]," and allegations that the elder Cruz had any connections to Lee Harvey Oswald are "careless speculation" and "rubbish."

What Are the Facts?

Before attempting to assess claims that Lee Harvey Oswald and Rafael Cruz were connected, it would be helpful to point out some relevant facts that are either indisputable or very likely.

First, the three photos at issue are authentic. The 1954 photo is a photo of Rafael Cruz as he appeared at the age of 15. As for the two 1963 photos, they have long been available to JFK researchers and were published by the Warren Commission in 1964. The two photos

are actually individual frames taken from a 45-second segment of news film footage, shot by a New Orleans TV station.

Second, the events captured on the news footage occurred on the sidewalk in front of the entrance to the International Trade Mart in downtown New Orleans on Friday, Aug. 16, 1963.

Third, the FBI, the Warren Commission and the House Select Committee on Assassinations all were unable to identify the man in the 1963 photos now claimed to be Rafael Cruz; nor has the man been identified by JFK assassination experts.

Fourth, in 1963 Rafael Cruz was, like most other Cuban exiles then in the United States, a committed, strident opponent of Cuban communist dictator Fidel Castro.

Fifth, in the early 1960s the CIA, working with anti-Castro Cuban exile groups, was secretly carrying out massive covert operations against Castro's Cuba. The Warren Commission was unaware of the existence of these covert activities and the conspiratorial atmosphere of violence which they created. New Orleans was one of the places where these activities were plotted and organized.

Finally, the elder Cruz lived in New Orleans in the mid-1960s (he registered for the draft in 1967 in New Orleans, and moved from there to Canada in 1969); and it is extremely likely that, having graduated from the University of Texas in Austin in 1961, he was a resident of New Orleans in August 1963. (Rafael Cruz's Wikipedia entry says that Cruz, who was born in 1939, moved to New Orleans while he "[i]n his twenties.") Even if he was still living in Austin in 1963, it was only an eight-hour drive from there to New Orleans. It certainly was not physically impossible for Cruz to have been present when Oswald handed out the leaflets.

Assessing the Truth of the Allegations

Even if the elder Cruz was the man in the photos, this would not, without more, prove that he had anything to do with the JFK assassination. No one has proven, or even claimed, that (apart from the photos) there is any evidence that Cruz and Oswald possibly were connected.

Furthermore, all claims that because he was tied with Oswald Cruz might have been involved in the assassination assume that Oswald was the assassin. This assumption is quite wrong. The growing and now preponderant consensus of JFK assassination researchers is that Lee Harvey Oswald probably did not assassinate JFK; that he was likely the victim of a frame-up; and that the evidence purporting to indicate he was the assassin is untrustworthy or misleading because it was manufactured, planted, or arranged so as to falsely inculcate an innocent man (who within hours of arrest, while in police custody, was suspiciously murdered before he could with the assistance of legal counsel defend himself at a trial).

It remains a possibility, and not just a theoretical possibility, that the man in the 1963 photos was Rafael Cruz. His presence when Lee Harvey Oswald handed out leaflets in New Orleans on Aug. 16, 1963 cannot be flatly ruled out. However, the photographic evidence of his presence is inconclusive. The assertion that photographic evidence in fact proves a link between Oswald and Cruz must be rejected.

Rafael Cruz's denial that he was the man in the photo is not dispositive. Cruz has a record of misstating facts about his actions as a young man, and a number of persons who were his acquaintances back then question his account of various events in which he says he participated. Moreover, if, as researchers have suggested, and as is discussed below, the elder Cruz was a covert CIA operative in 1963, and if in that capacity he had dealings with

Lee Harvey Oswald, it can hardly be expected that he would now be truthful about his covert activities.

A majority of the researchers who have studied Lee Harvey Oswald's short but enigmatic life—LBJ famously described Oswald as “quite a mysterious fellow”—believe it is likely that Oswald was both a CIA operative and an FBI informant. Under this approach, Oswald really was an undercover government agent, not a leftist or a Marxist. When he did such things as hand out pro-Castro leaflets or claim membership in the Fair Play for Cuba Committee, he was engaged in sheepdeepering, a term used in the intelligence community to refer to manipulated behavior designed to create a desired image.

It is not improbable that Rafael Cruz, a vocal, militant, activist opponent of Fidel Castro, might have been involved in the CIA's massive secret anti-Castro activities in New Orleans. Wayne Madsen may well be right in saying that “there is strong reason to believe that Cruz was associated with [the] Central Intelligence Agency's anti-Castro operations.” If this was the case, Cruz may very well have known that both he and Oswald were undercover American intelligence assets. If so, this would explain why, if he was the man in the photos, he did not, despite his near-fanatical anti-Castroism, loudly remonstrate with a man distributing pro-Castro literature right in front of him.

At any rate, the story of the alleged connection between Lee Harvey Oswald and Rafael Cruz as told and popularized by the *National Enquirer* is flawed because it rests upon three fundamental factual errors. Contrary to what the *Enquirer* breathlessly asserts, Cruz was not a “commie;” Oswald was not pro-communist; and Oswald did not assassinate President Kennedy.

Donald E. Wilkes, Jr. is a professor emeritus at UGA, where he taught in the law school for 40 years.