

AFTERNOON SESSION

Chairman STOKES. The committee will come to order.

The Chair recognizes the gentleman—

Mr. EDGAR. Mr. Chairman.

Chairman STOKES. The gentleman from Pennsylvania.

Mr. EDGAR. While Mr. Fithian is getting the questions ready, I have two relatively innocent questions I would like to ask our witness.

Chairman STOKES. You may proceed.

Mr. EDGAR. Thank you, Mr. Chairman.

You were describing the processes of the photography and using the computer, and particularly the visual box of the TV. Is it possible to make video tapes of the computer's activity on that video screen similar to what you can do in home TV cassettes?

TESTIMONY OF DR. BOB R. HUNT—Resumed

Dr. HUNT. The answer to that is "yes". But you have to use a different type of video taping system than you would find in a regular off-the-shelf thing you could buy from your local electronic store, for example. The reason for that is that to produce a higher quality display on the TV sets that were used for computer enhancement, we use a different electronic format for the creation of the image on the TV tube than the electronic format which is used in commercial broadcast television standards.

So you would have to have a box, so to speak, which is suited for the electronic standards of our TV display, rather than the electronic standards of commercial broadcast television.

Mr. EDGAR. OK. Just one other question. I wonder if we could have put up on display the pictures that you enhanced, looking at the figure on the corner of the wall in the grassy knoll that looks like a person.

Dr. HUNT. OK. That would be Willis No. 5, I guess. I don't know the exhibit number.

Mr. EDGAR. And also the picture of the bush and the hat.

Dr. HUNT. OK. Zapruder frame 413 that would be. That is one of the retaining wall photos.

Is that the one you are interested in?

Mr. EDGAR. Yes. This was the one I am particularly interested in.

In your description—and we had also a chart up there of the fact that that hat was probably somewhere near the steps, and the bush was closer to Zapruder, I believe, when he took that picture; is that correct?

Dr. HUNT. Yes; that's correct.

Mr. EDGAR. Put that up.

The question is a relatively innocent one. It seems to me that we had some pictures of Zapruder taking the famous film. Did you analyze or look at any of those pictures to see if there is anyone with that kind of a hat standing anywhere near the steps?

Dr. HUNT. First of all, what you perceive as a hat the panel did not conclude was a hat; they concluded there is not an individual with a hat there. But what you see, the perception of a hat with the brim turned down, is actually just a coincidental appearance of

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leaves in that bush near the edge of the head, in such a way that it looks like the brim of a hat.

Now with respect to——

Mr. EDGAR. But there is a head under that——

Dr. HUNT. There is definitely a head; and you can tell that, for example, by some of the pink flesh tones on the ears and the back of the neck when you look at them on a computer display.

Now the head there itself, you can see, for example, in the picture which Mrs. Downey just put up, three individuals standing on the steps there. All three of them appear to be fair-haired or with hair cropped short, perhaps balding or beginning to bald, which would be very much the same perception you would receive from looking at this individual's head which is seen in Zapruder 413, namely, that of a balding or fair-haired individual with the hair cropped short.

Mr. EDGAR. I just wanted to make clear on the record that there were some people standing in the proximity of where you suggest someone might have been standing to cause the optical illusion that appears, that the gentleman—person—is in the bushes.

Dr. HUNT. That's correct. In fact, they appear to be standing just about on the steps where that line that I drew on the survey map would indicate, on a distance measurement from the geometry of the imagery that they would have to be.

Mr. EDGAR. Thank you, Mr. Chairman. I yield back my time.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Dr. Hunt, just theoretically, hypothetically, if someone in your profession, someone with your talents, wanted to arrive at a certain thing, a certain kind of object out of computer enhancement of a photo, would it be possible to fake that?

Dr. HUNT. In some cases it probably could be. I would qualify it in the following way:

For example, if I wanted to distort an object to appear to look like some other object, I could do that if the object that I wished to start the distortion operation on had certain characteristics which were probably similar to the object that I wished to arrive at when I did this distortion, whatever it might be. But——

Mr. FITHIAN. Could you, for example, if you set out to do it, take what has been alleged to be a head in the bush and with the right adjustment of height and computer assistance make that into a person?

Dr. HUNT. How would you judge the criterion of making it into a person?

Mr. FITHIAN. Enough so that you could convince the average lawman that that was, in fact, a person in the bush.

Dr. HUNT. Yes, I believe that could be done.

What you would probably go about doing would be to add more color to it, so that more skin tones would be visible, perhaps using the machine in some artistic way, putting in more of a hairline than is immediately visible in the raw imagery, and so on.

Mr. FITHIAN. Dr. Hunt, let's turn to the analysis of the Hughes film that you talked about this morning——

Dr. HUNT. OK.

Mr. FITHIAN [continuing]. Which shows the Texas School Book Depository building. Did the photo panel look for motion in other areas of the picture than this sixth floor open window, southeast window?

Dr. HUNT. Yes. There is an adjacent set of windows also on the sixth floor, where it has been alleged that motion occurs, or there is a visibility of something like a human form in that region.

That area was also analyzed at the same time we analyzed the open window.

Mr. FITHIAN. And what were the results?

Dr. HUNT. The conclusions were negative. We found nothing that we would attribute to real motion of any object that was recognizable by the panel.

Mr. FITHIAN. Referring to the autoradiographic enhancement of the Dillard photo, which is JFK F-156—I don't know that we have to have it back up there, but I wanted to clarify something you said this morning that left me a little uncertain as to what you meant. You said that you were unable to detect any human presence in the window.

Now, as a point of clarification, you were referring, were you not, to the photographic image of the window. You would have no way of saying whether there was an individual further inside the window than that?

Dr. HUNT. That's correct. Our conclusions related strictly to that negative image which we had on hand. Within that negative we could see no human form or shape.

Mr. FITHIAN. The conclusion, therefore, is that if Oswald shot the President from the window, that at the time that photograph was taken, the shot that you were working with, at the time that was taken he had sufficiently removed himself from the window inside, that all the photo-enhancement could not bring him out to light; is that correct?

Dr. HUNT. That would be my supposition; that, in fact, if he is there, he is beyond the line of sight, not just in the shadows but outside of the line of sight visible through the window.

Mr. FITHIAN. I would like to ask the staff to put up JFK F-153. As I understand it, Doctor, this is a picture that was taken a few seconds after the shot; is that correct?

Dr. HUNT. I am not sure until I see the picture. Which one are you referring to?

Mr. FITHIAN. I believe that is the one of the—the TSBD?

Dr. HUNT. Oh, yes, right. Yes; in answer to your question, that was taken a few seconds after the last shot was fired. At least that is Dillard's testimony to the Warren Commission, I believe.

Mr. FITHIAN. Now, directing your attention to that particular exhibit, the photograph in the area of the sixth floor window, the open window, there seems to be a change in the configuration of the boxes. How did the photo panel account for this?

Dr. HUNT. The change in configuration of the boxes with respect to what, with respect to another window view?

Mr. FITHIAN. No, with respect to other photos that you analyzed.

Dr. HUNT. OK. Probably the one most pertinent to that would be the exhibit which is showing next to it at the moment—I am not aware of the exhibit number for it—but that shows the same

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window, taken approximately one to two minutes after the first picture which we talked about, the one taken by Dillard on the right, the one by Powell on the left.

You are correct in perceiving that there is something which we could ascribe to a change in the configuration of the boxes.

For example, the picture on the right, we see only two boxes, one at the left of the windowsill and just a corner of the one peeping up at the right of the windowsill. Whereas, in the picture, the enlarged picture, for example, on the left, we see not just the two boxes; you can still see, for example, on the left there is the same small box at the left, there is the same corner peeping up at the right. But now we have two or three other boxes, apparently rising up in between them.

There are two possible explanations, I guess, for that, that the panel considered. One is that we are seeing boxes which are in the room, but because of our perspective, our line of sight, is different, we are seeing different boxes than were visible in the other picture.

The second explanation is that there has been physically a movement of the boxes in the room during the time which elapsed between the taking of those pictures.

Mr. FITHIAN. All right. Now there is no way that we can know which it is?

Dr. HUNT. There are ways of eliminating or narrowing down the possibilities between those two choices. For example, given the geometry at which you are viewing, and given the apparent sunlight on the boxes, you could probably guess how far into the room those boxes do lie.

For example, if you look at the two boxes which appear to have been introduced in the picture on the left, they appear to be in full sunlight, which means they must not lie too far inside the room because this was high noon, in November; the sun angle is simply not that low in Dallas at high noon in November to shine sunlight very deep into the room. So they can certainly not be too far behind the plane of the window; and that would therefore tend to rule out the possibility that we are looking at the box which lies in one position in the room and is simply tended to be viewed in different perspective from two different viewing points.

Mr. FITHIAN. You say it rules that out?

Dr. HUNT. It tends to rule it out, yes. It does not rule it out completely, because we lack what is usually referred to as the analytical information, from the position of the two photographers to precisely plot the positions of those boxes by stereoanalysis techniques.

Mr. FITHIAN. Well, if it generally tends to rule that out, then it seems this committee would be left with only one conclusion, and that is, that a box was actually moved.

Dr. HUNT. That would be my only personal conclusion, that somebody or something moved boxes around in that room during the time of taking of those two pictures.

Mr. FITHIAN. I would like to move to the next film, and perhaps we don't have to have it up there. I think we remember pretty clearly what that is.

But in Aerospace's enhancement of the dark image in what would then have been your enhancement photo which, I believe, shows above that, the image seen at the retaining wall, these bright spots in the area of that image which were made even more significant in the upper portion?

Dr. HUNT. Right, that's it.

Mr. FITHIAN. I didn't quite get how you accounted for those.

Dr. HUNT. Our explanation would be that we are seeing some shadow shining through. There is a large stand of trees which you do not immediately see in that frame, of course, lying to the left of the frame. And there is a wall, a structural wall, back behind this whole region. And at various places the sunlight is shining through the trees, and you are seeing little bits of light speckling on the pattern of the wall behind it.

Another explanation would be just that there are simply three bright spots of paint on the wall back there, for example, which are visible even in the deep shadow that they lie in.

Mr. FITHIAN. Now, while we are referring to this particular section of the photos, there has been a great deal made of this business of somebody seeing a puff of smoke or something they thought was a puff of smoke in the area. As I remember your testimony this morning, you said there was no photographic evidence of that?

Dr. HUNT. That's correct.

Mr. FITHIAN. Is there anything that you could tell me that would clarify whether or not your techniques would tend to increase the prospect of seeing it if it were there? Or is there something in your computer enhancement that would actually tend to filter—for lack of a better term—would tend to filter that smoke out of the picture when you go to blowing it up and putting it on a computer?

Dr. HUNT. The techniques which we applied in the analysis were specifically those which we hoped would enhance details or features of that type. In other words, we were careful to guard against using any kind of technique which would have the prospect of—and your term of “filtering it out” is a technically proper one—which would tend—we avoided techniques which would filter out any such type of artifacts. We were using techniques which would bring those details out.

Mr. FITHIAN. So you set out actually to increase the prospect of seeing any smoke that would appear in the picture?

Dr. HUNT. Well, not just smoke. It is not to say we were concentrating on just smoke, but we used techniques which would bring out details of any kind, whether they be smoke or people standing at walls, whatever. Those techniques tend to be fairly universal in their application for the enhancement for restoration of details.

Mr. FITHIAN. Let me ask the clerk to put up JFK-155.

This is the Willis slide. I don't think that is up there now.

Now, obviously, the human eye doesn't give us the full story; we have discovered that, if we have discovered anything, in the last 2 to 3 weeks. Any viewing of this picture indicates that that is a pretty good quality photograph, given a lot of the other things we have been trying to work with and that you have been trying to work with; and, therefore, my layman's judgment is that if it is

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that good a photograph, why couldn't you get more information from it in regard to the dark image on the retaining wall?

Dr. HUNT. First of all, from the distance that you are viewing it—is not accurate.

The human eye has an inability to resolve details, and that inability, of course, is governed by how close you are to an image. You have to, first of all, look at the image close up in the region to the areas or the features that you are trying to deal with; and then, second, if you do do that under the magnification—and by magnification I mean the small sampling of individual numbers, such as I described in my earlier testimony—if you do that under magnification which is consistent with the details you are trying to resolve, you find indeed that the blur, the extent to which some of those features are blurred, are almost the magnitude of things you are trying to resolve.

In other words, if I were to put a measure of one inch on the film of some object I were looking at, I would find it had been blurred by almost a distance of my hypothetical one inch. So that from your viewing point it is difficult to conclude whether that is a good or bad image. It is the kind of thing that you can really conclude, or a photoanalyst can conclude, only by looking at it under the proper magnification.

Mr. FITHIAN. Now correct me if I am wrong, but isn't that a blowup of a 35 millimeter slide?

Dr. HUNT. It is—I think it is roughly about a full frame print. By that I mean I don't think it is much of a blowup; it tends to show much of the original frame, with the original slide.

Mr. FITHIAN. And is this the slide that you had difficulty with because of the coating on it?

Dr. HUNT. Yes. When it was received by the contractors who were performing the work for the committee to be scanned and digitized, it was noticed at that time that there was some kind of grayish coating on it.

Mr. FITHIAN. Some what?

Dr. HUNT. Some kind of grayish coating, a gray coating, grayish coating.

Mr. FITHIAN. Was this in the processing of the film?

Dr. HUNT. We are not aware of the source of that coating. We don't know how it got on there.

Mr. FITHIAN. Dr. Hunt, did the photo panel make use of any information that came from prior studies done on the photographic materials? Because there have been a great many.

Dr. HUNT. We made use of two different—I beg your pardon—three different studies which were performed by ITEK Corp. in the year 1967, which were performed for Life magazine at that time, and then another study performed in 1976 for CBS Television.

Mr. FITHIAN. And did you—I am now talking about your technique—did you take what they had developed as basic knowledge and go from that? That is, did you rely upon that data, or how did you—

Dr. HUNT. We tended to operate in an independent mode of the ITEK studies. There are two reasons for that. First of all, technology has advanced considerably from the time of the 1967 studies. More is known about those processes now than was known then. A

second reason was that we were not entirely in agreement with ITEK. That is not to say we faulted the ITEK study. Simply, there were other options to be explored.

Mr. FITHIAN. So you were satisfied, then, that you and your group explored all the options open to you, given the data and the material you had to work with and the state of the art now?

Dr. HUNT. That is correct. We think the sum total of the things we did and the things ITEK did represent a very broad spectrum of the options available to any person taking up this technology and applying it to that information.

Mr. FITHIAN. Are there any cautionary notes that you would give, either ourselves or somebody reading this report 5 or 10 years down the way, any cautions to be observed in the efforts to enhance poor quality photographs?

Dr. HUNT. Yes; I think the cautions that I would give would be what everybody working with this technology already knows. In anything you do in enhancing an image it is important to interpret the results which you achieve, and interpret them strictly in terms of what you see on the film. My favorite cliché in this regard—people who work with me on the panel have heard me use it before—is that a low quality image is very much like a Rorschach ink blot; people will look at it and see a lot of things under different circumstances. My main caution is to be sure you don't fall into traps by drawing more conclusions than are necessarily warranted by the hard evidence on the film itself.

Mr. FITHIAN. I have sometimes looked at some of the pictures and the quality of them. And until somebody pointed out this was a tree, or whatever, I had not seen that. I sort of concluded it is like the ink blot test. You pass this out to 10 people and the person tends to bring out of that very subjective photo or conglomeration what he takes to it. I don't know whether I am making myself clear or not.

Dr. HUNT. I have the same impression. Vision is the most subjective of the five human senses because it conveys the most information, and consequently that subjectively will always be employed.

Mr. FITHIAN. With regard to that one particular one that has been sensational, that is the seeing of the form in the bush and the rifle presumably, and there is tremendous argument back and forth as to what people are seeing when they look at that. As I understood your testimony this morning, you did a pretty tough analysis of it. But I did not hear anything that satisfied me—I don't mean any severe criticism—as to how you dispensed with the idea that long, black, thin 45-degree object was not a rifle.

Can you tell me what kind of tests you did or didn't do on that particular question?

Dr. HUNT. Yes; perhaps it would be better if I went to the display itself.

Mr. FITHIAN. Would you.

Dr. HUNT. It is a very good question. Because of the placement of the figure out in the plaza, the conclusion that this is a rifle in the figure's hands makes it geometrically impossible for it to be lying in front of the bushes. We also did some very precise measurements on what I referred to earlier as the rifle stock, namely this thick linear portion I am pointing to here.

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The measurements were analytical in nature. Since this is a color picture we can measure red, green, and blue out of this picture. Those color measurements were then processed by a technique which was originally developed by NASA for the isolation of geographic and vegetation features on the ground from satellites. That technique is one of taking the individual colors which are measured, the red, green, and blue, looking at the numbers measured by them, and dividing the one into the other and making a picture of the results of that division. When we did that we had the relative balance of one color to another in the region of what I refer to as the stock of the rifle. Those color ratios were consistent with the same measurements taken back here in the limousine, which you see in a hole in the bushes as it is passing through.

Our conclusion is: All you are seeing in this region of so-called rifle stock is nothing but a chance hole in the bushes, and you are really looking at the limousine through the hole in the bushes. The color measurements bear that out.

A second thing we did was to simply look at the bush in the enhanced version. In this version since we have tended to deblur the image, you will see a lot of features running at 45 degrees, the same as for this feature purported to be a rifle barrel. It was the conclusion of the panel that all we are looking at in this case is just twigs of the bush, and what we are seeing is nothing more than a common growth pattern of a bush itself. If each of these is a rifle, you can count seven or eight rifles down there, which we considered to be an absurdity.

Mr. FITHIAN. What you are saying, the paint or the coloration of that alleged form that was the rifle matches precisely that of the side of the limousine?

Dr. HUNT. That is correct.

Mr. FITHIAN. And it is your conclusion then, what, that we are looking at is a little piece of the limousine through a bush?

Dr. HUNT. That is correct. It just happens to be a hole in the bushes at this point of a strange shape, sort of a rectangular 45° shape, which has the same color reflectance value as the back side of the limousine.

Mr. FITHIAN. Thank you.

I just have one concluding question, if you want to return to your material. I take it all your findings and the analysis and the methods in which you arrived there will be a part of the report to this committee?

Dr. HUNT. That is correct.

Mr. FITHIAN. Would it be possible once that is all in, for someone who is interested in this particular phase of it to duplicate the study that you made, and would they come out with the same answer, or is there enough subjectivity that it is kind of what you bring to it is what you take from it?

Dr. HUNT. To answer your first question, yes, it would be entirely possible for someone to duplicate that effort. The reason it would be possible is that all the data which was used in the computer analysis is recorded on magnetic tape and will be made available to the National Archives as a permanent record for the future.

Furthermore, the report which will be written will describe the actual details of the processes which were carried out, so if some-

one wished to take up that issue and use the same techniques they can do it.

To answer your first question, that would be my reply.

The second question, would they come to the same conclusion? I believe they would.

Mr. FITHIAN. Mr. Chairman, I have no further questions.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Connecticut, Mr. McKinney.

Mr. McKINNEY. Mr. Chairman, I have no questions. I just want to thank Dr. Hunt.

I think you have been one of the most lucid and clear witnesses we have had, and we have had a great many fantastic expert witnesses.

As a member of this committee, I am deeply concerned over a lot of the questions you have answered today. I want to thank you for the thoroughness and the openness in your comments. None of what you said was prejudiced nor opinionated. To me, your scientific testimony is amongst the best I have listened to as a Congressman in this Congress.

Chairman STOKES. The time of the gentleman has expired.

Is anyone seeking further recognition?

[No response.]

Chairman STOKES. Doctor, at the conclusion of a witness' testimony before our committee he is entitled to a period of 5 minutes in which time he can make any further comment he so desires relative to his testimony. I would extend to you 5 minutes for that purpose at this time if you so desire.

Dr. HUNT. Thank you. The only comments I would have would be to echo those of Sergeant Kirk earlier and Dr. Snow, thanking the committee for its interest, its support, its enthusiasm.

Chairman STOKES. Thank you very much. I am sure all of our committee would concur in the remarks made by the gentleman from Connecticut, Mr. McKinney, regarding your excellent presentation.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. When the Zapruder film of the Kennedy Assassination was made public, critics and people generally were fascinated by the sight of a man with a black umbrella standing just a few feet from the Presidential limousine. It was a sunshiny day so what purpose could anyone have for an umbrella?

The theories about the umbrella man, for the most part, attributed to him some sinister intent. At the very least, he was a signalman for the actual gunmen, although one critic proposed the idea that a firing device concealed in the umbrella was the weapon used to assassinate the President.

It also appeared curious that the umbrella man was one of the few spectators in Dealey Plaza who was not later identified. In fact, his identity has remained a secret to this day.

When it studied all of the photographs taken in Dealey Plaza on November 22, 1963, the committee discovered one, taken by a Life photographer, in which the umbrella man could be seen from the front. It is moments after the President has been shot, and the man is sitting on the curb, his umbrella by this time lying at his

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feet. The only problem was that he is off to the corner of the picture, and the image is tiny, unrecognizable in fact.

Nevertheless, through photographic enhancement techniques, the committee was able to obtain a blowup of the photo in which the umbrella man appeared clearly enough to be identified.

The committee released the picture to the press, asking anyone who recognized the umbrella man to contact the committee. The committee was contacted, and, as a result, the umbrella man was located by the committee.

It would be appropriate at this time, Mr. Chairman, to call Louie Steven Witt.

Will you please stand and raise your right and be sworn. Do you solemnly swear the testimony you will give before this committee will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. WITT. I do.

TESTIMONY OF LOUIE STEVEN WITT

Chairman STOKES. Thank you. You may be seated.

The Chair recognizes counsel for the committee, Mr. Genzman.

Mr. GENZMAN. Thank you, Mr. Chairman.

Mr. Witt, would you state your full name for the record.

Mr. WITT. Louie Steven Witt.

Mr. GENZMAN. Mr. Witt, I would like to direct your attention to November 22, 1963. Were you in Dealey Plaza on November 22, 1963?

Mr. WITT. Yes, I was.

Mr. GENZMAN. Did you witness the assassination of President Kennedy?

Mr. WITT. Yes, sir.

Mr. GENZMAN. Have you previously testified about the assassination of President Kennedy?

Mr. WITT. No.

Mr. GENZMAN. Have you ever given information to any law enforcement bodies concerning the assassination?

Mr. WITT. No.

Mr. GENZMAN. Mr. Witt, what did you do on the morning of November 22, 1963?

Mr. WITT. I guess I went to work in the usual manner about 8 or 8:30.

Mr. GENZMAN. Where did you work at that time?

Mr. WITT. Rio Grande Insurance Co.

Mr. GENZMAN. What did you do at lunchtime on that day?

Mr. WITT. Well, I went out as I usually did every day when the weather was decent for a walk.

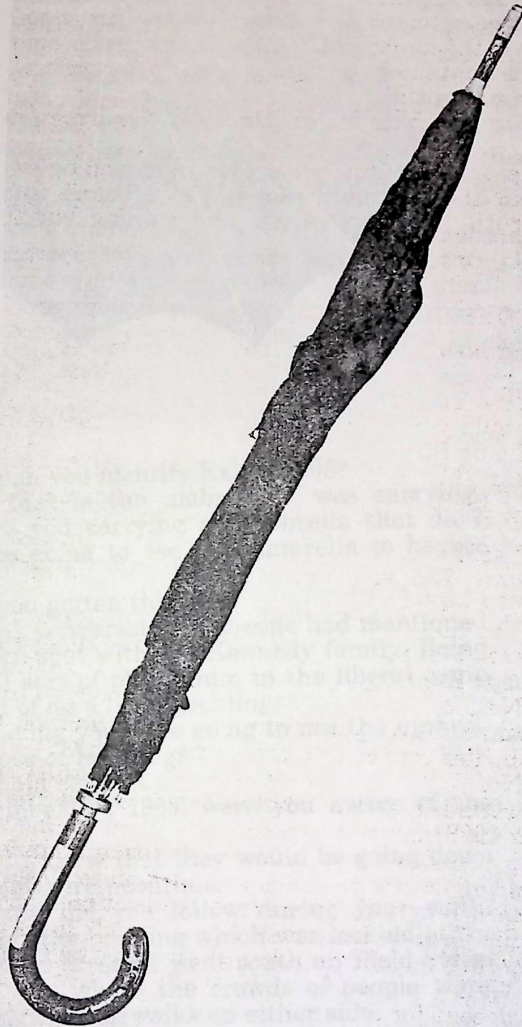
Mr. GENZMAN. Were you carrying anything?

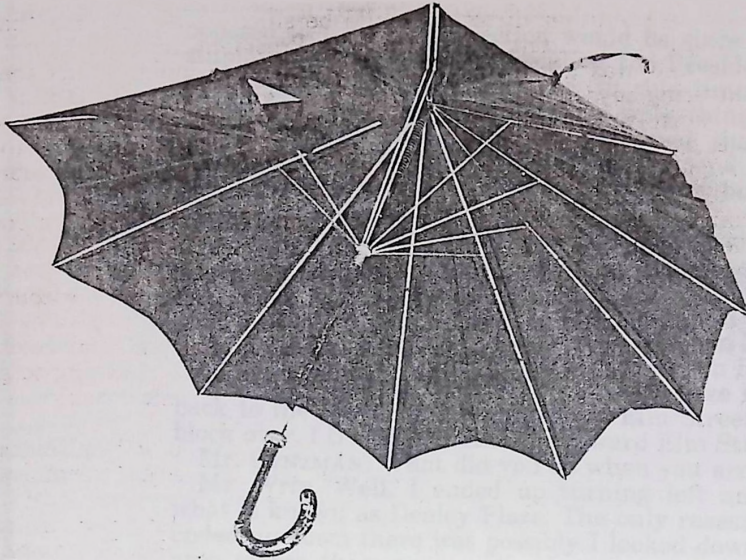
Mr. WITT. Yes. On this particular day I was carrying a black umbrella.

Mr. GENZMAN. Mr. Chairman, at this time I would ask that the exhibit marked as JFK F-405 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[Whereupon, exhibit JFK F-405 was entered and photographs included for the record.]

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Mr. GENZMAN. Mr. Witt, can you identify Exhibit 405?

Mr. WITT. I would say that is the umbrella I was carrying.

Mr. GENZMAN. Why were you carrying an umbrella that day?

Mr. WITT. Actually, I was going to use this umbrella to heckle the President's motorcade.

Mr. GENZMAN. How had you gotten this idea?

Mr. WITT. In a coffee break conversation someone had mentioned that the umbrella was a sore spot with the Kennedy family. Being a conservative-type fellow, I sort of placed him in the liberal camp and I was just going to kind of do a little heckling.

Mr. GENZMAN. Are you saying you were going to use the umbrella as a symbol for the purpose of heckling?

Mr. WITT. I think that would cover it.

Mr. GENZMAN. On November 22, 1963, were you aware of the motorcade route?

Mr. WITT. No. Not really. I knew that they would be going down the center part of town somewhere noontime.

Mr. GENZMAN. What route did you follow during your walk?

Mr. WITT. Well, when I left the building which was located at the corner of Elm Street and Field Street, I went south on Field Street over to Main Street. This was where the crowds of people were, where the people were lining the sidewalks on either side.

Mr. GENZMAN. When you reached Main Street, in which direction did you head?

Mr. WITT. I traveled west. This would put me turning right from the direction that I came.

Mr. GENZMAN. West on Main Street?

Mr. WITT. Yes.

Mr. GENZMAN. Why did you continue in that direction?

Mr. WITT. Well, every day I walk someplace, and looking back the only reason I can account for my going that direction as

opposed to the other direction would be since I was carrying that stupid umbrella, intent to heckling the President, and not being a person who was given to—prior to this time—doing things that would bring myself into notice, the only thing I can say is that I went down the street where I assumed there would be fewer people, because the buildings on the west end of the street, or the lower end, were either low buildings or low buildings where there were not a lot of people.

Chairman STOKES. Would you be kind enough to pull that microphone closer to you. We are having difficulty hearing you.

Mr. GENZMAN. How far did you go on Main Street?

Mr. WITT. I walked all the way down Main Street to the courthouse records building area and on to Houston Street.

Mr. GENZMAN. Which way did you travel on Houston?

Mr. WITT. At this time I think I must have been planning to go back to the street that I worked on, Elm Street, which would be 1 block over. I traveled north over toward Elm Street.

Mr. GENZMAN. What did you do when you arrived at Elm Street?

Mr. WITT. Well, I ended up turning left and going down into what is known as Dealey Plaza. The only reason I can think that I ended up down there was possibly I looked down there and saw an area where there were not a large group of people. There were people in that area but there was also in this area which later became known as the grassy knoll, there was no one out in that area in any great number.

Mr. GENZMAN. What did you do when you reached the grassy knoll?

Mr. WITT. I think I went sort of maybe halfway up the grassy area, somewhere in that vicinity. I am pretty sure I sat down.

Mr. GENZMAN. Were you waiting for the motorcade?

Mr. WITT. Yes.

Mr. GENZMAN. Do you recall how long you waited?

Mr. WITT. I really couldn't say. I don't think I was there very long. Since I was not that all-fired determined to carry out what I set out to do, I am sure I didn't wait a great length of time.

Mr. GENZMAN. Did the motorcade come soon thereafter?

Mr. WITT. Yes, it apparently did.

Mr. GENZMAN. What did you do when you saw the motorcade coming into the area?

Mr. WITT. Well, as I recall, the motorcade had already made the turn and was coming down Elm Street going west on Elm before I became aware it was there, and it would have been from a straight-line position off to my left about like this [indicating] when I saw it.

Mr. GENZMAN. What did you do when you saw it approaching you?

Mr. WITT. I think I got up and started fiddling with that umbrella trying to get it open, and at the same time I was walking forward, walking toward the street.

Mr. GENZMAN. You testified that you were opening the umbrella to use it as a symbol hoping to catch the President's eye?

Mr. WITT. Yes, sir.

Mr. GENZMAN. Could you elaborate further as to the type of symbol you thought you were applying?

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Mr. WITT. I just knew it was a sore spot with the Kennedys; I just knew the vague generalities of it. It had something to do with something that happened years ago with the senior Joe Kennedy when he was Ambassador to England.

Mr. GENZMAN. What happened next?

Mr. WITT. I beg your pardon?

Mr. GENZMAN. What happened next? I believe you testified that you were moving forward opening your umbrella as the motorcade was approaching you?

Mr. WITT. Yes. As I moved toward the street, still walking on the grass, I heard the shots that I eventually learned were shots. At the time somehow it didn't register as shots because they were so close together, and it was like hearing a string of firecrackers, or something like that. It didn't at that moment register on me as being shots.

Mr. GENZMAN. Did you react in any way?

Mr. WITT. No. I continued to move forward and finally got this umbrella up in the air. I think by the time I got the thing up in the air I was over and possibly standing on the retaining wall.

Mr. GENZMAN. Did President Kennedy see your umbrella?

Mr. WITT. I have no way of knowing. I really don't.

Mr. GENZMAN. What do you next recall happening?

Mr. WITT. Let me go back a minute. As I was moving forward I apparently had this umbrella in front of me for some few steps. Whereas other people I understand saw the President shot and his movements; I did not see this because of this thing in front of me. The next thing I saw after I saw the car coming down the street, down the hill to my left, the car was just about at a position like this [indicating] at this angle here.

At this time there was the car stopping, the screeching of tires, the jamming on of brakes, motorcycle patrolman right there beside one of the cars. One car ran upon the President's car and a man jumped off and jumped on the back. These were the scenes that unfolded as I reached the point to where I was seeing things.

Mr. GENZMAN. What did you hear at that time? Did you hear any voices?

Mr. WITT. I don't recall any voices at that particular time. After I finally became aware that something had happened, you know, something terrible had happened, I just sat down. I was standing on the retaining wall, and I just sat down, just right straight down, and apparently—I don't know if I had laid the umbrella down or dropped it or what I did. Nevertheless, I think it ended up on the sidewalk, and I just sat there.

Some of the things that I recall, one of the things I remember seeing while standing, there was a couple. I looked down to the right and there was a man and a woman, and they were covering some children, they were lying down and they were covering the children with their bodies and this may have caused me to sit down or I may have just sat down because I was stunned. Because there for a few minutes or for a few seconds at least I didn't seem to be able to collect my thoughts.

Sometime later after the cars moved out, this is when all this activity in the cars stopping and the cars moved out, I recall a man

PROPERTY OF

sitting down to my right and he said something like: They done shot them folks.

He repeated it two or three times but it was repetitious of him saying the same thing.

Mr. GENZMAN. What was he saying?

Mr. WITT. They done shot them folks—something to this effect.

Mr. GENZMAN. Can you describe this man?

Mr. WITT. I remember him as being a Negro man. I don't know if I ever actually looked at him for any length of time or not.

Mr. GENZMAN. Did you hear any other voices?

Mr. WITT. Well, there was sort of a pandemonium all around. The other thing that stands out in my mind, there was a woman or a girl, a female voice up behind me shrieking and crying, and she again repeated the same thing several times. She said something to the effect: They shot those people right before my eyes, or something like this. Anyway, there was repetition in what she said. She said it two or three times.

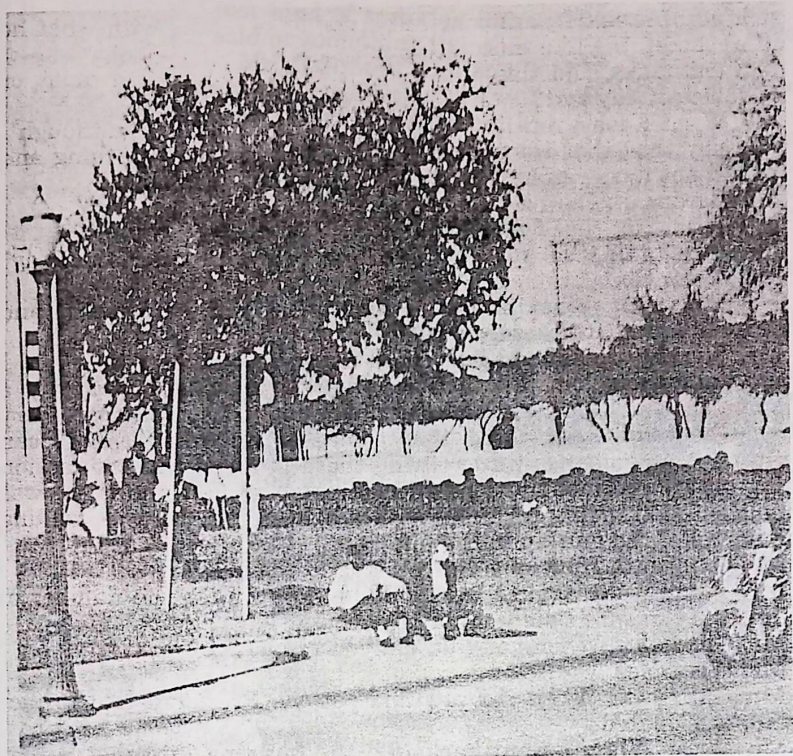
Mr. GENZMAN. Mr. Witt, at this time please refer to JFK exhibits F-130 and F-404. JFK exhibit F-130, which is already on the easel, was previously entered into the record.

Mr. Chairman, I would ask at this time that JFK exhibit F-404 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[Whereupon, JFK exhibit F-404 was entered.]

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JFK EXHIBIT F-404

Mr. GENZMAN. Mr. Witt, can you identify the photographs on JFK exhibit F-130 on the left?

Mr. WITT. Can I identify them in what—

Mr. GENZMAN. Can you identify for instance the two pictures of the man in the top two photographs of that exhibit, with the arrows pointing?

Mr. WITT. Yes. That seems to be me.

Mr. GENZMAN. In the bottom left corner there is an item in red. Can you identify that?

Mr. WITT. That would be the umbrella.

Mr. GENZMAN. In the bottom right corner can you identify the person sitting?

Mr. WITT. I am sure that is me. I would have to say that is me.

Mr. GENZMAN. In the other exhibit, which is JFK F-404, can you identify either of those men sitting?

Mr. WITT. Yes. The one on the right is definitely me.

Mr. GENZMAN. Is the one on the left the man whom you were talking about earlier?

Mr. WITT. I really don't know. It could be or it might not be. I really don't know. I don't recall ever actually looking at this person. I don't know if I ever replied to what he said. I could have,

just kind of speaking automatically, maybe agreeing with what he said or something like this.

Mr. GENZMAN. Did this man have a walkie-talkie, or a radio, or any device of any sort?

Mr. WITT. I don't recall the person carrying anything, although I would say this, that they could have been carrying something and it would not have registered on me at this particular time.

Mr. GENZMAN. Did he act in any peculiar manner?

Mr. WITT. Not that I recall.

Mr. GENZMAN. Did you ever see him before or after that day?

Mr. WITT. No.

Mr. GENZMAN. What happened next, after you were seated and after you had heard these voices?

Mr. WITT. I continued to sit there for some period of time and I don't know how long I was there. I don't know if it was say a minute or 2 or 3 minutes or longer. I doubt if I stayed there very long. The only other thing that comes to my mind that I can definitely remember is while sitting there in all of this commotion going on around me, I just recall looking at my left and there was a policeman standing up there with a drawn gun. He was holding the barrel of the gun up in the air.

Mr. GENZMAN. How long did you stay in the area?

Mr. WITT. There again, I really do not know as to the number of minutes. I am sure I did not stay there very long.

Mr. GENZMAN. When you left, did you go back to work?

Mr. WITT. Yes.

Mr. GENZMAN. When did you find out the President had in fact been assassinated?

Mr. WITT. When I went back into the building into the department where I worked. Someone in there had a transistor radio. The first thing that was said when I walked in, "Did you hear about the President being shot?" I said something to the effect of I was down there in all that.

Mr. GENZMAN. Mr. Witt, some assassination critics have alleged your actions with your umbrella were a signal to an assassin or to assassins to fire or a signal that the President had in fact been hit.

Were you signalling to anyone besides the President?

Mr. WITT. No; no one.

Mr. GENZMAN. Mr. Chairman, I would ask the exhibit marked as JFK F-406 be entered into the record.

Chairman STOKES. Without objection, it may be entered into the record.

[The information follows:]

ASSASSINATION
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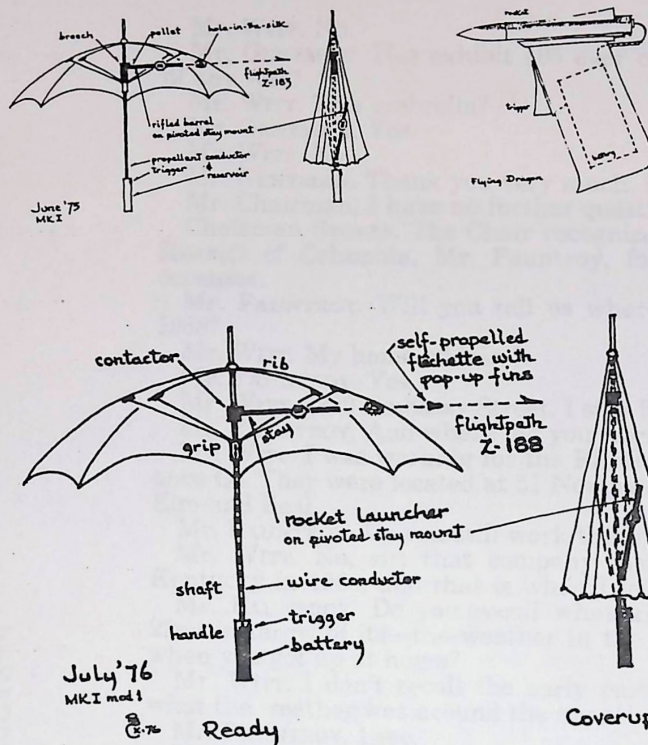


Figure
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THE PIECE

JFK EXHIBIT F-406

Mr. GENZMAN. I would like to correct that to exhibit 406.

Chairman STOKES. It may be so corrected.

Mr. GENZMAN. Mr. Witt, exhibit 406 is a copyrighted diagram drawn by assassinations critic Robert B. Cutler which shows two umbrellas with rocket and flechette attachments. Mr. Witt, do you know what a flechette is?

Mr. WITT. I do now. I did not prior to our interview yesterday evening.

Mr. GENZMAN. Did the umbrella in your possession on November 22, 1963, contain a flechette, or a rocket or a dart?

Mr. WITT. No, it did not.

Mr. GENZMAN. Has exhibit 405, the umbrella, ever contained a flechette, rocket, or dart?

Mr. WITT. No. Not since it's been in my possession.

Mr. GENZMAN. Did the umbrella in your possession on November 22, 1963, contain a gun or weapon of any sort?

Mr. WITT. No.

Mr. GENZMAN. Has exhibit 405 ever contained a gun or weapon of any sort?

Mr. WITT. This umbrella?

Mr. GENZMAN. Yes.

Mr. WITT. No.

Mr. GENZMAN. Thank you very much, Mr. Witt.

Mr. Chairman, I have no further questions.

Chairman STOKES. The Chair recognizes the gentleman from the District of Columbia, Mr. Fauntroy, for whatever time he may consume.

Mr. FAUNTROY. Will you tell us where you lived November 22, 1963?

Mr. WITT. My home address?

Mr. FAUNTROY. Yes.

Mr. WITT. 7209 Embassy Street. I still live there.

Mr. FAUNTROY. And where did you work at that time?

Mr. WITT. I was working for the Rio Grande National Life Insurance Co. They were located at 51 Northview Street, at the corner of Elm and Beal.

Mr. FAUNTROY. Do you still work there?

Mr. WITT. No, sir; that company merged with a company in Kentucky in 1968, and that is when I left the insurance company.

Mr. FAUNTROY. Do you recall what kind of day it was on the 22nd in terms of its—the weather in the morning when you woke, when you got up at home?

Mr. WITT. I don't recall the early part of the day. I only know what the weather was around the noontime area.

Mr. FAUNTROY. I see.

Did you keep your umbrella at home or did you keep your umbrella at work?

Mr. WITT. I don't—the umbrella could have been either place. I tried to keep an umbrella in the car, or it would either be at work. Unfortunately it always seemed if I was in the car in the parking lot and it was raining the umbrella was at work. And I never seemed to have it at the right time. That morning I don't know if I took it from the car to work or if it was already at my place of employment.

Mr. FAUNTROY. Now, when you left—so you don't know whether you took the umbrella from home to work and thence to the motorcade, or whether the umbrella was at work. You don't recall that?

Mr. WITT. I don't recall; no, sir.

Mr. FAUNTROY. All right. Now, when you left—let's assume that it was at work. When you left for lunch, is it your testimony that it was your intent to utilize the umbrella to heckle the President?

Mr. WITT. Yes; that is true. That was the only reason I was carrying it.

Mr. FAUNTROY. So that you weren't just going for a walk at lunch?

Mr. WITT. Well, I did go out for a walk every day.

Mr. FAUNTROY. I see.

Mr. WITT. Every day that the weather was not extreme, either raining or excessively hot. This day I took the umbrella along and

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going out, if it was handy for me to do my little act of heckling, then that was my plan, yes.

Mr. FAUNTROY. So it was your intent to use the umbrella if you happened to be on the route that the President was traveling during that day?

Mr. WITT. That is correct.

Mr. FAUNTROY. But you did not know exactly what that route was?

Mr. WITT. I knew in general because all of the parades and this type of thing usually went down Main Street.

Mr. FAUNTROY. I wonder if you would care to tell us a little more about your understanding of the significance of the umbrella, and why you felt that it would heckle the President to raise the umbrella?

Mr. WITT. I know the generalities of the thing. It had something to do with the—when the senior Mr. Kennedy was Ambassador to England, and the Prime Minister, some activity they had had in appeasing Hitler. The umbrella that the Prime Minister of England came back with got to be a symbol in some manner with the British people. By association, it got transferred to the Kennedy family, and, as I understood, it was a sore spot with the Kennedy family, like I said, in coffee break conversations someone had mentioned, I think it is one of the towns in Arizona, it is Tucson or Phoenix, that someone had been out at the airport or some place where some members of the Kennedy family came through and they were rather irritated by the fact that they were brandishing the umbrellas. This is how the idea sort of got stuck in my mind.

Mr. FAUNTROY. Is it true that what you felt was that Mr. Kennedy would be sensitive because of the appeasement image of the umbrella as related to his father?

Mr. WITT. Not the appeasement thing. It was just—excuse me—I just understood that it was sort of a sore spot with them and this was just one thing. I personally never thought too much of liberal politics in general. In this case the Kennedy family just happened to be in office.

Mr. FAUNTROY. I see. And it had no relationship in your own thinking between Mr. Kennedy's posture with; say, the Russians?

Mr. WITT. No. No. No. That was not it at all.

Mr. FAUNTROY. But someone had—no—you had read in the paper that someone had used an umbrella to heckle the President and that it was a sore spot, and that was the reason—

Mr. WITT. Not read in the papers.

Mr. FAUNTROY. Someone told you?

Mr. WITT. Yes. This was in a conversation somewhere at work. I wish that I could remember now who brought the subject up and put this idea in my head. I am sure that I would have taken that umbrella and clouted him over the head somewhere in this last 2 or 3 weeks.

Mr. FAUNTROY. OK. Now, Mr. Witt, I wonder if you would again show us what happened, what you did?

As I understand your testimony, you found your way into Dealey Plaza because there were not many people there, and you thought you would have an opportunity to in fact see the President and perhaps even heckle him.

Now, do you recall seeing the motorcade approach Dealey Plaza?
Mr. WITT. Yes. As a matter of fact, it was only—it was traveling west at the time I saw it.

Mr. FAUNTROY. All right. Now, where were you at that time?
Mr. WITT. I was sitting somewhere in the grassy area there in Dealey Plaza.

Mr. FAUNTROY. All right. May we suspend for just a moment?
[Discussion off the record.]

Mr. FAUNTROY. Thank you, Mr. Chairman, for the brief interlude here.

Mr. Witt, I was—as we suspended momentarily, I was asking you to recall the turning of the motorcade, and the car in which President Kennedy sat, into Dealey Plaza. Can you recall that?

Mr. WITT. Yes, sir.

Mr. FAUNTROY. And you at that time, you were telling me, were sitting down probably on the grassy knoll?

Mr. WITT. Yes, sir; that is correct.

Mr. FAUNTROY. Now, describe to us what happened and what you did when the car turned into the Dealey Plaza?

Mr. WITT. Well, after I became aware of its presence, I got up and took the umbrella and started walking toward the street and opening the umbrella at the same time.

Mr. FAUNTROY. So that to the best of your recollection you—as you approached the sidewalk, you were opening the umbrella?

Mr. WITT. Yes, sir; that is correct.

Mr. FAUNTROY. All right. And the car is now passing and you—describe to us what happened.

Mr. WITT. Well, as I was moving forward opening this umbrella, it was somewhere at—excuse me—it was somewhere at this point that I heard the shots, and I continued to move forward and eventually brought the umbrella up over my head. I think by this time I had already—by the time I got the umbrella up over my head, I was at the retaining wall and standing on it.

Mr. FAUNTROY. All right. Now, the car is moving beyond you now. Are you aware that the President has been hit at this point—after you hear these firecracker-like shots?

Mr. WITT. No, sir. I—my view of the car during that length of time was blocked by the umbrella being open. And my—the next time I saw the car after I saw it coming down on my left traveling west, the next time I saw the car was when this activity of the car stopping, one car rushing up on another, the motorcycle patrolman stopping, there was this screeching of tires, this sort of thing.

One thing I recall there was a movement in the President's car. By this time—I don't recall seeing the President. He must have—I am sure he was down.

The only thing I recall was the—there was a sort of a pink movement, and it was—that was Jackie Kennedy, I think, wearing a pink dress or something. This pink thing stood out in my mind, and all of this happened in very rapid order. The—as soon as the one car ran up behind this one, a man jumped off and I think the first car was pulling out about the time he had jumped on the back.

Mr. FAUNTROY. Your testimony is that you then sat down where you are pictured there?

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ABOVE

Mr. WITT. Yes, sir.

Mr. FAUNTROY. In the exhibit?

Mr. WITT. At this point I was aware that something terrible had happened.

Mr. FAUNTROY. Something terrible had happened?

Mr. WITT. Yes. At the time that I was moving forward with this umbrella in front of me, I was not aware of what was happening, even though I had heard the shots, until the movement, all this activity with the cars. That was my first awareness, and it was at this point that I just sat down.

Mr. FAUNTROY. And as you sat, you recall that—two things. One, that you recall seeing a couple covering their children, you say, off to the side?

Mr. WITT. Yes, off to my right.

Mr. FAUNTROY. And you recall the presence of someone sitting beside you, is that true?

Mr. WITT. That is correct.

Mr. FAUNTROY. Any someone from behind you saying something?

Mr. WITT. Yes. I don't know which of these came first, but the person sitting to my right said something to the effect that "They done shot them folks," something like that. I think it was repeated about two or three times. It was repetitious. I don't know if they meant to be talking to me, or if they were just talking out loud to themselves.

As I testified before, I don't think I ever actually looked directly at this person. I don't recall ever, say, just turning and taking a good look at the person.

I think what I was doing, I was—at this point I was somewhat stunned, and I just heard this while sitting there. At about this same time—I don't know if it was before I heard this or after—about this same time there was this female voice up behind me shrieking and saying, "They have shot those people. They shot those people."

I think she may have said "They shot those people before my eyes" or something like this. There were a number of people—I could hear crying in the background, this sort of thing.

Mr. FAUNTROY. So that your description of your emotions after sitting down would be that you were stunned. Is that true?

Mr. WITT. Yes. Once the realization—the realization that something—

Mr. FAUNTROY. Terrible had happened?

Mr. WITT. Had happened, yes, I was stunned.

Mr. FAUNTROY. I must admit that my reaction to the picture by which you were ultimately identified was one of a very cool cat. That is, you look rather cool there to me. But you were—

Mr. WITT. I can assure you I was not all that cool. I think one of my reactions was knowing that I was there with this stupid umbrella and heckling the President and—of course, I didn't know that the President had been killed. As a matter of fact, I didn't know he had been shot. I just knew that something had happened by the activity and what seemed to be in the air around me.

But I think my own thinking may have been at the time that—I would have to describe it as a—kind of like a bad joke that had

gone sour, or a practical joke you pulled on someone that had gone sour, since I was there with this thing, and for that purpose.

Mr. FAUNTROY. Mr. Witt, is it your testimony that at no time did the Dallas police or the FBI contact you about your presence at Dealey Court Plaza at this time?

Mr. WITT. No. In later years—after all this came up, I have always wondered why they didn't, but no one ever—so far as I know, no one ever made any attempt to find out who I was or why I was there.

Mr. FAUNTROY. When did you find out that you were a subject of suspicion; that is, that the umbrella man was somehow involved in the assassination?

Mr. WITT. When the committee sent these things to the newspapers, and it was printed in the local papers, in the Dallas paper there. As a matter of fact, I didn't see it on the day that it came out. We take the afternoon paper, the evening paper. I didn't see it on the day that it came out. I saw it later, after I had taken the newspapers to work, because I wrapped small parts in it for shipping, and it was at this point that I saw the thing and read the thing, and was then aware that someone was looking for me, so to speak.

Mr. FAUNTROY. So that—is it your testimony that you did not learn that somebody was concerned about the umbrella man until 10 or 15 years after, until 1978—only in 1978 were you aware?

Mr. WITT. Well, as far as I know, no one was concerned with me.

Mr. FAUNTROY. So that explains, therefore, why you did not yourself contact the FBI or the police—Dallas Police Department, because you did not—you were not aware that someone with an umbrella in Dealey Plaza was an object of interest?

Mr. WITT. No. As a matter of fact, I wasn't aware that I was an object of interest. As a matter of fact, I have found out since—within the last few weeks, that there have been countless numbers of books and all sorts of controversies over this thing. But I drifted along all of these years and I have never seen one of these books because I have never been a fan of this assassination thing. I don't go out of my way to read anything about it.

So it sort of all has gone over my head up until the last few weeks.

Mr. FAUNTROY. Now, is it your testimony that you did in fact see this picture in the papers in July of this year?

Mr. WITT. I saw this picture right here, the blurred picture in the lower right-hand corner.

Mr. FAUNTROY. And did you recognize it as yourself?

Mr. WITT. After I read it, yes.

Mr. FAUNTROY. Why didn't you come forward then?

Mr. WITT. Quite frankly I didn't at this point—I certainly didn't want anybody to know who I was.

Mr. FAUNTROY. Uh huh.

Mr. WITT. And I would say further that, had you never found me, I would have been far happier than I am right at this moment.

Mr. FAUNTROY. Mr. Chairman, I will suspend at this time in the event there are other members who have questions for the witness. I should like to reserve just a little time.

Chairman STOKES. The Chair will protect the gentleman's time.

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Mr. Witness, the umbrella which lies before you on the witness table, did you bring it here today?

Mr. WITT. I brought it from Dallas and I turned it over to Mr. Genzman yesterday.

Chairman STOKES. And has that umbrella been in your possession from November 22, 1963, until today,

Mr. WITT. Yes; it has.

Chairman STOKES. It has never left your possession for any reason——

Mr. WITT. Well, I would have to——

Chairman STOKES. Other than here when you gave it to Mr. Genzman?

Mr. WITT. No. As a matter of fact, the day that I went back to work this umbrella was just tossed back on the rack where the raincoats and other umbrellas would have been. It could have been used by any number of people. There were quite a number of people who worked in this department, young boys who went out on errands, they could have taken this umbrella any number of times in or out.

Chairman STOKES. OK.

Now, I note that when Congressman Fauntroy was questioning you, it had been his intent to ask you to demonstrate the way in which you had held the umbrella on that specific date, but he was informed by counsel for the committee you had made a specific request that you not be asked to make such a demonstration; is that correct?

Mr. WITT. That is correct.

Chairman STOKES. OK.

And is that still your request to this committee?

Mr. WITT. Yes, sir. I—my line of thinking is that since we are not in the same area, we couldn't exactly duplicate what I did there. The only thing my doing that, it would just be more fodder for an overeager press back in Dallas to show this off and continue to embarrass me and my family, more so than we have already been embarrassed.

Chairman STOKES. Certainly.

Mr. WITT. We—I would add at this point that we have been through quite a bit. I brought it on myself, but nevertheless, we have been through quite a bit already.

Chairman STOKES. Well, I certainly understand that, and I am sure this committee is going to respect your wishes in that respect.

I have one concern though, and that is that if the committee does not cause the umbrella to be opened up, it may lend once again to more speculation that the reason we didn't open it was because there was such a dart gun in it. For that reason I am not going to ask you to do it, but I think that it is important that committee staff open this umbrella so we can ascertain there is no dart gun in it.

Mr. WITT. As far as I am concerned, they are certainly welcome to.

Chairman STOKES. All right.

Can we have someone from the staff do that? Miss Cynthia Cooper of the committee staff.

Maybe you ought to turn that way with it [indicating toward press and cameras]. [Laughter.]

[Photograph depicts what occurred when Miss Cynthia Cooper opened umbrella.]



Chairman STOKES. I guess there is no gun in it.
Thank you very much.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Mr. Witt, we understand your reluctance to be here. We appreciate very much your coming forward. Just for the record, would you tell the committee what you did when you saw your picture in the paper? To whom did you report, or what did you do?

Mr. WITT. When I saw the picture?

Mr. DEVINE. Yes.

Mr. WITT. I didn't do anything at that time. I was working at the time I saw it and was aware that I was wanted for questioning by this committee. I didn't do anything. I didn't make any effort to contact this committee or anyone else. I just did nothing.

Mr. DEVINE. How did you become revealed publicly as the person with the umbrella?

Mr. WITT. As I understand it, one of my good friends went to the press. As a matter of fact, a couple of guys—reporters—came to where I work and started barraging me with questions, and I knew it was just a matter of time until they would have my name in the paper and then it would be known. For me it was just a matter of waiting until somebody came along and said, "I want to talk to you."

Mr. DEVINE. Getting back to the time and the place. I think in your original testimony in response to a question from counsel you said you heard a shot or something when you were sitting or standing there by the grassy knoll. Could you tell where this

disturbance or this shot came from in relation to where you were standing?

Mr. WITT. No, sir, really couldn't. Of course, there were a number of shots and they all seemed to be just rapid—just very close spaced. As to the direction, I couldn't say.

Mr. DEVINE. You do not know, you cannot recall from what direction they may have come?

Mr. WITT. No, sir. I am sorry, I can't be of any help there.

Mr. DEVINE. We recognize it has been 15 years nearly. Can you tell this committee how many shots you thought you heard?

Mr. WITT. I really couldn't say. Just remembering—I would have to say three or more.

Mr. DEVINE. Three or more. Were they in rapid succession?

Mr. WITT. Very. As I recall, very rapid.

Mr. DEVINE. Unless you have some objection, would you demonstrate by rapping your knuckle on the table about the time interval you feel you remember the shots were fired.

Mr. WITT. I don't know if I could really give you a good example, but it was just [witness wraps three times rapidly on table].

Mr. DEVINE. As I recall, when the President's motorcade was moving toward you, you were standing. Did you run the umbrella up and down as a symbol of Neville Chamberlain or did you just hold it up or did you point it in his direction? What did you do, specifically?

Mr. WITT. I really don't recall. I could have moved the umbrella up and down but I just don't recall.

Mr. DEVINE. Then when the disturbance occurred and the Presidential motorcade moved out, you sat down?

Mr. WITT. Yes, sir.

Mr. DEVINE. And there was someone beside you as indicated by that lower right-hand picture?

Mr. WITT. Yes. I still don't know if they were sitting there when I sat down or if they moved to that point later. I don't remember.

Mr. DEVINE. Did you say you saw people running then, after you were seated?

Mr. WITT. No; at one point the person that I mentioned before as running was a man who jumped off the second car and ran and jumped on the President's car.

Mr. DEVINE. I am talking primarily about spectators. Was there any movement among the spectators that you noticed?

Mr. WITT. Not as I recall spectators. There were people who seemed to run up from the street to that grassy knoll, but somewhere along the way I heard these were Secret Servicemen or plainclothesmen.

Mr. DEVINE. When you say running up the grassy knoll, you mean in the direction away from the President's car?

Mr. WITT. Away from the street, and it would be up to the side of that schoolbook depository building.

Mr. DEVINE. You mentioned you saw a police officer with a revolver, or a handgun, in a raised position?

Mr. WITT. This was after some time had elapsed.

Mr. DEVINE. Are you talking about seconds or minutes?

Mr. WITT. More in minutes. This was after I had sat down. As a matter of fact, it was somewhere about the point where I guess I was getting ready to leave.

Mr. DEVINE. After the motorcade moved out and the crowd was milling around you, you just casually went back to your place of employment?

Mr. WITT. I don't know if casually describes it. I did pick up the umbrella and go back to the building where I worked. One end of the building was on Elm Street.

Mr. DEVINE. That is the first time you learned the President had been shot?

Mr. WITT. After I got back in the building, yes.

Mr. DEVINE. That is all, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. I am going to be very brief.

Mr. Witt, in light of what Mr. Fauntroy and the chairman have mentioned to you earlier, I would like to know if for the last 15 years you have kept that umbrella at your home and your business place or some other place?

Mr. WITT. Yes.

Mr. FORD. You know, just looking at it, even though I know it flapped over when the young lady opened it up a minute ago, that umbrella is in pretty good shape, wouldn't you say?

Mr. WITT. I suppose.

Mr. FORD. Other than flipping on the wrong side. You can buy a new one and it will flip over. Why did you keep it 15 years? Did you have any reason for keeping that umbrella that long?

Mr. WITT. Not particularly. The only thing that the umbrella survived that long—like I say, this was in use because it was thrown in there with all the others—the only reason I can figure out it lasted this long is because of the size. You take this thing out and it's big and it's clumsy, whereas I had other umbrellas and would wear a raincoat and wouldn't use this one.

Mr. FORD. How many others do you have?

Mr. WITT. I have no idea. Over the years I have no idea.

Mr. FORD. Do you think you could have picked up the wrong one and brought it here from Dallas?

Mr. WITT. It is quite possible. The only reason I believe with almost 100 percent that is the very same umbrella is the fact that it's a big umbrella, and I am almost positive that is the one.

Mr. FORD. You said some of the other office people used the umbrella when you carried it to your job. Could they have walked out with your umbrella and brought this one back, a completely different umbrella from the one you used on the day John Kennedy was assassinated?

Mr. WITT. That is entirely possible, but I really don't think that happened.

Mr. FORD. In your house there are two, three, or four umbrellas; is that correct?

Mr. WITT. I wouldn't know how many are there. There are some in the back closet. I usually have one in the car. The other day I stumbled over one in the garage.

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Mr. FORD. You did not identify that one 15 years ago and say, "I am going to keep this umbrella here"?

Mr. WITT. No; at that particular time I placed no significance on that umbrella.

Mr. FORD. When this committee's staff made contact with you, did you go to your closet and identify "This is the one I had on November 23, 1963"? Were you able to say that to yourself?

Mr. WITT. Yes; when Mr. Moriarity was at my house there in Dallas he asked me if I still had the umbrella. I said, "Yes, I have an umbrella that I believe is the exact same umbrella."

Mr. FORD. You didn't have to look at the other umbrellas in your closet?

Mr. WITT. No; the other umbrellas I believe are little stubby things. Some of them may be folded up. Anyway, they are not big and clumsy like this thing.

Mr. FORD. So you buy a lot of umbrellas; is that correct?

Mr. WITT. No; not particularly. I am 53 years old. You collect a lot of stuff in that period of time. Umbrellas are not a particular hobby of mine. It is just that over the years—although God knows, it may seem it is.

Mr. FORD. My final question, Mr. Chairman.

Mr. Witt, what do you think an umbrella is used for? Is it used to keep the sun off you, the rain, or just to carry along with you to match a topcoat or something?

Mr. WITT. Well, an umbrella sure can be used for many things. I am sure you would use it to keep the rain off, keep the sun off, and in this case you can use it to—as I did for that purpose that I named.

Mr. FORD. Why are you using it today? Why did you come to Washington today with the umbrella? For what purpose?

Mr. WITT. Why did I?

Mr. FORD. Yes.

Mr. WITT. Because I was subpoenaed.

Mr. FORD. Thank you.

I yield back the balance of my time.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman.

Mr. Chairman, for the record, I would like to ask permission of the Chair to write a two-page historical memorandum on the tenure of Ambassador Kennedy in England and the Neville Chamberlain episode. I am afraid perhaps some might not get the clear significance of the umbrella as the symbol. Ambassador Kennedy took a rather merciless treatment subsequent to his placing his own belief in Neville Chamberlain's policies. These of course came in great disrepute after Winston Churchill became Prime Minister and after the Munich Conference broke down. I think it might be helpful if at this point in the record we had a somewhat clearer historical explanation than we have. I won't burden you with it now but I would like permission to write such.

Chairman STOKES. We would be happy to take advantage of the gentleman's expertise in the area of history and have it for the benefit of the committee's files.

Mr. FITHIAN. It is very hard 30 years hence to understand how much the symbol of Neville Chamberlain became associated with an umbrella.

Mr. WITT. In 1963, you said you were a conservative and you did not care much for liberal policies and you didn't care much for liberal politicians; is that correct?

Mr. WITT. Yes.

Mr. FITHIAN. Do you remember what groups or organizations you belonged to in 1963?

Mr. WITT. None.

Mr. FITHIAN. Not even any civic organizations or clubs?

Mr. WITT. At that time; no.

Mr. FITHIAN. Have you ever belonged to organizations such as the White Citizens Council or Ku Klux Klan?

Mr. WITT. No; I am just not a joiner of organizations in general. I am certainly not a joiner of organizations either to the left or the right.

Mr. FITHIAN. I just wanted to make sure. I think Mr. Devine questioned on the shots but you really at this date, even thinking about it all this time trying to reconstruct it, as I am sure you must have many times, you can't help the committee at all as to either the direction the shots came from or the number of shots fired?

Mr. WITT. No; I really can't. The only thing that I can recall is the rapid fire, their close spacing.

Mr. FITHIAN. I have no further questions.

Chairman STOKES. The time of the gentleman has expired. Is anyone else seeking recognition?

The gentleman from Connecticut, Mr. McKinney.

Mr. McKINNEY. Mr. Witt, it is a pleasure to see you in person. I know it is not a pleasure for you to be here and I really don't blame you, but I have been looking at that picture for so many years. It is a pleasure to see you in person.

You did hear gunfire, correct, and you saw several shots in rapid succession?

Mr. WITT. No, sir. I really can't place them at any particular place.

Mr. McKINNEY. You mentioned a policeman standing beside you on the grassy knoll with a gun, I guess sort of pointed up this way [indicating]. Did you notice anything more than normal activity of police or anyone running around looking for people or as if they were looking for people?

Mr. WITT. No. Not that I recall.

Mr. McKINNEY. I never disagree with my colleagues on this committee, particularly the member from the District of Columbia, since I am one of his most ardent supporters. But I think you have a rather stunned look on your face in the picture in the lower right-hand corner. You are just sort of staring across the street. You testified, you didn't even look at the guy next to you?

Mr. WITT. Yes. This is correct. One of the gentlemen up there described me as being very cool. I am afraid—

Mr. McKINNEY. I think your jaw is a little too low to look cool.

Mr. WITT. I was definitely stunned. This is why there are some things I don't remember. The things that I do remember are the

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things where there was repetition, the multiple shots, this person repeating themselves, the woman repeating herself. Naturally the activity of the cars, that sticks with me. If I said anything to the person sitting to my right, I don't recall what it was.

Mr. McKINNEY. One of the strange things about this assassination is that a few people were right about the picket fence or the retaining wall, and the committee has had to spend hundreds of thousands of dollars to find out what went on. They have made a lot of money out of a few words and we have spent a lot of money trying to figure out whether what they said is true or not.

Did you notice anyone or anything going on by the picket fence or by the retaining wall in Dealey Plaza up at the top of the grassy knoll? Did you see anyone peering over the fence or jumping over the fence or chasing anyone, or did you hear or see anything from that particular area?

Mr. WITT. No, sir, I did not, because at no point was I ever facing that direction.

Mr. McKINNEY. Since that area was quite close to you in comparison to the book depository, do you feel in your own mind that if a shot had come from the grassy knoll picket fence retaining wall area, that you would have been aware of where that shot had come from? In general, you were not aware of where any of the shots came from but that area was quite close to you?

Mr. WITT. I don't know if I would have been aware of a shot that would have come from the area that you mention or not.

Mr. McKINNEY. It is an unfair question because it asks for an assumption. I am not a lawyer, so I am allowed to get away with that sort of thing.

Did you notice the reaction or the movement, or anything else, of any of the other eyewitnesses across the street or around you?

Mr. WITT. No, sir, I did not.

Mr. McKINNEY. In fact, you really didn't turn around to look at the guy who sat down next to you?

Mr. WITT. No, sir, I didn't.

Mr. McKINNEY. You stated earlier that you did not look at the picket fence or at the retaining wall. So obviously if I ask you, did you observe anyone behind them, it is a slight redundancy. But did you observe anyone at any time wandering around that fence or wall before you opened the umbrella or before you left the grassy knoll?

Mr. WITT. No, I did not. The only time that I would have looked in that direction, if I even looked at all, would be when I was walking out into the middle of this grassy area. At no other time would I, because it would have been to either my back or my side. I really don't know how it is laid out down there. The picket fence, I don't even know where it is.

Mr. McKINNEY. I really think this is very unfair for me to do this for you because I have trouble summarizing my own thoughts. But I would like to, if I could, summarize what I think you have said and, get you to agree with me or not. That is, you were sitting there waiting for the President to come by in an area where you were somewhat by yourself so that you could be noticed and so you could brandish the umbrella. As you opened the umbrella, your visibility of the scene was obstructed. When you held the umbrella

up, you became aware that something and something pretty bad, had happened. You had heard shots, you had seen a Secret Service man leap on the back of the other car, you had seen the pink blur of Mrs. Kennedy sort of scrambling on the back of the car. You closed the umbrella, sat down, dropped the umbrella on the sidewalk and realized that what had started out as a, quote, "joke," somehow or other had turned into something that hadn't worked, that was sour. Is that a pretty fair summary?

Mr. WITT. Yes; that is correct. I think that sums it up.

Mr. McKINNEY. Mr. Witt, I thank you very much for coming. I know you are an extremely private person and that this has been an extremely painful situation for both you and your family, and I for one, who feels quite often that my privacy and my family's privacy gets invaded for no good reason, sympathize with you and admire your willingness to answer questions that have been hanging around for 15 years.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

As I have been listening to Mr. McKinney's conversation with you about your recollection, I am reminded of the fact that my wife just a few weeks ago witnessed a very tragic accident and her first impression or expression was of shock when she saw the accident occur. But after the shock subsided she had the presence to go and say to the policeman who eventually arrived that she would be willing to act as a witness, give whatever testimony she could about who was or was not involved and exactly how the accident occurred for purposes of later investigations.

Did it ever occur to you, as someone who literally sat down in front of where the President was assassinated, that you might have a bit or piece of evidence that might be a contribution to the authorities looking into the death of President Kennedy?

Mr. WITT. I don't really know if this ever occurred to me or not. Had it occurred to me, I seriously doubt that I would have gone forward to volunteer any information.

Mr. EDGAR. Were you frightened about the fact that you had deliberately set out to cause a scene or an embarrassment to the President?

Mr. WITT. Not frightened as such, but at that time there was a great deal of what I would have to describe as hysteria in the Dallas area about the President being killed. It could have been extremely unwise for me to have volunteered and become known at that time. It could have been dangerous to me or my family.

Mr. EDGAR. In what way would it have been dangerous to you or your family?

Mr. WITT. Well, you would have had to have lived in the city to be aware of how things were then, in that everyone—I really wouldn't know how to describe it. I really don't know, but nevertheless I would say that I would not have made it known.

Mr. EDGAR. Were you afraid to go privately to the Dallas Police Department and share the information of what you saw with a police officer in the privacy of a room at the police station?

Mr. WITT. I really don't know. I really think if I had any real thought on this—and I can't recall one way or the other—it would

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be my guess that my line of thinking was I really had nothing to offer other than just having done a foolish thing.

Mr. EDGAR. Were you concerned about the foolishness of your act or were you concerned about the retribution that might come to you?

Mr. WITT. I don't know what my line of thinking was. But I think it would have been both.

Mr. EDGAR. I appreciate the fact that you have come forward now in response to the picture that we have shown. It is difficult many years later to piece together all of what happened in Dealey Plaza. You do have a contribution to make, as has been exhibited by your presence here today. I hope that others who may see various events like this stop and think about making a contribution by notifying whatever authorities are there of what they see even if it isn't very important to them or if it looks insignificant to them. It may play a part in unraveling a very complicated story.

That is all, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Michigan, Mr. Sawyer.

Mr. SAWYER. Mr. Chairman, I would just like to request that when the gentleman from Indiana submits his historical analysis of the attribution of the umbrella as a symbol of Neville Chamberlain and the senior Mr. Joseph Kennedy, who was then Ambassador to the Court of St. James, I be allowed to submit one page on the subject of Scotch.

Mr. FITHIAN. If the gentleman would yield, I meant to say for the benefit of the witness more than anyone else the sensitivity of the late Kennedy on this point stems not only because of the close family relationship but because he was secretary to his father the ambassador during a part of that tenure, and I think it was all the more kind of a personal thing, and he went on, of course, to write the award-winning thesis at Harvard entitled "While England Slept," and a lot of people believe that was again sort of his own trying to wrestle with this bad taste that was left in the mouth of the American people because of Ambassador Kennedy's interpretation of the German-British pact at Munich.

Mr. SAWYER. I have nothing further, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from the District of Columbia, Mr. Fauntroy.

Mr. FAUNTROY. I have one more question for Mr. Witt: You have indicated that you have learned over these years now that the umbrella man was considered a factor; that even someone has suggested the umbrella was a gun and that it may have been a signal. You may want also to know and, therefore, to help us, that the person sitting beside you has been alleged to have been a Cuban and that other pictures taken in the plaza suggested that he may have been talking on a two-way radio while he was sitting beside you. It would have been of great interest to us to identify who that person sitting beside you was. For that reason I simply ask, is there anything that you can recall about the person that would enable us to find him, even as we found you, because your story sounds plausible?

Mr. WITT. I wish that I could give you more information, but I am sorry I can't. Now, as for him talking on a——

Mr. FAUNTROY. Two-way radio.

Mr. WITT. Two-way radio, while sitting beside me, I feel sure that I would have been aware of that even though I was stunned and I don't recall ever looking directly at the man, but I believe that anyone who was sitting that close, as the picture shows him, I feel sure that I would have known if they were holding—because those walkie-talkie things are fairly large, they are certainly bigger than a person's hand. I feel like I would have remembered that. I can't say with 100 percent certainty that I would have remembered that, but somehow I just feel like I would have.

One thing—there are two things in having been shown these pictures where my memory was different from what the pictures showed. No. 1, the couple that was covering the children, I remember them as being up close to me, as being fairly close, because I saw them doing this, and in later years I have thought how ridiculous it was of me standing up with gunfire going on, and standing there like a tourist, and here these people had the presence of mind to cover these children.

The other thing is in my memory I don't remember a person sitting that close to me. The person that I remember as saying what he did and repeating it a number of times, I don't remember having been that close. I don't know if these pictures are taken at an angle that makes it look like that or if my memory is playing tricks on me.

Mr. FAUNTROY. Thank you, Mr. Chairman.

Chairman STOKES. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman. I have just one question for the purpose of the record, Mr. Witt.

This appears to have been somewhat of an impulsive act on your part. Is there anything in your history that you have been a demonstrator or picket or engaged in symbolic acts in the past, or is this a single incident in your life that you wish had never happened?

Mr. WITT. Never before. This is the only time. True, I wish it had never happened. I am not a person who wishes to bring himself into notice, and I think this very fact is what put me down there in this area, in this street I went down. There were all those people. Had I broke out this big oversize umbrella, there would have been people standing on either side of me and probably questioning what the heck was I doing.

By continuing my little walk, I do not know how long I continued to maintain the idea I was going to do this, but I have the feeling when I was headed back in the direction of where I work, that I saw this area down there and an open space where there were not all this many people around. So I would think it would be my particular personality of not wanting to be questioned by people or putting on a show in front of people that led me into that particular location.

Mr. DEVINE. For the record, this is the first and probably the last time you have engaged in a demonstration such as this?

Mr. WITT. Indeed; the first and the last.

Mr. DEVINE. Thank you, Mr. Chairman.

Chairman STOKES. Mr. Witt, I would just like to say what is probably equally tragic with the event which occurred on that date

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has been the rumors and theories which have grown up around such a tragic event in our history. Indeed, one of the reasons this particular committee was constituted by the House of Representatives is so that we might once and for all investigate all the facts and circumstances surrounding the death of President Kennedy and report to the American people the true facts as we have found them.

It is in that respect that even though this has been perhaps an unfortunate event for you, one that has caused you and your family some concern and indeed some embarrassment, I want to say that I think you have performed for the American people a real service today, by coming forth and dispelling another one of the rumors which have for now some 15 years caused great uneasiness in the American people.

Indeed, over the years many people have profited in continuing to form rumors around one of the most tragic events in our history.

Additionally, since it has been in a rather somber vein, you have been a very candid witness and one who has lent some degree of levity to our proceeding to give us some relief from this. I indeed applaud you for coming forth and giving us your testimony today.

Additionally I would extend to you 5 minutes for any comments you may wish to make, to which you are entitled under our rules.

Mr. WITT. I do not think I have any comment. I cannot really think of anything else that I could offer the committee which would be of any help to them. If I could, I certainly would. I would like to thank everyone for their courtesy. The only two people I have had direct dealings with was Mr. Moriarty who interviewed me in Dallas, and Mr. Genzman, who interviewed me last night. Both of these men have been very thorough, I would say, in their questioning, very businesslike, but at all times very courteous, and I do appreciate that.

The only other thing that I would care to say is that I think if the Guinness Book of World Records had a category for people who were at the wrong place at the wrong time, doing the wrong thing, I would be No. 1 in that position, without even a close runner-up.

Chairman STOKES. Thank you very much, Mr. Witt. You are excused now, sir.

The Chair recognizes Professor Blakey.

Mr. BLAKEY. A widely held belief that has been fostered by some of the critics is that the death rate of individuals connected in some way to the assassination has been improbably high.

The editor of a weekly newspaper in Midlothian, Tex., Penn Jones, started it all by publishing his mysterious death theory in a book, "Forgive My Grief", in 1966. Jones assembled details of the deaths and of the connections of the deceased to the assassination—an attorney for Jack Ruby, Oswald's landlady, newsmen who had covered the assassination, a noted columnist who had interviewed Ruby, and so on.

Other critics picked up on Jones' thesis. In *Accessories After the Fact*, Sylvia Meagher writes:

Viewed subjectively, the witnesses appear to be dying like flies. But an authoritative opinion on the mortality rate of those involved directly or marginally in the assassination and attendant events remains to be rendered by some actuarial

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expert. It may be that the deaths are within the normal rates, despite the appearance of an epidemic, or it may be that they are radically out of line.

Mr. Chairman, Jacqueline Hess, the committee's chief of research for the Kennedy assassination investigation, has been in charge of the mysterious deaths project. Her report, on which she is prepared to testify today, contains the findings of the project.

It would be appropriate at this time, Mr. Chairman, to call Ms. Hess.

Chairman STOKES. The committee calls Miss Hess.

Stand and raise your right hand and be sworn.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

TESTIMONY OF JACQUELINE HESS

Ms. HESS. I do.

Chairman STOKES. Thank you. You may be seated.

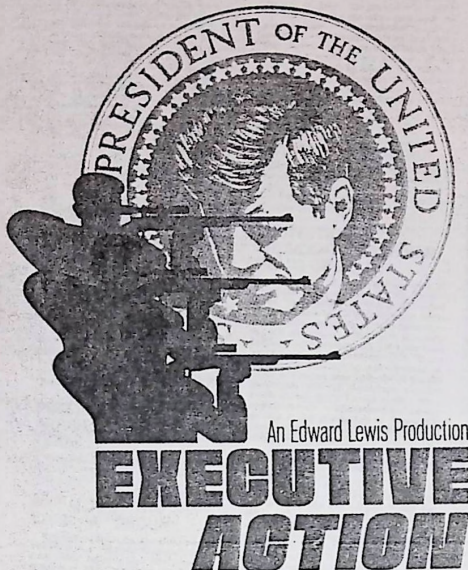
Ms. HESS. Mr. Chairman, members of the committee. The issue of mysterious deaths, that is, that a statistically improbable number of individuals with some direct or peripheral association with the Kennedy assassination died as a result of that assassination, thereby raising the specter of conspiracy, was first brought to national attention as the result of a promotional campaign for the movie "Executive Action" which was based on Mark Lane's novel, "Rush to Judgment."

Mr. Chairman, I would direct your attention to JFK exhibit F-544 and ask that it be admitted into the record at this time.

Chairman STOKES. Without objection.

[The information follows:]

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FACTS BEHIND THE MAKING OF THIS FILM

Introduction

"EXECUTIVE ACTION" is a film of fiction—based on fact.

Ten years ago—on Friday, November 22, 1963, at 12:30 P.M.—President John F. Kennedy rode in an open limousine through the streets of Dallas. At a place known as Dealey Plaza, he was shot to death.

This event, which abruptly and severely altered the course of history, has been the source of intense and continuing controversy. The haunting questions still remain. "Who did it?" "Why did they do it?" "How was it done?"

The official answers have never satisfied a majority among us. A Gallup Poll on the Warren Report asked, "Do you think one man alone was responsible for the assassination of President Kennedy or do you think others were involved?"

64% of those polled believed that others were involved.

This film dramatizes the story of how a conspiracy to assassinate President Kennedy could have taken place.

This background material came from many sources. Exhibits and testimony gathered by the Warren Commission, the FBI, the CIA, the State Department, the Secret Service, the Dallas Police Department and Sheriff's office. Newspaper and magazine articles. Radio and television tapes. Evidence uncovered by private investigators.

This does not purport to be a definite document on the assassination of JFK. It is solely a bibliography for the film which deals with only limited aspects of the event.

The dialogues in the film are, for the most part, fictional. However, substantial portions are based upon the documented material.

References to the Warren Commission Report (WCR) its testimony and exhibits, will be made by citing the number of the Volume (there are 26 in all) and the page number. For example, 19H102 would refer to Volume 19 of the Hearings' published record, page 102.

Further citations will use Commission Exhibit numbers (for example, CE 399) or Commission Document numbers (e.g. CD 7). Many of these documents are available in the Archives. Some are still classified. Only declassified evidence available to the public will be cited in these pages.

Additional source materials cited are available in public libraries and newspaper files.

Scenes in the motion picture based on historical facts are noted. Other scenes taken from actual films of events are noted as 'matters of historical record.'

PRESIDENT JOHNSON DOUBTS WARREN REPORT CONCLUSION

David Wise, author of *The Politics Of Lying*, made the following statement: "Three interviews were filmed for CBS at the LBJ ranch in Texas in September and October, 1969. When the third Johnson interview was shown on May 2, 1970, it included this message about thirty seconds into the program: 'Certain material has been deleted from this broadcast at President Johnson's request, my lie on the ground of national security.' During the filming of the interview Johnson had expressed some misgivings about the Warren Commission's central finding that Lee Harvey Oswald, acting alone, had killed President Kennedy. Johnson indicated to Cronkite that he still retained some doubts and that, possibly, a conspiracy had been involved."

Later Johnson apparently thought the better of these remarks, but he did not ask to delete them until several weeks had gone by. Cronkite, backed by Richard S. Salant, president of CBS News, opposed the deletion, arguing that the request had come too late. But they were overruled, possibly by CBS president Frank Stanton. Cronkite, a new man of great integrity and high professional standards, had been unhappy from the start with Johnson's right to edit the tapes. In this case he felt that Johnson was misusing his right to make deletions, since it was difficult to see how, six years after the assassination, any "national security" was involved. (1)

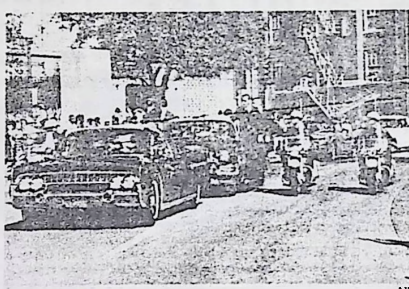
Leo Janux, former aide to President Johnson, now a correspondent for *Time Magazine*, said that Johnson told him in a conversation at the LBJ ranch a few months before he died, "I never believed Oswald acted alone." (2)

PRESIDENT KENNEDY ARRIVES AT EL PASO, TEXAS

President Kennedy's arrival at El Paso Airport June 3, 1963 is a matter of historical record.

THE MEN OF THE VIRGINIA "GROUP"

The characters of the group of men who assemble in a Virginia mansion are fictional, their personalities and professions in no way based upon actual living persons. Portions of their dialogue are based



upon supportive material which will be treated below.

JFK'S ADMINISTRATION

President Kennedy's administration was regarded as a strong contender for reelection in 1964. His intention to review the GI Depletion tax allowance with the plan to reduce it, his opposition to certain measures under the anti-trust act, his intention to shut down domestic military bases and some overseas, his support of the Black Movement, his support of a Nuclear Test-Ban Treaty and subsequent establishment thereof, and his intention to remove all U.S. forces from Vietnam are all matters of historical record. (3)

PREVIOUS ASSASSINATIONS

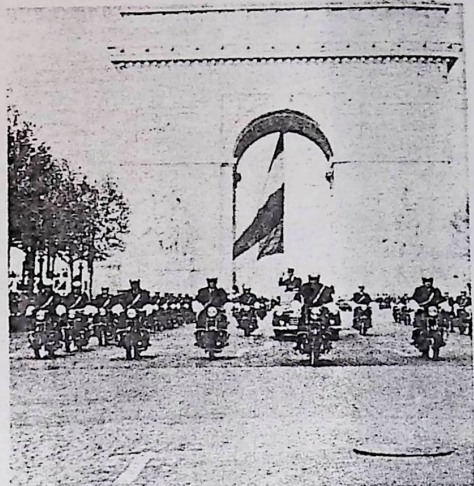
Discussion of previous assassinations and attempted assassinations of President Lincoln, Garfield, McKinley, Theodore and Franklin Roosevelt, are all a matter of historical record.

PROTECTION OF PRESIDENT AND OTHER HEADS OF STATE

Reference is made to the protection of President de Gaulle during his motorcade. These details are true as described by the Director of the French Secret Service (4). The conditions of protection during the motorcade of President Kennedy in Dallas on November 22, 1963 are indicated by the records of the U.S. Secret Service for that trip (5) and observed as sadly less secure than with the de Gaulle motorcade from the photograph supplied by the French Secret Service (right) when compared with the precautions and escorts as seen in the photographs of James Allagans, Associated Press, of the Presidential motorcade in Dallas.

THE "INTELLIGENCE" COMMUNITY

The mood of the Central Intelligence Agency after the Bay of Pigs fiasco was bitter and, according to Roger Hilsman, Assistant Secretary of State, the President caused many changes to take place including the resignations of the Director and the Assistant Director of the CIA. (6) The characterization of the spy world is described according to the disclosures of former intelligence agents and others. (7)



THE PRESIDENT GOES TO TEXAS

President Kennedy was extremely reluctant to go to Texas but was convinced he had to go in order to mend warring political factions within his own party, namely Governor Connally and Senator Yarborough, or risk losing the State in the 1964 elections. Kennedy went over the objections of his closest advisers. Connally disputed this element in an article, stating he objected to the trip (9).

JFK MOTORCADE AND APPEARANCE AT AMERICAN UNIVERSITY IN WASHINGTON

A matter of historical record. (10)

LEE HARVEY OSWALD— BACKGROUND

The descriptions of Lee Harvey Oswald are all supported by documents which were published in the record of the Hearings and Exhibits of the Warren Commission.

Apart from the biographical data (11) it is significant that Oswald did have a CONFIDENTIAL security clearance (12) and was authorized to handle Confidential material while in the Marine Corps less than a year. He was sent to Atsugi, Japan where he had access to radar and radio codes and also new MPS-16 height

finding radar (13). Oswald's commanding officer, Capt. John E. Donovan, suggested that he (LHO) even had a higher "secret" clearance.

Oswald was court-martialed twice in the Marine Corps, once for possession of a weapon (14) when he was found guilty but his sentence and loss of rank were suspended and the second time for cursing at an officer (15).

He later requested a "hardship" discharge due to illness of his mother (16) and based this upon a letter which a doctor wrote on September 3, 1959 saying he had been treating Mrs. Oswald since Sept. 3, 1959. (17)

Instead of aiding his sick mother, Oswald was discharged and immediately applied for a passport (18) Oswald received his passport shortly on September 10, 1959 (19). Although he gave as a reason for applying for the passport that he wanted to attend Albert Schweitzer College in Europe, he traveled instead to Russia, with the State Department's approval (20).

Analysis of Oswald's financial situation shows no record of large savings and estimates indicate he had no more than \$350 at the time he sailed from New Orleans on the S.S. *Marion Lykes* (21) when he reached Southampton, England on October 9, 1959 he declared cash in his possession of \$700.00 (22).

Oswald arrived in Moscow on October 16, 1959 (23) and upon being ordered to leave the USSR (24) attempted suicide by cutting his wrist and was taken to Botkin's Hospital. He was released a week later (25). In an effort to remain in the USSR Oswald visited the U.S. Embassy on October 31, and stated his determination to remain there and revoke

(1) David Wise, *The Politics Of Lying* (Random House, Inc. 1973).
(2) *Athletic Monthly*, July, 1973 UPI, 6/17/73.
(3) Arthur Schlesinger, Jr. *A Thousand Days* (Boston, Houghton Mifflin Co. 1965).
(4) Theodore C. Sotomayor, *Assassins* (New York, Harper & Row, 1965).
(5) Roger Hilsman, *To Move A Nation* (New York, Doubleday & Co., Inc. 1967).
(6) Pierre Salinger, *With Kennedy* (New York, Doubleday & Co., Inc. 1966).
(7) David Wise and Thomas H. Ross, *The Inevitable Government* (New York, Random House, Inc. 1964).

(8) Interview with Director Andre Ducet, Stephen Laff, July, 1978.
(9) 17H193-606, 17H401-617, CD 3, CD 5/17/64.
(10) Roger Hilsman, *To Move A Nation* (New York, Doubleday & Co., Inc. 1967), p. 201.
(11) David Wise and Thomas H. Ross, *The Inevitable Government* (New York, Random House, Inc. 1964).
(12) Andrew Tully, *CIA—The Inside Story* (New York, Random House, Inc. 1963), p. 214.
(13) Ibid.
(14) William Manchester, *Death of a President*, Harper and Row, New York, 1967, p. 1-51.

(15) Pierre Salinger, *With Kennedy*, p. 19 (p. 100 back).
(16) Evelyn Lincoln, *Kennedy A Johnson*, (New York, Holt Rinehart & Winston, 1964), p. 203.
(17) U.S. News & World Report 12/6/67.
(18) New York Times 1/1/67, p. 47.
(19) New York Times 1/11/67, p. 10.
(20) Life Magazine, "Why Kennedy Went To Texas" by John Connolly, 11/24/67.
(21) Ibid. June 10, 1963.
(22) CD 107, p. 7, p. 41.
(23) CD 107, 19H1665.
(24) 10H465, CD 34, p. 6; CD 6, p. 455; CD 1024, p. 2.

(14) 19H107, WCR pp. 683-684.
(15) 19H108, WCR pp. 683-684.
(16) 19H124, WCR pp. 683-689.
(17) 19H177.
(18) 19H249.
(19) 19H249-270.
(20) 19H249-270, 19H257, CD46, p. 12.
(21) CD903, p. 3; CD135, p. 461.
(22) Sylvia Meagher, *Assassins After the Fact*, (Bobbs-Merrill Co., Inc., New York, 1967) pp. 329-330.
(23) Ibid.
(24) CD1, p. 7, p. 41.
(25) CD1, p. 66.
(26) 19H1665.
(27) 19H461.

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- (58) 26H53, p. 10.
- (59) 22H20, FBI Report 11/25/63, by S. Ernest E. Wall, Jr., New Orleans Bureau Office.
- (60) *Ibid.*
- (61) Rosemary James and Jack Wardlow, *Fun or Follies?*, Pelican Publishing House, New Orleans, 1967, p. 11 (photograph).
- (62) 10H6, 21H139.
- (63) August 21, New Orleans, La. WDSU TV.
- (64) 26H95-99, WCR p. 407.
- (65) Arthur M. Schlesinger, Jr., *A Thousand Days*, p. 937.
- (66) A matter of historical record.

FIRST ANNOUNCEMENT OF JFK'S PLANNED DALLAS VISIT

On September 13, 1963 the Dallas Times-Herald newspaper announced that President Kennedy would visit the city but made no details of the forthcoming visit available other than the cities to be visited.

On September 26, 1963 both Dallas newspapers indicated that the President would visit the city on November 21 or November 22 (67).

OSWALD STARTS WORK AT BOOK DEPOSITORY

Lee Harvey Oswald started work at the Texas School Book Depository on October 16, 1963 (68).

MOTORCADE ROUTE PLANNED FOR DALLAS LUNCHEON AT TRADE MART

President Kennedy's "advance man" was concerned with planning the trip and his main objective was often to produce large crowds to demonstrate the popularity of the President (69).

Jerry Bruno, who was the White House aide filling that position, was also concerned with security since his plans were often those ultimately accepted and employed by the Secret Service (70).

The most direct route through Dealey Plaza was down Main Street, which was the street the motorcade would already be taking through downtown Dallas. This route enabled the motorcade to travel to the Trade Mart over boulevard (71) instead of by the Stemmons Freeway, therefore giving more people a chance to see the President and satisfying the objective of Mr. Bruno by having more crowds along the streets to show the President's strength among the people. The travel time difference between the two routes was negligible.

Initially, there were two locations under consideration for the luncheon speech of the President, one was the Women's Building, a "sprawling auditorium which could seat four thousand," Bruno states, and the other was the Trade Mart which presented serious security risks in comparison, was closed off and did not fit the desires of the President (72).

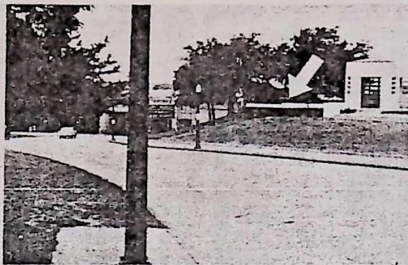
There was another point about the Women's Building site that didn't seem important to anyone at the time. If Kennedy had been going there instead of to the Trade Mart, he would have been traveling two blocks farther away from the School Book Depository—and at a much faster rate of speed. At that speed and distance, it would have been almost impossible for a sniper to hit him from the Depository," Bruno states (73).

Bruno wrote that there was a political difference over the selection of the luncheon site and therefore the final decision was left open until later than it would have normally been planned.

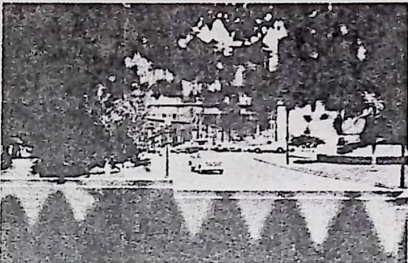
The Women's Building was a better choice from the standpoint of security and Kennedy's desire to speak to as many of the people of Dallas as possible, including different factions including labor groups, Chicano, Women and Blacks, all of which would have been able to be present in the larger auditorium. The Connally-Johnson supporters wanted the smaller Trade Mart site which would restrict the luncheon to Dallas' wealthy party backers.

Bruno decided to use his influence and the argument of better security to get the Secret Service to finally rule that the Women's Building would be the site.

"I asked Jerry Behn, the head of the Secret Service at the White House, to pass the word to the Texas agents to wrap it up."



View of the Grassy Knoll



View from behind the fence on the Grassy Knoll

But somehow or other that word never got through. We heard back from Texas that the Secret Service had taken the Trade Mart as acceptable (from a security point of view)," Bruno said (74).

On November 18, 1963 Bruno got the news from Kenny O'Donnell, the President's Special Assistant, that they would let the Trade Mart be the site. Reluctantly, O'Donnell told Bruno, "We're going to let Dallas go, Jerry." (75)

"It struck me at the time that this was one of the few fights like this I had lost. I was no inner counselor to John Kennedy or anything like that, but usually, if I fought hard enough, I could generally get my way about what sites he would do best at politically. On things like this my judgment was usually taken. This time it wasn't." (76)

OSWALD AT PARKLAND HOSPITAL

Oswald went to Parkland Hospital on October 21, 1963 to see his wife and their new baby born the previous night. (77)

OSWALD AT GENERAL EDWIN A. WALKER RALLY

Oswald attended General Walker's "USA Day Rally" on the evening prior to Ambassador Adlai E. Stevenson's scheduled address in the same auditorium for "United Nations Day." The audience was well attended by people who were extremely conservative in their political views according to the signs which were carried by some of them and the text of General Walker's talk. (78)

OSWALD ATTENDS STEVENSON UNITED NATIONS DAY SPEECH

In contrast to Oswald's activities of the night before, he allegedly attended the United Nations Day Speech on October 24, 1963 at Ambassador Stevenson where Stevenson was actually struck by one of the picket signs carried by a demonstrator and several others had to be forced to leave by police (79).

OCTOBER, 1963 "VIETNAM TROOP PULL-OUT" ANNOUNCEMENT

A White House statement announced in October that President Kennedy was going to withdraw 1,500 U.S. military personnel from South Vietnam which was, perhaps, his last formal executive order, thus reducing the U.S. troop strength there to approximately 14,500 men (80).

"ALL GIs OUT OF VIETNAM BY XMAS"—JFK

Secretary of Defense McNamara made a public statement that all American personnel would be brought back home from Vietnam by 1965. His announcement came from the White House (81). President Kennedy told Kennedy O'Donnell in the Spring of 1963 of his determination to withdraw American forces from Vietnam risking unpopularity after his reelection. "In 1965," the President said, "I'll be damned everywhere as a Communist appeaser, but I don't care." (82)

UNREST IN SAIGON

Amid riots, immolations, and terror in Saigon, President Diem attempted to calm the agitated people. There were demonstrations, police attacks on Buddhists priests, several of them were killed, and one immolated himself in protest. (83)

"OSWALD" REQUESTS RIFLE REPAIRS

Two ladies, Mrs. Gertrude Hunter and Mrs. Edith Whitworth testified that Oswald, his wife and two daughters had come into the furniture store of Mrs. Whitworth looking for a gunsmith, as a result of having seen a sign in the window which said "Gun." Mrs. Whitworth had forgotten to remove the sign when a gunsmith, indeed, formerly worked there. (84) "Oswald" said that his daughter had been born on October 20 and, according to the testimony, wanted to repair the firing-pin or "plunger" of his rifle. He was carrying an object 15 inches long. She directed him to the Irving Sports Shop (85) Mrs. Hunter corroborated Mrs. Whitworth's account of the incident. (86)

Gummihi Dial Ryder worked at the Irving Sports Shop (87). Her husband, owner of the shop, Mr. Charles Greener, could not recall Oswald from his photograph but they did have a repair ticket with the name Oswald on it in their store. The ticket had no date on it but they estimated the date to be November 4th to November 8th. They do not recall making the kind of repairs that from photographs were made on the sight of the Mannlicher-Carcano which was allegedly Oswald's rifle. (88)

An anonymous phone call to a television newscaster saying that "Oswald had had a rifle sighted on Thursday, November 21, at a gun shop on 211 or 212 Irving Boulevard in Irving," had led Detective F. M. Turner to the gunshop of Mr. Greener. (89)

If this was Oswald it would mean that Marina Oswald committed perjury when she testified during the estate incident (90). It would further suggest the culpability, if not the complicity, on her part in a crime which she had planned to commit, had the knowingly accompanied him on an expedition to repair a rifle, after the alleged attempts on General Walker and Richard Nixon and her testimony that she threatened to turn Oswald in if he ever showed signs of repeating such adventures (91). If it was Oswald (who was at work at the Texas School Book Depository all the afternoons of the month) then the alternative is that someone was impersonating Oswald, thereby incriminating him by linking him directly to the rifle prior to the assassination.

THE ITALIAN MANNLICHER-CARCANO RIFLE

The rifle that is linked to Lee Harvey Oswald by the alias A. J. Hidell, an Italian Mannlicher-Carcano 6.5 mm rifle, is, according to FBI rifle expert Sebastian Latona, a "cheap old weapon." (92)

This inferior weapon was described in more detail by rifle expert Walter H. B. Smith in *The Basic Manual of Military Small Arms* as "poor military weapons in comparison with United States, British, German, or Russian equipment." (93) And by a magazine which specializes in such equipment, the Mannlicher-Carcano was described as "crudely made, poorly designed, dangerous and inaccurate." (94)

The Mannlicher-Carcano, according to the Italian soldiers who used it during World War II, was known as "the humanitarian rifle" on the grounds that it could not hurt anyone on purpose. (95)

(67) WCR p. 40.

(68) WCR p. 738, 11614, 238162.

(69) Jerry Bruno and Jeff Greenfield, *The Advance Man*, (William Morrow and Company, Inc., New York, 1971), p. 28.

(70) Ibid, p. 52.

(71) See Dallas Street Map.

(72) Bruno, *The Advance Man*, pp. 89-92.

(73) Ibid.

(74) Bruno, *The Advance Man*, p. 92.

(75) Ibid.

(76) Ibid.

(77) CD210, p. 2, 22H230, 22H746, 3H40, 11H751, 26H694.

(78) 2H401, 21H252, 2H158, 11H401, CD 211, p. 10, WCR p. 718.

(79) 2H412.

(80) Historical record.

(81) Historical record.

(82) Kenneth O'Donnell and David Powers,

Johnny We Hardly Knew Ye (Little Brown, New York, 1972) p. 16.

(83) Historical record.

(84) 11H262-272, 11H279.

(85) Ibid.

(86) 11A253-261.

(87) 2H48, 252-254.

(88) 7H225, 21H499, 24H328, CD 1066, p. 30.

(89) Sylvia Margher, *Accessories After The Fact*, p. 367.

(90) 11H285.

(91) Sylvia Margher, *Accessories After The Fact*, pp. 167-169.

(92) Mark Lane, *Road To Judgment* (Holt, Rinehart & Winston, New York, 1966, p. 121).

(93) *Mechanics Illustrated*, October, 1964.

(94) Sylvia Margher, *Accessories After The Fact*, p. 367.

(95) Sylvia Margher, *Accessories After The Fact*, p. 367.

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"OSWALD" AT THE USED CAR LOT—DALLAS NOVEMBER 9, 1963

Someone identifying himself as Lee Harvey Oswald appeared at the automobile sales and used car lot of Downtown Lincoln Motors on November 9, 1963, according to an employee there, Albert Guy Bogard (96). Bogard identified the man as Lee Oswald and said that Oswald leased a car with him driving at high speeds on the Stemmons Freeway. Sales Manager, Frank Pizzo, suggested that the headline of Oswald, according to photographs shown him, did not match the man who was at the lot (97).

The story of Bogard was supported in part by Pizzo and by Guy Brown and Eugene Wilson, salesman at the lot. Brown wrote the name "Oswald" on a paper which both he and his wife remembered as being in his possession prior to the assassination (98).

Bogard took a lie-detector test, or a polygraph test as it is otherwise known, and his answers were consistent with someone who was telling the truth (99).

According to Bogard, "Oswald" made a comment about returning to Russia and also said that he would be coming into the money shortly, enough, evidently, to buy the car he was considering (100).

OSWALD PHOTOGRAPH WITH RIFLE AND HANDGUN

An incriminating piece of evidence in the case against Lee Harvey Oswald was a photograph discovered by police among the possessions which were allegedly Oswald's at the home of Ruth Paine. This photograph was not listed on the list of the Dallas Police returning all of the possessions (101) even though a number of articles, including photographs, were described in the testimony of the officers regarding who discovered the photographs (102).

The photograph was published as the cover of Life Magazine on February 21, 1964 several months before the official investigation of the Warren Commission was completed (103). It was published, in fact, in magazine and newspapers all over the world described as "Lee Harvey Oswald with the weapon" and used to vilify President Kennedy and Officer Tippit (104).

The photograph apparently supplied more than simply the evidence to link Oswald with the weapon allegedly used in both homicides, it provided evidence of a motive since the newspaper, in the hands of the person allegedly photographed as Oswald, were the radical publications of "The Worker" and "The Militant" (105). Testimony was introduced to show that the photograph had been retouched prior to publication (106) and it was alleged that the photograph was a composite, or a false photograph as well (107).

Research has been done since the time this photograph, and another similar photograph were allegedly found (both designated as Commission Exhibits 123 A & B) (108) which indicates that both photographs are composites, falsely portraying Oswald.

Oswald, himself was asked about the photographs while he was being interrogated by Dallas Police Captain Will Fritz (109).

"I showed Oswald an enlarged picture of him holding a rifle and wearing a pistol. This picture had been enlarged by our Crime Lab from a picture found in the garage at Mrs. Paine's home. He (Oswald) said the picture was not his, that the face was his face, but that his picture had been made by someone superimposing his face on the other part of the picture was not him at all and that he had never seen the picture before." (110)

OSWALD INTERROGATION

Captain Fritz did not call for a stenographer, court reporter, or tape recorder to have Oswald's invaluable interrogation properly recorded (111). Fritz kept notes, and his notes are the best evidence of what Oswald told him before others who observed the interrogation, including FBI agent Jim Bookhout, Homicide officers, and Inspector Kelly, of the Secret Service (112).

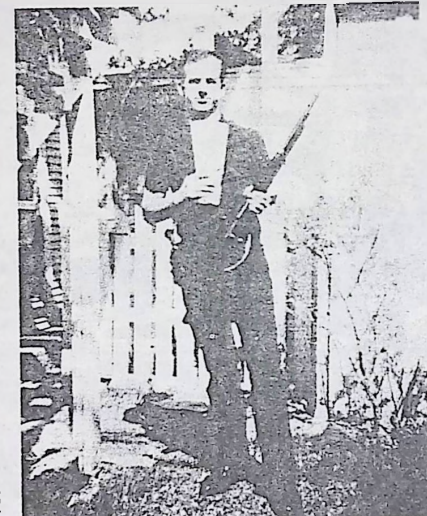
Captain Fritz continued, "He (Oswald) told me that he understood photographs real well, and that in time, he would be able to show that it was not his picture, and that it had been made by someone else. At this time he said that he did not want to answer any more questions and he was returned to the jail about 7:15 p.m." (113)

MOTORCADE ROUTE FOR NOVEMBER 22, 1963 VISIT OF PRESIDENT DISCLOSED

On November 16, 1963 the Dallas Times-Herald and Dallas Morning News announced the November 22nd visit of the President. Details of the motorcade route and indicated it would pass through Dealey Plaza and continue on to the Trade Mart (114).

"OSWALD" AT THE RIFLE RANGE

Someone who was recognized immediately following the assassination as being identical with Lee Harvey Oswald appeared at the Sports Drome Rifle Range in Dallas on several occasions in September, October and November 1963 (115).



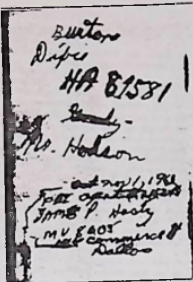
Mr. Garfield G. Slack testified, along with others, that a man who he identified as Oswald was at the Sports Drome Rifle Range on November 10, 1963 and that he became involved in an altercation with "Oswald" because he was firing at his (Slack's) target (116).

OSWALD'S ADDRESS BOOK CONTAINED FBI AGENT'S NUMBER

Although the Secret Service had no record of Lee Harvey Oswald in its files, particularly in the Protective Research Section which determined whether or not a person might be a threat to the President, (117) Oswald was well known to the FBI. The name, auto license number and telephone number of FBI agent James P. Hosty appears in Lee Harvey Oswald's address book (118) and Hosty had interviewed Marina Oswald and Ruth Paine (119) as close to the date of the assassination as October 29, November 31, and November 5th as well as their neighbors. The Warren Commission was not able to explain how Oswald learned of Hosty's auto license or why he had this information in his address book. Apparently none of the FBI's extensive information on Oswald was passed on to the U.S. Secret Service (120).

WHITE HOUSE SECRET SERVICE CHIEF REMAINS IN WASHINGTON, D.C.

White House Secret Service detail Chief, Gerald A. Behn remained in Washington, D.C. during the President's Texas trip and Special Agent in Charge Ray Kellerman went to Dallas with the President instead (121).



Agent listed in Oswald book

PROTECTIVE RESEARCH SECTION OF SECRET SERVICE IN DALLAS

As of November 8, 1963, a check of the Secret Service files revealed there was not one person considered to be a threat to the life of the President in the entire Dallas-Fort Worth area, despite the fact Dallas was Ambassador Stevenson (122).

DALLAS MOTORCADE LEAD CAR

The lead car of the President's motorcade carried Dallas Police Chief Jesse E. Curry, Secret Service SAIC, Forrest Norrell, SAIC, Winston G. Lawson Sheriff Bill Decker (123). Preceding them was the pilot car, also a Ford, carrying Deputy Police Chief G. L. Lumpkin, Detective P. M. Turner, Detective B. L. Senkel, advance man Jack Pottinger, and Army Lt. Col. George Whitmer (124).

SECRET SERVICE AGENTS AT FORT WORTH BAR UNTIL LATE HOURS

Nine special agents of the Secret Service were, according to their own reports (125) and that of the Secret Service Agents (126) in charge of the Presidential detail in Texas, present at The Elmer nightclub in Fort Worth, some of them until 3:00 a.m. the night before the assassination of the President. In specific violations of the Secret Service's own regulations (U.S. Secret Service Manual, Section 10, Chapter 1, Page 7, (127) some of the agents did assemble and consume intoxicating beverages (128).

"WANTED FOR TREASON": JOHN F. KENNEDY

This poster was widely distributed throughout the City of Dallas on the day of President Kennedy's visit, by anti-Kennedy persons (129).

PRESIDENTIAL PLANE ARRIVES AT LOVE FIELD, DALLAS

According to the records of the Secret Service, public accounts and journals, President Kennedy's plane, Air Force One, touched in Dallas at Love Field at 11:40 a.m. c.s.t. on Friday, November 22, 1963 (130).

(96) E21449-452, 101332-236.

(97) WCR 520-321.

(98) Sylvia Margel, *Accession After The*

Case, p. 352.

(99) WCR, p. 840.

(100) CE 3078, CE 3091, CE 3402, 101332-

256, 248454.

(101) 248132-346, Sonix Exhibit B.

(102) 781206, 781215, 78194, 78221.

(103) WCR, CE 334.

(104) Life Magazine, 2/21/64, 2111457,

2111458, 2111460.

(105) 2111460, WCR 125, 287, 289.

(106) 2111449, 2111450, 2111455, 21134-38.

(107) 2413-38.

(108) 11810-10.

(109) 24136-270.

(110) 241029.

(111) WCR 180.

(112) 241269.

(113) 2481269.

(114) WCR pp. 30-40.

(115) 101335-373, 241304.

(116) 1011379, 201680.

(117) 241057, WCR 318.

(118) 101164, CE 19, p. 76.

(119) 441266, 44149, 441433.

(120) 211029.

(121) 21161, 211015.

(122) 241106, 1711510-532.

(123) 2411249, 2411324, 741335, 2414285.

(124) 211019.

(125) 1011682-690, 1811666-669, CE 1019.

(126) 1811682.

(127) 1811685.

(128) 1811682-690.

(129) CE 896, 1811646, 1716627.

(130) 21167.

PROPERTY OF

THE SHOOTING: THREE ASSASSINS SHOT AT JFK FROM THREE DIRECTIONS

Arlen Specter, District Attorney of Philadelphia, was the attorney who handled the investigation of the shooting for the Warren Commission. He made the statement (131) that all of the witnesses at the scene of the shooting which numbered in the hundreds, "Governor Connally was perhaps the most important witness. To accept the conclusion that Governor Connally and President Kennedy were hit by separate bullets is synonymous with saying there was more than one assassin" (132). And yet that conclusion, that the two men were hit by separate bullets, was precisely the conclusion that Governor Connally testified to before the Warren Commission. Mrs. Connally has always corroborated her husband's testimony (133).

Connally testified: "It is not conceivable to me that I could have been hit by the first bullet." (134)

Connally further testified: "Well, in my judgment, it just couldn't conceivably have been the first one because I heard the sound of the shot. In the first place, I don't know anything about the velocity of this particular bullet, but any rifle has a velocity that exceeds the speed of sound, and when I heard the sound of that first shot, that bullet had already reached where I was, or it had reached that far, and after I heard that shot, I had the time to turn to my right, and start to turn to my left before I felt anything." (135)

The reason Governor Connally's testimony is so crucial to the determination of how many assassins there were is that he could determine best whether or not he was hit by the first bullet which was fired. If he was not, as his testimony indicates, then the assassination was the result of a conspiracy.

The legal definition of a "conspiracy" is simply, "Two or more persons acting in concert to commit an illegal act."

The FBI determined that the .6.5 Mannlicher-Carcano rifle had a minimum time of 2.3 seconds (136). That is, the minimum time during which the rifle could be fired, the bolt opened and closed (thereby ejecting the shell and pushing a new bullet into the chamber), and fired again was 2.3 seconds. That does not include the time it would take to aim again since the operation of that bolt would take the focus of the aim of a person away from its original position (137). FBI expert Robert A. Frazer was able to fire within the 2.3 seconds when he tested it although he fired not at a moving target, as Oswald was alleged to have done, but at a stationary target. When asked what would have happened to his ability to fire the rifle that first shot he used moving targets as Oswald was alleged to have done, Frazer responded: "It would have slowed down the shooting." (138)

Oswald, it should be noted, was no match for the experts who tested the rifle since he was qualified only one point above the minimum for the Marine Corps (139). Oswald was further described by Marine Corps Lt. Col. A. G. Follon, Jr., head Records Branch, Personnel Dept. Headquarters U.S. Marine Corps, as "a rather poor shot." (140)

Breaking down the number of shots which were fired at the two victims, President Kennedy, and Governor Connally, by the evidence to support the number which could be accounted for, there were possibly five shots, enumerated as follows:

FIRST SHOT: Struck President Kennedy in the back and did not exit. (141)
SECOND SHOT: Struck Governor Connally in the back, exited through his chest after shattering his fifth rib, penetrated his right wrist and ultimately lodged in his left thigh. (142)

THIRD SHOT: Struck President Kennedy in the neck. (143)

FOURTH SHOT: Struck the Main St. curb ricocheting up and cutting the face of James Tague. (144)

FIFTH SHOT: Struck President Kennedy in the head, causing him to thrust violently backward and to the left. (145)

Governor Connally testified that he heard the first shot but was not hit, therefore the first shot either missed or hit President Kennedy. Since Secret Service Agent Roy Kellerman testified that the President cried, "My God, I am hit," (146) after the first shot, and he could only have done so if he had not been harmed by a later shot which struck him in the throat, it is likely to assume that President Kennedy was struck by the first bullet in the back (see autopsy diagram) (147) as described by the two FBI Agents who witnessed the autopsy of the President. (148)

The second shot struck Governor Connally as described above and he so testified.

The third struck the President in the front of the neck (149)

The "miss" which hit the curb on Main St. and ricocheted upward cutting James Tague's cheek came at some point during the sequence of the shots which it was determined, lasted from 4.8 to 3.6 seconds (150). For the sake of explanation only, we will treat it as the fourth shot although it might have come at any time after the first shot and before the last.

The final shot, as graphically depicted in the Zapruder film and according to the testimony of witnesses, struck President Kennedy in the head, driving him backward and to his left. His head movement, according to medical specialists, was faster than can be explained as a neuro-muscular reaction. (151)

It is not clear if there were two shots when hit the President in the head almost simultaneously or not, although there is

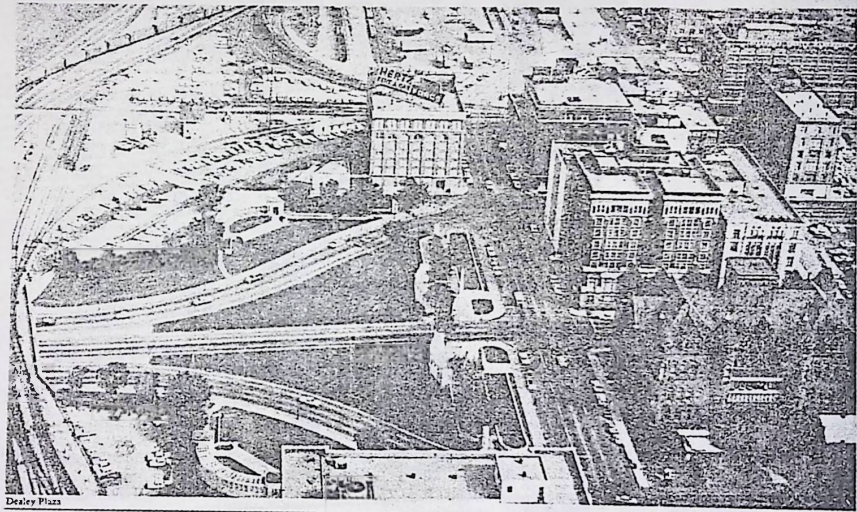
some evidence to support that contention, (152)

According to the FBI reports on the capability (the minimum operation) of the weapon, the five shots would require 9.2 seconds. Since the entire span of time covered by the actual shots was determined to be a maximum of 5.6 seconds, the only possible conclusion is that there was more than one gunman, firing from positions in front of the President to cause his anterior neck wound and shot in the head which propelled him backward, as well as two gunmen firing at the President and Governor Connally from the rear. (153)

The Zapruder film shows the entire span of the shots as a sequence of timed photographs which compose it. It was determined by the FBI that the camera ran at 18.3 frames per second (154). Therefore the 2.3 second minimum operating time of the rifle would be equivalent to 42.09 frames in order to fire two shots.

Governor Connally specifically identified his earliest possible hit as Zapruder film frame #234 (155), and it was officially accepted that President Kennedy was hit by Zapruder frame #225 and not before #210 (156). Therefore there was an interval (157) of 24 frames or approximately 1.3 seconds, or enough time to establish that the two men could not have been hit by the same bullet (158) as indicated by Governor Connally's sworn testimony, but far too short a period of time for the weapon to fire two shots with the 2.3 second minimum time.

There is support for only one conclusion: there were at least two gunmen firing from behind the President and the Governor (159). From the angle of trajectory established for the wounds it is probable that one of the assassins shot from the Texas School Book Depository and another from the roof of the County Records Building. (160)



- (131) "A Matter of Reasonable Doubt", LIFE Magazine, 11/23/66.
(132) 1962, p. 36; Norman Redlich, ASSASSIN, Counsel, Inquest, p. 43.
(133) 4H113-128.
(134) Ibid.
(135) 4H113-128.
(136) WGR V.7, 5H153, 3H407.
(137) Ibid.
(138) 3H407.
(139) WGR 191.
(140) Ibid.

- (141) CE 397, CD 7, FBI Report of Agents Francis X. O'Neill, Jr. and James W. Hubert, 11/26/63, 3H411.
(142) 4H118, CD 361, CD 3 (FBI Report 11/25/64).
(143) Statements by Dr. Malcolm Perry, CBS, Los Angeles Times 11/23/63 interview with Dr. Cyril Wecht, by Joshua Thompson, May 26, 1967.
(144) 17H229, 17H230, 17H231, 17H232, 17H233, 17H234, 17H235, 17H236, 17H237, 17H238, 17H239, 17H240, 17H241, 17H242, 17H243, 17H244, 17H245, 17H246, 17H247, 17H248, 17H249, 17H250, 17H251, 17H252, 17H253, 17H254, 17H255, 17H256, 17H257, 17H258, 17H259, 17H260, 17H261, 17H262, 17H263, 17H264, 17H265, 17H266, 17H267, 17H268, 17H269, 17H270, 17H271, 17H272, 17H273, 17H274, 17H275, 17H276, 17H277, 17H278, 17H279, 17H280, 17H281, 17H282, 17H283, 17H284, 17H285, 17H286, 17H287, 17H288, 17H289, 17H290, 17H291, 17H292, 17H293, 17H294, 17H295, 17H296, 17H297, 17H298, 17H299, 17H300, 17H301, 17H302, 17H303, 17H304, 17H305, 17H306, 17H307, 17H308, 17H309, 17H310, 17H311, 17H312, 17H313, 17H314, 17H315, 17H316, 17H317, 17H318, 17H319, 17H320, 17H321, 17H322, 17H323, 17H324, 17H325, 17H326, 17H327, 17H328, 17H329, 17H330, 17H331, 17H332, 17H333, 17H334, 17H335, 17H336, 17H337, 17H338, 17H339, 17H340, 17H341, 17H342, 17H343, 17H344, 17H345, 17H346, 17H347, 17H348, 17H349, 17H350, 17H351, 17H352, 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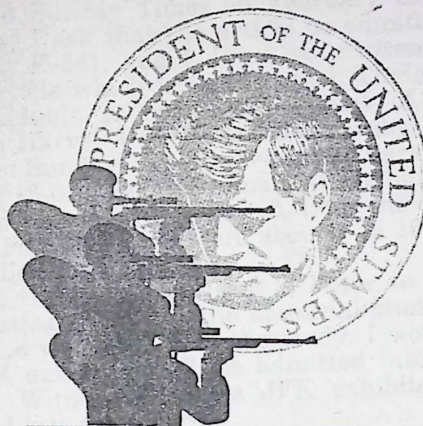
- 51H62, 51H59-60.
(144) 21H424-448.
(145) 17H274, 2-Prime 313.
(146) 2H73, 18H175.
(147) 17H145, CE 359.
(148) CD 7, Subver/O'Neill, FBI.
(149) N.Y. Times, 11/23/63, 17H4, N.Y. Times 11/27/67.
(150) WGR 115.
(151) Thompson, Six Seconds In Dallas, p. 42-114.
(152) Thompson, Six Seconds In Dallas,

- p. 42-114.
(153) Life Magazine 11/23/66; Thompson, Six Seconds In Dallas, p. 115-140, 18H11-19.
(154) 3H160.
(155) Life Magazine 11/23/66.
(156) Ibid. 18H166-69; Thompson, 6 35.
(157) Ibid.
(158) Eppes, Inquest, p. 41.
(159) Ibid.
(160) 4H1138, CD 627, Thompson, p. 129-133.

ASSASSINATION

In the three-year period which followed the murder of President Kennedy and Lee Harvey Oswald, eighteen material witnesses died — six by gunfire, three in motor accidents, two by suicide, one from a cut throat, one from a karate chop to the neck, three from heart attacks, and two from natural causes.

An actuary, engaged by the London Sunday Times concluded that on November 22, 1963, the odds against these witnesses being dead by February, 1967, were one hundred thousand trillion to one.



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PG PARENTAL GUIDANCE SUGGESTED - 11

ASSASSINATION
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Select Committee on Assassinations

U.S. House of Representatives

3331 HOUSE OFFICE BUILDING, ANNEX 2
 WASHINGTON, D.C. 20515

April 25, 1978

(202) 225-4824

Librarian
 London Sunday Times
 P. O. Box 7
 200 Gray's Inn Road
 London, England WC1X 8E2

Dear Sir:

In connection with its investigation into the circumstances surrounding the death of President Kennedy, the Select Committee on Assassinations of the U. S. House of Representatives requests a copy of the actuarial study referenced in the attached February 26, 1967 London Sunday Times article and of all documents relating to the preparation of the study.

Thank you for your prompt attention to this request.

We appreciate the cooperation of your Washington and New York offices, particularly that of Ms. Katherine Grayson of the Washington Office.

Sincerely,

G. Robert Blakey

G. Robert Blakey
 Chief Counsel and Director

GRB:jhd

Enclosure

cc: Katherine Grayson

JFK EXHIBIT F-542

Ms. HESS. On May 19, 1978, the committee received a response from the London Sunday Times. I direct your attention again to the easel, to JFK exhibit F-543, an enlargement of that letter. I would now like to read that letter into the record. It is directed to Mr. G. Robert Blakey, chief counsel and director, Select Committee on Assassinations, and it is entitled, Kennedy deaths statistics—The Sunday Times, February 26, 1967.

The Editor has passed me your letter of 25th April.

Our piece about the odds against the deaths of the Kennedy witnesses was, I regret to say, based on a careless journalistic mistake and should not have been published. This was realized by The Sunday Times' editorial staff after the first edition—the one which goes to the United States and which I believe you have—had gone out, and later editions were amended.

There was no question of our actuary having got his answer wrong: It was simply that we asked him the wrong question. He was asked what were the odds against 15 named people out of the population of the United States dying within a short period

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15

of time, to which he replied—correctly—that they were very high. However, if one asks what are the odds against 15 of those included in the Warren Commission index dying within a given period, the answer is, of course, that they are much lower. Our mistake was to treat the reply to the former question as if it dealt with the latter—hence the fundamental error in our first edition report, for which we apologize.

None of the editorial staff involved in this story can remember the name of the actuary we consulted, but in view of what happened you will, I imagine, agree that his identity is hardly material.

Yours sincerely, Antony Whitaker, Legal Manager.

Even though the London Sunday Times had not structured its actuarial inquiry properly and, therefore, the 100,000 trillion to 1 odds were invalid, the committee staff looked into the possibility of conducting a valid study, contracting with our own actuarial firms here in the District of Columbia: Edward H. Friend & Co., Towers, Perrin, Forster & Co., and the Wyatt Co. We then had meetings with representatives of each company and each subsequently submitted a proposal, addressing both the general issue of which actuarial principles did or did not apply, and the specific issue of the practical problems which would be encountered in attempting to apply those principles to this particular case. As a result of these conversations and of a review of the proposals, we determined the following facts concerning the validity and feasibility of attempting to apply actuarial odds to the group of deaths.

One, to compute valid actuarial statistics, one must be able to determine to a reasonable degree of specificity, the universe of individuals to which the specific group is being compared. In other words, we would have to determine the total number of individuals who exist in each of the categories into which those individuals who have mysteriously died, fall. This means that we would need to establish the number of individuals who in any manner could be considered witnesses to the assassination of President Kennedy and Lee Harvey Oswald, the number of individuals who had any contact with Oswald or Ruby or with Ruby's nightclubs, the number of individuals who professed to have material knowledge of the case or of the major figures in the case, all news reporters who had expressed interest, taken interviews or investigated the case, and all Members of Congress who sought to introduce legislation concerning the investigation of the case. This, as you can imagine, would have been an impossible task.

Two, in addition, for each of the individuals identified in the groups I have just listed, we would have to establish age, sex, race, occupation, geographical location, and any other extraordinary factors which have to be taken into consideration in order to compute mortality rates. Again, this was judged to be an impossible job.

Three, we would need to determine the number of individuals in these categories who have, in fact, died and the number of individuals who, according to actuarial mortality rates, should have died.

We had thus established the impossibility of attempting to establish, through the application of actuarial principles, any meaningful implications about the existence or absence of a conspiracy. Despite the fact that an inference of conspiracy, as here postulated by the critics, did not exist, we nevertheless decided not to dismiss the cited deaths out of hand, but rather, to look more closely at the nature of certain specific deaths to determine whether or not they

could individually be considered mysterious or in some other manner, a reflection of some sort of conspiracy.

In an attempt to investigate the circumstances of the deaths individually, we did several things. First, we compiled a more comprehensive list of those individuals whose deaths were considered by the critics to be mysterious. In some cases, it proved difficult to determine which deaths the critics considered mysterious. In many cases, instead of statements of fact, we found unsubstantiated inference and innuendo, with little concrete information provided. For example, David Goldstein and FNU Levens are both included in Sylvia Meagher's book, "Accessories After the Fact," as mysterious deaths. Goldstein is described as having helped the FBI trace the revolver used in the murder of Officer Tippit. Levens is described as a Fort Worth burlesque theater operator who employed some of the same entertainers as Jack Ruby. Meagher notes that both of their deaths have been officially ascribed to natural causes and lists the places of death as unknown. No conspiracy theory which would include Goldstein and Levens is put forth; it is unclear why their deaths are to be considered mysterious. And while Ms. Meagher may have had no way of knowing it, the FBI's file on the Kennedy case includes dozens of reports and letters from citizens offering clues in the identification of the revolver in question, as, of course, there are undoubtedly a number of persons who would have employed some of the same entertainers as Ruby.

Penn Jones, in his book, "Forgive My Grief," volume I, states that Earlene Roberts, the manager of the roominghouse in which Lee Harvey Oswald lived at the time of the assassination, died. He then states that she had important evidence to contribute. The implication is that Mrs. Roberts' death is mysterious. While it is clear that Mrs. Roberts did indeed have important evidence to contribute, there is no indication in the records relating to her death, or in Mr. Jones' book, as to what exactly was mysterious about a 61-year-old woman with large calcium deposits and a case of pneumonia, dying of acute heart failure. The same is the case with other deaths cited in the same book, for example, Dr. Nicholas Chetta, the coroner who served at David Ferrie's death, and Thomas Howard, Jack Ruby's attorney, both of whom died of heart attacks.

Despite this problem, we compiled a list of individuals from the books and articles of Meagher, Jones, Bernard Fensterwald, David Martindale, and David Welsh. We added to the list Sam Giancana and John Roselli, both of whom had died too recently to be included in most of the critical literature.

We then asked the Library of Congress to compile all newspaper articles which had appeared concerning any and all of the individuals. We further asked them to give us their evaluation of the critical literature and the press accounts on each individual and to make recommendations with respect to further investigation in each case. Independently, we sent requests to the Bureau of Vital Statistics, the medical examiners' offices and the police departments in the jurisdiction in which each death was believed to have occurred, for the death certificates, medical records, police reports, and any other documents which might exist concerning the death. Because there were many cases in which there was no information

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MEAGHER

indicating the appropriate jurisdiction, we sent letters to the pertinent offices in Dallas and Fort Worth, Tex., in New Orleans, La., and in Miami, Fla., listing all the names on which we desired information. In the case of some of the individuals, information was requested from Federal investigative agencies. In the cases of Roselli and Giancana, we requested and received a briefing on the Justice Department investigations of those deaths. In the cases in which further investigation was deemed necessary, it was initiated.

Our final conclusion on the issue is that the available evidence does not establish anything about the nature of these deaths which would indicate that the deaths were in some manner, either direct or peripheral, caused by the assassination of President Kennedy or by any aspect of the subsequent investigation.

Chairman STOKES. Is your report completed?

Ms. HESS. Yes; it is.

Chairman STOKES. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. I have no questions. I will yield back my time to the Chair.

Chairman STOKES. The gentleman from Indiana.

Mr. FITHIAN. Just one question. Miss Hess, is it your feeling, having gone through this, there is no statistical significance to this? Is that what I am to understand?

Ms. HESS. That is correct.

Mr. FITHIAN. Is it possible, then, that any death which is remotely related to this gets reported more than others, therefore there is an appearance of a kind of unusual gathering of deaths?

Ms. HESS. It is possible. That is one of the bases for the development of the issue; yes. You understand the problem in establishing the statistical inference is that you cannot establish any type of universe. While it may seem like these people come from a very small group of people, they come from a very, very large universe of people.

Mr. FITHIAN. I have no other questions, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. No questions, Mr. Chairman.

Chairman STOKES. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Will you provide for the record a detailed listing of the 21 names and the evidence you have found relating to their deaths?

Ms. HESS. Yes. Do you want me to read them for the record?

Mr. EDGAR. It might be helpful.

Ms. HESS. Edward Benairdes, Albert Guy Bogard, Hale Boggs, Lee Bowers, Jr., Bill Cheshier, Nicholas J. Chetta, David Goldstein, Thomas Hale Howard, William Hunter, Clyde Johnson, Dorothy Kilgallen, Thomas Henry Killam, Jim Koethe, FNU Levens, Nancy Jane Mooney, Teresa Norton, Earlene Roberts, Harold Russell, Marilyn April Walle, a.k.a. Betty McDonald, William W. Whaley, James R. Worrell, Sam Giancana, John Roselli.

Mr. EDGAR. Thank you. I think it very helpful for the record that those names be included.

Can you indicate why Mr. DeMohrenschildt's name was not included?

Ms. HESS. His was one of those which deemed further investigation and became part of a great investigative effort.

Mr. EDGAR. That was not part of the exact study?

Ms. HESS. It was in terms of the compilation of data. I compiled the data on his death and any police reports, et cetera, as part of this project. But then in terms of subsequent investigation that was done by the investigators.

Mr. EDGAR. I think it would be helpful in terms of our final analysis to have a chance to review the material you compiled. I thank you for your report.

Chairman STOKES. The time of the gentleman has expired.

Mr. Sawyer.

Mr. SAWYER. No Questions.

Chairman STOKES. There being nothing further, Miss Hess, thank you very much for your testimony. You are excused.

The Chair will suspend for just a moment.

[Brief recess.]

Chairman STOKES. Because of a heavy schedule tomorrow of witnesses, along with the fact the committee must vacate the room at an early hour for an affair to be held in this room later tomorrow evening, the committee today will adjourn until 8:30 tomorrow morning.

[Whereupon, at 4:30 p.m., the committee was adjourned, to reconvene at 8:30 a.m., Tuesday, September 26, 1978.]

ASSASSINATION
ARCHIVE

INVESTIGATION OF THE ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

TUESDAY, SEPTEMBER 26, 1978

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON ASSASSINATIONS,
Washington, D.C.

The committee met at 8:50 a.m., pursuant to recess, in room 345, Cannon House Office Building, Hon. Louis Stokes (chairman of the committee) presiding.

Present: Representatives Stokes, Preyer, Fithian, Edgar, Devine, and Sawyer.

Staff present: G. Robert Blakey, chief counsel and staff director; Gary T. Cornwell, deputy chief counsel; Elizabeth Berning, chief clerk; James E. McDonald, staff counsel; Donald A. Purdy, Jr., staff counsel; I. Charles Mathews, special counsel; and Howard Shapiro, attorney.

Chairman STOKES. The committee will come to order.

The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF DIRECTOR

Mr. BLAKEY. Thank you, Mr. Chairman.

As you noted yesterday, the question of conspiracy has been with us since the beginning of these hearings which opened nearly 3 weeks ago, although it was addressed more specifically here yesterday. It can be argued that the theories examined yesterday seem to break down under careful inspection, but that is one of the purposes of these hearings—to weigh the validity of the evidence.

Today, however, other more substantial theories will be examined, if only briefly.

But before the committee continues to look into various conspiracy theories, it may be helpful to note that none of them wholly originated with this committee's investigation. Most of the leads or allegations that the committee has examined have heretofore been the subject of some public discussion, the subject of earlier investigations or of books and articles. No claim is advanced here to originality or special insight.

What the committee has done is to apply in its own investigation hopefully more sophisticated techniques of examination than those used or available to those who have preceded us or themselves raised the questions, some of which were demonstrated yesterday.

Beyond scientific analysis of the evidence, the committee has also employed investigative tools that were disregarded in earlier investigations of the Kennedy assassination.

The committee, for example, has made an extensive use of immunity grants and interrogation under oath in executive session. Files have also been widely read, using only the most tenuous theories of relevance.

Another approach that must be mentioned here is the use of a carefully thought-out investigative plan that employed a detailed reconstruction of conspiracies that might have occurred, in order to determine if, in fact, they had any bearing on the actual events in Dallas. The committee did not just run out leads in hand, the typical law enforcement approach and the one principally utilized by the FBI in 1963 and 1964.

Over the next 3 days, we will be looking into a couple of conspiracy theories that the committee felt warranted its fullest attention. This is not to say that these are possible plots that are the most likely ones to have led to the assassination, if, indeed, any of them did.

What is being said is simply this: There are a couple of conspiracy theories that cannot be readily dismissed, as those we considered yesterday may possibly be, and this is the way in which they were investigated. This is, therefore, a status report on the investigation, the full findings and conclusions of which will be detailed in the final report. Obviously, all that was done cannot be adequately portrayed here.

First, the theory that anti-Castro Cubans conspired to kill the President will be examined and summarized in this narration. Then, it may be appropriate to hear testimony on an aspect of the concern that other, perhaps more sinister forces, may have been behind the assassination.

Mr. Chairman, in light of the time pressures the committee is operating under today, I would like to ask permission that the narration on the anti-Castro Cubans be inserted in the record as if read.

Chairman STOKES. With objection, so ordered.

Mr. BLAKEY. Why anti-Castro Cubans? For several reasons. From the evidence available to them in 1964, two staff attorneys for the Warren Commission, David Slawson, and William Coleman, went so far as to speculate that Lee Harvey Oswald, despite his public posture as a Castro sympathizer, was actually an agent of anti-Castro exiles. Pressing for further investigation of the possibility, they wrote a memorandum which, in part, said:

The evidence here could lead to an anti-Castro involvement in the assassination on some sort of basis as this: Oswald could have become known to the Cubans as being strongly pro-Castro. He made no secret of his sympathies, and so the anti-Castro Cubans must have realized that law enforcement authorities were also aware of Oswald's feelings and that, therefore, if he got into trouble, the public would also learn of them.

Second, someone in the anti-Castro organization might have been keen enough to sense that Oswald had a penchant for violence.

On these facts, it is possible that some sort of deception was used to encourage Oswald to kill the President when he came to Dallas.

The motive of this would, of course, be the expectation that after the President was killed, Oswald would be caught or at least his identity ascertained, the law enforcement authorities and the

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public would then blame the assassination on the Castro government and a call for its forceful overthrow would be irresistible.

Some critics of the Warren Commission have termed the period Oswald lived in New Orleans, the summer of 1963, the "Cubanization of Oswald," implying there were sinister motives for his inserting himself into the Cuban controversy. They point out that, aside from letters he wrote to the Fair Play for Cuba Committee in New York, Oswald's known Cuban contacts in the United States were with anti-Castroites.

There are other reasons the committee's attention has been drawn to the anti-Castro area. The Warren Commission files reveal, for instance, that there were numerous reports from Dallas and Miami immediately after the assassination which linked Oswald with Cuba. Yet, when the FBI checked out the reports, in almost all cases they had come from anti-Castro sources, some militant enough to deserve suspicion themselves.

It comes down to this: In a homicide investigation, any individual or group is suspect, if it has the motive, opportunity, and means to commit the crime. There is no doubt that certain anti-Castro groups had all three.

It is difficult, these many years later, to appreciate the political and emotional impulses of the Cuban exile communities—in Miami, New Orleans, and Dallas—when John F. Kennedy was President.

The hopes and expectations of the exiles had been on a roller coaster ride; their relationship with the U.S. Government had deteriorated. They were puzzled by the often conflicting policies of various Federal agencies toward them and their objectives, the main one being to get rid of Castro. The anti-Castro groups were frustrated, bitter, and angry. And the focal point of their resentment was President Kennedy.

It began with the disastrous Bay of Pigs invasion in April 1961. Since January 1959, when Castro marched triumphantly into Havana, the more than 100,000 Cubans who had fled the revolution lived in anticipation of its overthrow. These Cuban exiles were not only encouraged in this hope by the U.S. Government, they were organized, directed, and almost totally funded by its agencies. The training camps, the arms and weapons, the instructors, the ships and landing craft were all supplied by the U.S. Government. The invasion plan itself was formulated by the Government. The Cuban exiles came to feel that the Government not only promised them success, it guaranteed it.

When what has been touted as "the glorious march on Havana" turned into a tragic rout, the Cuban exiles, unappreciative of President Kennedy's inherited role in the invasion, reacted with incredulous disbelief and anger that he would allow the operation to fail.

Intensifying the exiles' reaction was the fact that Kennedy himself insisted on taking the blame. In executive session before this committee, Manuel Antonio Varona, in 1961 the head of the united exile organization, the Revolutionary Democratic Front, told of a tense and emotional encounter with President Kennedy at the White House as hope for the invasion as fading.

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We were not charging Mr. Kennedy with anything. We knew he was not in charge of the military effects directly. Nevertheless, President Kennedy told us he was the one—the only one responsible.

Varona may have sympathized with Kennedy's position, but most anti-Castro Cubans didn't. The noted attorney, Mario Lazo, in his book, "Dagger in the Heart," put it very directly:

The Bay of Pigs defeat was wholly self-inflicted in Washington. Kennedy told the truth when he publicly accepted responsibility * * *. The heroism of the beleaguered Cuban Brigade had been rewarded by betrayal, defeat, death for many of them, long and cruel imprisonment for the rest. The Cuban people * * * had always admired the United States as strong, rich, generous—but where was its sense of honor and the capacity of its leaders?

The mistake of the Cuban fighters for liberation was that they thought too highly of the United States. They believed to the end that it would not let them down. But it did * * *.

President Kennedy was well aware of the bitter reaction to the Bay of Pigs debacle. Far from abandoning the Cuban exiles, he set out to convince them of his loyalty to their cause. Perhaps the most ironic event of his relationship with the Cuban exiles occurred on December 29, 1962, at the Orange Bowl in Miami. He had come to welcome the survivors of Brigade 2506, the 1,200 men who had been ransomed from Cuba after almost 20 months in prison. The President was presented with the brigade flag in a dramatic and emotional scene.

But the euphoria was false and misleading. Although the Cuban exiles cheered President Kennedy that day, there also coursed through the crowd a bitter resentment among some who felt they were witnessing a display of political hypocrisy. Later, it would be claimed that the brigade feeling against President Kennedy was so strong that the presentation nearly did not take place, and it would be alleged, incorrectly, as it turns out, that the brigade flag given to Kennedy was actually a replica.

That intensity of anti-Kennedy feeling by Cuban exiles was the result of events between the time of the Bay of Pigs invasion and the ceremony in the Orange Bowl.

It is not possible to know fully how the Bay of Pigs defeat changed President Kennedy's attitude toward Cuba, but when journalists Taylor Branch and George Crile wrote in Harpers magazine about a massive infusion of U.S. aid to clandestine anti-Castro operations in the wake of the Bay of Pigs, they titled their article, "The Kennedy Vendetta."

What is known is that the period between the Bay of Pigs and the Cuban missile crisis in October 1962 can be accurately characterized as the high water mark of anti-Castro activity. Miami, the center of the exile community, became a busy staging ground for armed infiltrations into Cuba. While not every raid was supported or even known about in advance by Government agencies, the United States played a key role in monitoring, directing, and supporting the anti-Castro Cubans. Hundreds of Cubans were set up in proprietary corporations established by the U.S. Government to support the massive covert operation. And although this effort was cloaked in secrecy, there were very few Cubans in the exile community who did not know what was happening and who was supporting the operation.

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That was a time of great activity and exhilaration in the Cuban exile community. American arms and weapons flowed freely through south Florida. Miami's "Little Havana" was a beehive of gossip about the latest infiltration operations or paramilitary missions. Raiding parties that left from small secret islands in the Florida Keys had the "green light" from the U.S. Government.

Then came the Cuban missile crisis and negotiations that ended it. The anti-Castro groups felt as if the rug had been pulled out from under them.

The Cuban exiles were initially elated by the possibility that the crisis would provoke a showdown with Castro. But President Kennedy made a deal for the removal of the missiles. Only later did the exiles come to feel full force the impact of Kennedy's agreement with Khrushchev and Castro.

The word was soon passed; newspapers reported a basic turn-around in the Kennedy policy. For example, the raids that were being conducted by Alpha 66, one of the most aggressive exile organizations, were abruptly condemned by Washington. The State Department asserted that it did not sanction such attacks.

In December, 2 months after the missile accord, 13 anti-Castro guerrillas were arrested at a training camp in the Florida Keys and their arms and explosives were seized by U.S. Customs agents. In March 1963, another Alpha 66 raid brought a statement from President Kennedy himself. "The raids," he said, "served no useful purpose." An attack on a Soviet ship in Cuban waters led to the formal issuance of a policy pronouncement on March 31. Kennedy said, in no uncertain terms, "We intend to take every step necessary to assure that such raids are not launched, manned or equipped on U.S. territory."

On April 5, the New York Times noted that the United States was throwing more planes, ships, and men into its effort to police the straits of Florida against anti-Castro raiders.

Throughout the spring and summer of 1963, the crackdown on guerrilla activity continued, causing frustration and resentment on the part of the exiles. They could not grasp how they could be supported and aided by one U.S. agency and then be slapped down by others.

In August, the FBI seized a cache of explosives at an anti-Castro training camp in Louisiana. Just weeks later, the U.S. Coast Guard cooperated with the British Navy in a raid on an exile base in the Bahamas.

Then, U.S. Customs cracked down on a group of anti-Castro pilots in Miami. The Secret Service arrested a Cuban exile leader for conspiring to counterfeit Cuban currency, destined for forces inside Cuba.

The brunt of that anger fell on President Kennedy. The Cuban exiles came to think of the missile crisis deal as a "betrayal." Mario Lazo called it a "soul-shattering blow." Jose Miro Cardona, the head of the Cuban Revolutionary Council, an exile organization put together by the U.S. Government to unite fragmented exile groups, resigned in disgust.

In the major enclaves of anti-Castro Cubans—in Miami, New Orleans, and Dallas—the once glittering image of President Kennedy had turned dark.

So, the motivation for anti-Castro Cuban involvement in the Kennedy assassination was based not only on a schism in political and ideological viewpoints, but also on a disposition growing out of a pragmatic realization that Castro probably would survive.

Despite the recommendations of Slawson and Coleman, the Warren Commission largely ignored the mood of the exiles in its final report. It distilled the subject down to a nine-paragraph review entitled, "Alleged Association With Various Mexican and Cuban Individuals."

This committee opted to approach the possibilities in a more open-minded way. It decided to examine in depth those exile groups which, besides motivation, had the capability and resource to be involved in an assassination—in other words, the action groups.

The committee also attempted to determine if Oswald sought to utilize or exploit resources of the exile groups or if they may have tried to use him.

The first step was, of course, to define the action groups. The committee examined public records; it instituted requests for file reviews from every Federal agency in contact with the groups, including the CIA, the Department of Defense, the U.S. Customs Service, the FBI, the Drug Enforcement Agency, the Secret Service, and so on; it delved into the records of local law enforcement agencies in Miami, New Orleans, and Dallas. The committee also sent field investigators into Cuban exile communities on an exploratory mission, to talk to former members of the action groups.

From these sources, the committee discovered there were a few hundred militant anti-Castro exile organizations founded between the Castro revolution and the Kennedy assassination. Most did not stay in operation for long, but at one time, 105 of them could be identified from local police files alone. The committee finally boiled the list down to 20 key anti-Castro Cuban groups which had the motivation, capability, and resources to assassinate the President.

They will be named and discussed in detail in the committee's final report. Suffice it to say now that the committee closely scrutinized the history of the groups and it looked very carefully at the activities and associations of their key leaders.

The committee conducted dozens of field interviews, it took depositions, and it cross-examined witnesses in executive session.

In its investigation of two of the main action groups, the committee found indications of a possible connection with figures named in the Kennedy assassination, specifically with Lee Harvey Oswald.

The two anti-Castro Cuban exile organizations of special interest to the committee are Alpha 66 and a group named Junta Revolucionaria Cubana, or JURE.

Alpha 66 was founded in Puerto Rico in the summer of 1962 by Antonio Veciana Blanch, a soft-spoken, mild-mannered former Havana accountant, a church-going family man who had fled Cuba in 1961. Two months after he left, Cuba's government-controlled press named Veciana as the ringleader of an unsuccessful assassination attempt on Castro.

On founding Alpha 66, Veciana declared he was forming the group because the Cuban exiles needed a new, coordinated effort to topple Castro and to counteract the do nothing attitude of Presi-

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dent Kennedy toward the Castro regime. Dramatic action was required, he said, announcing there would soon be a series of significant hit-and-run attacks on Cuba.

Although most of the original members of Alpha 66 were also former accountants, Veciana put together a tough commando unit. Veciana, as the chief spokesman, fundraiser and coordinator, claimed no political aims other than the overthrow of Castro. Alpha 66 was uniquely independent, generally having little to do with other exile groups whose members were often at odds over the hierarchy that would follow Castro's overthrow.

When Alpha 66 acted, it did so with a flourish. One of its first faults was the shelling and machine-gunning of a British ship and two Cuban vessels off the north coast of Cuba. At a press conference following the raid, Veciana issued a "declaration of war" against Castro and any ships that were carrying Cuban goods. The British Government filed a strong complaint with the State Department, but Veciana promised more raids.

Throughout the rest of 1962 and into the summer and early fall of 1963, Alpha 66 struck often, quickly gaining the reputation as the most militant of the exile groups. In the middle of the missile crisis, it had the audacity to pull a raid. By March, 1963, the Alpha 66's unceasing hit-and-run attacks provoked direct public criticism by President Kennedy. Veciana was not cowed. "We are going to attack again and again," he declared.

Veciana had made an old friend, former Castro army major, Eloy Gutierrez Menoyo, the military leader of Alpha 66. But Veciana himself was the strategic organizer, the public spokesman and fundraiser of the organization. At least, that's what a review of the newspaper files of the time has reflected.

Yet, in September 1962, the New York Times attributed to Veciana a cryptic statement. He had called a press conference to announce five raids in 60 days. Then, in the body of the story, Veciana was quoted as saying that all the planning for the raids was done by leaders "I don't even know."

As the years went by and the military operations of the Cuban exile groups, including those of Alpha 66, lapsed, Veciana himself remained very active in anti-Castro operations in Latin America. From 1968 to 1972, he used La Paz, Bolivia, as his base. There, he was ostensibly working as a banking consultant, though he spent most of his time planning anti-Communist subversive operations. He was, in fact, on the U.S. Government payroll. Nevertheless, in 1971, he organized an attempt on Castro's life.

Then, in March 1976, a staff investigator for Senator Richard Schweiker, a member of the Senate Select Committee on Intelligence, approached Veciana in Miami to talk about the relationship of U.S. intelligence agencies to anti-Castro activities. The Kennedy assassination was not mentioned.

Veciana told the investigator of his anti-Castro activities. Then, when asked, he said that, yes he had been in touch with certain Americans on those activities. In fact, he said, there was one American who had directed him in all his activities, including the Castro assassination attempts in 1961 and 1971.

Veciana said the man told him, when they first met in the Havana bank in which Veciana was working in 1960, that his

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name was Maurice Bishop. Veciana believed that to be a false name.

Veciana said Bishop never told him he was an agent of a U.S. intelligence agency and, in fact, avoided a direct answer when asked. But, Veciana recounted, Bishop was obviously a man with strategic contacts, both in the United States and Latin America.

Veciana said that Bishop had broken contact with him in 1973, that down through the years he had never initiated contact with Bishop, and he didn't know how that could be done. Bishop had always contacted him. He had met with Bishop at various locations, on the average of several times a year, between 1960 and 1973.

He met him in Miami often, in Las Vegas once, in Puerto Rico many times, in Washington, D.C., in La Paz, in Caracas and in a few other cities. And, yes, said Veciana when asked, he had met Maurice Bishop a few times in Dallas. As a matter of fact, he recalled one meeting there in August 1963, when he was scheduled to rendezvous with Bishop in the lobby of a large office building.

When he arrived, Bishop was there talking with a young, slightly built American. Veciana did not recall whether he was introduced to the man by name, but after the Kennedy assassination, he immediately recognized Lee Harvey Oswald as the man with Maurice Bishop that day in Dallas.

Antonio Veciana's story has been of considerable interest to this committee, which has gone to great lengths to assess it. The committee has spent many hours with Veciana, who has provided it with details of his relationship with Bishop. There are still leads which cannot now be revealed, but which the committee is pursuing.

The committee has, of course, taken sworn testimony from Veciana and other key witnesses. Its investigators have tapped sources from as far as Venezuela and Cuba. Numerous files which have been requested from the CIA, the FBI, and the Department of Defense are still being reviewed and analyzed. In addition, the committee is probing the possibility that Bishop may not have been associated with a U.S. intelligence agency. On July 30, 1978, the committee released a composite sketch of Bishop, produced from a detailed description provided by Veciana.

The committee cannot be conclusive, but it can say that Veciana's allegations remain undiscredited and that the committee has obtained an indication of the existence of a Maurice Bishop, or someone using that name. The meaning of this story remains, as yet, indeterminate.

The other anti-Castro group of special interest to the committee was JURE. JURE was formed in September 1962, as an outgrowth of a split in another anti-Castro group, the Revolutionary Movement of the People, or MRP. The founder of JURE was Manolo Ray Rivero. JURE was considered a relatively "leftist" Cuban exile organization, and many of its detractors accused it of "Fidelism without Fidel." Ray and his group were mistrusted by the right-wing elements of the exile Cuban community.

Although JURE was supported by the CIA, the Agency had to prod other exile organizations to accept JURE into the Cuban Revolutionary Council, their umbrella organization. Ray kept his

group in the CRC for only 3 months, during the period of the Bay of Pigs invasion.

The largest and most active JURE chapters were in Miami and Puerto Rico, but other chapters were located throughout the United States and in Latin American countries. One was in Dallas, and one of the members of the Dallas chapter was Silvia Odio, a 26-year-old, recently divorced mother of four, whose husband had abandoned her in Puerto Rico. Educated in the United States and raised in an upper class Cuban environment, Mrs. Odio was the eldest daughter of Amador Odio, once one of Cuba's top trucking executives.

In 1961, Castro's officers, arrested Silvia Odio's mother and father for harboring a confederate of Antonio Veciana in the October Castro assassination attempt. The Odio children had left Cuba, and several of them lived in Dallas.

One of Silvia Odio's sisters, Serita, attended the University of Dallas and was acquainted with a socialite named Lucille Connell, who was active in civic and charitable activities. Mrs. Connell made arrangements in early 1963 for Silvia to come to Dallas, and further arranged for her to receive psychiatric treatment at Southwestern Medical School, where she became a patient of Dr. Burton C. Einspruch. According to Mrs. Connell, Silvia suffered from a condition which caused blackouts when reality became oppressive.

Silvia Odio testified to the Warren Commission that a man she identified as Lee Harvey Oswald, in the company of two Latin men, visited her apartment in Dallas in late September 1963. The two Latin men identified themselves as members of JURE.

It should be noted that Silvia Odio was not unknown in the Cuban community of Dallas. She had attended JURE meetings, and in the summer of 1963, a large photograph of her sisters, Annie and Serita, had appeared on the front page of the Dallas Morning News, along with a human interest story about the Odio family. Silvia's name was mentioned.

Mrs. Odio testified before the Warren Commission in September 1964. She said that one of the men identified himself as Leopoldo, and she assumed from his accent that he was Cuban. A second man, possibly named Angelo, was also Spanish speaking, but, she said, he looked Mexican. The third, a white American male, was introduced to her as Leon Oswald.

Later, Annie Odio, who was at her sister's apartment that evening, would corroborate Silvia's story to the FBI. She said she opened the door for the visitors.

Silvia Odio, who said she declined to help the men because she didn't trust their credentials, said that Leopoldo called her 1 or 2 days later. In this telephone conversation, she said, he mentioned his American friend, and said that Leon had remarked that the Cubans should have killed Kennedy after the failure of the Bay of Pigs invasion.

When Mrs. Odio learned of Kennedy's assassination, she had one of her blackouts. She regained consciousness in a hospital room where her sister Annie soon visited her. Earlier, watching Oswald on television, Annie had independently recognized as someone she had seen before. When she mentioned it to her older sister, Silvia reminded her of the first of the three men to her apartment.

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Emotionally shaken, the women decided not to mention the incident to anyone. They did, however, tell their sister Serita, and Serita mentioned it to Lucille Connell. On December 12, 1963, the FBI interviewed Silvia Odio. She admitted the visit and positively identified Lee Harvey Oswald as the Leon who had come to her apartment with the two Latin-looking men. A week later, the FBI interviewed Dr. Einspruch who said, that, although Silvia had had some emotional problems, she was a thoroughly credible person.

Silvia Odio's story ran contrary to other evidence which the Warren Commission had compiled. The had documentation that Oswald had traveled to Mexico City by bus and had registered at a hotel there on the morning of September 27.

The Warren Commission ordered an investigation, to be conducted principally by the FBI, of Mrs. Odio's allegation. It represented a glaring inconsistency in the movements of Oswald, as the Commission was prepared to report them.

In the summer of 1964, the Warren Commission pressed the FBI to dig more deeply into the Odio allegation. On July 24, Chief Counsel J. Lee Rankin, in a letter to FBI Director J. Edgar Hoover stated:

* * * the Commission already possesses firm evidence that Lee Harvey Oswald was on a bus traveling from Houston, Tex., to Mexico City, Mexico, on virtually the entire day of September 26 * * *

This so-called firm evidence was based on an analysis of Oswald's travel during the time period of September 24-27 by Assistant Counsel David Slawson. J. Wesley Liebler, the assistant counsel who had interviewed Mrs. Odio, disagreed with this analysis and sent a memo to Rankin citing fallacies in the Slawson analysis.

On August 23, Rankin again wrote to Hoover and said, "It is a matter of some importance to the Commission that Mrs. Odio's allegations either be proved or disproved." Rankin requested that the FBI attempt to learn the identities of the three visitors, by contacting members of anti-Castro groups active in the Dallas area as well as leaders of the JURE organization.

He asked the FBI to check the possibility that Oswald had spent the night of September 24 in a hotel in New Orleans, after vacating his apartment.

Portions of this investigation, which were inconclusive in supporting the Warren Commission's contention that Odio was mistaken, were not sent to Rankin until November 9, at which time the final report had been completed.

Back on September 19, Liebler was extorting Howard Willens, another Warren Commission attorney, to tone down the write-up of the Odio incident. Liebler contended in that memo: "There are problems. Odio may well be right. The Commission will look bad if it turns out that she is."

The FBI did attempt to alleviate the problems. In a report dated September 26, it produced the story of Loren Eugene Hall, who claimed he had been in Dallas in September 1963, accompanied by two men fitting Odio's general description, and that it was they who had visited Silvia Odio. Oswald, Hall said, was not one of the men.

Within a week of Hall's statement, the other two men Hall had named, Lawrence Howard and William Seymour, had been inter-

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viewed. They denied ever having met Silvia Odio. Then, later, Hall himself retracted his statement.

Despite the fact that the Commission could not prove Oswald took a bus to Mexico City, and despite the fact that Loran Hall's story was an admitted fabrication, the Warren report was published, with this explanation of the Odio incident:

While the FBI had not yet completed its investigation into this matter at the time the report went to press, the Commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September 1963.

This critics of the Warren Commission have been quick to pounce on this conclusion.

In her book, "Accessories After the Fact," Sylvia Meagher wrote:

The Commission's failure to get to the bottom of this affair, with its inescapable implications, is inexcusable. If the Commission could leave such business unfinished, we are entitled to ask whether its members were ever determined to uncover the truth.

Indeed, the Commission did not even give an honest account of such facts as were established. Its own exhibits expose the evidence presented in the report as a tissue of evasion and deception which discredits more than it justified the conclusion that Oswald could not have visited Mrs. Odio.

The committee is continuing to investigate the Odio allegation. The approach has been two-pronged. First, the committee has endeavored to interview everyone connected with the allegation. Additionally, the committee has made intensive efforts to identify the two Spanish-speaking men who visited Mrs. Odio.

Interviews and depositions have been conducted with the principals: Silvia Odio, Annie Odio, Amador Odio, Lucille Connel Light, and Dr. Burton Einspruch. The staff also arranged a conference telephone call between Dr. Einspruch in Dallas and Silvia Odio in Miami, during which they recalled the period when Mrs. Odio was under the doctor's care and related to him the visit of the three men.

Mrs. Odio and Dr. Einspruch concurred that the relation of this event came shortly after its occurrence and prior to the President's assassination.

Loren Hall testified before this committee in executive session on October 5, 1977, and Howard and Seymour were interviewed by the investigative staff.

From a review of the FBI files, the committee secured a list of persons who belonged to the Dallas chapter of JURE, and the committee is continuing its attempts to locate and interview these individuals. Additionally, staff investigators interviewed the leader of JURE, Manolo Ray, now residing in Puerto Rico.

Further, the committee secured photographs of scores of pro-Castro and anti-Castro activists in 1963 who might fit the descriptions of the two Latins who Mrs. Odio says visited her. The committee also utilized the services of various Government agencies to run a computerized check on all individuals who used the war names of Leopoldo and Angelo, or names basically similar.

An extensive search produced the names and photographs of three men who might possibly have been in Dallas in September of 1963. These photographs were shown to Mrs. Odio, but she was unable to identify them as the men she had seen.

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The committee has determined, as did members of the Warren Commission staff, that Silvia Odio's story still is credible. Over the period of the past 15 years, only minor details have changed, and one important one remains consistent—Silvia and Annie Odio are adamant that "Leon" was Lee Harvey Oswald.

While this committee has gone much beyond the Warren Commission's investigation of the Odio story, it, too, has, as yet, an undetermined meaning.

I would note that it summarizes those factors which led the committee to conclude that perhaps some groups within the anti-Castro community may have had the motive, opportunity and the means to be concerned with the death of the President in Dallas. It also outlines several specific instances which may tend to show some link between Lee Harvey Oswald and particular groups.

Let me turn now to a second area of concern, the so-called Cubanization of Lee Harvey Oswald occurred during the time he lived in New Orleans in 1963. It is a puzzling period and a mysterious career, moreso for the gaps in the record of his activities, as the Warren Commission was able to document it.

New Orleans was Oswald's hometown. He was born there October 18, 1939. In April 1963, he moved back, having lived in Fort Worth, in Dallas since his return from the Soviet Union the previous June. He spent the first 2 weeks job-hunting, staying with the Murrets, Aunt Lillian, and Uncle Charles or "Dutz," as he was called, the sister and brother-in-law of Oswald's mother, Marguerite.

After being hired at the Reiley Coffee Co., as a maintenance man, he sent for his wife, Marina, and their baby daughter, and they moved into an apartment on Magazine Street.

In May, Oswald wrote to Vincent T. Lee, national director of the Fair Play for Cuba Committee, expressing a desire to open an FPCC chapter in New Orleans and requesting literature to distribute. He also had handouts printed, some of which were stamped "L. H. Oswald, 4907 Magazine Street," others with the alias, "A. J. Hidell, Post Office Box 30016", still others listing the FPCC address as 544 Camp Street.

Mr. Chairman, it would be appropriate to enter into the record and display at this time JFK exhibits F-595, F-597 and F-596.

Chairman STOKES. Without objection, they may be entered into the record at this point.

[Whereupon, the above-referred-to exhibits, JFK F-595, JFK F-597 and JFK F-596, follow:]

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HANDS OFF CUBA!

Join the Fair Play for
Cuba Committee

NEW ORLEANS CHARTER
MEMBER BRANCH

Free Literature, Lectures

LOCATION:

L. H. OSWALD
4907 MAGAZINE ST
NEW ORLEANS, LA.

EVERYONE WELCOME!

Commission Exhibit 2966 A

HANDS OFF CUBA!

Join the Fair Play for
Cuba Committee

NEW ORLEANS CHARTER
MEMBER BRANCH

Free Literature, Lectures

LOCATION:

A J HIDEELL
P.O. BOX 30016
NEW ORLEANS, LA.

EVERYONE WELCOME!

Commission Exhibit 2966 B

JFK EXHIBIT F-595

National Guardian, 197 East 4th Street, New York 9, N. Y. (especially see dispatches from *Guardian* Editor-in-Exile, Cedric Belfrage, Havana).

New York Times, Times Square, New York, N. Y.

I. F. Stone's Weekly, 5618 Nebraska Avenue, N.W., Washington 15, D.C.

Petition to the President of the United States and the Attorney General, by American Lawyers, and supporting Memorandum of Law concerning the Policy of the American Government relating to Cuba under the Neutrality Laws, Treaties with Cuba, and International Law, New York, 1961. (Copies may be obtained from Mr. Jesse Gordon, 333 Sixth Avenue, New York 14, N. Y. Price \$1.00 to cover cost of printing and mailing.)

F O C C
544 CAMP ST.
NEW ORLEANS, LA.

39

BASIC PAMPHLETS—14

The
Crime
Against
Cuba

Commission Exhibit No. 3120

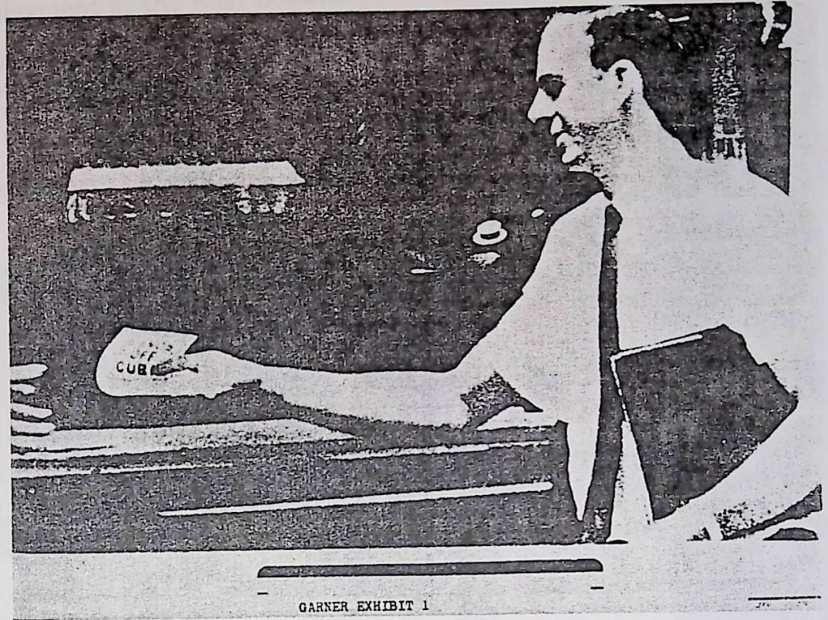
by Corliss Lamont

Commission No. 1495a

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JFK EXHIBIT F-597

PROPERTY OF



JFK EXHIBIT F-596

Mr. BLAKEY. These exhibits illustrate Mr. Oswald's activity at this time.

The Camp Street address has been a riddle to investigators official and otherwise, over the years, because the only Cuban activity known to have been based there was an anti-Castro sort.

Oswald lost his job in July, and his efforts to find another were futile. It is known through the rest of the summer he filed claims at the Unemployment Compensation Office.

The FPCC campaign, however, attracted attention, since Oswald was perhaps the sole overt supporter of Castro in a city where the Cuban community was strongly opposed to his regime. It also got him into a fight with three anti-Castro Cubans, resulting in Oswald spending a night in jail, but earning him some publicity, nevertheless. On August 17, he was interviewed on the radio and on August 21, he appeared in a television debate.

Oswald virtually passed out of sight, however, from August 21 until September 17, the day he applied for a visa to Mexico. He is known to have written letters to left-wing political organizations and he and Marina visited the Murrets on Labor Day. Marina has claimed he spent his free time reading books and practicing with his rifle.

There is evidence, however, that Oswald was busier than Marina has admitted, or perhaps was even aware, and that in his activities, he was perhaps possibly associated with some highly improbable individuals. Six witnesses in all, each corroborating the others, have testified before this committee in executive session that Oswald was in Clinton and Jackson, La., in late August and early

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September, seeking employment at the East Louisiana State Hospital.

At this time, Mr. Chairman, it would be appropriate to enter into the record JFK F-598 and JFK F-599, which is the map of Louisiana and a display of David Ferrie.

Chairman STOKES. Without objection, they will be entered into the record.

[Whereupon, the above-referred to exhibits, JFK F-598 and JFK F-599 follow:]



JFK EXHIBIT F-598

PROPERTY OF



JFK EXHIBIT F-599

Mr. BLAKEY. Some of that testimony about Clinton and Jackson place Oswald there with two men, both now deceased, who had been charged by New Orleans District Attorney Jim Garrison with conspiracy in the Kennedy assassination. One of them, David W. Ferrie, represented by JFK exhibit F-599, died before he was brought to trial. The other, Clay L. Shaw, was acquitted.

The fashion in which the Garrison investigation was conducted, and the character of the Shaw trial, have served to complicate an already complex case. It may be that the full story of Oswald in New Orleans will never be told, for added to the problem of deceased witnesses and fading memories is the unfortunate fact that

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the evidence has been tarnished by the way in which it was handled in the Shaw prosecution.

Nevertheless, the critics of the Warren Commission have argued that there was more to be learned about what Oswald was up to in New Orleans and with whom he was associated. There may be something to this, and the committee will have the opportunity in its final report to lay out in full the details of the New Orleans situation.

The committee can, for example, present its conclusions about Oswald's alleged association with David Ferrie. It has been suggested that the testimony that Oswald and Ferrie were together in Clinton and Jackson is, despite the Garrison prosecution, impressive.

The implications of such an association may be serious, at least on the level of association, for David Ferrie worked as an investigator for Carlos Marcello, who has been identified over the years as the organized crime boss of Louisiana and Texas.

On the day of the assassination, he was with Marcello in a Federal court room in connection with legal proceedings against the alleged mafia leader.

Of the forces that may have conspired to assassinate the President, organized crime, itself, therefore, deserves great scrutiny, and the committee has indeed examined organized crime for its motive, opportunity and means to assassinate President Kennedy. It has also studied in depth the alleged mafia associations of both Oswald and Jack Ruby.

Mr. Chairman, it would be appropriate at this time to view the single greatest justification for this effort to look anew at organized crime.

Mr. Chairman, I would ask that the next exhibit, JFK F-594 be viewed at this time and entered into the record.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[Whereupon, the above-referred to exhibit, JFK F-594, was received into the record.]

[JFK exhibit F-594, a film clip, is retained in committee files.]

Mr. BLAKEY. I would also note this film clip was obtained through the courtesy of the NBC's live coverage of the events in Dallas. If we could have the lights, please.

[Film clip presentation:]

Mr. BLAKEY. Mr. Chairman, that film clip, in the most simple, direct and forceful way, explains why, understandably, the American people are disturbed by the Kennedy assassination. They might well accept one lone assassin in November in Dallas, but two surely asks for more than many have been willing to accept.

When Ruby shot Oswald in the basement of the Dallas Police Department on November 24, 1963, the Nation was shocked by a nationally televised murder of the accused assassin of the President. In addition, the American people and history were deprived of the best single source of evidence in the case. When evidence was so put beyond reach, as it was in the assassination of Oswald, the first order of an investigation is to seek the motive for that killing.

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First, what do we know about Jack Ruby? Is there anything his background that sheds light on why he murdered Oswald?

Ruby grew up in Chicago in a lower middle-class surrounding. His early life was disrupted by family disputes. In 1923, after his parents had separated, he was placed in a foster home, where the court found that he, two brothers, and a sister were not receiving proper care.

He moved to California in 1933, then returned to Chicago in 1935 to become a union organizer. He moved to Dallas in 1947, where he operated a string of nightclubs. The last one he owned, the Carousel, was a burlesque house.

Ruby was known as idiosyncratic, a man of contradictions, given to occasional bursts of violent temper.

When President Kennedy was assassinated, Ruby was at the Dallas Morning News, arranging for an advertisement for the Council. In a swirl of activity that culminated in the shooting of Oswald, Ruby, it has been alleged, seemed to be shadowing, possibly stalking the accused assassin. He was present when Oswald met the press on Friday evening and he was at the Dallas County Jail on Saturday afternoon, waiting for Oswald to be transferred there.

The transfer was postponed until Sunday. Ruby telephoned several friends to express his grief over the murder of the President. Some of them reported he would lapse into periods of sobbing. He prowled the streets at night, lamenting the decision of nightclub owners to stay open in the aftermath of tragedy.

The Carousel was closed, out of respect. On Sunday morning, Ruby went to the Western Union office on Main Street, next door to the Dallas Municipal Building and police headquarters. At Western Union, he sent a \$25 money order to an employee and the minutes after the money order was time-stamped, he somehow entered the basement of the police headquarters. As Oswald was being led to the awaiting car, as the committee has just seen, Ruby fired one fatal shot into him.

Ruby was tried and convicted of first-degree murder and sentenced to death. An appellate court, however, reversed the conviction on evidentiary grounds and a new trial was ordered. Before it could begin, he contracted cancer and died of a blood clot in January 1967.

Our objective here today is to learn more about Jack Ruby, his character, career, and associations, as they might pertain to his motive for shooting Oswald. For that purpose, we have three witnesses who knew Ruby, each of them, a close relative, a police officer and perhaps tomorrow a gambler, encountered a different facet of the Jack Ruby character.

The first witness is Earl Ruby, Jack's younger brother. He was born in 1915 and has spent his career as a businessman.

Mr. Ruby is, at present, the proprietor of Cobo Cleaners in Detroit. He is a resident of Birmingham, Michigan.

Mr. Chairman, it would be appropriate before calling Mr. Ruby to take a short sit-down recess while the film is reset since there is a clip that we would like to show Mr. Ruby during the course of his testimony.

[Prepared statement of Prof. G. Robert Blakey follows:]

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PREPARED NARRATION OF PROF. G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF
DIRECTOR

As you noted, Mr. Chairman, the question of conspiracy has been with us since these hearings opened nearly 3 weeks ago, although it was addressed more specifically here yesterday. It can be argued that the theories examined yesterday seem to break down under careful inspection, but that is one of the purposes of these hearings—to weigh the validity of the evidence. Today, other, more substantial theories will be examined, if only briefly.

Nevertheless, before the committee continues to look into conspiracy theories, it may be helpful to note that none of them wholly originated with this committee's investigation. Most of the leads or allegations that the committee has examined have heretofore been the subject of some public discussion, the subject of earlier investigations or of books and articles. No claim is advanced here to originality or special insight.

What the committee has done is to apply in its own investigation more sophisticated techniques of examination than those used or available to those who have preceded us or raised questions, some of which were demonstrated yesterday. Beyond scientific analysis of the evidence, the committee has also employed investigative tools that were disregarded in earlier investigations of the Kennedy assassination. The committee has made extensive use of immunity grants and interrogation under oath in executive session. Files have been widely read, using only the most tenuous relevancy theories. Another approach has been mentioned here before is the use of a carefully thought out investigative plan that employed a detailed reconstruction of conspiracies that might have occurred, in order to determine, if, in fact, they had any bearing on the actual event in Dallas. The committee did not just run out leads in hand, the typical law enforcement approach.

Over the next 3 days, we will be looking into a couple of conspiracy theories that the committee felt warranted its fullest attention. This is not to say these are the plots that are the most likely to have led to the assassination, if indeed any of them did. What is being said is this—here are a couple of conspiracy theories that cannot be readily dismissed (as those we considered yesterday can be), and this is the way they were investigated. This is a status report on the investigation, the full findings and conclusions of which will be detailed in the final report. Obviously, all that was done cannot be portrayed here.

First, the theory that anti-Castro Cubans conspired to kill the President will be examined and summarized in this narration. Then it will be appropriate to hear testimony on an aspect of the concern that other forces may have been behind the assassination.

Why anti-Castro Cubans? For several reasons. From the evidence available to them in 1964, two staff attorneys for the Warren commission, David Slawson and William Coleman, went so far as to speculate that Lee Harvey Oswald, despite his public posture as a Castro sympathizer, was actually an agent of anti-Castro exiles. Pressing for further investigation of the possibility, they wrote a memorandum which, in part, said:

"The evidence here could lead to an anti-Castro involvement in the assassination on some sort of basis as this: Oswald could have become known to the Cubans as being strongly pro-Castro. He made no secret of his sympathies, and so the anti-Castro Cubans must have realized that law enforcement authorities were also aware of Oswald's feelings and that, therefore, if he got into trouble, the public would also learn of them Second, someone in the anti-Castro organization might have been keen enough to sense that Oswald had a penchant for violence On these facts, it is possible that some sort of deception was used to encourage Oswald to kill the President when he came to Dallas The motive of this would, of course, be the expectation that after the President was killed Oswald would be caught or at least his identity ascertained, the law enforcement authorities and the public would then blame the assassination on the Castro government and a call for its forceful overthrow would be irresistible"

Some critics of the Warren Commission have termed the period Oswald lived in New Orleans, the summer of 1963, the "Cubanization of Oswald", implying there were sinister motives for his inserting himself into the Cuban controversy. They point out that, aside from letters he wrote to the Fair Play for Cuba Committee in New York, Oswald's known Cuban contacts in the United States were with anti-Castroites.

There are other reasons the committee's attention has been drawn to the anti-Castro area. The Warren Commission files reveal, for instance, that there were numerous reports from Dallas and Miami immediately after the assassination which linked Oswald with Cuba. Yet, when the FBI checked out the reports, in almost all

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cases they had come from anti-Castro sources, some militant enough to deserve suspicion themselves.

It comes down to this: In a homicide investigation, any individual or group is suspect, if it has the motive, opportunity, and means to commit the crime. There is no doubt that certain anti-Castro groups had all three.

It is difficult, these many years later, to appreciate the political and emotional impluses of the Cuban exile communities—in Miami, New Orleans, and Dallas—when John F. Kennedy was President. The hopes and expectations of the exiles had been on a roller coaster ride; their relationship with the U.S. Government had deteriorated. They were puzzled by the often conflicting policies of various Federal agencies towards them and their objectives, the main one being to get rid of Castro. The anti-Castro groups were frustrated, bitter and angry. And the focal point of their resentment was President Kennedy.

It began with the disastrous Bay of Pigs invasion in April, 1961. Since January 1959, when Castro marched triumphantly into Havana, the more than 100,000 Cubans who had fled the Revolution lived in anticipation of its overthrow. The Cuban exiles were not only encouraged in this hope by the U.S. Government, they were organized, directed and almost totally funded by its agencies. The training camps, the arms and weapons, the instructors, the ships and landing craft were all supplied by the U.S. Government. The invasion plan itself was formulated by the Government. The Cuban exiles came to feel that the Government not only promised them success, it guaranteed it.

When what had been touted as "the glorious march on Havana" turned into a tragic rout, the Cuban exiles, unappreciative of President Kennedy's inherited role in the invasion, reacted with incredulous disbelief and anger that he would allow the operation to fail. Intensifying the exiles' reaction was the fact that Kennedy himself insisted on taking the blame. In executive session before this committee Manuel Antonio Varona, in 1961 the head of the united exile organization, the Revolutionary Democratic Front, told of a tense and emotional encounter with President Kennedy at the White House as hope for the invasion was fading. "We were not charging Mr. Kennedy with anything," Varona said. "We knew he was not in charge of the military effects directly. Nevertheless, President Kennedy told us he was the one—the only one responsible."

Varona may have sympathized with Kennedy's position, but most anti-Castro Cubans didn't. The noted attorney, Mario Lazo, in his book, "Dagger in the Heart," put it very directly:

"The Bay of Pigs defeat was wholly self-inflicted in Washington. Kennedy told the truth when he publicly accepted responsibility * * * The heroism of the beleaguered Cuban Brigade had been rewarded by betrayal, defeat, death for many of them, loneliness and cruel imprisonment for the rest. The Cuban people * * * had always admired the United States as strong, rich, generous—but where was its sense of honor and the capacity of its leaders?"

"The mistake of the Cuban fighters for liberation was that they thought too highly of the United States. They believed to the end that it would not let them down. But it did * * *"

President Kennedy was well aware of the bitter reaction to the Bay of Pigs debacle. Far from abandoning the Cuban exiles, he set out to convince them of his loyalty to their cause. Perhaps the most ironic event of his relationship with the Cuban exiles occurred on December 29, 1962, at the Orange Bowl in Miami. He had come to welcome the survivors of Brigade 2506, the 1,200 men who had been ransomed from Cuba after almost 20 months in prison. The President was presented with the Brigade flag in a dramatic and emotional scene.

But the euphoria was false and misleading. Although the Cuban exiles cheered President Kennedy that day, there also coursed through the crowd a bitter resentment among some who felt they were witnessing a display for political hypocrisy. Later, it would be claimed that the Brigade feeling against President Kennedy was so strong that the presentation nearly did not take place, and it would be alleged (incorrectly, as it turns out) that the Brigade flag given to Kennedy was actually a replica.

That intensity of anti-Kennedy feeling by Cuban exiles was the result of events between the time of the Bay of Pigs invasion and the ceremony in the Orange Bowl.

It is not possible to know fully how the Bay of Pigs defeat changed President Kennedy's attitude toward Cuba, but when journalists Taylor Branch and George Crile wrote in Harper's magazine about a massive infusion of U.S. aid to clandestine anti-Castro operations in the wake of the Bay of Pigs, they titled their article, "The Kennedy Vendetta".

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What is known is that the period between the Bay of Pigs and the Cuban missile crisis in October 1962 can be accurately characterized as the high water mark of anti-Castro activity. Miami, the center of the exile community, became a busy staging ground for armed infiltrations into Cuba. While not every raid was supported or even known about in advance by government agencies, the United States played a key role in monitoring, directing and supporting the anti-Castro Cubans. Hundreds of Cubans were set up in proprietary corporations established by the U.S. Government to support the massive covert operation. And although this effort was cloaked in secrecy, there were very few Cubans in the exile community who did not know what was happening and who was supporting the operation.

That was a time of great activity and exhilaration in the Cuban exile community. American arms and weapons flowed freely through South Florida. Miami's "Little Havana" was a beehive of gossip about the latest infiltration operations or paramilitary missions. Raiding parties that left from small secret islands in the Florida Keys had the "green light" from the U.S. Government.

Then came the Cuban missile crisis and negotiations that ended it. The anti-Castro groups felt as if the rug had been pulled out from under them.

The Cuban exiles were initially elated by the possibility that the crisis would provoke a showdown with Castro. But President Kennedy made a deal for the removal of the missiles. Only later did the exiles come to feel full force the impact of Kennedy's agreement with Khrushchev and Castro.

The word was soon passed. Newspapers reported a basic turn-around in the Kennedy policy. For example, the raids that were being conducted by Alpha 66, one of the most aggressive exile organizations, were abruptly condemned by Washington. The State Department asserted that it did not sanction such attacks. In December, 2 months after the missile accord, 13 anti-Castro guerrillas were arrested at a training camp in the Florida Keys and their arms and explosives were seized by U.S. Customs agents. In March 1963, another Alpha 66 raid brought a statement from President Kennedy himself. "The raids," he said, "served no useful purpose." An attack on a Soviet ship in Cuban waters led to the formal issuance of a policy pronouncement on March 31. Kennedy said, in no uncertain terms: "We intend to take every step necessary to assure that such raids are not launched, manned or equipped on United States territory." On April 5, The New York Times noted that the United States was throwing more planes, ships, and men into its effort to police the straits of Florida against anti-Castro raiders.

Throughout the spring and summer of 1963, the crackdown on guerrilla activity continued, causing frustration and resentment on the part of the exiles. They could not grasp how they could be supported and aided by one U.S. agency and then be slapped down by others. In August, the FBI seized a cache of explosives at an anti-Castro training camp in Louisiana. Just weeks later, the U.S. Coast Guard cooperated with the British Navy in a raid on an exile base in the Bahamas. Then, U.S. Customs cracked down on a group of anti-Castro pilots in Miami. The Secret Service arrested a Cuban exile leader for conspiring to counterfeit Cuban currency, destined for forces inside Cuba.

The brunt of that anger fell on President Kennedy. The Cuban exiles came to think of the missile crisis deal as a "betrayal". Mario Lazo called it a "soul-shattering blow". Jose Miro Cardona, the head of the Cuban Revolutionary Council, an exile organization put together by the U.S. Government to unite fragmented exile groups, resigned in disgust.

In the major enclaves of anti-Castro Cubans—in Miami, New Orleans and Dallas—the once glittering image of President Kennedy had turned dark.

So, the motivation for anti-Castro Cuban involvement in the Kennedy assassination was based not only on a schism in political and ideological viewpoints, but also on a disposition growing out of a pragmatic realization that Castro probably would survive.

Despite the recommendations of Slawson and Coleman, the Warren Commission largely ignored the mood of the exiles in its final report. It distilled the subject down to a nine-paragraph review entitled, "Alleged association with various Mexican or Cuban individuals".

This committee opted to approach the possibilities in a more open-minded way. It decided to examine in depth those exile groups which, besides motivation, had the capability and resources to be involved in an assassination—in other words, the "action groups".

The committee also attempted to determine if Oswald sought to utilize or exploit resources of the exile groups or if they may have tried to use him.

The first step was, of course, to define the "action groups". The committee examined public records; it instituted requests for file reviews from every Federal

agency in contact with the groups, including the CIA, the Department of Defense, the U.S. Customs Service, the FBI, the Drug Enforcement Agency, the Secret Service, and so on; it delved into the records of local law enforcement agencies in Miami, New Orleans and Dallas. The committee also sent field investigators into Cuban exile communities on an exploratory mission, to talk to former members of the "action groups".

From these sources the committee discovered there were a few hundred militant anti-Castro exile organizations founded between the Castro Revolution and the Kennedy assassination. Most did not stay in operation for long, but at one time 105 of them could be identified from local police files alone. The committee finally boiled the list down to 20 key anti-Castro Cuban groups which had the motivation, capability and resources to assassinate the President.

They will be named and discussed in detail in the committee's final report. Suffice it to say now that the committee closely scrutinized the history of the groups and it looked very carefully at the activities and associations of their key leaders. The committee conducted dozens of field interviews, it took depositions, and it cross-examined witnesses in executive session.

In its investigation of two of the main action groups the committee found indications of a possible connection with figures named in the Kennedy assassination, specifically with Lee Harvey Oswald.

The two anti-Castro Cuban exile organizations of special interest to the committee are Alpha 66 and a group named Junta Revolucionaria Cubana, or JURE.

Alpha 66 was founded in Puerto Rico in the summer of 1962 by Antonio Veciana Blanch, a soft-spoken, mild-mannered former Havana accountant, a church-going family man who had fled Cuba in 1961. Two months after he left, Cuba's government-controlled press named Veciana as the ringleader of an unsuccessful assassination attempt on Castro.

On founding Alpha 66, Veciana declared he was forming the group because the Cuban exiles needed a new, coordinated effort to topple Castro and to counteract the "do nothing" attitude of President Kennedy towards the Castro regime. Dramatic action was required, he said, announcing there would soon be a series of significant hit-and-run attacks on Cuba.

Although most of the original members of Alpha 66 were, also, former accountants, Veciana put together a tough commando unit. Veciana, as the chief spokesman, fund-raiser and coordinator, claimed no political aims other than the overthrow of Castro. Alpha 66 was uniquely independent, generally having little to do with other exile groups whose members were often at odds over the hierarchy that would follow Castro's overthrow.

When Alpha 66 acted, it did so with a flourish. One of its first assaults was the shelling and machine-gunning of a British ship and two Cuban vessels off the north coast of Cuba. At a press conference following the raid, Veciana issued a "declaration of war" against Castro and any ships that were carrying Cuban goods. The British Government filed a strong complaint with the State Department, but Veciana promised more raids.

Throughout the rest of 1962 and into the summer and early fall of 1963, Alpha 66 struck often, quickly gaining the reputation as the most militant of the exile groups. In the middle of the missile crisis, it had the audacity to pull a raid. By March 1963, the Alpha 66's unceasing hit-and-run attacks provoked direct public criticism by President Kennedy. Veciana was not cowed. "We are going to attack again and again," he declared.

Veciana had made an old friend, former Castro Army Major, Eloy Gutierrez Menoyo the military leader of Alpha 66. But Veciana himself was the strategic organizer, the public spokesman and fundraiser of the organization. At least that's what a review of the newspaper files of the time has reflected. Yet, in September 1962, the New York Times attributed to Veciana a cryptic statement. He had called a press conference to announce five raids in 60 days. Then, in the body of the story, Veciana was quoted as saying that all the planning for the raids was done by leaders, "I don't even know".

As the years went by and the military operations of the Cuban exile groups, including those of Alpha 66, lapsed, Veciana himself remained very active in anti-Castro operations in Latin America. From 1968 to 1972, he used La Paz, Bolivia, as his base. There he was ostensibly working as a banking consultant, though he spent most of his time planning anti-Communist subversive operations. He was, in fact, on the U.S. Government payroll. Nevertheless, in 1971, he organized an attempt on Castro's life.

Then in March 1976, a staff investigator for Senator Richard Schweiker, a member of the Senate Select Committee on Intelligence, approached Veciana in

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Miami to talk about the relationship of U.S. intelligence agencies to anti-Castro activities. The Kennedy assassination was not mentioned.

Veciana told the investigator of his anti-Castro activities. Then, when asked, he said that, yes, he had been in touch with certain Americans in those activities. In fact, he said, there was one American who had directed him in all his activities, including the Castro assassination attempts in 1961 and 1971. Veciana said the man told him, when they first met in the Havana bank in which Veciana was working in 1960, that his name was Maurice Bishop. Veciana believed that to be a false name.

Veciana said Bishop never told him he was an agent of a U.S. intelligence agency and, in fact, avoided a direct answer when asked. But, Veciana recounted, Bishop was obviously a man with strategic contacts, both in the United States and Latin America.

Veciana said that Bishop had broken contact with him in 1973, that down through the years he had never initiated contact with Bishop, and he didn't know how that could be done. Bishop had always contacted him. He had met with Bishop at various locations, on the average of several times a year, between 1960 and 1973. He met him in Miami often, in Las Vegas once, in Puerto Rico many times, in Washington, D.C., in La Paz, in Caracas and in a few other cities. And, yes, said Veciana when asked, he had met Maurice Bishop a few times in Dallas. As a matter of fact, he recalled one meeting there in August 1963, when he was scheduled to rendezvous with Bishop in the lobby of a large office building. When he arrived, Bishop was there talking with a young, slightly built American. Veciana did not recall whether he was introduced to the man by name, but after the Kennedy assassination, he immediately recognized Lee Harvey Oswald as the man with Maurice Bishop that day in Dallas.

Antonio Veciana's story has been of considerable interest to this committee, which has gone to great lengths to assess it. The committee has spent many hours with Veciana, who has provided it with details of his relationship with Bishop. There are still leads which cannot now be revealed, but which the committee is pursuing.

The committee has, of course, taken sworn testimony from Veciana and other key witnesses. Its investigators have tapped sources from as far as Venezuela and Cuba. Numerous files which have been requested from the CIA, the FBI and the Department of Defense are still being reviewed and analyzed. In addition, the committee is probing the possibility that Bishop may not have been associated with a U.S. intelligence agency. On July 30, 1978, the committee released a composite sketch of Bishop, produced from a detailed description provided by Veciana.

The committee cannot be conclusive, but it can say that Veciana's allegations remain undiscredited and that the committee has obtained an indication of the existence of a Maurice Bishop, or someone using that name. The meaning of this story remains, as yet, indeterminate.

The other anti-Castro group of special interest to the Committee was JURE. JURE was formed in September 1962 as an outgrowth of a split in another anti-Castro group, the Revolutionary Movement of the People, or MRP. The founder of JURE was Manolo Ray Rivero. JURE was considered a relatively "leftist" Cuban exile organization, and many of its detractors accused it of "Fidelism without Fidel". Ray and his group were mistrusted by the right-wing elements of the exile Cuban community.

Although JURE was supported by the CIA, the Agency had to prod other exile organizations to accept JURE into the Cuban Revolutionary Council, their umbrella organization. Ray kept his group in the CRC for only 3 months, during the period of the Bay of Pigs invasion.

The largest and most active JURE chapters were in Miami and Puerto Rico, but other chapters were located throughout the United States and in Latin American countries. One was in Dallas, and one of the members of the Dallas chapter was Silvia Odio, a 26-year-old, recently divorced mother of four, whose husband had abandoned her in Puerto Rico. Educated in the United States and raised in an upper-class Cuban environment, Mrs. Odio was the eldest daughter of Amador Odio, once one of Cuba's top trucking executives.

In 1961, Castro's officers arrested Silvia Odio's mother and father for harboring a confederate of Antonio Veciana in the October Castro assassination attempt. The Odio children had left Cuba, and several of them lived in Dallas.

One of Silvia Odio's sisters, Serita, attended the University of Dallas and was acquainted with a socialite named Lucille Connell, who was active in civic and charitable activities. Mrs. Connell made arrangements in early 1963 for Silvia to come to Dallas, and further arranged for her to receive psychiatric treatment at

Southwestern Medical School, where she became a patient of Dr. Burton C. Einspruch. According to Mrs. Connell, Silvia suffered from a condition which caused blackouts when reality became oppressive.

Silvia Odio testified to the Warren Commission that a man she identified as Lee Harvey Oswald, in the company of two Latin men, visited her apartment in Dallas in late September 1963. The two Latin men identified themselves as members of JURE.

It should be noted that Silvia Odio was not unknown in the Cuban community of Dallas. She had attended JURE meetings, and in the summer of 1963, a large photograph of her sisters, Annie and Serita, had appeared on the front page of the Dallas Morning News, along with a "human interest" story about the Odio family. Silvia's name was mentioned.

Mrs. Odio testified before the Warren Commission in September 1964. She said that one of the men identified himself as "Leopoldo" and she assumed from his accent that he was Cuban. A second man, possibly named Angelo, was also Spanish speaking but, she said, he "looked" Mexican. The third, a white American male, was introduced to her as "Leon Oswald".

Later, Annie Odio, who was at her sister's apartment that evening, would corroborate Silvia's story to the FBI. She said she opened the door for the visitors.

Silvia Odio, who said she declined to help the men because she didn't trust their credentials, said that Leopoldo called her 1 or 2 days later. In this telephone conversation, she said, he mentioned his American friend, and said that "Leon" had remarked that the Cubans should have killed Kennedy after the failure of the Bay of Pigs invasion.

When Mrs. Odio learned of Kennedy's assassination, she had one of her blackouts. She regained consciousness in a hospital room where her sister Annie soon visited her. Earlier, watching Oswald on television, Annie had independently recognized Oswald as someone she had seen before. When she mentioned it to her older sister, Silvia reminded her of the visit of the three men to her apartment.

Emotionally shaken, the women decided not to mention the incident to anyone. They did, however, tell their sister Serita, and Serita mentioned it to Lucille Connell. On December 12, 1963, the FBI interviewed Silvia Odio. She admitted the visit and positively identified Lee Harvey Oswald as the "Leon" who had come to her apartment with the two Latin-looking men. A week later, the FBI interviewed Dr. Einspruch who said that, although Silvia had some emotional problems, she was a thoroughly credible person.

Silvia Odio's story ran contrary to other evidence which the Warren Commission had compiled. It had documentation that Oswald had traveled to Mexico City by bus and had registered at a hotel there on the morning of September 27.

The Warren Commission ordered an investigation, to be conducted, principally by the FBI, of Mrs. Odio's allegation. It represented a glaring inconsistency in the movements of Oswald, as the Commission was prepared to report them.

In the summer of 1964, the Warren Commission pressed the FBI to dig more deeply into the Odio allegation. On July 24, Chief Counsel J. Lee Rankin, in a letter to FBI Director J. Edgar Hoover, stated, " * * * the Commission already possesses firm evidence that Lee Harvey Oswald was on a bus traveling from Houston, Tex. to Mexico City, Mexico, on virtually the entire day of September 26 * * * " This so-called "firm" evidence was based on an analysis of Oswald's travel during the time period of September 24-27 by Assistant Counsel David Slawson. J. Wesley Liebler, the Assistant Counsel who had interviewed Mrs. Odio, disagreed with this analysis and sent a memo to Rankin citing "fallacies" in the Slawson analysis.

On August 23, Rankin again wrote to Hoover and said, "It is a matter of some importance to the Commission that Mrs. Odio's allegations either be proved or disproved". Rankin requested that the FBI attempt to learn the identities of the three visitors, by contacting members of anti-Castro groups active in the Dallas area, as well as leaders of the JURE organization. He asked the FBI to check the possibility that Oswald had spent the night of September 24 in a hotel in New Orleans, after vacating his apartment. Portions of this investigation, which were inconclusive in supporting the Warren Commission's contention that Odio was mistaken, were not sent to Rankin until November 9, at which time the final report had been completed. Back on September 19, Liebler was extorting Howard Willens, another Warren Commission attorney, to "tone down" the write-up of the Odio incident. Liebler contended in that memo: "There are problems. Odio may well be right. The Commission will look bad if it turns out that she is."

The FBI did attempt to alleviate the "problems." In a report dated September 26, it produced the story of Lorán Eugene Hall, who claimed he had been in Dallas in September 1963, accompanied by two men fitting Odio's general description, and

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that it was they who had visited Silvia Odio. Oswald, Hall said, was not one of the men. Within a week of Hall's statement, the other two men Hall had named, Lawrence Howard and William Seymour, had been interviewed. They denied ever having met Silvia Odio. Then, later, Hall himself retracted his statement.

Despite the fact that the commission could not prove Oswald took a bus to Mexico City, and despite the fact that Loran Hall's story was an admitted fabrication, the Warren report was published, with this explanation of the Odio incident: "While the FBI had not yet completed its investigation into this matter at the time the report went to press, the commission has concluded that Lee Harvey Oswald was not at Mrs. Odio's apartment in September 1963."

The critics of the Warren commission have been quick to pounce on this conclusion.

In her book, "Accessories After the Fact", Sylvia Meagher wrote:

"The Commission's failure to get to the bottom of this affair, with its inescapable implications, is inexcusable. If the Commission could leave such business unfinished, we are entitled to ask whether its members were ever determined to uncover the truth. Indeed, the Commission did not even give an honest account of such facts as were established. Its own Exhibits expose the 'evidence' presented in the Report as a tissue of evasion and deception which discredits more than it justifies the conclusion that Oswald could not have visited Mrs. Odio."

The committee is continuing to investigate the Odio allegation. The approach has been two-pronged. First, the committee has endeavored to interview everyone connected with the allegation. Additionally, the committee has made intensive efforts to identify the two Spanish-speaking men who visited Mrs. Odio.

Interviews and depositions have been conducted with the principals: Silvia Odio, Annie Odio, Amador Odio, Lucille Connell Light and Dr. Burton Einspruch. The staff also arranged a conference telephone call between Dr. Einspruch in Dallas and Silvia Odio in Miami, during which they recalled the period when Mrs. Odio was under the doctor's care and related to him the visit of the three men. Mrs. Odio and Dr. Einspruch concurred that the revelation of this event came shortly after its occurrence and prior to the President's assassination.

Loran Hall testified before this committee in executive session on October 5, 1977, and Howard and Seymour were interviewed by the investigative staff.

From a review of FBI files, the committee secured a list of persons who belonged to the Dallas Chapter of JURE, and the committee is continuing its attempts to locate and interview these individuals. Additionally, staff investigators interviewed the leader of JURE, Manolo Ray, now residing in Puerto Rico.

Furthermore, the committee secured photographs of scores of pro-Castro and anti-Castro activists in 1963 who might fit the descriptions of the two latins who Mrs. Odio says visited her. The committee also utilized the services of various Government agencies to run a computerized check on all individuals who used the "war" names of Leopoldo and Angelo, or names basically similar. An extensive search produced the names and photographs of three men who might possibly have been in Dallas in September of 1963. These photographs were shown to Mrs. Odio, but she was unable to identify them as the men she had seen.

The committee has determined, as did members of the Warren commission staff, that Silvia Odio's story still is credible. Over the period of the past 15 years, only minor details have changed, and one important one remains consistent—Silvia and Annie Odio are adamant that "Leon" was Lee Harvey Oswald.

While this committee has gone much beyond the Warren commission's investigation of the Odio story, it, too, has as yet an undetermined meaning.

The so-called "Cubanization of Lee Harvey Oswald" occurred during the time he lived in New Orleans in 1963. It is a puzzling period in a mysterious career, more so for the gaps in the record of his activities, as the Warren Commission was able to document it.

New Orleans was Oswald's home town—he was born there October 18, 1939. In April 1963 he moved back, having lived in Fort Worth and Dallas since his return from the Soviet Union the previous June.

He spent the first 2 weeks job hunting, staying with the Murrets, Aunt Lillian and Uncle Charles, or "Dutz", as he was called, the sister and brother-in-law of Oswald's mother, Marguerite. After being hired by the Reily Coffee Co. as a maintenance man, he sent for his wife, Marina, and their baby daughter, and they moved into an apartment on Magazine Street.

In May, Oswald wrote to Vincent T. Lee, national director of the Fair Play for Cuba Committee, expressing a desire to open an FPCC chapter in New Orleans and requesting literature to distribute. He also had handouts printed, some of which

were stamped "L. H. Oswald, 4907 Magazine Street", others with the alias, "A. J. Hidell, P.O. Box 30016", still others listing the FPCC address as 544 Camp Street.

The Camp Street address has been a riddle to investigators, official and otherwise, over the years, because the only Cuban activity known to have been based there was of the anti-Castro sort.

Oswald lost his job in July, and his efforts to find another was futile. It is known that through the rest of the summer he filed claims at the unemployment office.

The FPCC campaign attracted attention, since Oswald was perhaps the sole overt supporter of Castro in a city where the Cuban community was strongly opposed to Castro. It also got him into a fight with three anti-Castro Cubans, resulting in Oswald spending a night in jail, but earning him some publicity. On August 17, he was interviewed on radio, and on August 21, he appeared in a television debate.

Oswald virtually passed out of sight from August 21 until September 17, the day he applied for a visa to Mexico. He is known to have written letters to left-wing political organizations, and he and Marina visited the Murrets on Labor Day. Marina has claimed he spend his free time reading books and practicing with his rifle.

There is evidence, however, that Oswald was busier then Marina has admitted, or even may be aware, and that in his activities he was associating with some highly improbable individuals. Six witnesses in all, each corroborating the others, have testified before this committee that Oswald was in Clinton and Jackson, La., in late August and early September, seeking employment at East Louisiana State Hospital.

Some of the testimony about Clinton and Jackson place Oswald there with two men, both now deceased, who have been charged by New Orleans District Attorney Jim Garrison with conspiracy in the Kennedy assassination. One of them, David W. Ferrie, died before he was brought to trial. The other, Clay L. Shaw, was acquitted.

The fashion in which the Garrison investigation was conducted, and the character of the Shaw trial have served to complicate an already complex case. It may be that the full story of Oswald in New Orleans will never be told, for added to the problems of deceased witnesses and fading memories is the unfortunate fact that evidence has been tarnished by the way in which it was handled in the Shaw prosecution.

The critics of the Warren commission have argued, however, that there is more to be learned about what Oswald was up to in New Orleans and with whom he associated. There may be something to this, and the committee will have the opportunity, in its final report, to lay out in full detail the situation in New Orleans.

The committee can, for example, present its conclusions about Oswald's alleged association with David Ferrie. It has been suggested that the testimony that Oswald and Ferrie were together in Clinton and Jackson is, in a word, impressive. The implications of such an association may be serious—at least on the level of association.

David Ferrie worked as an investigator for Carlos Marcello, who has been identified as the organized crime boss of Louisiana and Texas. On the day of the assassination, he was with Marcello in a Federal courtroom in connection with legal proceedings against the alleged Mafia leader.

Of the forces that might have conspired to assassinate the President, organized crime itself deserves great scrutiny, and the committee has examined organized crime for its motive, opportunity and means to assassinate President Kennedy, and it has studied in depth alleged Mafia associations of both Oswald and Jack Ruby.

Mr. Chairman, it would be appropriate at this time to view the greatest single justification for this effort to look into organized crime.

[Film Clip.]

Mr. Chairman, understandably, the American people might well accept one lone assassin in November in Dallas, but two surely asks for more than many have been willing to accept.

When Ruby shot Oswald in the basement of the Dallas Police Department on November 24, 1963, the Nation was shocked by a nationally televised murder of the accused assassin of the President. In addition, the American people were deprived of the best single source of evidence in the case. When evidence is put beyond reach, as it was in the assassination of Oswald, the first order of an investigation is to seek the motive for that killing.

First, what do we know about Jack Ruby? Is there anything in his background that sheds light on why he murdered Oswald?

Ruby grew up in Chicago in lower middle class surroundings. His early life was disrupted by family disputes. In 1923, after his parents had separated, he was placed

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in a foster home, when a court found that he, two brothers and a sister were not receiving proper care.

He moved to California in 1933, then returned to Chicago in 1937 to become a union organizer. He moved to Dallas in 1947, where he operated a string of nightclubs. The last one he owned, the Carousel, was a burlesque house.

Ruby was known as idiosyncratic, a man of contradictions, given to occasional outbursts of violent temper.

When President Kennedy was assassinated, Ruby was at the Dallas Morning News, arranging for an advertisement for the Carousel. In a swirl of activity that culminated in his shooting Oswald, Ruby, it has been alleged, seemed to be shadowing, or possibly stalking, the accused assassin. He was present when Oswald met the press on Friday night, and he was at the Dallas County Jail on Saturday afternoon, awaiting for Oswald to be transferred there. The transfer was postponed until Sunday.

Ruby telephoned several friends to express his grief over the murder of the President. Some of them reported he would lapse into periods of sobbing. He prowled the streets at night, lamenting the decision of nightclub owners to stay open in the aftermath of tragedy. The Carousel was closed, out of respect.

On Sunday morning, Ruby went to the Western Union office on Main Street, next door to the Dallas Municipal Building and police headquarters. At Western Union, he sent a \$25 money order to an employee, and then—4 minutes after the money order was time stamped—he somehow entered the basement of police headquarters. As Oswald was being led to an awaiting car, Ruby fired one fatal shot into him.

Ruby was tried and convicted of first-degree murder and sentenced to death. An appellate court reversed the conviction on evidentiary grounds, however, and a new trial was ordered. Before it could begin, he contracted cancer and died of a blood clot in January 1967.

Our objective today is to learn more about Jack Ruby, his character, career and association, as they might pertain to a motive for shooting Oswald. For that purpose, we have three witnesses who knew Ruby, each of whom—a close relative, a police officer, a gambler—encountered a distinct facet of the Jack Ruby character.

The first witness is Earl Ruby, Jack's younger brother. He was born in 1915, and he has spent his career as a businessman. Mr. Ruby is, at present, the proprietor of Cobo Cleaners in Detroit. He is a resident of Birmingham, Michigan.

It would be appropriate at this time, Mr. Chairman, to call Mr. Ruby.

As well as Earl Ruby might have known his brother in their early years, they spent much of their adult life apart. Earl Ruby is particularly limited when it comes to commenting on Jack's life in Dallas, since Earl was not there.

To learn more about Jack Ruby's life in Dallas, the committee has turned to the Dallas Police Department. It has for two reasons: Ruby was on friendly terms with many officers of the DPD; and because there are questions still about the shooting of Oswald at Dallas Police Headquarters.

Our next witness is Captain Jack Revill of the Dallas Police Department. He has been a member of the DPD since 1951 and is currently in charge of the Internal Affairs Division of the Department.

In 1963, Captain Revill was a lieutenant assigned to the Criminal Intelligence Section of the Special Service Bureau. Later, he was a member of a special investigative unit charged with determining how Ruby entered the police headquarters basement on November 24, 1963.

It would be appropriate at this time, Mr. Chairman, to call Captain Revill.

The question of whether Jack Ruby acted alone in the shooting of Oswald has not been answered by his own assurances that he did. This is what he told the Warren commission, which subjected him to a polygraph test for verification. But when this committee asked its panel of experts on polygraphs to examine the results of Ruby's test, it declined to come to a conclusion, explaining the polygraph procedures of 1964 were of such poor quality as to preclude a judgment.

In addition, many critics of the Warren commission insist it did not go far enough in examining Ruby's associations, to see if any of them give support to the suspicion that he was part of a conspiracy. Noting that the Warren commission had discovered that Ruby had been in contact with an array of less than respectable characters—gamblers, ex-cons and henchmen of some underworld bigwigs, the committee decided to investigate these connections further, to find out if they might support a conspiracy finding. There were three steps in the committee approach:

First, the files on the individuals under investigation were reviewed, files from Federal, State, and local law enforcement agencies.

Second, selected individuals were interviewed, deposed or questioned at executive session hearings.

Third, Jack Ruby's 1963 long-distance phone calls to his associates were analyzed. The Warren commission had access to long-distance telephone records, but it did not make the fullest use of them. The committee took the records the Warren commission had, gathered additional ones, and then analyzed all of them, using a House Information Systems computer. The objective was to categorize Ruby's phone contacts with an eye to discerning patterns.

During the Warren commission investigation, on February 24, 1964, staff attorneys Burt Griffin and Leon Hubert recommended that immediate steps be taken to obtain and preserve the phone records of Jack Ruby and numerous associates. In a lengthy memorandum, Hubert and Griffin recommended that the FBI be instructed to secure the records, and that commission chairman Earl Warren address a letter to telephone companies to secure preservation of existing records. Some records that were specified in the Griffin-Hubert request were obtained, but the extensive preservation they had envisioned was not carried out, an investigative step that Hubert and Griffin ultimately agreed to. Griffin has said that commission General Counsel J. Lee Rankin vetoed the recommendation on grounds that it was too far-reaching and would create too great a burden. In another memorandum, dated April 4, Griffin and Hubert said they needed additional assistance in evaluating the phone records that were available. Though it was suggested by Rankin that Chief Justice Warren's security guard might be able to devote some time to the project, the project envisioned by Griffin and Hubert was never conducted. In a subsequent memorandum dated May 14, the adequacy of the Ruby investigation was discussed, but ultimately compromises were worked out and the commission's work was completed.

Utilizing various phone records still available, including those of Jack Ruby's phone calls in 1963, the select committee has developed a computer project for the purpose of detailed analysis of them.

Using the computer technology of the Legislative and Committee Systems Division of the House Information System, House Administration Committee, the phone records analysis took shape. An Amdahl 470 V-5 computer was utilized, backed up by two IBM 370-158 central processing units. Various programs were run, using the master data base developed from the various phone records obtained by the committee. Additional programs are still continuing.

The telephone calls of Jack Ruby in 1963 were given top priority in the project. In recent years, Ruby's alleged associations with organized crime have been raised anew. In particular, it has been said that he was in repeated contact with a number of underworld figures in the months just before the assassination of President Kennedy. A response to these charges has been, however, that any contact by Ruby with such people may well have resulted from his attempts to seek assistance in a labor dispute.

In programming a chronological consolidation of the telephone calls made by Ruby from five business and home telephones, the committee discovered a significant upsurge in the number of calls in October and November 1963. As can be seen from the month by month plotting of these calls on the graph in exhibit F-545, the number of calls soared from an average of 25 to 35, in May through September, to 75 in October, and 96 in November. (That is, 96 calls up to November 24, the day he was imprisoned for shooting Oswald.)

To fathom the possible meaning of the upsurge in Ruby's calls in October and November, the committee closely evaluated his activities during that period. It considered who it was Ruby was calling and being called by; why he was in contact with these people; whether or not he had contacted them previously. The committee was also careful to examine the circumstances surrounding Ruby's labor problems in 1963.

The labor dispute involved Ruby's competition with other owners of clubs in the Dallas area. Specifically, he was involved quarreling with other owners over whether amateur striptease dancers—nonunion girls from the local area—could perform in Dallas nightclubs. Ruby had been prohibited by the American Guild of Variety Artists from featuring nonprofessional local strippers in his club. The hiring of local girls in weekend shows, in what were usually billed as "amateur nights", was a source of profit for him. Ruby was further angered by the fact that at least one of his competitors reportedly had been allowed to use nonunion talent.

The exact circumstances of Ruby's labor difficulties in 1963 are too complex to be dealt with in detail, but one aspect is relevant. In analyzing the dramatic upsurge in calls in October and November 1963, the committee was able to isolate a significant number from the main body of calls. It determined that these particular calls were made in conjunction with Ruby's efforts to seek acceptable mediation or settlement of his dispute with AGVA.

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As can be seen from the second line of the graph in exhibit 545, which plots the calls made by Ruby in connection with his efforts to solicit advice from AGVA, the increase in these union-related calls corresponds, to a considerable degree, with the increase in the total body of Ruby's calls during the same period. The analysis shows that Ruby's labor difficulties were in fact related to much of the increase in calls made by Ruby in October and November 1963.

But in going one step further, it became apparent that to attribute all of Ruby's increased telephone activity in October and November to his AGVA dispute might be an inaccurate oversimplification, for a closer look at the specific calls he made in 1963 raised questions that could not be readily or easily dismissed: Ruby had, in fact, placed calls to a number of individuals who have been identified as being in some way associated with organized crime. Exhibit F-546 is a printout of these calls.

Although it may again be noted that these particular calls also correspond somewhat to the upsurge in the main body of Ruby calls in the weeks prior to the assassination, and even though some of the individuals in question have said that Ruby was in contact with them to seek help in his labor difficulties, the committee felt that more detail on the backgrounds of these persons was essential. Extensive file reviews were therefore conducted, and the following picture emerged.

Between June and August of 1963, Jack Ruby placed seven long distance calls to one Lewis J. McWillie. McWillie was a close Ruby associate, as Ruby told the Warren commission. In 1959, Ruby had visited Lewis McWillie in Havana, where McWillie was working in an organized crime controlled casino.

Jack Ruby's phone calls to McWillie occurred on June 27, September 2 (two calls), September 4, September 19, September 20, and September 22. The first two calls were placed to McWillie's home number, the remaining five calls were to McWillie's place of business, the Thunderbird Casino in Las Vegas.

On the afternoon of October 26, 1963, Jack Ruby placed a long distance phone call to Irwin S. Weiner in Chicago, with whom he spoke for 12 minutes. Weiner was and is a prominent bondsman in Chicago, who has been closely linked with such figures as James Hoffa, Santos Trafficante, Sam Giancana, Paul and Allen Dorfman. Weiner, according to Federal and State law enforcement files, is alleged to have served as a key functionary in the longtime relationship between the Chicago Mafia and various corrupt union officials, particularly during Hoffa's reign as President of the Teamsters Union.

Additionally, Weiner has been involved in a business relationship with two men long identified as executioners for the Chicago Mafia—Felix "Phil" Alderisio and Albert "Obie" Frabotta.

In the immediate days following President Kennedy's murder, the FBI sought to question Weiner about the call he had received from Ruby on October 26. According to an FBI teletype of November 28, 1963, Weiner refused to respond to questioning by FBI Agents in Chicago with regard to his contact with Ruby, and he declined to assist the investigation in any way. Other information received by the FBI during the investigation indicated that Weiner had been acquainted years earlier in Chicago with Ruby's brother Earl.

Though the Warren commission was aware of Ruby's phone call to Weiner, the commission never sought to have him questioned. Additionally, neither Ruby nor his brother, Earl, were ever asked by the commission about their relationship with Weiner.

In executive session testimony before this committee, Weiner was questioned about his contact with Ruby. He testified that he had gone to high school with Ruby's brother, Earl, and had been distantly acquainted with Jack. Weiner said he had little or no contact with Ruby in later years, and had not heard from him in at least 10 years at the time Ruby called him in late October 1963.

Weiner declared the purpose of Ruby's call was to seek assistance in the labor dispute he was having with his Dallas nightclub competitors. Ruby asked for aid in putting up a bond related to his attempt to file for an injunction against his competitors. Weiner testified that he declined to assist Ruby, and had no further contact with him.

The committee has examined testimony and documentation relating to Ruby's labor difficulties, in particular his dispute with AGVA. Nevertheless, the committee has not found another reference to an effort by Ruby to put up a bond in connection with seeking an injunction against his competitors.

In his appearance before the committee, Weiner further testified that he had lied to a reporter when he said in a taped interview that Ruby's phone call to him on October 26, 1963 had had nothing to do with labor problems.

Weiner testified he had refused to submit to FBI questioning about Ruby in the weeks following the assassination because he believed Bureau agents had harassed

his daughter by implying he might be connected to the assassination. Weiner stated he could not specifically recall where he was on the day of the assassination, or on the day Ruby shot Oswald, though he believed he was on a visit to Miami.

At 9:13 p.m., October 30, 1963, 4 days after his call to Irwin Weiner, Jack Ruby placed a call to the Tropical Court Tourist Park, a trailer park in New Orleans. The number Ruby called, 242-5431, was listed as the business office of the Tropical Court, and the duration of the call was one minute. In a partial compilation of numbers called by long distance by Ruby, transmitted to the Warren commission by the FBI in early 1964, a notation was made indicating that this Ruby call to the Tropical Court went to N. J. Pecora. The Warren commission did not, however, interview or investigate Pecora and made no reference to him in its Report.

Noffio J. Pecora, alias Joseph O. Pecoraro, was the owner of the Tropical Court Tourist Park. He ran the park from a one-man office located on the premises, the office Ruby had called on October 30. Pecora, a former heroin smuggler, was alleged to be a close associate of Carlos Marcello. The FBI, Justice Department, and Metropolitan Crime Commission of New Orleans have identified Pecora as one of Marcello's three most trusted aides. Law enforcement surveillance reports have indicated a particularly close Marcello-Pecora relationship during the early 1960's, with Pecora always close at hand at Marcello's Town and Country Motel headquarters on the outskirts of New Orleans. In fact, it was noted in the select committee's computer phone project that Marcello himself placed a call to Pecora on June 24, 1963, at the same trailer office number that Ruby called four months later.

Earlier this year, when committee investigators sought to question Pecora about the October 30, 1963 telephone call from Ruby's office to his own, Pecora declined to respond. Earlier this month, however, Pecora did agree to respond to questions put to him by committee investigators.

Pecora stated that he does not recall receiving any telephone call from Ruby. He said he did not know Ruby or have any knowledge of him. Pecora stated that he believes that he was probably the only person who had access to his Tropical Court telephone in 1963, but that he may well have taken a phone message, suggesting the call from Ruby may have been for someone else in the trailer park.

The committee has established that Ruby did in fact have an associate who lived at the Tropical Court Tourist Park in 1963. He was a New Orleans nightclub manager named Harold Tannenbaum, now deceased, who was himself a friend and colleague of Pecora, having run several Bourbon Street clubs controlled by the Marcello interests. In his recent interview with Committee investigators, Pecora stated he had been acquainted with Tannenbaum, that Tannenbaum was a neighbor in the trailer court. Pecora said he was not aware that Tannenbaum had been a friend of Ruby.

Harold Tannenbaum met Ruby in the summer of 1963 and discussed going into business with him. The computer telephone project has established that Ruby and Tannenbaum were in frequent contact from June to October 1963.

The project has also established that an hour after the October 30 call was placed from Ruby's office to Pecora's office, Tannenbaum placed a call to Ruby.

On November 7, 1963, Ruby received a collect call from Robert G. (Barney) Baker of Chicago. The call lasted 17 minutes.

Baker is said to have been a top lieutenant and reputed "enforcer" for Teamster President James Hoffa. A former boxer and ex-convict, Baker was perhaps Hoffa's best known assistant during the McClellan committee investigation of labor racketeering in the late 1950's. The Senate investigation, coordinated by then chief counsel Robert F. Kennedy, had detailed Baker's role as Hoffa's personal liaison to various leading Mafia figures. In his McClellan testimony, Baker recited a long list of Mafia hit men with whom he had been associated. In 1960, Robert F. Kennedy wrote of Baker, "Sometimes the mere threat of his presence in a room was enough to silence the men who would otherwise have opposed Hoffa's reign."

Barney Baker was questioned by the FBI in Chicago on January 3, 1964, regarding his contact with Ruby. Baker stated that Ruby was a complete stranger to him until the very day he spoke with him, November 7, 1963. Baker explained that Ruby had called him earlier that day and that, in his absence, his wife had taken a message to call Ruby's nightclub in Dallas. Baker told the FBI that Ruby had not used his real name, but had instructed him to ask for "Lou", which he did, placing a collect call to Ruby's number. (It might be noted that this is the only instance the committee has come across in which Ruby has used a false name or alias.)

In his 1964 interview with the FBI, Baker stated that the purpose of Ruby's call was to seek assistance in the labor dispute. According to the FBI report, Baker said he had " * * * concluded the conversation by firmly declining to offer any assistance in this matter." While in his FBI interview Baker "advised that * * * he had many

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friends (who) were * * * high-ranking hoodlums", he stated that he had had no prior association with Ruby, and he had no knowledge of any Ruby connection to such hoodlums.

On November 8, 1963, the day after he received the call from Barney Baker, Ruby placed a call to Murray W. (Dusty) Miller at the Eden Roc Hotel in Miami. The call lasted four minutes.

Dusty Miller was another key lieutenant of Teamster President James Hoffa, and as head of the powerful southern conference of the union, he was regarded as a possible successor to Hoffa. Miller, who had been a teamster leader in Dallas, was associated with numerous underworld figures.

In a recent interview with this committee, Miller stated that he had no contact with Ruby prior to being called by him on November 8, 1963. Miller said Ruby complained of labor problems and asked Miller for help. Miller testified that Ruby said something to the effect, "Barney Baker gave me your number and told me that maybe you could help me out." Miller stated that on hearing the reference to Baker, he quickly ended the conversation, explaining he viewed Baker as a man with questionable associations.

At 5:22 p.m., November 8, 1963, 31 minutes after he called Dusty Miller, Jack Ruby placed a call to Barney Baker in Chicago. This call lasted 14 minutes. It occurred on the day after Baker telephoned Ruby in Dallas.

As noted earlier, Baker told the FBI on January 3, 1964 that he had terminated his November 7 conversation with Ruby by " * * * firmly declining to offer any assistance" to Ruby. In his FBI interview, Baker made no mention of the fact that Ruby had called him back on November 8, 1963. In fact, he indicated that he had no further contact with him.

The committee has extensively questioned Baker about his past contacts with Jack Ruby. When asked why he did not tell the FBI of his second lengthy conversation with Ruby, Baker said he must have forgotten about the second call.

The committee has noted several other areas of telephone contact or relationship that are of probative interest. Three examples:

1. In testimony before the Warren commission, Jack Ruby's sister, Eva Grant, said that her brother had called Lenny Patrick in Chicago sometime during the summer of 1963. Mrs. Grant stated that Ruby had had some difficulty in locating Patrick's number, but he had told her he had finally found it and had, in fact, called Patrick in Chicago.

Patrick is said to have been one of the Chicago Mafia's leading assassins, responsible, according to Federal and State law enforcement files, for the murders of over a dozen mob victims. Patrick had grown up in the same Chicago neighborhood as Ruby and had been slightly acquainted with him. Later, Patrick became, it is said, senior lieutenant of Chicago Mafia leader, Sam Giancana.

2. A call made on September 24, 1963 by an investigator for New Orleans Mafia leader Carlos Marcello to a woman in Chicago, who was present with Ruby on the night before the assassination. The committee found that David W. Ferrie had called the number of Jean Aase West and had spoken for at least 15 minutes. On November 21, 1963, Miss West visited Ruby in Dallas, accompanied by a mutual friend, Lawrence Meyers. Miss West and Meyers had drinks with Ruby shortly before midnight on November 21 at the Cabana Motel.

3. The committee found that Barney Baker had placed a telephone call to another onetime associate of Jack Ruby on the evening of November 21, 1963. The person Baker called was David Yaras of Miami. Yaras was a close friend and partner of Lenny Patrick. He had also been acquainted with Ruby during their early years in Chicago. Like Lenny Patrick, Dave Yaras has served, it is alleged, as a key lieutenant of Chicago Mafia leader Sam Giancana, reputedly as an executioner. In an FBI interview in 1964, Yaras stated that he had last seen Ruby over 10 years prior to the assassination.

Once again, the ultimate meaning of these facts and circumstances remains as yet indeterminate.

Chairman STOKES. OK.

Mr. BLAKEY. It would be appropriate, now, Mr. Chairman, to call Mr. Ruby.

Chairman STOKES. The committee calls Mr. Earl Ruby.

Would you please raise your right hand to be sworn. You solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

Mr. RUBY. I do.

Chairman STOKES. Thank you. You may be seated. The Chair recognizes counsel for the committee, Mr. James McDonald.

Mr. ADELSON. My name is Alan Adelson, South Field, Mich.

Mr. McDONALD. Thank you, Mr. Chairman.

Mr. Ruby, for the record, would you please state your full name?

TESTIMONY OF EARL RUBY

Mr. RUBY. Earl Ruby.

Mr. McDONALD. And are you represented by or are you accompanied by an attorney today?

Mr. RUBY. Yes, I am.

Mr. McDONALD. Sir, would you, for the record state your name?

Mr. ADELSON. Alan Adelson.

Mr. McDONALD. Thank you.

Mr. Ruby, what is your address and your present occupation?

Mr. RUBY. My address is 4380 Stony River Drive, Birmingham, Mich.

Mr. McDONALD. And Mr. Ruby, for the record, are you the brother of Jack Ruby?

Mr. RUBY. Yes, I am.

Mr. McDONALD. Would you please give us a brief description of some of your other brothers and sisters in the Ruby family?

Mr. RUBY. Well, my oldest brother, Hyman, died several years ago of cancer. He passed away. Approximately 4 weeks ago, my oldest sister passed away from a heart attack.

Mr. McDONALD. How many brothers and sisters did Jack Ruby have?

Mr. RUBY. Four sisters and three brothers, making a total of eight.

Mr. McDONALD. Would you move the microphone a little closer to you? Thank you.

And where did you and your brother Jack spend his youth? What city did he grow up in?

Mr. RUBY. Chicago, Ill.

Mr. McDONALD. And would you please tell the committee the kind of relationship you had with your brother Jack? In other words, did you associate in the same circle of friends when you were growing up in Chicago?

Mr. RUBY. No, not really, because Jack was 4 years older than I was at the time and he traveled with fellows that were older than I was.

Mr. McDONALD. So, did you have an opportunity to associate with anyone—did you know who Jack's friends were during those years?

Mr. RUBY. Yes, some of them.

Mr. McDONALD. Mr. Ruby, directing your attention to 1947, did Jack leave Chicago and move to Dallas?

Mr. RUBY. Yes, he did.

Mr. McDONALD. What caused him to do that?

Mr. RUBY. Jack, my brother Sam, and myself were equal partners in a company called Earl Products Co., a company that organized after I came out of the service, and as they came out of the service I made them equal partners. In any event, Jack was with

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us for a year or so and we had a disagreement and we decided to buy Jack out.

During that time, my sister Eva, who was at that time living in Dallas, was in touch with Jack and had been asking him to come down to Dallas. We did give Jack at that time approximately \$14,500 as his share and he left for Dallas.

Mr. McDONALD. To your knowledge, had Jack ever been to Dallas before 1947?

Mr. RUBY. I don't think so.

Mr. McDONALD. During the ensuing years between 1947 and 1963, what kind of contact did you have with your brother Jack, in other words, how often did you see him?

Mr. RUBY. Can you repeat that again?

Mr. McDONALD. During the years after Jack moved to Dallas, and before the events of November 1963, how often and what kind of contact did you have with Jack?

Mr. RUBY. Well, we were in somewhat friendly contact because we were on a friendly basis and he visited Chicago on more than one occasion, I think, and I visited him in Dallas once or twice.

Mr. McDONALD. Mr. Ruby, we have a technical problem, that is, our cameras can't focus on you properly. If you could switch places with your attorney. Perhaps both of you could move a little bit more to my left and to your right.

OK, thank you.

So, you say you visited Dallas how many times during those years?

Mr. RUBY. Twice, I think.

Mr. McDONALD. And you say Jack visited you in Chicago on a number of occasions?

Mr. RUBY. Well, he had to visit or come to Chicago at least two times that I remember.

Mr. McDONALD. Well, what I am driving at, over those years, were you close to Jack, did you keep up contact?

Mr. RUBY. More or less, yes.

Mr. McDONALD. Did you telephone each other?

Mr. RUBY. Yes.

Mr. McDONALD. Write letters?

Mr. RUBY. Occasionally. I don't think we corresponded much. Most of our contacts were by telephone.

Mr. McDONALD. Would you say you lost contact with Jack during those years, or you kept pretty good contacts up over the distance involved?

Mr. RUBY. I would say I never lost contact with him.

Mr. McDONALD. To your knowledge, during the years leading up to 1963, how was Jack doing financially?

Mr. RUBY. Well, at one time in the fifties he wasn't doing very well at all and he returned to Chicago very depressed and at that time I tried to help him out financially, even to try to find him a business in Chicago, but I don't remember, but for some reason he went back to Dallas again because Eva was there.

Mr. McDONALD. Did you have occasion to make loans to Jack?

Mr. RUBY. Yes, I did.

Mr. McDONALD. How many times?

Mr. RUBY. Several times.

Mr. McDONALD. And how much did you loan him?

Mr. RUBY. Well——

Mr. McDONALD. Total?

Mr. RUBY. The total was approximately \$15,000, but the last amount that I sent him was \$6,000. That was to be an investment more than a loan in a nightclub.

Mr. McDONALD. Do you recall the nightclub?

Mr. RUBY. I think it was the Carousel. At that time though, it was the Sovereign. They changed the name.

Mr. McDONALD. When you made the investment you were investing in the Sovereign Club?

Mr. RUBY. I think so. Before I knew it they were bankrupt. I think they overspent the money on furnishings and business just didn't materialize as they had planned, and so then I was more or less out of the picture.

Mr. McDONALD. When you say they, who are you referring to?

Mr. RUBY. I think Jack and a gentleman by the name of Slayton and probably Ralph Paul.

Mr. McDONALD. And you say the Sovereign Club went of of business?

Mr. RUBY. Well, it was reorganized, I think.

Mr. McDONALD. Reorganized into the Carousel Club?

Mr. RUBY. I think so.

Mr. McDONALD. The same physical plant?

Mr. RUBY. I think, I am not sure, but I think it was the Carousel then.

Mr. McDONALD. Did you ever get paid back for the loan?

Mr. RUBY. No, I never in fact received any of the amounts of money that I had loaned or invested.

Mr. McDONALD. Did you press Jack for payment? If he closed the Sovereign Club and opened up the Carousel Club, did you express a desire to have an interest in that club in order to get your funds back?

Mr. RUBY. No, I did not, and he had other investors from what I understand in opening of the Carousel.

Mr. McDONALD. And you say, Mr. Ruby, you went to Dallas how many times during the years?

Mr. RUBY. I remember at least twice.

Mr. McDONALD. It it possible you went more than that, twice in 16 years?

Mr. RUBY. It could be one or more at the most but I am not sure.

Mr. McDONALD. And where did you stay when you went to Dallas to visit with Jack?

Mr. RUBY. I stayed with Jack in his apartment.

Mr. McDONALD. And while in Dallas did you have occasion to frequent his club?

Mr. RUBY. Oh, yes, many occasions.

Mr. McDONALD. How many times would you say?

Mr. RUBY. Well, I am sure every day that I was there I more or less went wherever he went. When he went to the club I went with him because I had nothing else to do.

Mr. McDONALD. When you went to Dallas did you take any other members of your family with you?

Mr. RUBY. On those visits, no.

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Mr. McDONALD. How about on other visits?

Mr. RUBY. Well, the other visits were during the trial. That is what I am speaking of.

Mr. McDONALD. Did you have occasion when you were with Jack in Dallas to meet any of his friends, acquaintances, or business associates?

Mr. RUBY. Yes, I did.

Mr. McDONALD. Can you recall who were?

Mr. RUBY. I remember meeting Ralph Paul.

Mr. McDONALD. Anyone else?

Mr. RUBY. He introduced me at one time to a prizefighter, a heavyweight champ of Texas, but I don't remember his name.

Mr. McDONALD. Mr. Ruby, the loan you made to Jack, to the Sovereign Club, was it in 1959; is that correct?

Mr. RUBY. I think so. I am not even sure.

Mr. McDONALD. Well, that is the year. In general, can you recall what was Jack's financial situation in that year?

Mr. RUBY. Well, he seemed to be getting along. He needed the money to refurbish the club or hire entertainment.

Mr. McDONALD. So you made the \$6,000 loan but then the club went out of business, the Sovereign?

Mr. RUBY. Yes.

Mr. McDONALD. And then Jack reopened the same business premises and it was called the Carousel Club?

Mr. RUBY. Yes.

Mr. McDONALD. You were not included among the group of controlling owners?

Mr. RUBY. Correct.

Mr. McDONALD. What kind of protest did you register with Jack?

Mr. RUBY. Well, I complained but he said he had no alternative but to make these arrangements, new arrangements.

Mr. McDONALD. In 1959, were you aware of your brother Jack taking a trip to Cuba?

Mr. RUBY. Yes, I was.

Mr. McDONALD. How did you become aware of that?

Mr. RUBY. Jack told me about it.

Mr. McDONALD. What did he say?

Mr. RUBY. He said he was going to visit a good friend of his by the name of Lew McWillie.

Mr. McDONALD. Did he say how he was going to get there? How was he going to travel to Cuba?

Mr. RUBY. As far as I know he flew there in a plane.

Mr. McDONALD. Did he have any other comments, was he going there strictly for vacation?

Mr. RUBY. Yes.

Mr. McDONALD. Now, this was in 1959 when you advanced him the \$6,000 loan. Did you have any questions in your own mind as to how he was going to finance a trip to Cuba? In other words, at the time did it strike you as unusual for him to be going to Cuba?

Mr. RUBY. No, because I don't think I learned about it until after he had returned.

My counsel tells me that the trip was paid for by Lew McWillie.

Mr. McDONALD. And it is your testimony that he went to visit McWillie as a personal vacation?

Mr. RUBY. Yes. He thought very highly of McWillie and it was more or less of a friendship visit.

Mr. McDONALD. Do you know, did Jack often take vacations?

Mr. RUBY. Yes, on occasion he would go to Vegas, I know.

Mr. McDONALD. And how often would he go there, do you know?

Mr. RUBY. I really don't know.

Mr. McDONALD. Thinking back on Jack, do you remember, was he a smoker, did he smoke cigarettes, pipes, cigars?

Mr. RUBY. Very seldom would he smoke a cigarette.

Mr. McDONALD. How about drinking, did he drink.

Mr. RUBY. Drank very little, if any.

Mr. McDONALD. How about gambling, did he gamble?

Mr. RUBY. He gambled a little bit at Vegas; yes.

Mr. McDONALD. What did he tell you about the trip after he got back?

Mr. RUBY. You mean the trip to Cuba?

Mr. McDONALD. Yes.

Mr. RUBY. Nothing.

Mr. McDONALD. Do you know how long he stayed?

Mr. RUBY. No, I don't even know how long he stayed.

Mr. McDONALD. Now, you were deposed by this committee, is that correct, Mr. Ruby, we took a deposition of you in Chicago a few months ago?

Mr. RUBY. Yes sir.

Mr. McDONALD. On page 83 of that depostion you told the committee that you knew of McWillie, Lewis McWillie in 1959, but you have never met him until a few years ago, is that correct?

Mr. RUBY. That is correct.

Mr. McDONALD. Precisely how did you come to learn of this person, how did you know about this guy McWillie?

Mr. RUBY. Jack had told me about his friend in Cuba.

Mr. McDONALD. And he told you about him in 1959?

Mr. RUBY. I don't remember exactly when he told me but he mentioned his name on more than one occiasion.

Mr. McDONALD. What was the perception or understanding of who McWillie was?

Mr. RUBY. Just a good friend of his.

Mr. McDONALD. You are saying that Jack talked to you about him over the telephone or when?

Mr. RUBY. I don't remember how the conversation came up but I know he mentioned his name to me on more than one occasion.

Mr. McDONALD. Why would he do this? Why would he mention a friend you had never met to you over the phone on more than one occasion? In other words, let's recall—

Mr. RUBY. Probably because he had gone to Cuba to visit him and that was a long trip, I would think.

Mr. McDONALD. What else did Jack say about the trip to Cuba? Can you recall any specific comments, did he talk, did he like the weather or—

Mr. RUBY. No; he mentioned to me that he was going to visit his good friend McWillie.

Mr. McDONALD. That is all he said?

Mr. RUBY. Well, that is the gist of it.

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Mr. McDONALD. When was the first time you learned of Mr. McWillie, before Jack went to Cuba or afterward?

Mr. RUBY. I don't recall—it was so long ago.

Mr. McDONALD. Did you or McWillie ever have any mutual business associates or friends?

Mr. RUBY. No; I had never met McWillie until last year.

Mr. McDONALD. How did you finally meet McWillie?

Mr. RUBY. The wife and I were driving to California. We stopped in Vegas and I looked him up and talked to him for a few minutes.

Mr. McDONALD. And where did you look him up?

Mr. RUBY. He works in one of the gambling casinos there.

Mr. McDONALD. And how did you know he was working there?

Mr. RUBY. I had talked to either Toni Zoppi or a fellow we called Stoney who had been a friend of the family for many years and one of them told me where he was working.

Mr. McDONALD. What is Stoney's name?

Mr. RUBY. I have got it written down. I can't think of it. We always called him "Fat Stoney." I would have to look it up.

Mr. McDONALD. How about Toni Zoppi, who is he?

Mr. RUBY. He was the good friend of Jacks in Dallas. He wrote a night club column for one of the newspapers in Dallas, and, of course, Jack was in touch with him for that reason and they were very close friends. Toni Zoppi also testified at the trial in behalf of Jack and I saw Toni on many occasions during the trial.

Mr. McDONALD. And you have maintained contact with him since the trial?

Mr. RUBY. Yes.

Mr. McDONALD. So it was Zoppi that told you where McWillie was?

Mr. RUBY. Zoppi or Stoney, either one.

Mr. McDONALD. And when was this trip?

Mr. RUBY. The summer of 1977. The spring or summer.

Mr. McDONALD. What happened when you met McWillie, what transpired?

Mr. RUBY. Well, we talked for 5 minutes, he mentioned all the problems he had because of Jack, and that the gun Jack had sent him, which he never even picked up, and that was about it.

Mr. McDONALD. What gun are you referring to?

Mr. RUBY. Jack had one time sent him a gun, he was threatened or something, he asked Jack to send him a gun, and Jack mailed him a gun from what he told me, he was afraid to go and pick it up at the post office, or whatever.

Mr. McDONALD. And what casino did you locate McWillie at, what casino in Las Vegas?

Mr. RUBY. I have that written down. I can give it to you later, if you want it.

Mr. McDONALD. Have you been to Las Vegas often, do you go there often?

Mr. RUBY. No, not really. I hadn't been there for sometime prior to that and I haven't been there since then.

Mr. McDONALD. What caused you to try to look up McWillie when you were there?

Mr. RUBY. Well, I realized he was involved with Jack and so much had been said about the gun Jack had sent him I thought I would stop and say a hello to him.

Mr. McDONALD. Mr. Ruby, directing your attention to 1963, were you then the owner of Cobo Cleaners?

Mr. RUBY. Yes, I was.

Mr. McDONALD. Cobo Cleaners is where, in what city?

Mr. RUBY. The address is 18135 Livernoyn, northwest part of Detroit.

Mr. McDONALD. During that time and up to the present, especially at that time, and some of the questions I am going to ask you, you have already given us in deposition, but we are going to go through them again today, at that time, did you normally utilize telegrams in the course of your business?

Mr. RUBY. On occasion; yes.

Mr. McDONALD. What would the occasions generally be to use telegrams? I think you testified at the deposition, congratulatory notes, things of that nature.

Mr. RUBY. Yes.

Mr. McDONALD. During the last 15, 16 years, approximately how many times do you think you have sent a telegram?

Mr. RUBY. Probably—I have no idea. I would say five or six times.

Mr. McDONALD. Five or six would be at the outside?

Mr. RUBY. Yes.

Mr. McDONALD. You are aware that on April 1, 1962, a telegram was sent from Cobo Cleaners to Havana, Cuba, and you testified during the deposition when I asked you was that a normal occurrence, or it was not a normal occurrence, and your testimony was no; correct?

Mr. RUBY. I didn't understand you.

Mr. McDONALD. In other words, sending a telegram to Havana, Cuba, is not a normal occurrence?

Mr. RUBY. That's correct.

Mr. McDONALD. And also in your testimony during the deposition at page 86, you stated that you would have been the person sending such telegram or any telegram, for that matter; is that not correct?

Mr. RUBY. I don't—

Mr. McDONALD. In other words, if anyone sent a telegram from Cobo Cleaners, it would have been you, not a shirt presser or someone out in the back doing the laundry. In other words, you would have been the one to have sent the telegram?

Mr. RUBY. Not completely.

Mr. McDONALD. Perhaps the bookkeeper?

Mr. RUBY. Bookkeeper, the manager, I always have a manager. Could have been one of the office help.

Mr. McDONALD. During the deposition, it was your testimony that at that time, you said you would normally—

Mr. RUBY. Normally, yes.

Mr. McDONALD. I think as we went on in the deposition, you also said, I think it was agreed in 1962, no one else in Cobo Cleaners would have sent a telegram, especially to Cuba.

Mr. RUBY. Correct.

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Mr. McDONALD. Again, I am referring to the deposition at page 87, again, speaking about this telegram to Cuba in 1962, which we noted was 1 year after the Bay of Pigs incident, in April of 1961, and this was a time when the United States has broken diplomatic relations with Cuba and you said during the deposition that such a telegram certainly "looks suspicious," that's a correct reflection of what occurred at the deposition.

Mr. RUBY. Yes.

Mr. McDONALD.. And also at the deposition, you said you couldn't explain it, couldn't explain the telegram.

Mr. RUBY. Correct, because I never remembered sending the telegram because I couldn't explain it.

Mr. McDONALD. Subsequent to the deposition in Chicago, you sent us a letter?

Mr. RUBY. Yes.

Mr. McDONALD. Just give me a minute. It is a letter dated August 17, 1978, addressed to this committee, which we have given JFK No. F-554. I am going to quote from your letter in part, where you said, "Regarding telegram alleged sent to Cuba in 1962, I", referring to yourself:

checked with post office here and learned that there are six Cubas in the United States, and now I am sure the telegram in question was sent to a Cuba here in the United States and not to Havana, Cuba, or any other place in Cuba. I, therefore, must go on record as stating that at no time did I ever send a telegram to Havana, Cuba, or any place in Cuba. There is a Cuba in each of the following States: Alabama, Illinois, Kansas, New Mexico, New York, and Ohio.

Does that accurately reflect your letter?

[Witness nodded head.]

Mr. McDONALD. Mr. Ruby, have you ever had any business contacts or accounts from Cobo Cleaners in Cuba, Ala.; or Cuba, Ill.; or Cuba, Kans.; Cuba, N. Mex.; Cuba, N.Y.; Cuba, Ohio?

Mr. RUBY. No. However, if I remember correctly, on the billing, telephone bill, I don't think it said Havana, Cuba. It read Cuba with a "T", after it.

Mr. McDONALD. Cuba with a "T".

Mr. RUBY. Followed by a "T", which would indicate that it was a telegram.

Mr. McDONALD. Unfortunately, we don't have a copy of that telegram. But I am going to read to you from JFK exhibit F-565, which was also introduced into the Warren Commission record and it was given the number C.E. 2978. 2978 is a copy of an IRS, Internal Revenue Service, audit report reflecting an IRS audit of you in 1964.

I am going to read some pertinent portions of that record to you because this IRS report, which is the best record that we have now, since the telegram doesn't exist, specifically speaks to a telegram being sent not to Cuba in any other State, but Havana, Cuba. This is a report dated January 7, 1964, and it was prepared by and IRS revenue agent, and then his report was incorporated into this one. And it reads as follows:

Internal Revenue Agent, R. Anstet, has completed checking the books and records of the taxpayer's novelty and drycleaning business. With exception of a telegram to Havana, Cuba, on April 1, 1962, his examination has disclosed no other leads. Up to January 6, 1964, no attempt was made by Agent Anstet to question Earl Ruby about the Havana telegram or the various long distance calls in 1962 and 1963, first,

because his audit concerns only the years 1961 and 1962, and, second, any questions on this line may have disrupted the cooperative attitude and caused an unnecessary delay. However, on January 6, 1964, an opportunity arose for Agent Anstet to question Earl Ruby about certain partnership deductions which had the appearance of possible personal expenses, included among the questionable items were various long distance toll charges in 1962. Concerning these, the taxpayer made the following comments.

The report then lists in one column to the left "Area Called" and then on the other side, it has "Taxpayer's Comments," and they have quotes around the comments because, as I understand IRS policy, when they interview a taxpayer, they also bring along a tape recording machine and they record the complete interview, that way they have a complete record of what has been said.

Mr. ADELSON. At that time, I was present at all these interviews. There were no tape recording machines, nor would—

Mr. FITHIAN. I am sorry, Mr. Chairman, would the attorney use the mike, please?

Mr. ADELSON. In 1964, there were no tape recording machines used by the Internal Revenue or were tape recording machines available as they were today. I was present at those meetings and there was no tape recording done.

Mr. McDONALD. Nevertheless, the agent then took notes, we know that, because we have his report in front of us. His report reflects the taxpayer's comments on what was said about the various different toll records and he goes down, he starts out with a call to Evanston, Ill., and the taxpayer's comments, "That's where my partner used to live. He moved about 6 months ago to Glenview."

And the agent said, "Rochester, N.Y." Again, we are referring to telephone calls. And the taxpayer's comments: "That's where our superintendent used to live and work."

Then Havana, Cuba. "That's a telegram, isn't it?"

Then the report indicates dot, dot, dot, dot, "I don't remember." And then it goes on, Van Nuys, Calif.; Ansonia, Conn., a number of other ones.

What is rather curious is his comments after. He has a series of these telephone charges.

The interview regarding the toll charges was in the form of an informal discussion while paging through the telephone bills. Comments were offered easily and freely until the item of the Havana telegram. After a brief pause in the conversation, Agent Anstet specifically requested a comment on this item. After another pause, the above-mentioned comment was made.

Do you recall that interview, Mr. Ruby?

Mr. RUBY. I think so. It is so long ago.

Mr. McDONALD. When the agent asked you about, according to his report, he just said as he was going down the list of telephone calls, he said Havana, Cuba, and you said, "That's a telegram, isn't it," and then you couldn't remember.

Mr. RUBY. The reason I said it was a telegram is because a "T" followed Cuba and that indicates it is a telegram.

Mr. McDONALD. And you said to him, then, you couldn't remember?

Mr. RUBY. Correct.

Mr. McDONALD. Did you send a telegram to Havana, Cuba?

Mr. RUBY. As I stated before—

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Mr. ADELSON. Mr. McDonald, at the time, Mr. Ruby was examining the bills with the agent. I also was present at that time, and he was looking at the various telephone bills as they come on a separate sheet and it did have a "T", after it, and Mr. Ruby was only asking, "Isn't that a telegram," or "That's a telegram, isn't it," with a question mark.

So, the knowledge of it was not known to Mr. Ruby at that time, and he merely indicated that's a telegram because the bill had indicated it was a telegram.

Mr. RUBY. In answering your question, I never sent a telegram to Havana, Cuba.

Mr. McDONALD. On page 91 of the deposition, we discuss this point, and you said that Jack might have asked you to send it, but you didn't remember whether Jack asked you to send it, is that correct?

Mr. RUBY. That's possible.

Mr. McDONALD. So, it is possible, you are saying it is possible then, that Jack might have asked you to send a telegram to Havana?

Mr. RUBY. No, that's not what I mean. In addition, concerning this telegram, I took it upon myself to call Western Union.

Mr. McDONALD. When did you do this?

Mr. RUBY. After the deposition, and learned that during that time, since we were on such unfriendly terms with Cuba, it was practically impossible to send a telegram directly to Cuba and that they were channeled through London, also.

I think that had I had any reason to send a devious type of telegram to Cuba, I surely wouldn't have sent it from my own phone number.

Mr. McDONALD. Is it possible that Jack might have sent the telegram and charged it to your number for some reason unknown to you?

Mr. ADELSON. Once again, Mr. McDonald, the telephone bill indicated the telegram originated from the telephone number of Cobo Cleaners. It was not charged from another number. It would indicate that on the bill.

Mr. McDONALD. You raise an issue which you say you went and checked with Western Union after the deposition 2 months ago in Chicago, but one of the puzzling things about this is that you said in deposition that after the telegram was brought to your attention in January 1964, you never went back and checked out if it was a valid telegram, whether it was a mistake, whatever.

I would like to quote you from deposition at page 92, and the question was put to you, "After the agent showed it to you back in 1963-64, did you go back and check with your employees?"

You answered: "No, I didn't think anything of it. Couldn't imagine any of my employees sending it because they never talked about going to Cuba."

Then, the question was: "Did you take any steps after leaving the IRS agent to go back and check your records at your company?"

"No, because I thought it was a mistake or something. I just couldn't imagine what it was."

And the question was put to you, "But didn't you check to see?" And the answer was, "No."

In other words, it is a telegram that appears completely out of the ordinary at a time when telegrams, as you just said, were not being sent regularly, probably not at all, and the issue, when raised to you 14 years ago, you did not check it.

Mr. RUBY. Because I was questioned about it by the Warren Commission and I assumed they were going to check it out, and I realized that I didn't send the telegram. There was no reason for me to check it out.

Mr. ADELSON. Mr. McDonald, I also want to point out, according to the terminology used by the telephone company and the telegraph company, a telegram is a domestic letter as opposed to a cablegram. Anything that would go overseas on a bill would be called a cablegram. It appears this telegram probably was a domestic item.

Mr. McDONALD. Mr. Ruby, directing your attention to November 1963, when did you first learn of your brother's involvement in the murder of Lee Harvey Oswald?

Mr. RUBY. I was at my plant on that Sunday morning with an electrician and one of my drivers, and the reason the electricians were there on Sunday because, at that time, we were working 6 days a week and he had to perform some electrical work and it couldn't be done on the other days, so he came in Sunday morning and one of my best friends, Mike Nevsen, was in the hospital having had a serious operation and I thought since I was there and waiting while they were working on the electrical work, I called him and as I was talking to him, he suddenly said, "I have to hang up now; somebody just shot Oswald," and he hung up.

And I told my people what had happened, and shortly thereafter, Jim Stewart, one of the drivers that was there, and I left in my station wagon, and as we were driving, taking him home, I had the radio on, the news came through that Jack Ruby had just shot Oswald.

Mr. McDONALD. Did you have any contact with Jack over the days after the President's assassination but before he shot Oswald?

Mr. RUBY. Yes. Yes.

Mr. McDONALD. What kind of contact did you have?

Mr. RUBY. Well, I actually heard that he had—he hadn't talked to me, he called me and I wasn't home and he called my sister and told her how upset he was, and something to the effect that he was so upset and so disgusted with what happened in Dallas that he even considered leaving there, for some reason.

Mr. McDONALD. Leaving Dallas?

Mr. RUBY. Yes.

Mr. McDONALD. Which sister did he talk to?

Mr. RUBY. Eileen.

Mr. McDONALD. Eileen. What was her last name?

Mr. RUBY. Kaminsky.

Mr. McDONALD. Did you personally speak with Jack during those days?

Mr. RUBY. No.

Mr. McDONALD. Upon learning that Jack shot Lee Harvey Oswald, what did you do?

Mr. RUBY. Well, as I told you, I was in the station wagon, I dropped off Jim Stewart at his home, and then I went home, and

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shortly thereafter I think I called Chicago, where all my family lived, and then Loyola and they were all upset, and by that time it seemed that they were being or trying to be contacted by the news media, and they asked me to come there that day. I did go there that afternoon.

My brother, Hyman, as I mentioned before, who since passed away, picked me up at the airport, and we went to the house, and if I remember correctly, in front of the house was surrounded by news people, and we saw them from the corner. We parked and I think we went in the back door. Of course they were ringing the bell trying to get an interview.

However, shortly thereafter, someone knocked at the door and said they were FBI, and I said something to the effect that I would like to have proof, because they wanted to come in and talk to us, and he said, if I remember correctly, his name was Mr. White, "we will go up to the corner and we will make arrangements so that we will be verified," and I think someone called me from downtown and said to let these people in, they have authorization to come and interview you from the Government.

Mr. McDONALD. This was on the day you learned that Jack had shot Oswald?

Mr. RUBY. This was Sunday evening of the shooting.

Mr. McDONALD. After Jack was arrested, did you speak with him over the telephone?

Mr. RUBY. Yes.

Mr. McDONALD. Where were you?

Mr. RUBY. Many times. It seems he was permitted to make collect calls from the police station.

Mr. McDONALD. What was said the first time that he called you?

Mr. RUBY. I don't remember exactly except——

Mr. McDONALD. Well, in general then, if you think back on——

Mr. RUBY. How bad he felt and this was a problem and things of that sort and——

Mr. McDONALD. Well, how bad he felt about what?

Mr. RUBY. About the shooting.

Mr. McDONALD. Which one, which shooting are we talking about?

Mr. RUBY. The shooting of Oswald.

Mr. McDONALD. Did he say why he did it?

Mr. RUBY. No; not at that time.

Mr. McDONALD. What else did he say?

Mr. RUBY. He not only talked with me at that time, he talked with I know my oldest brother, Hyman, and I don't remember each word or——

Mr. McDONALD. Did you ever ask him when you talked to him over the telephone why he did it?

Mr. RUBY. Not over the phone. When I saw him personally in Dallas I did ask him and he said when Oswald walked out of that doorway he had a silly smirk on his face as though it seemed to Jack that he really felt good about it, and that is when Jack lost control of himself and shot him.

Mr. McDONALD. Did you ask Jack what he was doing in the basement that morning of the Dallas Police Department?

Mr. RUBY. We talked about it and he said he had gone to send a telegram and he saw the commotion in front of the police station and went over to see what was doing and went down in there, that is how it happened.

Mr. McDONALD. Did you believe what he was telling you about the shooting?

Mr. RUBY. I had no reason not to believe him.

Mr. McDONALD. Did you ever ask him if he was involved with anyone else?

Mr. RUBY. Yes.

Mr. McDONALD. What did you say to him?

Mr. RUBY. At one time when he was in the hospital, because it was much easier to talk to him there, we weren't talking through the cell, and I asked him point blank if he had ever known or met Oswald before, and his words were absolutely not, "are you nuts." Those were his words to me.

Mr. McDONALD. Did you take that as an accurate response by Jack?

Mr. RUBY. Yes.

Mr. McDONALD. Did you ask him anything further, did you probe on it?

Mr. RUBY. No; not that I can think of right now. We talked at length many times but so many conversations about the trial and the attorneys and many times he was worried about my family and myself as to our well being and, in fact, one time he was surprised I even answered the phone. He thought I had been killed, for some reason or another.

Mr. McDONALD. This was after he was in jail?

Mr. RUBY. Yes; later on.

Mr. McDONALD. You knew your brother pretty well?

Mr. RUBY. I would say yes.

Mr. McDONALD. Would you say he was an open type of person? In other words, let his feeling show?

Mr. RUBY. Definitely.

Mr. McDONALD. Would Jack be the kind of person who could keep a secret?

Mr. RUBY. Not really. Because even Toni Zoppi at one time told me that it would be impossible for Jack to keep a secret of any kind because he was always bragging about what he did or was doing, so I would think that he would not keep secrets.

Mr. McDONALD. Well—

Mr. RUBY. He would tell somebody what he was doing.

Mr. McDONALD. In your opinion, if Jack had been involved with anyone in shooting Oswald, do you think it would have been likely that it would have come out in conversation when you were alone with him or when he was with members of the family?

Mr. RUBY. Well, he knew he was going to die when he learned he had cancer and if he had known anything it is possible he would have told me, because he said words to the effect that you have spent all this money and time getting me a new trial and now I have cancer. I can't think of the term he used, jumping from the frying pan into the fire, was the words he used.

Mr. McDONALD. Did he ever give you any hint that he was involved with someone else in the killing of Oswald?

ASSASSINATION

100-107707

Mr. RUBY. Absolutely not.

Mr. McDONALD. It is your testimony because he was the kind of person that couldn't or wouldn't keep that kind of secret, or generally would he keep secrets or was he open with you?

Mr. RUBY. I would say he was more open, as you state.

Mr. McDONALD. OK.

Do you think it is possible that Jack did things that you weren't aware of that he didn't tell you?

Mr. RUBY. Oh, sure, I am sure he didn't tell me everything he did.

Mr. McDONALD. You mean you think it is possible he didn't tell you much about his trip to Cuba other than—

Mr. RUBY. Except that he went to visit his good friend Lew McWillie and Lew McWillie was a great guy and he went to visit him.

Mr. McDONALD. And that is about all he told you of the Cuban trip?

Mr. RUBY. Yes.

Mr. McDONALD. Mr. Ruby, we are going to show you a film clip of your brother, Jack, making a statement. It was taken sometime prior to his incarceration. It is a film clip assembled by BBC, British Broadcasting Co., and we are going to show it to you right now and I would like you to view it on that screen. It is over there. Can you see?

Mr. RUBY. Yes.

Mr. McDONALD. After the lights go back on I want you to comment on it.

Excuse me 1 second before we run it. If we could have the lights, when the lights are out, the projector.

Mr. Chairman, may we have JFK exhibit F-555 entered into the record?

Chairman STOKES. Without objection, it may be entered and shown at this time.

[Thereupon, a short film clip was shown.]

Mr. McDONALD. If we could have the lights, please.

Mr. Ruby, could you understand what was being said? It was not good sound, at least from up here it wasn't that good. Could you hear what was being said?

Mr. RUBY. I got the gist of it.

McDONALD. Jack is in a sense saying that there are things that he is not telling, he has got a secret and he is not telling anybody, no one will ever know. You heard what he said?

Mr. RUBY. Yes.

Mr. McDONALD. What is your comment on that?

Mr. RUBY. I can't answer. I can't imagine what he had in mind when he said that. Perhaps he was confused, I don't know.

Mr. ADELSON. Mr. McDonald, I represented the family of Jack Ruby from the inception of the shooting and actually I took over the matter after Jack died. In our investigation, our trial of the will contests in Dallas, many things came to light that were picked up by the Warren Commission because it was after the fact. Jack was still facing a trial at the time of the Warren investigation and after his trial and the problems that existed as a result of the trial

and his realization of the magnitude of what he had done, he developed what the psychiatrists called a paranoid state.

He did not have phychomotor epilepsy, as Melvin Belli tried to put forward, but he did develop something after the trial and while he was languishing in jail. He believed that—

Mr. McDONALD. Sir, I appreciate your comments but you are not under oath.

Mr. ADELSON. Well, I will take an oath, if you want me to. I think I can assist this commission, this committee, considerably. I think that I probably know as much about Jack Ruby as anybody in this country.

Mr. McDONALD. Well, that is up to the chairman, sir.

Do you wish counsel to continue, Mr. Chairman?

Chairman STOKES. Would counsel approach the bench?

[A short conference between Mr. Cornwell, Mr. McDonald, Mr. Blakey, and the Chairman.]

Chairman STOKES. Counsel for the witness may proceed with his statement.

Mr. ADELSON. Thank you, Mr. Stokes.

After the trial, as I said, Jack Ruby developed this paranoid state. I merely want to point out one significant aspect. When Jack Ruby was taken before the Warren Commission the second time he made statements to the effect "take me to Washington, I want to leave Dallas, can you take me out of here, can I go to Washington and talk to the President."

Now, this involves, as we saw on this film—this involves things that were going on in Ruby's mind at the time. This psychological or psychiatric problem he was having developed possibly from his reading a book called "Exodus." He was kept on the, I believe, the sixth floor of the jail in Dallas, whereas the fifth floor was the mental ward, and at night he would hear screams and even during the day.

He developed this thinking that all the Jews in the United States were being taken into Dallas and systematically disposed of, where maybe he saw in Dallas the Warsaw ghetto from "Exodus," and he believed that the Jews were being disposed of, and he believed that because of his paranoid state.

He thought he had lost the trial, he had lost the concept that he had done something not right, but he had done something wrong. We are not saying he had done something right when he shot Lee Harvey Oswald. Certainly he did something wrong. But he didn't believe that until after the trial and he believed President Johnson at the time was ordering this systematic elimination of Jews because of him, and that he was the last one that was going to be eliminated, the last Jewish person to be eliminated, as Earl Ruby had testified here this afternoon, this morning.

He said that he didn't expect him to be alive when he called, and Earl answered the phone. He didn't expect Earl to be there because he was being eliminated with the rest of the Jews in the country.

The problem, as I said, he went before the Warren Commission, he wanted to go to Washington, to come here to Washington and speak to the President and tell him he was not involved in any conspiracy and to stop eliminating the Jews, in effect. That was basically what was on his mind.

ASSASSINATION

PROPERTY OF

Now, this was a type of thing that was picked up by the critics of the Warren Commission. They said, here he is trying to tell somebody something but he won't do it in Dallas. The same with the film clip we played. He wanted to say something. Remember, he was always incarcerated after the shooting. He wanted to tell people, not people, he wanted to tell the President to stop this elimination of, systematic elimination of Jewish people. It was a paranoid state that he was in.

Chairman STOKES. Thank you, Counsel.

Mr. ADELSON. Thank you.

Chairman STOKES. You may proceed, Mr. McDonald.

Mr. McDONALD. Thank you.

Mr. Ruby, I just have one more question and that is, getting back to the Cuban telegrams. Do you have any records at Cobo Cleaners pertaining to this telegram, any phone records still in your possession?

Mr. RUBY. No, I do not.

Mr. McDONALD. And is there anything you can say that will enlighten us. You can see the problem we face. We have an incident that has just not been explained and we are trying to find out exactly what happened.

Mr. RUBY. I can only—

Mr. McDONALD. Do you have anything further to say about that?

Mr. RUBY. Again, I wish to state under oath I never sent the telegram. I have no idea what took place. It wouldn't be the first time that there was an error in billing on our telephone. As counsel brought up something that I didn't even think of, he said if it had been a telegram to Havana, Cuba, that it would have been listed as a cablegram.

Also, again I wish to state that I had no idea or any thought of sending a devious type of telegram to Cuba for some reason or another. I would be very foolish to send from my own telephone, I could have gone to a local Western Union and done something like that. So, again I wish to state under oath I never sent a telegram to Havana, Cuba. I don't know how it happened. That is about it.

Mr. McDONALD. Thank you, Mr. Ruby.

I have no further questions, Mr. Chairman.

Chairman STOKES. The committee will take a 5-minute recess before we start questioning by the committee.

[Short recess.]

Chairman STOKES. The committee will come to order.

Mr. McDonald?

Mr. McDONALD. At this time, I would like to move JFK exhibits F-554 and F-565 into the record.

Chairman STOKES. Without objection, they may be entered into the record.

[The above referred to exhibits, JFK exhibits F-554 and F-565 follow:]

010987 8-17-78

Select Committee on Assassinations
 U. S. House of Representatives
 3331 House Office Building, Annex 2
 Washington, D.C. 20515

Attention: Jim McDonald

Dear Mr. McDonald:

Enclosed are expenses incurred during my trip to Chicago to have my deposition taken.

Total miles driven to Chicago and return to Detroit: 600 miles
 Motel: one night \$25.00
 Telephone calls: attached 12.11
 Food ?

Regarding telegram alleged sent to Cuba in 1962. I checked with post-office here and learned that there are six Cubas in the U.S. and now I'm sure that the telegram in question was sent to a Cuba, here in the U.S. and not to Havana Cuba or any other place in Cuba.

I therefore must go on record as stating that at no time did I never send a telegram to Havana Cuba or any place in Cuba.

There is a Cuba in each of the following states: Alabama,

PROPERTY OF
 ASSASSINATION
 ARCHIVES

Page II

Illinois, Kansas, New Mexico,
New York and Ohio.

I edited the record "The Controver"
which is about the Kennedy
assassination and soon as
I receive it, I'll send some
to you.

Sincerely,

Earl Butty

18135 Leyden Ave.

Detroit, Mi. 48221

Tel. 313-863-0400

35 379 0852

PAGE 3 AUG 04 - SEP 03 DUE AUG 24, 1978 313 863 0400

LONG DISTANCE CALLS TIME MIN DISCOUNT

7 6 D1	CALL DETAIL FOR	863 0401				
7 6 D1	REDMOND WA	206 885 9000	223PM	2		
713 D1	WASHINGTON DC	202 225 1910	925AM	4		
717 D1	NORTHVILLE MI	313 348 2950	107PM	11		
717 D1	WASHINGTON DC	202 225 4624	1057AM	5		
717 D1	AUBURN HTS MI	313 852 4014	917AM	4		
718 D1	BAD AXE MI	517 269 6724	748AM	1		
718 D1	CHICAGO IL	312 465 3280	238PM	3		
722 D3	LAS VEGAS NV	702 734 6922	251PM	1	32	
724 D	BENTON HBR MI	616 926 2186	324PM	4		
724 D	AUBURN HTS MI	313 852 4014	1016AM	1		
724 D	PONTIAC MI	313 334 2444	1010AM	2		
724 D	NORTHVILLE MI	313 348 1700	939AM	2		
726 D	BENTON HBR MI	616 926 2186	742AM	2		
726 D	BENTON HBR MI	616 926 2185	954AM	1		
728 D	COMMERCE MI	313 698 3261	335PM	1		

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LONG DISTANCE CALLS TIME MIN DISCOUNT

720 D	PONTIAC MI	313 682 9580	1001AM	1		
722 D4	ROCHESTER MI	313 651 4803	504PM	1	03	
722 D4	UTICA MI	313 731 3278	415PM	1	03	
722 D4	ROCHESTER MI	313 375 9261	935AM	1	03	
722 D4	UTICA MI	313 731 2583	425PM	1	03	
722 D4	HARTLAND MI	313 632 5189	936AM	1	08	
722 D4	UTICA MI	313 731 0168	915AM	1	03	
722 D4	COMMERCE MI	313 363 1212	952AM	4	14	
722 D4	ROCHESTER MI	313 375 9649	920AM	2	05	
722 D4	PONTIAC MI	313 335 1160	1140AM	1	03	
722 D4	HOLLY MI	313 634 9669	428PM	1	08	
722 D4	AUBURN HTS MI	313 852 3572	959AM	1	03	
722 D4	HOLLY MI	313 634 4169	355PM	1	08	
724 D	ROCHESTER MI	313 651 0820	1141AM	1	09	
724 D1	WASHINGTON DC	202 225 4624	233PM	13	456	
724 D	AUBURN HTS MI	313 652 5245	1226PM		09	

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LONG DISTANCE CALLS TIME MIN DISCOUNT

616 D2	MONTON GRV IL	312 967 5099	507PM	1		
616 D	PONTIAC MI <td>313 335 7702 <td>1231PM <td>8 <td>17</td> <td></td> </td></td></td>	313 335 7702 <td>1231PM <td>8 <td>17</td> <td></td> </td></td>	1231PM <td>8 <td>17</td> <td></td> </td>	8 <td>17</td> <td></td>	17	
617 D3	MIAMI FL <td>305 672 1960 <td>1028AM <td>1 <td>32</td> <td></td> </td></td></td>	305 672 1960 <td>1028AM <td>1 <td>32</td> <td></td> </td></td>	1028AM <td>1 <td>32</td> <td></td> </td>	1 <td>32</td> <td></td>	32	
617 D3	MIAMI FL <td>305 350 2111 <td>1024AM <td>3</td> <td>75</td> <td></td> </td></td>	305 350 2111 <td>1024AM <td>3</td> <td>75</td> <td></td> </td>	1024AM <td>3</td> <td>75</td> <td></td>	3	75	
621 D	ROCHESTER MI <td>313 651 7810 <td>1001AM <td>1</td> <td></td> <td></td> </td></td>	313 651 7810 <td>1001AM <td>1</td> <td></td> <td></td> </td>	1001AM <td>1</td> <td></td> <td></td>	1		
621 D	PONTIAC MI <td>313 335 9800 <td>953AM <td>2</td> <td></td> <td></td> </td></td>	313 335 9800 <td>953AM <td>2</td> <td></td> <td></td> </td>	953AM <td>2</td> <td></td> <td></td>	2		
622 D	DAYTONPLS MI <td>313 674 4167 <td>107PM <td>2</td> <td></td> <td></td> </td></td>	313 674 4167 <td>107PM <td>2</td> <td></td> <td></td> </td>	107PM <td>2</td> <td></td> <td></td>	2		
624 D3	CHICAGO IL <td>312 465 3280 <td>546PM <td>12</td> <td>239</td> <td></td> </td></td>	312 465 3280 <td>546PM <td>12</td> <td>239</td> <td></td> </td>	546PM <td>12</td> <td>239</td> <td></td>	12	239	
7 1 D3	MIAMI FL <td>305 756 5277 <td>1109AM <td>8</td> <td>183</td> <td></td> </td></td>	305 756 5277 <td>1109AM <td>8</td> <td>183</td> <td></td> </td>	1109AM <td>8</td> <td>183</td> <td></td>	8	183	
7 1 D4	ARND ARBOR MI <td>313 971 1114 <td>1233PM <td>16</td> <td>82</td> <td></td> </td></td>	313 971 1114 <td>1233PM <td>16</td> <td>82</td> <td></td> </td>	1233PM <td>16</td> <td>82</td> <td></td>	16	82	
7 1 D3	SAN FRAN CA <td>415 922 4213 <td>1105AM <td>3</td> <td>76</td> <td></td> </td></td>	415 922 4213 <td>1105AM <td>3</td> <td>76</td> <td></td> </td>	1105AM <td>3</td> <td>76</td> <td></td>	3	76	
628 D1	WASHINGTON DC <td>202 225 1910 <td>933AM <td>4</td> <td></td> <td></td> </td></td>	202 225 1910 <td>933AM <td>4</td> <td></td> <td></td> </td>	933AM <td>4</td> <td></td> <td></td>	4		
641 D3	SKUKIF ILL <td>312 673 2733 <td>223PM <td>34</td> <td>339</td> <td></td> </td></td>	312 673 2733 <td>223PM <td>34</td> <td>339</td> <td></td> </td>	223PM <td>34</td> <td>339</td> <td></td>	34	339	
618 D3	FROM MAYFR MCH <td>313 651 3070</td> <td></td> <td></td> <td>596</td> <td>591</td>	313 651 3070			596	591
618 D3	SKUKIF ILL <td>312 673 2733 <td>450PM <td>39</td> <td></td> <td></td> </td></td>	312 673 2733 <td>450PM <td>39</td> <td></td> <td></td> </td>	450PM <td>39</td> <td></td> <td></td>	39		
618 D3	FROM MAYFR MCH <td>313 651 3070</td> <td></td> <td></td> <td>692</td> <td>655</td>	313 651 3070			692	655

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LONG DISTANCE CALLS TIME MIN DISCOUNT

619 D3	LOSANGELES CA	213 749 9351	1210PM	1	33	
612 D	PLYMOUTH MI	313 459 3051	912AM	2		
612 D	BENTON HBR MI	616 926 2166	1112AM	3		
614 D	NORTHVILLE MI	313 348 2950	213PM	1		
614 D	MT CLEMENS MI	313 465 2826	305PM	1		
614 D1	LA DUE HO	314 991 3600	1129AM	1		
615 D	HOWELL MI	517 546 9886	1231PM	2		
622 D	NORTHVILLE MI	313 348 1700	250PM	1		
626 D	LAKE ORION MI	313 693 4725	1249PM	2		
627 D	PONTIAC MI	313 335 7702	1228PM	10		
630 D1	WASHINGTON DC	202 225 1910	318PM	2		
7 1 D1	NORTHVILLE MI	313 348 2950	1239PM	1	03	
	SURTOTAL 863 0401 MICH	5.58	ALL CALLS		9.06	

NOT DATE KEY IF BILLING ON SERVICE QUESTIONS CALL

See other side for billing explanations, discounts, key to calls, etc.

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PROPERTY OF
ASSASSINATION

00*
00*
1.50
1.84
4.56
3.39
82
12.11*

-JFK #F-554 FACSIMILE

FACSIMILE

8/17/78

Select Committee on Assassinations
U.S. House of Representatives
3331 House Office Building, Annex 2
Washington, D.C. 20515

Attention: Jim McDonald

Dear Mr. McDonald:

Enclosed are expenses incurred during my trip to Chicago
to have my deposition taken.

Total miles driven to Chicago and return

to Detroit: 600 miles

Motel: one night \$25.00

Telephone calls - attached 12.11

Food ?

Regarding telegram alledged sent to Cuba in 1962.

I checked with post-office here and learned that there are
six Cubas in the U.S. and now I'm sure that the telegram
in question was sent to a Cuba here in the U.S. and not to
Havana Cuba or any other place in Cuba.

I therefore must go on record as stating that at no
time did I ever send a telegram to Havana Cuba or any place
in Cuba.

There is a Cuba in each of the following states: Alabama

PROPERTY OF
ASSASSINATION
INCHARGE

Page II

Illinois, Kansas, New Mexico, New York and Ohio.

I ordered the record, "The Controversy" which is about the Kennedy assassination and soon as I receive it, I'll send same to you.

Sincerely,

Earl Ruby
18135 Livernois Ave.
Detroit, Mi. 48221
Tel: 313-863-0400

JFK EXHIBIT F-565

CE-2978

SENSITIVE CASE REPORT

(Route to Sequence) ☐ District Director Detroit District ☐ ARC Cincinnati Regional Office ☐ Director, Intelligence Division National Office, Washington, D. C.	INSTRUCTIONS: Submit through channels to ARC concerned in an original and seven copies.	
	1. NAME OF CASE OR IDENTIFICATION OF SITUATION EARL F. RUBY 29925 Woodland Southfield, Michigan	
ASSISTANT REGIONAL COMMISSIONER INTELLIGENCE JAN - 3 1964		2. CLASS OF TAX a. TAXABLE PERIOD b. AMOUNT OF TAX c. DOCKET NO., IF ANY

1. PRINCIPAL ISSUES INVOLVED

Developing Information

- JFK F-565 -

2. REASONS FOR SENSITIVITY

The taxpayer is a brother of Jack Ruby, Dallas, Texas, who allegedly assassinated Lee Harvey Oswald, the alleged assassin of President John F. Kennedy.

3. ACTION TAKEN OR PROPOSED

I have completed an analysis of long distant telephone calls originating from the Earl Ruby residence in Southfield, Michigan and from the Earl Ruby and George Marcus partnership, Cobo Claonara, Detroit, Michigan. The period covered was from October 24, 1961 to December 2, 1963. A copy of the analysis is enclosed with this report for reference purposes.

The analysis was compiled from information furnished by the Michigan Bell Telephone Company and from available records of the Internal Revenue Service, Detroit, Michigan.

Each telephone number called was scheduled as to origin, duration and time.

SUBMITTED BY (Director's Signature) <i>[Signature]</i>	TITLE <i>Special Agent</i>	POST OR DUTY <i>Det. Div. 1, Mich.</i>	DATE <i>1-9-1964</i>
REVIEWED (District Director's Signature) <i>[Signature]</i>	DISTRICT DETROIT		DATE <i>1-8-1964</i>
REVIEWED (ARC's Signature) <i>[Signature]</i>	TITLE		DATE

U.S. TREASURY DEPARTMENT - INTERNAL REVENUE SERVICE

RC CHI 4-18 (11-60)

PROPERTY OF
 ASSASSINATION
 JACOBY

Subscribers were identified and in some instances the occupation and/or type of business was determined.

Tax returns of seventy-five of the one hundred and twenty Michigan persons called were checked. Corporate returns were not included. They failed to disclose any personal transactions with Earl Ruby. However, some of the returns disclosed deductions for interest payments to J. L. Hudson Company on charge accounts. Some showed employment by Hudson's; by Earl Ruby and George Marcus, d/b/a Cobo Cleaners; or by firms handling cleaners supplies or equipment. The balance primarily disclosed various professional or skilled occupations.

Internal Revenue Agent R. Anstett determined that Cobo Cleaners has an exclusive contract with J. L. Hudson Company, Detroit, Michigan, to furnish custom cleaning services for their customers. Hudson's, being one of the largest department stores in the midwest, furnishes this service to nearly all of the areas called by Cobo Cleaners.

In view of the Cobo - Hudson business relationship, coupled with the information reported on the available tax returns, it appears that the Michigan calls originating from Cobo Cleaners were in connection with that business.

In my last report, dated December 11, 1963, I indicated that I would attempt to determine the following individuals background and/or relationship with Earl Ruby:

1. Harry C. Futterman
7207 E. Prairie
Lincolnwood, Skokie, Illinois
2. Oscar A. Ruby
58 Lakeshore Drive
South Haven, Michigan
5638 N. Bernard
Chicago 45, Illinois

With the exception of checking the tax filing record of Oscar A. Ruby in the Detroit district where no record was disclosed, I made no request for any collateral investigations in this matter. It is my understanding that I am not to initiate any third party inquiries relative to this case.

The November 1963 billing from Cobo Cleaners (UN-3-0400), discloses that four telephone calls were made to Dallas, Texas. The calls originated in Chicago and were charged to the Cobo Cleaners number.

<u>Date</u>	<u>Number Called</u>	<u>Type of Call</u>	<u>Duration</u>	<u>Subscriber</u>
11-24-63	LA. 6-6250	Credit Card	10 Minutes	Eva L. Grant
11-29-63	LA. 6-6258	Credit Card	3 Minutes	3929 Raulins, Apt. 1 (Ruby's sister)
11-29-63	RI. 6-3324	Credit Card	3 Minutes	Colley Sullivan 1934 Main (Attorney)
11-30-63	LA. 6-4775	Credit Card	17 Minutes	Oscar A. Robinson 4411 Buena Vista Apt. 102

Oscar A. Robinson is unidentified. However, he and Oscar A. Ruby from South Haven, Michigan and Chicago, Illinois, may be the same person. It is suggested that a check on this person be considered, since there appears to be no business connection with the taxpayer's novelty or cleaning businesses.

According to Revenue Agent R. Anstett, the following persons or companies also do not appear to have any business connection with Earl Ruby's businesses, but have received calls and may be of some significance:

1. James Walch Company (Candy Manufacturer)
Cambridge, Massachusetts
(previously reported)
2. Dominico Scorta
1205 W. Grand
Chicago, Illinois
3. Ansan Tool & Mfg. Co. (Auto Accessories)
4750 N. Ronald
Chicago, Illinois
Owners: Anani and Mario Umberto
4. Arvin Futterman
1637 W. Fargo
Chicago, Illinois
5. Kirk Dubul
2331 Sheridan Road
Fraternity House
Northwestern University
Chicago, Illinois

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6. Elliot Schwartz
20026 - 39th Avenue
New York, N. Y. (Queens)
7. Triangle Mfg. Company
714 Division Street
Oshkosh, Wisconsin
(Previously reported)

8. Francis Lynch
109 South Land Drive
Rochester, New York

9. Harry C. Futterman
720 E. Prairie
Lincolnwood, Skokie, Illinois
(previously reported)

In view of the nature of this case, the selection of the above parties for suggested background investigations and importance, is discretionary.

Internal Revenue Agent R. Anstett has completed checking the books and records of the taxpayer's novelty and dry cleaning businesses. With the exception of the telegram to Havana, Cuba on April 1, 1962, his examination has disclosed no other leads.

Up to January 6, 1964, no attempt was made by Agent Anstett to question Earl Ruby about the Havana telegram or the various long distance calls in 1962 and 1963. First, because his audit concerns only the years 1961 and 1962; and secondly, any questions on this line may have disrupted the cooperative attitude and caused an unnecessary delay.

However, on January 6, 1964, an opportunity arose for Agent Anstett to question Earl Ruby about certain partnership deductions, which had the appearance of possible personal expenses. Included among the questionable items were various long distance toll charges in 1962. Concerning these, the taxpayer made the following comments:

<u>Area Called</u>	<u>Taxpayer's Comments</u>
Evanston, Illinois	"That's where my partner used to live. He moved about six months ago to Glenview."
Rochester, New York	"That's where our superintendent used to live and work."

Area CalledTaxpayer's Comments

Havana, Cuba

"That's a telegram isn't it? ———
 ———I don't remember."

Van Nuys, California

"I don't remember."

Ansoniader, Connecticut

"We were thinking of buying some key chains, -- Cook Mfg. I think, but we ended up buying calendars."

Skokie, Illinois

"That's where my family lived until finally moving to Detroit."

Chicago Area

"Suppliers"

Ohio Area

"Suppliers - We try and buy all our supplies direct from the manufacturers rather than through a distributor."

Broken Arrow, Oklahoma

"I don't remember."

Marion, Indiana

"My partner's other plant."

Benton Harbor, Michigan

"My partner's other plant."

Grand Rapids, Michigan

"Another plant - and a dry cleaning convention."

New York, New York

"Suppliers"

Detroit Suburbs

"Our cleaning customers."

The interview regarding the toll charges was in the form of an informal discussion while paging through the telephone bills. Comments were offered easily and freely until the item of the Havana telegram. After a brief pause in the conversation Agent Anstott specifically requested a comment on this item. After another pause the above-mentioned comment was made.

Aside for some nominal technical adjustments, the audit examination has disclosed no apparent understatement of income or other indications of fraud.

I propose no further investigation in this case, inasmuch as there is no criminal potential and all avenues for leads at the taxpayer's office have been checked. Unless informed otherwise, I propose to close this

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case to the files of the Intelligence Division, with the recommendation that Internal Revenue Agent R. Anstett close his case on a civil basis.

During this investigation I had no personal contact with the taxpayer or his representatives. All the interviews were conducted by Agent Anstett in relation to his audit.

This is the final sensitive case report in this case.

Chairman STOKES. The Chair recognizes the gentleman from Indiana, Mr. Fithian, for such time as he may consume.

Mr. FITHIAN. Thank you, Mr. Chairman. Mr. Ruby, I am sure the committee's questions today and the counsel's questions today and, in fact, the deposition which was taken, reminds you, or has restored to your memory a very difficult time for you and your family.

Mr. RUBY. Yes.

Mr. FITHIAN. As I recall, the first thing you did when you received the word on the radio that your brother had shot the alleged assassin of the President was to immediately fly out to Chicago to try to give some sort of help or some kind of consolation, whatever, to your family in Chicago and sort of help them stave off the press and all the unwanted publicity; isn't that correct?

Mr. RUBY. Yes.

Mr. FITHIAN. And then you got a call from your wife in Detroit and she was having the same problems with the glare of the press lights at your home, and she pleaded with you to come back there and sort of help her keep the door shut; is that correct?

Mr. RUBY. That's true.

Mr. FITHIAN. As I interpret from your testimony at the Warren Commission and your testimony in our deposition, which we have on file, and even the comments you made this morning, is that you and your brother were reasonably close as brothers go?

Mr. RUBY. Yes.

Mr. FITHIAN. And in your own way, you felt indebted to him for your having gotten a job initially. When his luck was down, you bailed him out and really never asked him any questions about where the money was going that you loaned him or took a note or took a mortgage on his car or his club or anything else. You just did that as a brotherly act to him; is that correct?

Mr. RUBY. That's correct, except for the last payment, of course, the last sum I sent him which, as I stated before, I understood was supposed to be an investment in a club that never materialized.

Mr. FITHIAN. You are one of the few people in America that can help this committee get a better picture, biographical picture, of one of the key figures in this whole scenario that this committee is looking into, and we would like to know as clearly as you can help us, we would like to know more about Jack Ruby, what made him tick, what motivated him, what kind of person he was. So, let's just start with the range of emotions that people have.

Was Jack a sensitive person?

Mr. RUBY. I would say exceptionally so.

Mr. FITHIAN. Did he bruise easily, I guess, psychologically speaking?

Mr. RUBY. Yes, and I say he was definitely sensitive. He took offense on any derogatory remark made about the Jews, also the Presidents of the United States, especially Roosevelt, and we know of one incident that took place in Dallas where a customer made an insulting remark about Kennedy's wife and Jack threw him out of the club bodily. This was, of course, before the assassination. I heard, not from Jack mainly, but from many of his friends through the years, of different fist-fights he had in the service and out of the service regarding the Jewish people.

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And he was quick to fight on any insult made about the Jews. And he was also involved in the 1930's, he and his friends, in breaking up the Nazi bund meetings in Chicago. I didn't go out on those because, as I say, I was 4 years younger and he went round with fellows that were older than I was, but I know he went on several of these meeting-breaking-up missions, or whatever you want to call them.

Mr. FITHIAN. Would you characterize Jack as kind of a loner?

Mr. RUBY. I would say no, because he had so many friends.

Mr. FITHIAN. Was he gregarious, did he like to have people around him all the time, sort of keep things bubbling, so to speak?

Mr. RUBY. I would think so.

Mr. FITHIAN. Did he ever really care a lot for anybody? Was he a man of compassion and love?

Mr. RUBY. Well, I know he dated a young lady in Dallas that he liked very much. He spoke of her many times. In fact, I met her once when I went to visit him in Dallas. I know he liked her a great deal.

Mr. FITHIAN. After the President's assassination and after Oswald's assassination, did you have conversations with Jack then from that time on down to the trial?

Mr. RUBY. Yes.

Mr. FITHIAN. Think back, painful as it may be, to those conversations and tell me why you think your brother killed Lee Harvey Oswald?

Mr. RUBY. Well, I know he was quick-tempered and, as I mentioned before, I did ask him in the hospital when he knew he had cancer and, in fact, he told me he was going to die, after all the money I had spent getting a reversal from the death sentence, again, I did ask him pointblank, when he was lying there in the bed, and he said—I asked him first, "Did you know Oswald at all?"

And again, as I said before, he said, "Absolutely not. What, are you nuts?" And I asked him, "Why did you shoot him?" on one occasion, and he said, "Well, when I saw him coming through there with that smirk on his face as though he was very happy that he had killed the President, I just couldn't control myself."

Mr. FITHIAN. Did he ever tell you why he went to the police station in the first place?

Mr. RUBY. Yes, as we know, he went to send a telegram to one of his entertainers, Little Lynn, and it was only a block or so from the police station. And when he looked that way and saw all the commotion over there, he walked over.

Mr. FITHIAN. Did he tell you then why he had been over there before when he thought they were going to move Lee Harvey Oswald, I believe, at a different time, and he had gone down to the police station; isn't that correct?

Mr. RUBY. I am not familiar with that.

Mr. FITHIAN. That is not correct?

Mr. RUBY. I know that he did see Oswald the previous Friday night at the showup.

Mr. FITHIAN. Why would he have gone to the showup?

Mr. RUBY. Well, I imagine it was the thing to do if you could get into there and he, having so many friends on the police force, that they let him in. That also leaves me to believe that he did not

really have any preconceived notions about killing Oswald because on Sunday, because when he saw him Friday, he had no idea that he was going to see him again on Sunday.

So, it just don't add up that there was any plan in Jack's mind to actually kill Oswald, to my way of thinking.

Mr. FITHIAN. So, it is your impression, then, that Jack went first to the showup because it was a magnetic sort of thing to do, and because he had certain connections with the police and he could get in and so on?

And, second, that he went down on Sunday, again, just because of the attraction of the excitement——

Mr. RUBY. No; he went to send a telegram on Sunday.

Mr. FITHIAN. Well, I know, but he did go from the Western Union office on down to the police station; there is a little distance there.

Mr. RUBY. Yes.

Mr. FITHIAN. He went—let me just finish this, if I may. He went on Sunday sort of the spur of the moment, because I think you said in your deposition he never got up on Sunday morning usually until late in the afternoon, and he only got up because he got a desperate telephone call from a little girl who was out of money, whatever. Then, he got down to the Western Union office and saw this commotion at the police department and walked on down there and somehow or another got inside the police station and that remains something of a mystery, but that the actual decision to shoot Oswald came only after he saw Oswald sort of smirking as though he was happy he killed the President, and so on, sort of an urge or a spontaneous action, he just pulled out his revolver and shot him, is that your best understanding?

Mr. RUBY. Would you state that again? I got lost.

Mr. FITHIAN. In other words, however, he got to the police station, it was more or less by accident, if I understand your deposition, not preconceived, didn't decide in advance he was going to try to be down there when they moved Oswald; managed to get into the police station and then, if I understood you just a moment ago, it was the case of him, once he saw Oswald with the smirk on his face, he just kind of flipped out and out of anger or love for the President or some other very strong emotion, decided to shoot Oswald on the spot; is that your testimony?

Mr. RUBY. Yes; I would think that's correct. Also, I might like to add something to that that wasn't brought to my attention, actually, until just a few days ago by my counsel, Alan Adelson, that Jack used to practice shooting with the revolver. Yet, when he shot Oswald, he shot him in the stomach and, of course, I never thought to ask him because I didn't know at that time, it seemed that he was aiming for his stomach, if the photos prove, because he seems to be aiming in a downward motion, and if he meant to kill him, he would have aimed, hit in the chest or the heart or the head.

It's never been explained and I just didn't understand that. If somebody had brought that to my attention, I would have asked him. It is possible, then, in my thinking that maybe he didn't plan to kill Oswald. He just meant, or wanted to wound him or make him suffer. Maybe that's why he aimed for his stomach.

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Mr. FITHIAN. I believe counsel wanted to say something a moment ago.

Mr. ADELSON. Thank you, Mr. Fithian. The morning of the killing of Oswald, Jack received a phone call from Fort Worth. His telephone bill, it was a collect call, and his telephone bill reflected that telephone call from this Little Lynn. She was behind in her rent. If you recall, Jack had closed his club on Friday night and that was payday and these girls who were working for him didn't have the money to pay the rent. She called him Saturday night, then again Sunday morning—he wasn't there Saturday night—for him to wire her some money. Chief Curry of the Dallas Police Department had told the newspapers the night before, the media people, that if they would return around 10 o'clock, they would be able to see the removal of Oswald.

Jack drove downtown and was checked in, stamped in at the Western Union at 11:14, I believe, was the exact time, 13 or 14. And he sent that moneygram to Fort Worth.

Taking into consideration the fact Chief Curry had said, be back at 10 o'clock and we will move Oswald at that time, if Jack had to be there for any purposes, he would have been there by 10 o'clock. However, and what I was trying to point out, the Western Union office is attached to the same building that the police station is in, and there is just a sort of alleyway between them, and as he walked out of the telegraph office, he looked down the block and there was a commotion.

Now, the police station where he would see it, all there was was a ramp and that was a down ramp that he would see. There was a police officer out there by the name of Napoleon Daniels, who was supposed to be directing traffic in and out of that ramp. At the moment Jack walked—and mind you, I made that walk many, many times to time it; it took approximately 4 minutes to walk from the telegraph office down the ramp—at that exact time, Patrolman Daniels walked out into the street because Lieutenant Pierce was removing a car that was in the way of the car that was going to move Oswald, and Jack just at the very moment walked down the ramp and he waved to Lieutenant Pierce, who he knew, and continued down the ramp.

But it was just a matter of what have you. He just happened to be there at the moment Daniels was out in the street and was unable to stop him and he just walked out on the ramp.

Mr. FITHIAN. Thank you. Mr. Ruby, in the conversations you had with your brother, did he ever indicate that any other person or persons had reason to hope that Oswald was dead?

Mr. RUBY. I don't understand your question.

Mr. FITHIAN. Did he ever recount to you any conversation that he had with anybody else who suggested that the country would be better off, or for any other reason, made a suggestion that things would be better if Lee Harvey Oswald were dead?

Mr. RUBY. He never mentioned that to me.

Mr. FITHIAN. Do you have any reason to believe that your brother contacted anyone pertaining to Lee Harvey Oswald after the shooting of President Kennedy?

Mr. RUBY. I don't understand that question, either.

Mr. FITHIAN. Your conversations with your brother and your own understanding of this story, is there anything in either of those that would lead you to believe that your brother contacted anyone about Lee Harvey Oswald after Oswald shot the President and before the Dallas Police Station incident?

Mr. RUBY. There is no conversation that I ever remember about that at all.

Mr. FITHIAN. Mr. Chairman, I would like to reserve some time a little later after other panel members have had their opportunity, but prior to doing this, I would like to ask the counsel, though he isn't sworn, I am just curious, if I may, I would like to engage the counsel in a little dialog and then I have one comment to make that will not require any questions. But did you ever meet Jack Ruby?

Mr. ADELSON. No.

Mr. FITHIAN. And so, how did you come to know about Jack Ruby's so-called paranoid behavior?

Mr. ADELSON. I represented Earl prior to the time of the shooting and I was in touch with Earl throughout the trial and throughout the whole period. As a matter of fact, I was involved in negotiating or preparing documents for the original byline story that was allegedly written by Jack Ruby that appeared in the newspapers and we had dialog throughout the entire matter.

However, when Jack died, I then became counsel for the family and represented the family in the dealings in Dallas and Detroit. I made it my business to talk to each person that I could that had anything to do with Jack Ruby in Dallas and learned as much as I could about the entire matter. I have met with, on national television and debated with, Mr. Mark Lane on the subject, if we can talk about that. I have made it my business to read every bit of materials that exists in this matter.

Mr. FITHIAN. Well, to your knowledge, was any information on Jack Ruby's psychiatric condition that you now describe provided to the court?

Mr. ADELSON. Yes; Jack Ruby had prepared several wills and we had a will contest hearing in Dallas before Judge Robertson. At that time, we had psychiatric testimony and Dr. Jolian West, from the University of Oklahoma at that time was the psychiatrist, the last psychiatrist to deal with Jack Ruby and I had extensive conversations with him in both Detroit and Dallas.

Mr. FITHIAN. Was that after the trial?

Mr. ADELSON. This was before the trial of the will contest but, of course, after the trial of Jack Ruby.

Mr. FITHIAN. I am asking merely to sort of back your story up to the time Jack Ruby was on trial?

Mr. ADELSON. Dr. West was not involved. There were several other psychiatrists that were involved in the trial. They were dealing with psychomotor epilepsy.

Mr. FITHIAN. Refresh my memory. What legal steps were taken to avail the psychiatric defense?

Mr. ADELSON. There was a psychiatric hearing before Judge Brown in Dallas. He was the trial judge of the murder case, and it was determined that Jack Ruby was not insane at that psychiatric trial hearing. However, Mr. Belli, who conducted the trial on

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behalf of the defense, set forth the theory of psychomotor epilepsy and there was six or seven psychiatrists or psychologists who testified at the trial, the full trial of Jack Ruby.

Mr. FITHIAN. Well, I am neither a lawyer nor a psychiatrist. You are a lawyer. Have you had psychiatrist training as well?

Mr. ADELSON. No; I haven't had psychiatric training as such but I have done extensive studies in that area, as far as a lawyer might do.

Mr. FITHIAN. Just as a layman, I don't mean to be critical, it sort of strikes me as though we are putting together a psychological defense of Jack Ruby after the trial is over and perhaps he is dead. That is just my observation.

One more observation, Mr. Chairman. Mr. Ruby, can you tell us anything that would bear out what the counsel is saying about your brother's psychological situation?

Mr. RUBY. Well, I know we hired several psychiatrists who examined Jack and they all testified at the trial, or most of them did, and that is all I can tell you, because I am not familiar with psychiatrists as such myself.

Mr. FITHIAN. Mr. Chairman, there is one thing that troubles me but I see no reason to further question the witness on it. But I just must make a quick summary of the telegram issue. I have read the testimony in the Warren Commission, I have read Mr. Ruby's statements in the deposition to our attorney, Mr. McDonald, taken in Chicago, and I listened with care this morning prepared to intensively question Mr. Ruby on this. I see no reason to do this, but Mr. Ruby, I am sure you will understand my quandary when I find so many different responses to the telegram issue at different times.

I find that in the Warren Commission days you simply said when asked if someone else could have charged it, you doubted it, and then you said this morning that you thought the Warren Commission was looking into it so you didn't look into it, and you never questioned this at the time of the income tax as to whether it was legitimate or not. It was a curious situation.

Then, finally, more curious is your letter to the committee, in which you attest that it might have been a Cuba, New York, or Cuba somewhere else, when quite clearly the question was Havana, Cuba. As a matter of fact, if it had been a Cuba somewhere else in the United States it wouldn't have raised any question in the first place because, as I looked over your telephone calls, you got calls from all over the United States where you do business, and there is nothing unusual about that.

The letter to the committee, Mr. Chairman, seems to me contrived. In answer to the counsel this morning, where the question was did you ever do any business in any of those Cuba, United States, the answer was no. I am having a great deal of difficulty squaring the variety of responses to the telegram issue, but I doubt that we will clarify it here this morning, so I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time.

The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. I have just a few questions of Mr. Adelson to make sure I understand your testimony?

I understand you never met Jack Ruby personally?

Mr. ADELSON. That is correct.

Mr. PREYER. And you never talked with him about his paranoia?

Mr. ADELSON. No.

Mr. PREYER. But that you learned of this from talking with members of the family who had talked to him?

Mr. ADELSON. Yes.

Mr. PREYER. And from psychiatrists who had talked with him?

Mr. ADELSON. Yes, sir.

Mr. PREYER. You mentioned a Dr. West, is that right?

Mr. ADELSON. Yes, sir.

Mr. PREYER. Is there any other psychiatrist or medical doctor that you talked to about his paranoia?

Mr. ADELSON. Yes; at the will contest there were several doctors, I don't recall their names at this point, but I do recall Dr. West who did testify then, too.

Mr. PREYER. From your conversations with them, when was it that the paranoia developed?

Mr. ADELSON. It was a slow process, as I understand, but it developed after his trial. Now, after the trial, and Jack Ruby was found guilty, this was a tremendous blow to him. He actually thought throughout the trial he had done a very courageous thing and all of a sudden it dawned on him that he was now sentenced to death as a result of the trial.

Another factor, probably, according to psychiatrists, had a strong effect was his own attorneys, who represented him at the trial, were afterward taking pictures of him in jail, and we understand that this was for purposes of selling to Life magazine.

Additionally, it was found out after the trial that the trial judge, Judge Brown, was also writing a book about Jack Ruby, and all of these things taken together gave him, as I understand it, a feeling that what is the use, nobody cares about him anymore, and he was very upset.

Mr. PREYER. When did he read the book "Exodus"? Was that after the trial or was this earlier in his career?

Mr. ADELSON. He was reading that book at the time of the assassination. He read it, he continued reading it while he was in jail.

Mr. PREYER. Just one final question. His paranoia took the form of a belief that the Jews were being disposed of in Dallas because of his action, and you have made the statement that the reason he said, "Take me to Washington, to the Warren Commission," was that he was to get that idea across to the President. Did he ever tell anyone specifically that that was the nature of his paranoia? did he ever say to anyone, "I think the Jews are being gathered together in Dallas to be disposed of." Is that a conclusion from the psychiatrists?

Mr. ADELSON. No; quite certainly he told that to members of his family, he was surprised that they were still alive when he saw them come to visit him, and he thought that they were annihilated the day before, in his mind he believed he saw Earl annihilated.

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Mr. PREYER. And did he tell that to anyone of the psychiatrists that you have talked to?

Mr. ADELSON. Only Dr. West.

Mr. PREYER. Thank you, Mr. Chairman.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. Thank you, Mr. Chairman.

I would like to direct a question to counsel. You have mentioned several times that you represented the family in the will contest. I presume the will contest had something to do relative to Jack Ruby's competence to draw a will, is that correct?

Mr. ADELSON. Yes, sir. Apparently there were two or three wills. I prepared one of them, and I say two or three because the one I prepared was never signed. There was a will that was written in the early 1950's, a holographic will that he personally wrote out and named one Julius Mayer as his executor. Then there was a second will that he wrote while he was in prison where he gave his watch, his ring, his suit of clothes, to a jail guard by the name of Hooten.

The competency to write the second will was the issue of the will contest. Could he write that second will giving whatever he had to this Mr. Hooten, and we had an extensive trial in Dallas over that issue, and that is why the psychiatric testimony was necessary at that time to show that he was not at that time competent to make a last will and testament.

Mr. DEVINE. I think it is very pertinent to these hearings with the question of whether or not he was paranoid and so forth. What was the result of the will contest?

Mr. ADELSON. He was determined to be paranoid and not able to write that second will.

Mr. DEVINE. Incompetent at the time it was written?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. And you did not prepare that will?

Mr. ADELSON. No; that was again a holographic will written by hand.

Mr. DEVINE. Who assisted in the preparation of that will in the jail?

Mr. ADELSON. We believe it was the jailer Hooten.

Mr. DEVINE. No attorney involved in that that you know of?

Mr. ADELSON. No attorney involved.

Mr. DEVINE. He was found incompetent to have executed that will at that time?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. By the court in Dallas?

Mr. ADELSON. Yes, sir.

Mr. DEVINE. The probate court?

Mr. ADELSON. The probate court, Judge Robertson.

Mr. DEVINE. Was there a written decision?

Mr. ADELSON. No; there was no written decision. The probate court in Dallas was not a court of record so it was just an oral decision that the original will was admitted to probate and the second will was removed. An appeal was filed and the appeal then was withdrawn on the Hooten will.

Mr. DEVINE. The appeal was not ruled upon by the judge?

Mr. ADELSON. No, it was withdrawn, it never went any further than just the filing of the claim of appeal.

Mr. DEVINE. Do you know, counselor, whether or not the judge that made the oral decision is still alive?

Mr. ADELSON. I don't know. He was a young man, I might say that, if that means anything. I don't know if he is still alive.

Mr. DEVINE. No further questions.

Chairman STOKES. Time of the gentleman has expired.

The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Mr. Chairman, I yield back the time to the Chair.

Chairman STOKES. The gentleman yields back his time.

The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

I would like to address my question to Mr. Ruby. I apologize for not being here during some of your testimony, but coming in at the tail end when Mr. Fithian was asking you some questions, I am a little bit confused and disturbed by some of your responses. I have the feeling, and it is just a personal feeling on my part, that some of what we're hearing is somewhat of a posthumous way of justifying an act of your brother. I would like to try to clarify it a little bit.

You indicated, I believe, that you thought that your brother was aiming for the stomach and, therefore, he was not intending to kill Lee Harvey Oswald, is that correct?

Mr. RUBY. Yes; in my thinking it is possible. I am not saying that that is what he did but actually my counsel here brought it to my attention just a few days ago. Had I known about it, as I said before, while Jack was alive or even thought about it myself, I would definitely have asked Jack, but of course—

Mr. EDGAR. Isn't it true that the police had to physically restrain your brother from attempting a second and a third shot?

Mr. RUBY. I don't think so because I also learned from my sister Eva, who was familiar with the gun that Jack used, that it was a defective gun, and it would only shoot once before it had to be set again, or whatever you call it.

Mr. EDGAR. Well, we have the physical evidence of the gun and we have the opportunity of ballistic analysis and the ability to check that particular weapon as to its ability to fire and how rapidly it can fire, but as I understand it, there was some physical restraint of your brother after the first shot and that there was some eyewitness report of that first shot that your brother was intent on completing the act through a second and third shot.

We will probably receive some evidence later and we have some depositions that we have taken, but you are still convinced in your mind that the possibility exists that he was not aiming to kill with the deadly weapon he had in his hand?

Mr. RUBY. I am saying it is possible. I had no chance to question Jack on that possibility.

Mr. EDGAR. You had also indicated that as a young person Jack would frequently go to disrupt Nazi meetings in the Chicago area.

Mr. RUBY. That is true.

Mr. EDGAR. Did Jack ever give you the indication that he saw Lee Harvey Oswald as a representative of that political ideology?

Mr. RUBY. No.

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Mr. EDGAR. Did he ever indicate to you what he envisioned that Lee Harvey Oswald was doing in shooting the President?

Mr. RUBY. Not to my knowledge.

Mr. EDGAR. If your brother was as sick as your counsel has begun to indicate he was after the trial, why do you think that some of the beginning signs, the symptoms of this sickness were not prevalent during the actual trial of your brother?

Mr. RUBY. Well, in my humble opinion I think that they did begin to appear, because he was making the statements not too long after the shooting incident of the Jews being persecuted and eliminated.

Mr. EDGAR. When you visited your brother in prison, and later in the hospital, did you ever tape record those sessions?

Mr. RUBY. We tape recorded only one session.

Mr. EDGAR. Which session was that?

Mr. RUBY. That is, I think that is on this tape, if I am not mistaken, but I am not sure because it was put into the form of a record and the record is called the controversy and we asked him many questions, if I recall correctly, about whether he knew Oswald and things of that sort. I didn't ask the questions.

We had present at that meeting Phil Burleson, one attorney from Dallas, and I think the other attorney was Elmer Gertz from Chicago.

Mr. EDGAR. Is this tape in the possession of our committee?

Mr. RUBY. Yes; I brought it here for that reason. Mr. McDonald asked me to get him a copy.

Mr. EDGAR. Thank you.

Has our staff had an opportunity to listen to the tape as of yet?

Mr. McDONALD. It is being introduced this morning.

Mr. EDGAR. That was the only time in which you used the tape recording to tape record your brother's comments?

Mr. RUBY. Yes, that I was involved with. I don't know about any other tape at all. This is the only one that I am aware of at any time.

Mr. EDGAR. And that is the only one that is in your possession at this time?

Mr. RUBY. Yes, I have the record at home and this is a taping of the complete record.

Mr. EDGAR. I see.

Let me ask you a couple of additional questions, if my time is still with me.

Chairman STOKES. Time of the gentleman has expired.

Mr. EDGAR. May I have two additional moments?

Chairman STOKES. Without objection, the gentleman is recognized.

Mr. EDGAR. Just let me ask you a couple of quick questions.

Did your brother Jack Ruby call you at all between Friday, November 22 and Sunday, the day of the assassination of Lee Harvey Oswald?

Mr. RUBY. No, he did not talk to me. However, he did talk to my sister Eileen. He tried to call me but I wasn't at home.

Mr. EDGAR. Getting back to my comment about the second and third shot, I am reminded by our counsel that there was testimony at the trial of Jack Ruby that the second and third shot comes

from trial testimony of policemen, who say Jack was contracting on the trigger while being constrained. I will just share that for the record and just ask one final question.

As you think back on the life of your brother and on the events leading up to his action of shooting Lee Harvey Oswald, is there anything that you can share with this committee that might be a help in our investigation and further investigation in getting at the motive of why your brother, Jack Ruby, would assassinate Lee Harvey Oswald?

Mr. RUBY. I can't add any more to what I already stated, what he told me. He saw Oswald walk out of the hallway, the area there, with a smirk on his face as though he were proud of having killed our President, and that's what he told me. That's when he lost control of himself and shot him. Those are his words to me.

Mr. EDGAR. I yield back my time, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired.

Mr. ADELSON. Mr. Stokes, can I ask you a question?

Chairman STOKES. Yes, Counsel.

Mr. ADELSON. Mr. Edgar indicated you have the pistol that Jack Ruby used; is that correct?

Chairman STOKES. It is in the possession, has been in the possession of the committee; that is correct.

Mr. ADELSON. Thank you.

Chairman STOKES. Mr. Ruby, as a witness before our committee, when you have concluded your testimony, which you have just done—I am reminded by the gentleman from Connecticut, he has yielded back the balance of his time. Now that you have concluded your testimony, you are entitled at the end of your testimony, under the rules of this committee, to make a statement in any way clarifying or explaining your testimony, and I extend to you at this time, or to your counsel, 5 minutes for that purpose, if you so desire.

Mr. RUBY. Yes, I would like to say something. Our family wishes to thank all of you. If possible, we would like—if the gun belongs to our family, we would like to donate the gun to the National Archives.

Some question has been brought up on several occasions why was it, or why did it seem so easy for Jack to enter the jail, why was he so friendly with so many policemen?

Well, I would like to relate an incident, and I think it is in the Warren Commission. At one time, two officers of the Dallas police force were being attacked by several hoodlums. Jack went to the aid of the policemen and helped them subdue these hoodlums. And in that fight, one of the hoodlums actually bit off part of one of Jack's fingers, and a statement from one of the officers involved later on said that Jack actually fought like a tiger to help them.

Those were his words. And I would think from an incident of this that this is why or how Jack developed such a friendly relationship with the Dallas police force. That's about all I have to say, Mr. Chairman.

Chairman STOKES. Thank you.

I might say with reference to your statement involving the gun, the gun was, we found, in the possession of an attorney in Dallas and through the process of subpoena and other legal process, we

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were able to obtain that gun, and it was actually brought to the committee by Congressman Mattox, of Dallas, who the attorney was willing to relinquish it to for the purpose of bringing it to us.

After the committee had performed the work they wanted to do with reference to the gun, we have now caused the gun to be returned to Congressman Mattox, to be returned to the attorney who has legal possession of it in Dallas.

So, I suppose your lawyer would have to look into the process of procedure by which it could be obtained from the attorney in Dallas and donated as the family so desires.

Thank you, sir. We have nothing further. You are excused.

Mr. RUBY. Thank you.

[Witness excused.]

Chairman STOKES. The Chair recognizes Professor Blakey.

NARRATION BY G. ROBERT BLAKEY, CHIEF COUNSEL AND STAFF DIRECTOR

Mr. BLAKEY. Thank you, Mr. Chairman.

As well as Earl Ruby might have known his brother in their early years, they, in fact, spent much of their adult life apart. Earl Ruby is particularly limited when it comes to commenting on Jack's life in Dallas, since Earl was not there.

The question of whether Jack Ruby acted alone in the shooting of Oswald, moreover, has not been answered by his own assurances that he did. That is what he told the Warren Commission, which subjected him to a polygraph test for verification. But when this committee asked its panel of experts on polygraphs to examine the results of Ruby's test, the panel declined to come to a conclusion, explaining the polygraph procedures of 1964 were of such poor quality as to preclude a judgement.

In addition, many critics of the Warren Commission insist that it did not go far enough in examining Ruby's associations, to see if any of them give support to the suspicion that he was part of a conspiracy. Noting that the Warren Commission had discovered that Ruby had been in contact with an array of less-than-respectable characters—gamblers, ex-cons and henchmen of some underworld bigwigs, the committee decided to investigate these connections further, to find out if they might support a conspiracy finding. There were three steps in the committee approach:

First, the files on the individuals under investigation were reviewed, the files from Federal, State, and local law enforcement agencies.

Second, selected individuals were interviewed, deposed, or questioned at executive session hearings.

Third, Jack Ruby's 1963 long-distance phone calls to his associates were analyzed. The Warren Commission had access to long-distance telephone records, but it did not make the fullest use of them.

The committee took the records the Warren Commission had, gathered additional ones, where they were available, and then analyzed all of them, using a House information systems computer. The objective was to categorize Ruby's phone contacts with an eye to discerning patterns.

During the Warren Commission investigation, on February 24, 1964, staff attorneys Burt Griffin and Leon Hubert recommended that immediate steps be taken to obtain and preserve the phone records of Jack Ruby and numerous associates in a lengthy memorandum, which, Mr. Chairman, I ask be incorporated into the record at this point.

Chairman STOKES. Without objection, it will be entered into the record.

Mr. BLAKEY. As JFK F-448.

[The above referred to exhibit, JFK exhibit F-448, follows:]

JFK EXHIBIT F-448

JFK F-448

February 24, 1964

Exhibit #5

MEMORANDUM

TO: Mr. Howard P. Willers

FROM: Mr. Leon D. Hubert
Mr. Burt W. Griffin

SUBJECT: Further Telephone Records to be Obtained for the Commission.

In furtherance of your conversation with Mr. Griffin on February 20th and our joint memorandum of February 19, the following steps are suggested to be taken as soon as possible for obtaining and preserving telephone records which may be pertinent to the work of this Commission.

Some of the suggestions may impose burdens upon private parties which are not justified by the possible results to be obtained. If so, they should be rejected and the reason for such rejection recorded in order to assure future critics that such efforts were carefully considered.

Paragraphs one, two and three seek telephone numbers of phones "reasonably available" to Ruby plus records of calls placed from phones under Ruby's direct control.

Paragraph four seeks telephone numbers of all phones reasonably available to certain persons.

Paragraph five seeks only phones listed to or under the control of certain people.

Paragraph six to ten are designed to lay a basis for further investigation.

1. The FBI should immediately obtain the telephone numbers, names of subscriber, location and type of service of all phones reasonably available to Jack Ruby. "Reasonably available" should include, but not be limited to, subscriber and pay telephones at the All Right Parking Garage, Adolphus Hotel, the Egyptian Lounge, Phil's Delicatessen, Cabana Motel, Sol's Turf Bar, Dallas City Hall and Jail, Dallas Morning News, Radio Station KLIF, together with any pay phones within reasonable walking distance of said places or any other places which Ruby frequented. Numbers and information concerning phones "reasonably available" to Ruby in Dallas may be obtained by personal contact with subscribers or the telephone company. Information as to phones available outside Dallas should not involve contact with non-residents of Dallas.

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2. The FBI should immediately obtain with respect to Jack Ruby, for the period August 1 to November 25, 1963, copies of all original telephone company records bearing upon the dates, time, length of call, calling number, billing number, person calling and number called with respect to all telephone calls (including local calls) utilizing any telephone listed to Jack Ruby or any of his Clubs, including pay phones on or near the premises. If the telephone company has no records which would provide information concerning local calls, the FBI should so state.

It is unnecessary at this point to obtain call records from all phones "reasonably available to Ruby" since analysis of calls from such phones would be impossible without further information. However, we contemplate that if we establish a list of suspected intermediaries between Ruby and Oswald, it would be valuable to check telephones "available" to Ruby against calls to the "intermediaries". In addition, it may be valuable to examine records of telephones listed to or used regularly by suspected "intermediaries" for calls to phones "available" to Ruby.

3. With respect to all records requested in paragraph two, the FBI should indicate in its report what telephone company personnel were questioned, the questions asked and the answers received, in all investigations which were conducted, so that it may be determined that the records obtained are complete and accurate. We believe that the method of searching for records must be detailed since telephone information forwarded so far has been spotty and inaccurate.

4. To the extent not already provided, the FBI should be requested to obtain for the Commission a list of all telephones (but not call records) reasonably available to the following persons since March 1, 1963:

Andrew Armstrong, 3821 Dickson Circle, Apartment C, Dallas, Texas.

Karen Bennett Carlin, aka Karen Bennett Earlin, aka "Little Lynn", 3809 Meadowbrook, Fort Worth, Texas.

Bruce Carlin, aka Bruce Karlin, 3809 Meadowbrook, Fort Worth, Texas.

Marion (aka Marion) Rubenstein Carroll, 1044 W. Loyola, Chicago, Ill.

Eileen Rubenstein Karinsky, 6724 N. Tolman, Chicago, Illinois

Lewis J. McWillie, Las Vegas, Nevada

Hyman Rubenstein, 1044 W. Loyola, Chicago, Illinois

Sara (Rubenstein) Ruby, 11616 Jamestown Road, Dallas, Texas.

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Earl (Rubenstein) Ruby, 25925 Woodland Drive, Southfield, Michigan

Eva Rubenstein (Magid) Grant, 3929 Rollins, Dallas, Texas.

Ralph Paul, Arlington, Texas

c/o Bert Downman, Copeland Road, Arlington, Texas (home)

Podruh's Restaurant, Arlington, Texas (access)

John W. Jackson, 1602 Browning, Arlington, Texas (access)

Bull Pen Drive-In, 1936 East Abram, Arlington, Texas (business)

Anna Rubenstein Valpert, 1044 W. Loyola, Chicago, Illinois.

The date March 1 is chosen because it establishes a safe margin for inquiry prior to Oswald's trip to New Orleans. With respect to each of the above persons, the FBI should provide numbers, to the extent possible, not only of home telephones but nearby pay phones, telephones of any businesses in which the individual is employed, telephones of business partners or other similar close business associates, telephones of friends and relatives visited frequently, and telephones at restaurants and other businesses which the individual is known to frequent. For each telephone the FBI should indicate the type of service (pay phone, subscriber phone, limited service telephone), name of subscriber, location of phone, and reason for concluding the phone was accessible to the individual under investigation. This information should be obtained primarily by examining records which will not involve personal contact with persons outside of the telephone companies and without communicating the names of suspects to persons outside the FBI. We realize that such a means of investigation will not provide a complete answer to our questions, but we believe other modes of inquiry would be unwise at this time. As to each individual under investigation, the FBI report should indicate what sources were checked and what other information as to possibly accessible phones might be available by direct contact with individuals.

5. The FBI should obtain from a telephone company records check the personal, family and business phones of the following persons during the period March 1, 1963 to present:

Barney Baker, 5900 Sheridan Road, Chicago, Illinois (home)

Chicago Loop Auto Refinishing Co., Inc.

3216 South Shields Ave., Chicago, Ill. (business)

Curtis LeVerne Crafard, aka Larry Crafard (including phones available to him on his "flight from Dallas to Michigan").

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Sam Gordon, 755 Crescent Drive, Palm Springs, Calif.

Alex Gruber, 5222 W. Olympic, Los Angeles, Calif. (WE 5-1082)

Frank Goldstein, 640 Torosita Boulevard, San Francisco, Calif.

(HU 7-7674)

(SU 1-7343)

Lawrence Mayers, 3950 N. Lake Shore Drive, Chicago, Illinois (home)

Ero Mfg. Co., 714 West Monroe, Chicago, Ill. (business)

Ray William Pike, aka Mickey Ryan, 2344 Connecticut Lane, Apt. C.,
Dallas, Texas

Anasi Umberto, Chicago, Illinois

Mario Umberto, Chicago, Illinois

Abe Weinstein, 11028 Westmore Circle, Dallas, Texas.

6. The FBI should confer with the appropriate officials of telephone companies in Chicago, Dallas, Detroit, New York, San Francisco, Los Angeles, and New Orleans to determine what means, if any, are available for obtaining information on to incoming long distance telephone calls to any particular number if the name of the caller is unknown. It is conceivable, for example, that connecting or trunk-line telephone carriers may have automatic recording devices which record the calling exchange and the dialed number with respect to calls which they transmit. Or, it may be that most telephone companies in large cities are now so fully automated that such information is contained on their IBM cards and these IBM cards could be run through a computer or other device for every telephone subscriber in the area so that such information could be derived mechanically without undue expense or personal effort. Information as to city or telephone company from which a long distance call originated could conceivably be meaningful in light of other data which we have.

7. The FBI should confer with telephone company officials of each company serving Jack Ruby and the persons listed in paragraph four and five to ascertain if that company has any means of providing information, concerning local calls to or from the phones of those persons. Even if no records are maintained by such companies in the ordinary course of business, it may be that certain electronic, mechanical or other entries are routinely made either by telephone transmitting equipment or in connection with business records ordinarily maintained by the telephone company so that by careful examination of such data information concerning local telephone activity on a particular telephone could be obtained. To whatever extent information can be obtained concerning local telephone activity, the Agent should report to the Commission the nature of the information which can be obtained and the means by which it would be obtained. This data should be secured without mentioning particular names or telephone numbers.

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February 24, 1964

8. The FBI should obtain a list of all telephone companies and the Chief Executive Officer serving the following areas:

- Texas
- Nevada
- Los Angeles, California
- San Francisco, California
- Chicago, Illinois
- Detroit, Michigan and adjacent suburbs in the Detroit metropolitan area, including Southfield, Michigan
- Boston, Massachusetts and adjacent suburbs, including Belmont, Mass.
- New York metropolitan area, including suburban Long Island, Connecticut and New Jersey
- Miami, Florida
- Washington, D. C. and adjacent suburbs
- New Orleans, Louisiana

9. Mr. Rankin should address a letter to the Chief Executive of each of the telephone companies mentioned in paragraph eight requesting that such companies not destroy until June 1, 1964, any records they may have with respect to telephone service of all subscribers. The letter should request that the source of this policy not be disclosed.

Retention of records on a blanket basis would preserve security as to the thinking of the Commission and will afford the maximum assurance that telephone records will be preserved with respect to persons not yet suspect. We realize that blanket retention may be so burdensome or expensive as to make our request seem unreasonable. If there is any suggestion along these lines, a conference to work out a reasonable system should be suggested.

10. As soon as possible after the Ruby trial and after consultation with the Commission, the FBI should obtain copies of original telephone records uncovered as a result of the investigations requested in paragraphs four and five. These records should be analyzed to determine possible links to Ruby or Oswald. Thereafter, if deemed advisable, records of phone "reasonably available" to Ruby would be analyzed for possible calls to phones "reasonably available to suspected intermediaries between Ruby and Oswald.

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Mr. BLAKEY. In a lengthy memorandum, Hubert and Griffin recommended that the FBI be instructed to secure the records, and that Commission Chairman Earl Warren address a letter to telephone companies to secure preservation of existing records.

Some records that were specified in the Griffin-Hubert request were obtained, but the extensive preservation they had envisioned was not carried out, an investigative step that Hubert and Griffin ultimately agreed to.

Griffin has said that Commission General Counsel J. Lee Rankin vetoed the recommendation on grounds that it was too far reaching and would create too great a burden on private companies. In other memorandum, which I would ask be incorporated in the record at this point as JFK F-590.

Chairman STOKES. Without objection, it may be entered into the record.

[The above referred to exhibit, JFK F-590, follows:]

JFK EXHIBIT F-590

-JFK F-590

MEMORANDUM

April 2, 1964

TO: Mr. Howard Willens

FROM: Leon D. Robert
Dart W. Griffin

1. You will recall that after the Staff Meeting on Friday, we stayed on with Mr. Rankin to discuss the matter of giving us assistance in Area V. Three sub-areas are involved:

- a. A check-out of names, telephone numbers, addresses, etc. found on Ruby's papers. (See Area "E")
- b. A check-out of all names relative to possible associations between Ruby and Oswald; and between Ruby and the gangster element. (See area "F")
- c. An analysis of telephone calls by Jack, Eva and Earl Ruby and by Ralph Paul.

2. Mr. Rankin told us to get Mr. Lendrecht (Chief Justice Warren's guard) to do this work. Because of the press of time and because we did not really put our minds to it at the moment, we failed to say to Mr. Rankin that each sub-area will require a man working full time for a month. There is no possibility that this work can be properly done so as to be useful in writing a report even if it had a deadline date of June 15.

3. In connection with the above and for the other reasons stated below, we do not think the Ruby aspect of the case should be included in the Commission's report.

- a. To do an acceptable job on Ruby, it would be necessary to make public statements concerning his character, his background, the possibility that he was lying about his entry into the basement, his motivation and state of mind, etc.
- b. If Ruby's conviction is refused and our report is in any way hostile to Ruby, the Commission could be justly criticized for issuing a report which impaired his right to a fair trial. On the other hand, if the report gave support to Ruby's already stated version, the Commission would be justified in criticizing us.

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c. Aside from this, is it proper for a Commission of the high rank and prestige of this Commission to comment extensively about a person whose case is on appeal and will surely get to the United States Supreme Court?

2. We think that the Commission's report could very properly state that conclusions relative to any aspect of Ruby or his activities are considered improper because of his pending appeal and that a report will be made later.

Hubert/Griffin/jv/4-4-64

CC: Hubert chron file

Mr. Rankin

Mr. Willens

Mr. BLAKEY. In another memorandum dated April 4, Griffin and Hubert said they needed additional assistance in evaluating the phone records that were available. Though it was suggested by Rankin that Chief Justice Warren's security guard might be able to devote some time to the project, the project envisioned by Griffin and Hubert was never conducted. In a subsequent memorandum dated May 14, the adequacy of the Ruby investigation was discussed, but ultimately compromises were worked out and the Commission's work was completed.

Mr. Chairman, I would ask that at this point, these memorandums, to which I have just referred, be incorporated in the record as JFK 591, 592, and 593.

Chairman STOKES. Without objection, they may be entered into the record at this point.

[The above referred to exhibits, JFK F-591, JFK F-592, and JFK F-593 follow:]

JFK EXHIBIT F-591

MEMORANDUM

May 14, 1964

To: J. Lee Rankin
 From: Leon D. Hubert, Jr.
 Burt W. Griffin
 Subject: Adequacy of Ruby Investigation

1. Past Recommendations. In memoranda dated February 19, February 24, February 27, and March 11, we made various suggestions for extending the investigation initiated by the FBI in connection with the Oswald homicide. Shortly after March 11, 1964, we began preparation for the nearly 60 depositions taken in Dallas during the period March 21-April 2; after we returned from Dallas we took the deposition of C. L. Crafard (two days) and George Senator (two days), worked on editing the depositions taken in Dallas, and prepared for another series of 30 other depositions taken in Dallas during the period April 13-17. On our return from Dallas we continued the editing of the Dallas depositions, prepared the Dallas deposition exhibits for publication, and began working on a draft of the report in Area V. As a consequence of all of this activity during the period March 11-May 13, we did not press for the conferences and discussions referred to in the attached memoranda. The following represents our view at this time with respect to appropriate further investigation.

2. General Statement of Areas Not Adequately Investigated. In reporting on the murder of Lee Oswald by Jack Ruby, we must answer or at least advert to these questions:

- a) Why did Ruby kill Oswald;
- b) Was Ruby associated with the assassin of President Kennedy;
- c) Did Ruby have any confederates in the murder of Oswald?

It is our belief that, although the evidence gathered so far does not show a conspiratorial link between Ruby and Oswald, or between Ruby and others, nevertheless evidence should be

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- a) Ruby was indirectly linked through others to Oswald;
- b) Ruby killed Oswald, because of fear; or
- c) Ruby killed Oswald at the suggestion of others.

3. Summary of Evidence Suggesting Further Investigation.

The following facts suggest the necessity of further investigation:

a. Ruby had time to engage in substantial activities in addition to the management of his Clubs. Ruby's night club business usually occupied no more than five hours of a normal working day which began at about 10:00 a.m. and ended at 2:00 a.m. It was his practice to spend an average of only one hour a day at his Clubs between 10:00 a.m. and 9:00 p.m. Our depositions were confined primarily to persons familiar with Ruby's Club activities. The FBI has thoroughly investigated Ruby's night club operations but does not seem to have pinned down his other business or social activities. The basic materials do make reference to such other activities (see p. 27 of our report of February 18), but these are casual and collateral and were not explored to determine whether they involved any underlying sinister purpose. Nor were they probed in such a manner as to permit a determination as to how much of Ruby's time they occupied. *part #1*

b. Ruby has always been a person who looked for money-making "sidelines." In the two months prior to November 22, Ruby supposedly spent considerable time promoting an exercise device known as a "twist board." The "twist board" was purportedly manufactured by Plastelite Engineering, a Fort Worth manufacturer of oil field equipment which has poor credit references and was the subject of an FBI investigation in 1952. We know of no sales of this item by Ruby; nor do we know if any "twist boards" were manufactured for sale. The possibility remains that the "twist board" was a front for some other illegal enterprise.

c. Ruby has long been close to persons pursuing illegal activities. Although Ruby had no known ideological or political interests (see p. 35 of our report of February 18), there is much evidence that he was interested in Cuban matters. In early 1959, Ruby inquired concerning the smuggling of persons out of Cuba. He has admitted that, at that time, he negotiated for the sale of jeeps to Castro. In September 1959, Ruby visited Havana at the invitation of Las Vegas racketeer, Louis J. McWillie, who paid Ruby's expenses for the trip and who was later expelled from Cuba by Castro. McWillie is *part #2*

described by Ralph Paul, Ruby's business partner, as one of Ruby's closest friends. Ruby mailed a gun to McMillie in early 1963. In 1961, it is reported that Ruby attended three meetings in Dallas in connection with the sale of arms to Cubans and the smuggling out of refugees. The informant identifies an Ed Brunner as Ruby's associate in this endeavor. Shortly after his arrest on November 24, Ruby named Fred Brunner as one of his expected attorneys. Brunner did not represent Ruby, however. Insufficient investigation has been conducted to confirm or deny the report about meetings in 1961. When Henry Wade announced to the Press on November 22, 1963 that Oswald was a member of the Free Cuba Committee, Ruby corrected Wade by stating "Not the Free Cuba Committee: The Fair Play for Cuba Committee. There is a difference." The Free Cuba Committee is an existing anti-Castro organization. Earl Ruby, brother of Jack Ruby, sent an unexplained telegram to Havana in April 1962. We believe that a reasonable possibility exists that Ruby has maintained a close interest in Cuban affairs to the extent necessary to participate in gun sales or smuggling.

d. Bits of evidence link Ruby to others who may have been interested in Cuban affairs. When Ruby's car was seized on November 24, it contained various right-wing radio scripts issued by H. L. Hunt and a copy of the Wall Street Journal bearing the mailing address of a man who has not yet been identified. In May 1963, Earl Ruby, operator of a dry cleaning business, is known to have telephoned the Welch Candy Company (owned by the founder of John Birch Society). The purpose of the call is unknown. Jack Ruby's personal notebook contained the Massachusetts telephone number and address of Thomas Hill, former Dallas resident, working at the Boston headquarters of the John Birch Society. Although it is most likely that all of those bits of circumstantial evidence have innocent explanations, none has yet been explained. Part #3

e. Although Ruby did not witness the motorcade through Dallas, he may have had a prior interest in the President's visit. A November 20 edition of the Fort Worth Telegram showing the President's proposed route through Fort Worth, and the November 20 edition of the Dallas Morning News showing the President's route through Dallas, were found in Ruby's car on November 24.

f. On November 16 Jack Ruby met at the Carousel Club with Bertha Cheek, sister of Mrs. Earlene Roberts, manager of Lee Oswald's rooming house. Mrs. Cheek said that she and Ruby discussed her lending Ruby money to open a new night club.

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Ruby was not questioned about this matter. On November 20, 1963, a woman, who may be identical to Earlene Roberts, was reported to be in San Antonio at the time of President Kennedy's visit. The possible identification of Mrs. Roberts in San Antonio has not been checked out. In addition, the link formed by Mrs. Roberts between Oswald and Ruby is buttressed in some measure by the fact that one of Ruby's strippers dated a tenant of the Beckley Street rooming house during the tenancy of Lee Oswald. We have previously suggested the theory that Ruby and Mrs. Cheek could have been involved in Cuban arms sales of which Oswald gained knowledge through his efforts to infiltrate the anti-Castro Cubans. Our doubts concerning the real interest of Mrs. Cheek in Jack Ruby stem from the fact that one of her four husbands was a convicted felon and one of her friends was a police officer who married one of Ruby's strip-tease dancers. We have suggested that Ruby might have killed Oswald out of fear that Oswald might implicate Ruby and his friends falsely or not in an effort to save his own life. We think that neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored.

g. Ruby made or attempted to make contacts on November 22 and 23 with persons, known and unknown, who could have been co-conspirators. Ruby was visited in Dallas from November 21 to November 24, 1963 by Lawrence Meyers of Chicago. Meyers had visited Ruby two weeks previously. Ruby also made a long distance call shortly after the President's death to Alex Gruber in Los Angeles. Gruber had visited Ruby about the same time as Meyers in early November. Both Gruber and Meyers give innocent explanations. Meyers claims he was in Dallas enjoying life with a "dumb but accommodating broad." Gruber claims Ruby called to say he would not mail a dog that day, as he had promised to do. Finally between 11:35 p.m. and 12 midnight, Saturday, November 23, Ruby made a series of brief long distance phone calls culminating with a call to entertainer Breck Wall at a friend's house in Galveston. Wall claims Ruby called to compliment him for calling off his (Wall's) act at the Adolphus Hotel in Dallas. Background checks have not been made on these persons.

h. In short, we believe that the possibility exists, based on evidence already available, that Ruby was involved in illegal dealings with Cuban elements who might have had contact with Oswald. The existence of such dealings can only be surmised since the present investigation has not focused on that area.

1. We suggest that these matters cannot be left "hanging in the air." They must either be explored further or a firm decision must be made not to do so supported by stated reasons for the decision. As a general matter, we think the investigation deficient in these respects:

- (1) Substantial time-segments in Ruby's daily routine from September 26 to November 22 have not been accounted for.
- (2) About 46 persons who saw Ruby from November 22 to November 24 have not been questioned by staff members, although there are FBI reports of interviews with all these people.
- (3) Persons who have been interviewed because of known associations with Ruby generally have not been investigated themselves so that their truthfulness can be evaluated. The FBI reports specifically do not attempt evaluation. The exception has been that where the FBI has been given incriminating evidence against Ruby, it has made further investigation to determine whether others might also be implicated with Ruby. In every case where there was some evidence implicating others, those other persons were interviewed and denied the incriminating allegations. Further investigation has not been undertaken to resolve the conflicts.
- (4) Much of our knowledge of Ruby comes from his friends Andrew Armstrong, Ralph Paul, George Senator, and Larry Crafard. Investigations have not been undertaken to corroborate their claims.

4. Specific Investigative Recommendations

a. We should obtain photos of all property found on Ruby's person, in his car, or at his home or clubs, now in possession of the Dallas District Attorney. We already have photos of Ruby's address books, but no other items have been photographed or delivered to the Commission. These items include the H. L. Hunt literature and newspapers mentioned in paragraphs 3d and 3e.

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b. We should conduct staff interviews or take depositions with respect to Ruby's Cuban activities of the following persons:

- i. Robert Ray McKeown. Ruby contacted McKeown in 1959 in connection with the sale of jeeps to Cuba. The objective of an interview or deposition of McKeown would be to obtain information on possible contacts Ruby would have made after 1959 if his interest in armament sales continued.
- ii. Nancy Perrin. Perrin claims she met with Ruby three times in 1961 concerning refugee smuggling and arms sales. She says she can identify the house in Dallas where meetings took place. Perrin now lives in Boston. Ruby admits he was once interested in the sale of jeeps, at least, to Cuba.

c. We should obtain reports from the CIA concerning Ruby's associations. The CIA has been requested to provide a report based on a memorandum delivered to them March 12, 1964 covering Ruby's background including his possible Cuban activities, but a reply has not been received as yet.

d. We should obtain reports from the FBI based on requested investigation of allegations suggesting that Earlene Roberts was in San Antonio on November 21.

e. The Commission should take the testimony of the following persons for the reasons stated:

1. Hyman Rubenstein

Eva Grant

Earl Ruby

All are siblings of Jack Ruby. Hyman is the oldest child and presumably will be the best witness as to family history. He talked to Jack on November 22, reportedly visited Jack the week before the assassination, and participated in Ruby's twist board venture. Eva lived with Jack for 3 years in California prior to World War II, induced Jack to come to Dallas in 1947, and managed the Vegas Club for Jack in Dallas from 1959 to 1963. Earl was a travelling salesman with Jack from 1941-1943; a business partner 1946-1947, and made phone calls before November 22, 1963 and afterwards which require explanations.

ii. Henry Wade. This person can testify to the development of the testimony by Sgt. Dean and Det. Archer against Ruby and of seeing Ruby on November 22 in the Police Department building

iii. Jack Ruby

f. We should take the depositions of the following persons for the reasons stated:

1. Tom Howard. This person is one of Ruby's original attorneys, and is reported to have been in the police basement a few minutes before Oswald was shot and to have inquired if Oswald had been moved. He filed a writ of habeas corpus for Ruby about one hour after the shooting of Oswald. He could explain these activities and possibly tell us about the Ruby trial. We should have these explanations.
- ii. FBI Agent Hall. This person interviewed Ruby for 2 1/2 hours on November 24 beginning at approximately 12 noon. His report is contradictory to Sgt. Dean's trial testimony. He also interviewed Ruby on December 21, 1963.
- iii. Seth Kantor. This person was interviewed twice by the FBI and persists in his claim that he saw Ruby at Parkland Hospital shortly before or after the President's death was announced. Ruby denies that he was ever at Parkland Hospital. We must decide who is telling the truth, for there would be considerable significance if it were concluded that Ruby is lying. Should we make an evaluation without seeing Kantor ourselves?
- iv. Bill DeMar. This person claims to have seen Oswald at the Carousel Club prior to November 22, and this rumor perhaps more than any other has been given wide circulation. Should we evaluate DeMar's credibility solely on the basis of FBI reports?

g. The FBI should re-interview the following persons for the purposes stated:

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ASSASSINATION

1. Alex Gruber. To obtain personal history to establish original meeting and subsequent contacts with Ruby; to obtain details of visit to Dallas in November 1963, including where he stayed, how long, who saw him, etc. The FBI should also check its own files on Gruber.
11. Lawrence Meyers (Same as Gruber)
111. Ken Dowc. (KLIF reporter) To ascertain how he happened to first contact Ruby on November 22 or 23; (Ruby provided information to KLIF concerning the location of Chief Curry), and whether KLIF gave any inducements to Ruby to work for it on the weekend of November 22-24.
- 1v. Rabbi Silverman. To establish when Silverman saw Ruby at the Synagogue and obtain names of other persons who may have seen Ruby at the Synagogue on November 22 and 23. Silverman states that he saw Ruby at the 8 p.m. service on November 22 and at the 9 a.m. service on November 23; but both of these services lasted at least two hours and we do not know whether Ruby was present for the entire services. Silverman (and others) could "place" Ruby, or fail to do so, during critical hours.
- v. Mickey Ryan (Same as Gruber plus employment in Dallas.)
- vi. Breck Wall. This person was an entertainer at the Adolphus Hotel, Dallas, at the time of President Kennedy's assassination. Ruby called him in Galveston at 11:47 p.m. Saturday, November 23, 1963. He also visited Ruby at the County jail. A background check should be conducted as to this person.
- vii. Andrew Armstrong, Bruce Carlin, Karen Bennett Carlin, Curtis Laverne Craford, Ralph Paul, George Senator.

These six persons were deposed at length because of their friendship with Ruby, familiarity with Ruby's personal and business life, and contacts with Ruby on November 22, 23, and 24. In general, each has professed to have had no knowledge of Ruby's activities during those three days.

Andrew Armstrong was very active in the operation of the Carousel and worked closely with Ruby for 18 months. His deposition covers Ruby's activities and emotional state generally and particularly several hours on November 22 and 23. A background check should be conducted as to this person and selected parts of his testimony should be checked out to test his veracity.

Karen and Bruce Carlin were the recipients of a \$25 money order bought by Ruby approximately 5 minutes before Ruby shot Oswald. Marguerite Oswald testified that she believed she knew Karen Carlin. Background checks should be conducted on the Carlins.

Crafard fled Dallas unexpectedly on Saturday morning November 23. Although we tend to believe his explanation, we believe a background check on him plus verification of some of his activities on November 23 are warranted.

Paul is Ruby's business partner. A background check should be conducted as to him and his telephone calls during November should be checked out.

George Senator, Ruby's roommate, alleged by Crafard to be a homosexual, claims not to have seen Ruby except at their apartment Sunday morning and for a few hours early Saturday morning. Senator's background and own admitted activities on November 22, 23, and 24 should be verified.

5. Other areas of Ruby Investigation which are not complete.

a. Various rumors link Ruby and Oswald which do not appear to be true; however, the materials we have are not sufficient to discredit them satisfactorily. Such rumors include:

- i. Communist associations of Ruby;
- ii. Oswald's use of a Cadillac believed to belong to Ruby;

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iii. After the depositions of Nancy Perrin, Robert McKeown, and Sylvia Odio have been taken, further investigation may be necessary with respect to Ruby's Cuban associations.

b. Ruby's notebooks contain numerous names, addresses, and telephone numbers. Many of these persons have either not been located or deny knowing Ruby. We believe further investigation is appropriate in some instances; however, we have not yet evaluated the reports now on hand.

c. We have no expert evidence as to Ruby's mental condition; however, we will obtain transcripts of the psychiatric testimony at the Ruby trial.

6. Other Investigative Suggestions. We have suggested in earlier memoranda that two sources of evidentiary material have been virtually ignored:

a. Radio, TV and Movie Recordings. Two Dallas radio stations tape recorded every minute of air time on November 22, 23, and 24. We have obtained these radio tapes for all except a portion of November 24, and the tapes include a number of interviews with key witnesses in the Oswald area. In addition, the tapes shed considerable light on the manner in which Dallas public officials and federal agents conducted the investigations and performed in public view. We believe that similar video tapes and movie films should be obtained from NBC, CBS, ABC, UPI, and Movietone News, and relevant portions should be reviewed by staff members. Wherever witnesses appear on these films who have been considered by the Commission in preparing its report, a copy of such witnesses' appearance should be made a part of the Commission records by introducing them in evidence. If one person were directed to superintend and organize this effort, we believe it could be done without unreasonable expenditures of Commission time and money.

b. Hotel and motel registrations, airline passenger manifests, and Emigration and Immigration records.

Copies of Dallas hotel and motel registrations and airline manifests to and from Dallas should be obtained for the period September 25 to December 1, 1963. Similarly, Emigration and Immigration records should be obtained for the period October 1, 1963 to January 1, 1964. We believe that these records may provide a useful tool as new evidence develops after the Commission submits its report. We do not suggest that these records necessarily be examined by the Commission staff at

the present time. But, for example, it is likely that in the future, persons will come forward who will claim to have been in Dallas during the critical period and who will claim to have important information. These records may serve to confirm or refute their claims.

LHHubert/smh

cc: Mr. Hubert

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June 1, 1964

MEMORANDUM

TO: Messrs. Leon D. Hubert, Jr. and Burt W. Griffin
FROM: Howard P. Willens
SUBJECT: Adequacy of Ruby Investigation

As we all know, your memorandum dated May 14, 1964, bearing the above title has been the subject of considerable discussion among the two of you, Mr. Rankin, Mr. Redlich and me.

As a result of those discussions steps have been taken to implement most of the specific investigative recommendations set forth in section 4 beginning on page 4. In fact, it appears to me that all of these requests are in the process of being implemented through subsection g vi entitled Breck Wall, with the exception that no background investigation has been requested regarding Mr. Wall. As to the recommendation in subsection g vii that background investigation be conducted regarding the six named persons, it has been decided that no such general investigation is warranted. It was agreed, however, that any investigative requests submitted by you regarding specific testimony of these persons, in order to test veracity, might be appropriate.

On May 27, 1964 I discussed with Mr. Griffin the status of the investigation in Area 5. This discussion was prompted not only by your memorandum dated May 14, but also the discussion held in Mr. Rankin's office on the prior day, May 26, dealing with the initial draft submitted by you relating to Ruby's background. I requested Mr. Griffin to stop his current work on the first draft and submit to me within the next few business days every single investigative request which he believes is necessary to complete the investigation in his area. Mr. Griffin agreed to this and I have today received approximately 10 such investigative requests, which have either been sent forward to Mr. Rankin for approval and signature or, after discussion with Mr. Griffin, are being revised. If any additional requests are contemplated, I would like to be advised today.

JFK EXHIBIT F-592

MEMORANDUM

June 1, 1964

TO: Mr. Howard P. Willens

FROM: Leon B. Hubbard, Jr.
Dart S. Griffin

In response to your memorandum of June 1, 1964, we expect that by Wednesday June 3, 1964, all of the investigative requests which are now appropriate will have been delivered to you.

With respect to Brock Wall, we believe that it may later be appropriate to question him, Joe Peterson, and Ralph Paul through the FBI or by deposition concerning the telephone calls Ruby made between 11:18 p.m. and 11:43 p.m. on Saturday November 23. However, we do not wish to undertake such questioning until the results of our other requests have been examined. In addition, it should be emphasized that further investigative requests may become appropriate in the course of reading the Ruby trial transcript, examining further evidence to be produced by Ruby or his attorneys, writing a final draft, and foot-noting.

Nonetheless, we believe the investigative requests now underway will cover to correct all the matters specified in our memorandum of May 14. We presume that our suggestions for obtaining radio tapes, television tapes, hotel and motel records, and airline passenger manifests are of such a broad nature as to be outside the scope of any requests by way of letters to the FBI; but we understand that consideration has been given to those suggestions and that a decision will be made in the future as to whether or not those suggestions will be implemented.

Griffin/jv/6-1-64
CC: Griffin chron file
Mr. Rankin

JFK EXHIBIT F-593

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Chart of Jack Ruby's
toll calls, 1963.

P. 561

Mr. BLAKEY. Utilizing various phone records still available, including those of Jack Ruby's phone calls in 1963, the select committee has developed a computer project for the purpose of detailed analysis of them.

Using the computer technology of the legislative and committee systems division of the House information system, House Administration Committee, the phone records analysis took shape.

An Amdahl 470 V-5 computer was utilized, backed up by two IBM 370-158 central processing units. Various programs were run, using the master data base developed from the various phone records obtained by the committee. Additional programs are still continuing.

The telephone calls of Jack Ruby in 1963 were given top priority in the project. In recent years, Ruby's alleged associations with organized crime have been raised anew. In particular, it has been said that he was in repeated contact with a number of underworld figures in the months just before the assassination of President Kennedy. A response to these charges has been, however, that any contact by Ruby with such people may well have resulted from his attempts to seek assistance in a labor dispute.

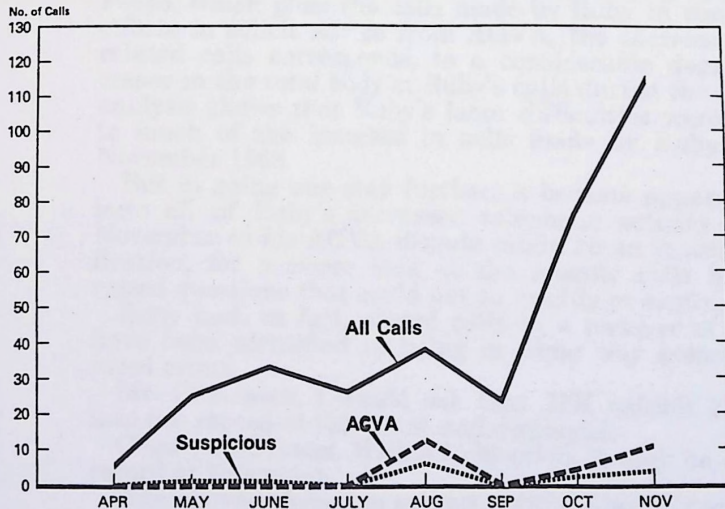
In programing a chronological consolidation of the telephone calls made by Ruby from five business and home telephones, the committee discovered a significant upsurge in the number of calls in October and November 1963.

Mr. Chairman, I would ask that JFK F-545 be entered into the record and displayed at this point.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[The above referred to exhibit, JFK F-545, follows:]

JACK RUBY - TOLL CALLS - 1963



JFK EXHIBIT F-545

Mr. BLAKEY. As can be seen from the month-by-month plotting of these calls on the graph in exhibit F-545, the number of calls soared from an average of 25 to 35, in May through September, to 75 in October, and 96 in November. That is, 96 calls up to November 24, the day he was imprisoned for shooting Oswald.

To fathom the possible meaning of the upsurge in Ruby's calls in October and November, the committee closely evaluated his activities during that period. It considered who it was Ruby was calling and being called by; why he was in contact with these people; whether or not he had contacted them previously. The committee was also careful to examine the circumstances surrounding Ruby's labor problems in 1963.

The labor dispute involved Ruby's competition with other owners of clubs in the Dallas area. Specifically, he was involved quarreling with other owners over whether amateur striptease dancers, that is, nonunion girls from the local area, could perform in Dallas nightclubs.

Ruby had been prohibited by the American Guild of Variety Artists from featuring nonprofessional local strippers in his club. The hiring of local girls in weekend shows, in what were usually billed as amateur nights, was a source of profit for him. Ruby was further angered by the fact that at least one of his competitors reportedly had been allowed to use nonunion talent.

The exact circumstances of Ruby's labor difficulties in 1963 are too complex to be dealt with in detail here, but one aspect is relevant. In analyzing the dramatic upsurge in calls in October and November 1963, the committee was able to isolate a significant number from the main body of calls. It determined that these particular calls were made in conjunction with Ruby's efforts to seek acceptable mediation or settlement of his dispute with AGVA.

As can be seen from the second line of the graph in JFK exhibit F-545, which plots the calls made by Ruby in connection with his efforts to solicit advice from AGVA, the increase in these union-related calls corresponds, to a considerable degree, with the increase in the total body of Ruby's calls during the same period. The analysis shows that Ruby's labor difficulties were, in fact, related to much of the increase in calls made by Ruby in October and November 1963.

But in going one step further, it became apparent that to attribute all of Ruby's increased telephone activity in October and November to his AGVA dispute might be an inaccurate oversimplification, for a closer look at the specific calls he made in 1963 raised questions that could not be readily or easily dismissed.

Ruby had, in fact, placed calls to a number of individuals who have been identified as being in some way associated with organized crime.

Mr. Chairman, I would ask that JFK exhibit F-546 be entered into the record at this point and displayed.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[The above-referred to exhibit, JFK exhibit F-546, follows:]

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SUMMARY OF TELEPHONE CALLS

DATE	TIME CALL PLACED	DURATION OF CALL	TELEPHONE NO PLACING CALL	PERSON CALLED	TYPE CALL	AUDIT NUMBER	SUBSCRIBER	AUDIT NUMBER
05/12/63		006 MIN	THUNDERBIRD		STATION 7702 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/27/63		007 MIN	MCWILLIE LEWIS		STATION 7702 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/02/63		006 MIN	MCWILLIE LEWIS		STATION 7703 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/02/63		003 MIN	THUNDERBIRD		STATION 7703 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
08/04/63		005 MIN	THUNDERBIRD		STATION 7701 FR	W154601	JACK RUBY 223 S EWING APT 207 DALLAS TX	7030
08/19/63		001 MIN	THUNDERBIRD		STATION 7701 FR	W154601	JACK RUBY 223 S EWING APT 207 DALLAS TX	7030
08/26/63		002 MIN	THUNDERBIRD		STATION 7701 FR	W154601	JACK RUBY 223 S EWING APT 207 DALLAS TX	7030
08/22/63		007 MIN	THUNDERBIRD		STATION 7701 FR	W154601	JACK RUBY 223 S EWING APT 207 DALLAS TX	7030
10/26/63	12:07	012 MIN	WEINER IRWIN	WEINER	PERSONAL 7707 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
10/30/63	21:13	001 MIN	TROPICAL COURT		STATION 7708 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
11/07/63	10:12	017 MIN	CAROUSEL CLUB		PERSONAL 7711 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043

SUMMARY OF TELEPHONE CALLS

DATE	TIME CALL PLACED	DURATION OF CALL	TELEPHONE NO PLACING CALL	PERSON CALLED	TYPE CALL	AUDIT NUMBER	SUBSCRIBER	AUDIT NUMBER
11/08/63	16:47	004 MIN	EDEN ROC HOTEL	DUSTY MILLER	PERSONAL 7711 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043
11/08/63	17:22	014 MIN	BAKER ROBERT		STATION 7712 FR	R172362	CAROUSEL CLUB 1312 1/2 COMMERCE ST DALLAS TX	7043

JFK EXHIBIT F-546

Mr. BLAKEY. JFK exhibit F-546 is a printout of these calls. Although it may again be noted that these particular calls also correspond somewhat to the upsurge in the main body of Ruby calls in the weeks prior to the assassination, and even though some of the individuals in question have said that Ruby was in contact with them to seek help in his labor difficulties, the committee felt that more detail on the backgrounds of these persons was essential. Extensive file reviews were, therefore, conducted, and the following picture emerged.

Between June and August of 1963, Jack Ruby placed seven long-distance calls to one Lewis J. McWillie. McWillie was a close Ruby associate, as Ruby told the Warren Commission. In 1959, Ruby had visited Lewis McWillie in Havana, where McWillie was working in an organized crime-connected casino.

Jack Ruby's phone calls to McWillie occurred on June 27, September 2, two calls, September 4, September 19, September 20, and September 22. The first two calls were placed to McWillie's home number; the remaining five calls were to McWillie's place of business, the Thunderbird Casino in Las Vegas.

On the afternoon of October 26, 1963, Jack Ruby placed a long-distance phone call to Irwin S. Weiner in Chicago, with whom he spoke for 12 minutes. Weiner was and is a prominent bondsman in Chicago, who has been closely linked with such figures as James Hoffa, Santos Trafficante, Sam Giancana, Paul and Allen Dorfman. Weiner, according to Federal and State law enforcement files, is alleged to have served as a key functionary in the longtime relationship between the Chicago Mafia and various corrupt union officials, particularly during Hoffa's reign as president of the Teamsters Union.

Additionally, Weiner has been involved in a business relationship with two men long identified as executioners for the Chicago Mafia—Felix "Phil" Alderisio and Albert "Obie" Frabotta.

In the immediate days following President Kennedy's murder, the FBI sought to question Weiner about the call he had received from Ruby on October 26. According to an FBI teletype of November 28, 1963, Weiner refused to respond to questioning by FBI agents in Chicago with regard to his contact with Ruby, and he declined to assist the investigation in any way.

Other information received by the FBI during the investigation indicated that Weiner had been acquainted years earlier in Chicago with Ruby's brother Earl.

Though the Warren Commission was aware of Ruby's phone call to Weiner, the Commission never sought to have him questioned under oath. Additionally, neither Ruby nor his brother, Earl, were ever asked by the Commission about their relationship with Weiner.

In executive session testimony before this committee, Weiner was questioned about his contact with Ruby. He testified that he had gone to high school with Ruby's brother, Earl, and had been distantly acquainted with Jack. Weiner said he had little or no contact with Ruby in later years, and had not heard from him in at least 10 years at the time Ruby called him in late October 1963.

Weiner declared the purpose of Ruby's call was to seek assistance in the labor dispute he was having with his Dallas nightclub competitors. Ruby asked for aid in putting up a bond related to his attempt to file for an injunction against his competitors. Weiner testified that he declined to assist Ruby, and had no further contact with him.

The committee has examined testimony and documentation relating to Ruby's labor difficulties, in particular his dispute with AGVA. Nevertheless, the committee has not found another reference to an effort by Ruby to put up a bond in connection with seeking an injunction against his competitors.

In his appearance before the committee, Weiner further testified that he had lied to a reporter when he said in a taped interview that Ruby's phone call to him on October 26, 1963, had nothing to do with labor problems.

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ASSASSINATION

Weiner testified he had refused to submit to FBI questioning about Ruby in the weeks following the assassination because he believed Bureau agents had harassed his daughter by implying he might be connected to the assassination. Weiner stated he could not specifically recall where he was on the day of the assassination or on the day Ruby shot Oswald, though he believed he was on a visit to Miami.

At 9:13 a.m., October 30, 1963, 4 days after his call to Irwin Weiner, Jack Ruby placed a call to the Tropical Court Tourist Park, a trailer park in New Orleans. The number Ruby called, 242-5431, was listed as the business office of the Tropical Court, and the duration of the call was 1 minute. In a partial compilation of numbers called by long distance by Ruby, transmitted to the Warren Commission by the FBI in early 1964, a notation was made indicating that this Ruby call to the Tropical Court went to N. J. Pecora. The Warren Commission did not, however, interview or investigate Pecora and made no reference to him in its report.

Nofio J. Pecora, alias Joseph O. Pecoraro, was the owner of the Tropical Court Tourist Park. He ran the park from a one-man office located on the premises, the office Ruby had called on October 30. Pecora, a former heroin smuggler, was alleged to be a close associate of Carlos Marcello. The FBI, Justice Department, and Metropolitan Crime Commission of New Orleans have identified Pecora as one of Marcello's three most trusted aides.

Law enforcement surveillance reports have indicated a particularly close Marcello-Pecora relationship during the early 1960's, with Pecora always close at hand at Marcello's Town and Country Motel headquarters on the outskirts of New Orleans.

In fact, it was noted in the select committee's computer phone project that Marcello himself placed a call to Pecora on June 24, 1963, at the same trailer office number that Ruby called 4 months later.

Earlier this year, when committee investigators sought to question Pecora about the October 30, 1963 telephone call from Ruby's office to his own, Pecora declined to respond. Earlier this month, however, Pecora did agree to respond to questions put to him by committee investigators.

Pecora stated that he does not recall receiving any telephone call from Ruby. He said that he did not know Ruby or have any knowledge of him. Pecora stated that he believes that he was probably the only person who had access to his Tropical Court telephone in 1963, but that he may well have taken a phone message, suggesting the call from Ruby may have been for someone else in the trailer park.

The committee has established that Ruby did in fact have an associate who lived at the Tropical Court Tourist Park in 1963. He was a New Orleans nightclub manager named Harold Tannenbaum, now deceased, who was himself a friend and colleague of Pecora having run several Bourbon Street clubs controlled allegedly by the Marcello interests.

In his recent interview with committee investigators, Pecora stated he had been an acquaintance of Tannenbaum, that Tannenbaum was a neighbor in the trailer court. Pecora said, however, he was not aware that Tannenbaum had been a friend of Ruby.

Harold Tannenbaum met Ruby in the summer of 1963 and discussed going into business with him. The computer telephone project has established that Ruby and Tannenbaum were in frequent contact from June to October 1963.

The project has also established that an hour after the October 30 call was placed from Ruby's office to Pecora's office, Tannenbaum placed a call to Ruby.

On November 7, 1963, Ruby received a collect call from Robert G. (Barney) Baker of Chicago. The call lasted 17 minutes.

Baker is said to have been a top lieutenant and reputed enforcer for Teamster president James Hoffa. A former boxer and ex-convict, Baker was perhaps Hoffa's best known assistant during the McClellan committee investigation of labor racketeering in the 1950's. The Senate investigation, coordinated by then chief counsel Robert F. Kennedy, had detailed Baker's role as Hoffa's personal liaison to various leading Mafia figures.

In his McClellan testimony, Baker recited a long list of Mafia hit men with whom he had been associated. In 1960, Robert F. Kennedy wrote of Baker:

Sometimes the mere threat of his presence in a room was enough to silence the men who would otherwise have opposed Hoffa's regime.

Barney Baker was questioned by the FBI in Chicago on January 3, 1964, regarding his contact with Ruby. Baker stated that Ruby was a complete stranger to him until the very day he spoke with him, November 7, 1963. Baker explained that Ruby had called him earlier that day and that, in his absence, his wife had taken a message to call Ruby's nightclub in Dallas.

Baker told the FBI that Ruby had not used his real name, but had instructed him to ask for Lou, which he did, placing a collect call to Ruby's number. It might be noted that this is the only incident the committee has come across in which Ruby has used a false name or an alias.

In his 1964 interview with the FBI, Baker stated that the purpose of Ruby's call was to seek assistance in the labor dispute. According to the FBI report, Baker said that he had " * * * concluded the conversation by firmly declining to offer any assistance in the matter." While in his FBI interview, Baker "advised that * * * he had many friends (who) were * * * high-ranking hoodlums," he stated that he had no prior association with Ruby, and he had no knowledge of any Ruby connections to such hoodlums.

On November 8, 1963, the day after he received the call from Barney Baker, Ruby placed a call to Murray W. (Dusty) Miller at the Eden Rock Hotel in Miami. The call lasted 4 minutes.

Dusty Miller was another key lieutenant of Teamster president James Hoffa, and, as head of the powerful Southern Conference of the union, he was regarded as a possible successor to Hoffa himself. Miller, who had been a Teamster leader in Dallas, was associated with numerous underworld figures.

In a recent interview with this committee, Miller stated that he had had no contact with Ruby prior to being called by him on November 8, 1963. Miller said Ruby complained of labor problems and asked Miller for help. Miller testified that Ruby said something to the effect, "Barney Baker gave me your number and told

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U.S. DEPARTMENT OF JUSTICE

me that maybe you could help me out." Miller stated that on hearing the reference to Baker, he quickly ended the conversation, explaining he viewed Baker as a man with questionable associates.

At 5:22 p.m., November 8, 1963, 31 minutes after he called Dusty Miller, Jack Ruby placed a call to Barney Baker in Chicago. This call lasted 14 minutes. It occurred on the day after Baker telephoned Ruby in Dallas.

As noted earlier, Baker told the FBI on January 3, 1964, that he had terminated his November 7 conversation with Ruby by "* * * firmly declining to offer any assistance" to Ruby. In his FBI interview, Baker made no mention of the fact that Ruby had called him back on November 8, 1963. In fact, he indicated that he had had no further contact with him.

The committee has extensively questioned Baker about his past contacts with Jack Ruby. When asked why he did not tell the FBI of his second lengthy conversation with Ruby, Baker said that he must have forgotten about the second call.

The committee has noted several other areas of telephone contact or relationship that are of particular interest. Three examples:

One, in testimony before the Warren Commission, Jack Ruby's sister, Eva Grant, said that he brother had called Lenny Patrick in Chicago sometime during the summer of 1963. Mrs. Grant stated that Ruby had had some difficulty in locating Patrick's number, but that he had told her he had finally found it and had, in fact, called Patrick in Chicago.

Lenny Patrick is said to have been one of the Chicago Mafia's leading assassins, responsible, according to Federal and State law enforcement files, for the murders of over a dozen mob victims. Patrick had grown up in the same Chicago neighborhood as Ruby and had been slightly acquainted with him. Later, Patrick became, it is said, senior lieutenant of Chicago Mafia leader, Sam Giancana.

Two, a call made on September 24, 1963, by an investigator for New Orleans Mafia leader Carlos Marcello to a woman in Chicago, who was present with Ruby on the night before the assassination.

The committee found that David W. Ferrie had called the number of Jean West and had spoken for at least 15 minutes. On November 21, 1963, Miss West visited Ruby in Dallas, accompanied by a mutual friend, Lawrence Meyers. Miss West and Meyers had drinks with Ruby shortly before midnight on November 21 at the Cabana Motel.

Three, the committee found that Barney Baker had placed a telephone call to another one-time associate of Jack Ruby on the evening of November 21, 1963. The person Baker called was David Yaras of Miami. Yaras was a close friend and partner of Lenny Patrick. He had also been acquainted with Ruby during their early years in Chicago.

Like Lenny Patrick, Dave Yaras has served, it is alledged, as a key lieutenant of Chicago Mafia leader Sam Giancana, reputedly as an executioner. In an FBI interview in 1964, Yaras stated that he had last seen Ruby over 10 years prior to the assassination.

Once again, Mr. Chairman, unfortunately, the ultimate meaning of these facts and circumstances remains as yet indeterminate.

The possible implication of these phone calls may be more fully explored in tomorrow's proceeding but first, it may be helpful to

return to look at Jack Ruby in Dallas. To learn more about Jack Ruby's life, the committee has turned to the Dallas Police Department. It has done so for two reasons. One, Ruby was on friendly terms with many officers of the DPD, and two, because there are still questions about the shooting of Oswald in the Dallas police headquarters.

Our next witness is Captain Jack Revill of the Dallas Police Department. He has been a member of the DPD since 1951 and currently is in charge of the Internal Affairs Division of the department. In 1963, Captain Revill was a lieutenant assigned to the Criminal Intelligence Section of the Special Service Bureau.

Later, he was a member of the special investigative unit charged with determining how Jack Ruby in fact entered the police headquarters basement on November 24, 1963.

It would be appropriate at this time, Mr. Chairman, to call on Captain Revill.

Chairman STOKES. At this time, before calling the witness, the committee will take a 10-minute recess.

[A short recess was taken.]

Chairman STOKES. The committee will come to order.

The committee calls Captain Revill. Please raise your right hand. Do you solemnly swear the testimony you will give before this committee is the truth, the whole truth and nothing but the truth, so help you God?

Captain REVILL. I do.

Chairman STOKES. Thank you, sir. You may be seated.

The Chair recognizes counsel for the committee, Mr. Donald Purdy.

Mr. PURDY. Thank you, Mr. Chairman.

What is your full name and where do you live?

TESTIMONY OF JACK REVILL, CAPTAIN OF POLICE, DALLAS POLICE DEPARTMENT

Captain REVILL. My name is Jack Revill. I live in Dallas, Tex., at 5204 Elk Ridge Drive.

Mr. PURDY. What is your present occupation and rank?

Captain REVILL. I am employed by the Dallas Police Department. I am a captain of police, currently commanding the Internal Affairs Division.

Mr. PURDY. What was your occupation, rank, and duties in the 1950's and early 1960's in Dallas?

Captain REVILL. I was a lieutenant of police, assigned to the Criminal Intelligence Section of the Dallas Police Department.

Mr. PURDY. What was the responsibility of the Criminal Intelligence Section in the 1950's and early 1960's?

Captain REVILL. Our primary function was the gathering of information on individuals and organizations involved in criminal activities and extremist group individuals, and organizations.

Mr. PURDY. Was the vice squad part of this unit?

Captain REVILL. The vice squad was a part, an integral part of the Special Services Bureau which consisted of vice, narcotics, and intelligence, each unit commanded by a lieutenant of police.

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Mr. PURDY. To what extent did members of the intelligence unit have access to information concerning criminal activity generally in Dallas in the 1950's and early 1960's?

Captain REVILL. We had complete access to recorded information of criminal elements.

Mr. PURDY. When did you join the intelligence division?

Captain REVILL. In February of 1958, I believe.

Mr. PURDY. What division did you work in prior to that time?

Captain REVILL. Prior to that I was a lieutenant commanding the narcotics unit.

Mr. PURDY. In your work with the intelligence division, did you gain access to information concerning all types of criminal activity or just specific types?

Captain REVILL. All types of criminal activity.

Mr. PURDY. Do you have any knowledge of specific criminal activities by Jack Ruby?

Captain REVILL. Nothing specific. I knew Jack Ruby by reputation.

Mr. PURDY. Was prostitution common in the clubs in Dallas?

Captain REVILL. It was not common. The Dallas Police Department has always had an aggressive enforcement policy toward prostitution; but prostitution was available in certain clubs.

Mr. PURDY. Did prostitution occur in any clubs run by Jack Ruby, to your knowledge?

Captain REVILL. Not to my personal knowledge.

Mr. PURDY. Was there any narcotics activity common in Dallas, in general, and the clubs in particular, in the fifties and early sixties?

Captain REVILL. Narcotics were available in the clubs, nothing specific as far as any organized groups or efforts on the part of the people to sell or dispense drugs in the clubs.

Mr. PURDY. Did you have any information concerning the presence of narcotics activity in any clubs run by Jack Ruby?

Captain REVILL. No, sir, I did not.

Mr. PURDY. Was gambling common in Dallas, in general, and in nightclubs, in particular?

Captain REVILL. Not general. Some bookmaking activities were conducted in clubs but again this was not an open thing.

Mr. PURDY. To your knowledge, did gambling go on in any clubs run by Jack Ruby?

Captain REVILL. I have no personal knowledge of Jack Ruby being involved in gambling or in his clubs.

Mr. PURDY. Were organized criminal elements present in Dallas in the 1950's and early 1960's?

Captain REVILL. I am sure they were.

Mr. PURDY. To your knowledge, was Jack Ruby associated with such activity, generally, and in Dallas, in particular?

Captain REVILL. Are you referring to organized crime, Jack Ruby's involvement?

Mr. PURDY. Yes.

Captain REVILL. I have no information that Jack Ruby was involved in organized crime in Dallas.

Mr. PURDY. Did you have any knowledge of Jack Ruby's associations with any gamblers or anyone else involved with illegal activity?

Captain REVILL. Jack Ruby was the type of person who would have been acquainted with persons involved in gambling activities and other criminal activities, but as far as Jack Ruby being actively engaged or a member of any groups, no, nothing to indicate this.

Mr. PURDY. Did you have knowledge of any particular close associations between Jack Ruby and anyone associated with criminal activity?

Captain REVILL. No information that would indicate that he was actively engaged. I am sure that he was acquainted with certain individuals who would have been involved in these type activities due to the nature of his nightclub business.

Mr. PURDY. Did you know Lewis McWillie?

Captain REVILL. I know Lewis McWillie by name.

Mr. PURDY. What was his reputation in Dallas?

Captain REVILL. Professional gambler, a bookmaker.

Mr. PURDY. Were you aware of his relationship with Jack Ruby?

Captain REVILL. Not at that time.

Mr. PURDY. When did you learn of that relationship?

Captain REVILL. Since this particular committee has been in session.

Mr. PURDY. You didn't learn of it pursuant to the investigation by the Dallas Police Department into the assassination?

Captain REVILL. No, sir.

Mr. PURDY. Did you know Jack Ruby personally?

Captain REVILL. Yes, sir, I had known Jack Ruby since 1953.

Mr. PURDY. What was the nature of your relationship with Jack Ruby?

Captain REVILL. No relationship whatsoever other than a professional relationship of a police officer to an individual such as Jack Ruby.

Mr. PURDY. Did you ever visit any of his clubs?

Captain REVILL. I was in one club in 1953, the old Silver Spur Club in South Dallas. That was the only occasion I was ever in one of his clubs.

Mr. PURDY. What was your personal impression of Jack Ruby?

Captain REVILL. Jack Ruby was a baffoon. He liked the limelight. He was highly volatile. He liked to be recognized with people, and I would say this to this committee: if Jack Ruby was a member of organized crime, then the personnel director of organized crime should be replaced.

Mr. PURDY. Why do you say that?

Captain REVILL. Knowing Jack Ruby to be a baffoon.

Mr. PURDY. Was your impression of Jack Ruby shared by other members of the Dallas Police Department?

Captain REVILL. It was shared by members of the intelligence unit.

Mr. PURDY. What was the source of your impression that Jack Ruby was a hothead?

Captain REVILL. Reputation.

Mr. PURDY. Were there any specific instances that you were told about that led you to believe that the reputation was accurate?

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Captain REVILL. Where he had become involved in altercations at his clubs, where he had physically ejected people. Jack Ruby was hot tempered and was quick to fight or become involved in altercations.

Mr. PURDY. What was Jack Ruby's reputation among the business community in Dallas?

Captain REVILL. I don't know that he had a reputation among the business community per se. He was probably known among the club owners who operated similar operations but as far as being known among the business community, I dare say that he was not known.

Mr. PURDY. Would you say the Jack Ruby had an unusually close relationship with members of the Dallas Police Department?

Captain REVILL. Listening to testimony here this morning, it would indicate that Jack Ruby was known by all of the police officers. I take exception to that in that I have been there almost 28 years and my particular unit was housed in the Special Services Bureau section. Jack Ruby would have had to come to that office to renew licenses such as a cabaret license, beer license, et cetera, and I dare say that I would see him no more than maybe twice a year and I don't recall seeing Jack Ruby in the Police and Courts Building that often.

Mr. PURDY. Did Jack Ruby receive any benefits or favors from members of the police department in their treatment of him?

Captain REVILL. I sincerely hope not.

Mr. PURDY. Was there any problem with members of the Dallas Police Department performing or receiving favors from club owners?

Captain REVILL. No, none that I know of.

Mr. PURDY. Was there any problem with Jack Ruby in this respect?

Captain REVILL. No, sir, I have no knowledge of Jack Ruby bestowing gifts and favors upon police officers.

Mr. PURDY. Was Jack Ruby ever used as an informant by the Dallas Police Department?

Captain REVILL. He was not used as an informant by the intelligence unit. Whether or not Jack Ruby was used as a source of information, and there is a difference, this I don't know.

Mr. PURDY. To what extent is it possible that Jack Ruby was the source of information to units other than yours?

Captain REVILL. Jack Ruby could have provided information to the members of the vice section who called upon his club, who conducted surveillances or visits into his clubs, but I have no knowledge, personal knowledge of this occurring.

Mr. PURDY. Have any officers told you that this exchange of information took place?

Captain REVILL. No, sir.

Mr. PURDY. Did the FBI provide the Dallas Police Department with the identities of or information concerning the FBI informants in the 1950's and early 1960's?

Captain REVILL. No, sir, they did not.

Mr. PURDY. Were you aware that the FBI had contact with Jack Ruby in 1959 to try to develop an informant relationship with him?

Captain REVILL. No, sir.

Mr. PURDY. Would you expect that you would know that information?

Captain REVILL. No, sir. They would have not known my informants and I would not have known theirs.

Mr. PURDY. Approximately how many officers would you say knew Jack Ruby? You say they all didn't. Approximately how many did know him?

Captain REVILL. In 1963, we had approximately 1,200 officers with the Dallas Police Department. I would say that those officers who knew Jack Ruby were nonuniform personnel, with the exception of the officers assigned to the various beats where his clubs were geographically located. Consequently, we are talking about members of the vice section, narcotics section, the intelligence section, approximately 60 men in that bureau. Members of the burglary and theft unit would probably have known Jack Ruby. Some members of homicide and robbery may have known him. So we are probably speaking in the area of 100 to 150 people, officers, who would have known Jack Ruby, and this includes uniform officers also.

Mr. PURDY. As I am sure you know, Jack Ruby was present in the police headquarters on a number of occasions during the weekend following the assassination of President Kennedy. To your knowledge, was his presence ever challenged by any member of the Dallas Police Department?

Captain REVILL. Not to my knowledge.

Mr. PURDY. Why do you think this was the case? Do you think it was because he was known to so many officers?

Captain REVILL. I have no way of knowing why he was not challenged except that the police and courts building was not secured during the day of the assassination of Mr. Kennedy. The following day, which was Saturday, November 23, it was not secured, and on the date of Ruby's assassination of Lee Harvey Oswald, the only area that I have knowledge of that was supposed to be secured was the basement area where the transfer of Mr. Oswald was to take place.

Mr. PURDY. Was anyone punished for the lax security present in the police department headquarters during that weekend?

Captain REVILL. Not to my knowledge. One man who currently serves as my administrative sergeant feels that he was maligned due to his activities. This is Sgt. Roy Gene Vaughn, who at that time was a uniform patrolman who was assigned to the ramp on Main Street leading into the basement of the city hall, and Sergeant Vaughn has told me that he feels that he was punished in that his efficiency, his personal evaluation, numerical score, was cut a couple of points, and that is the only thing I have ever heard.

Mr. PURDY. So other than the issue of Jack Ruby's access to the police basement on this Sunday morning, no one else was punished for the lax security that was in effect in police headquarters during that whole weekend?

Captain REVILL. I have no knowledge of anyone being punished.

Mr. PURDY. Mr. Chairman, I have no further questions.

Chairman STOKES. Thank you, counsel.

The Chair recognizes the gentleman from Michigan, Mr. Sawyer, for such time as he may consume.

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Mr. SAWYER. Thank you very much, Mr. Chairman.

I am really substituting for Mr. Dodd, who has to be over testifying before the Rules Committee at this moment, so I have a list of questions he was going to ask and I will do my best to handle them.

One thing I am particularly interested in, or Mr. Dodd is, is the access or how Ruby came to get into the basement of the police station at the time of the assassination. Do I understand correctly that the three officers in a car right at the ramp did not see him come down the ramp?

Captain REVILL. If I recall correctly, I believe there has been previous testimony from those particular officers. Sir, if I might explain something here or elaborate. As counsel said, I was assigned by Chief Curry to an investigative team to determine how Ruby gained access to the basement of the city hall, to determine if there was any complicity on the part of any officers as to their involvement, and if I may elaborate on the findings of this particular group, I would be happy to do so at this time.

Mr. SAWYER. Yes, I would like to have that.

Captain REVILL. I believe the committee has a chart. This particular chart represents a facsimile of the basement of the police and courts building and at the top left you will see what appears to be a ramp.

Mr. FITHIAN. Would it be possible to have him——

Captain REVILL. This will be much better.

Mr. FITHIAN. There is a microphone over there.

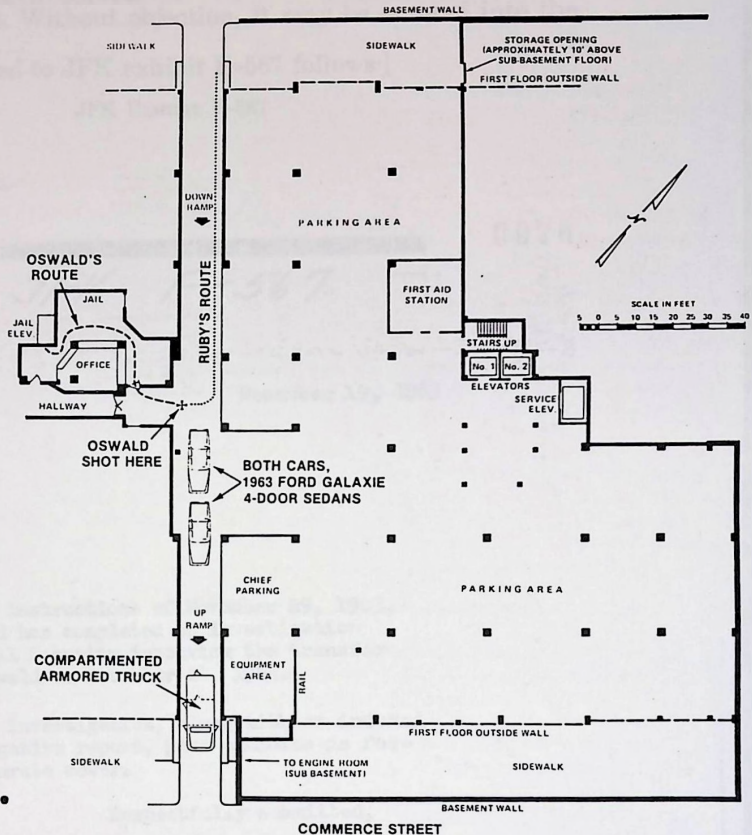
Chairman STOKES. Also, may we have counsel identify the exhibit?

Mr. PURDY. Mr. Chairman, I would like to ask at this time that this photographic blowup of the Warren Commission diagram of the police basement be entered into the record at this time as JFK exhibit F-568.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[The above-referred-to JFK exhibit F-568 follows:]

BASEMENT
Dallas Police Department, Dallas, Texas
MAIN STREET



COMMISSION EXHIBIT NO. 2179

JFK EXHIBIT F-568

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Mr. PURDY. It would be appropriate also at this time to enter into the record as JFK exhibit F-567 the report of the special unit on which Captain Revill served.

Chairman STOKES. Without objection, it may be entered into the record at this point.

[The above-referred-to JFK exhibit F-567 follows:]

JFK EXHIBIT F-567

Revill - p. 12

0078

JFK F-567

December 19, 1963

Mr. J. E. Curry
Chief of Police

Sir:

Pursuant to your instructions of November 29, 1963, the unit assigned has completed an investigation of the Operational Security involving the transfer of Lee Harvey Oswald on November 24, 1963.

A summary of the investigation, along with an indexed complete investigative report, plus exhibits is forwarded under separate cover.

Respectfully submitted,

O. A. Jones

O. A. Jones
Captain of Police

OAJ:mw

December 16, 1963

Mr. J. E. Curry
Chief of Police

Subject: Investigation of the Operational Security
Involving the Transfer of Lee Harvey Oswald
on November 24, 1963.

Sir:

The investigative team which you appointed on November 29, 1963, to make this investigation wishes to submit the following report:

Security was set up in the basement parking area of the City Hall at approximately 9 a.m. on Sunday, November 24, 1963. (See attachments)

The basement was searched and guards placed at all entrances. All unauthorized personnel were removed from the area. Security personnel and news media were then allowed to enter the basement.

An armored truck was ordered and arrived at the Commerce Street ramp at approximately 11:00 a.m. It was backed onto the ramp. The truck did not have sufficient clearance to be taken to the bottom of the ramp. The driver believed the truck might stall due to the weight if it was placed on the incline. It was then decided to leave the truck at the top of the Commerce Street ramp with the rear wheels on the incline and the front wheels on the sidewalk of the Commerce Street side of the City Hall.

The Jail Office corridor outside the Jail Office and the ramp area South of the Southeast corner of the Jail Office was cleared of everyone except security officers.

Plans were changed and Lieutenant R. S. Pierce drove a squad car out of the basement area and out the Main Street ramp. He was accompanied by Sergeants J. A. Putnam and B. J. Maxey. They made a left turn on Main Street, a left turn on Harwood Street and a left turn on Commerce Street. They were intending to lead the armored truck to the County Jail. The armored truck was to be a decoy and the prisoner was to be transferred in a plain car.

Detective Charles Brown drove a plain car on the Commerce Street ramp toward the armored truck. Detective C. N. Dhority then drove another plain car on the ramp behind Detective Charles Brown's car.

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Detective C. N. Dhority was in the process of backing the car he was driving into position adjacent to the Jail Office entrance, when the prisoner was brought out of the Jail Office by Detectives J. R. Leavelle and L. C. Graves, preceded by Captain J. W. Fritz and Lieutenant R. E. Swain. They were followed by Detective L. D. Montgomery. The prisoner had taken a few steps toward the car.

Jack Ruby apparently was standing about 10 or 12 feet from the Southeast corner of the Jail Office, at the bottom of the Main Street Ramp near the pipe railing. Ruby lunged forward from a position between acting Detective W. J. Harrison and Robert S. Huffaker, Jr., a newsman for KRLD-TV. Ruby approached Lee Harvey Oswald with a revolver extended and fired one shot into Oswald below the rib cage on the left side.

The shot was fired at approximately 11:20 a.m. Ruby was immediately arrested. Lee Harvey Oswald expired at Parkland Hospital at 1:07 p.m.

This group interrogated 123 persons during the course of this investigation. This included 20 patrolmen, 21 reserves, 30 detectives, 19 supervisors, 13 reporters, 11 cameramen and 9 civilians. Most of the officers were assigned to provide security and the reporters and cameramen were in the basement at the time of the transfer. Only one of the civilians interrogated was in the basement at the time and this was Jack Ruby.

We have obtained the names of 10 newsmen that were in the basement that we have not been able to interview. We were able to determine there were approximately 10 members of the news media in the basement whose identity we have not been able to determine. It is believed these are newspaper correspondents representing publications from other areas of the country and even other countries. Time and money made the running down of these people inadvisable at this time, particularly since it is not believed that any of them could throw additional light on this matter.

Numerous side investigations which grew out of this investigation were also made. A separate report covering these incidents will be submitted.

We are convinced that our investigation has established to a reasonable certainty that Jack Leon Ruby entered the basement from the Main Street ramp and that no collusion existed between

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him and any police officer or member of the press; that his entrance into the basement at this particular time was the result of a series of unfortunate coincidences which caused a momentary breakdown in the security measures adopted. We are also convinced that Ruby was in the basement for a maximum of 2 minutes with a strong possibility that it was only 5 to 10 seconds prior to the shooting of Lee Harvey Oswald.

The following evidence led us to the above conclusion:

I. Exhibit BR

A. Lieutenants Jack Revill and P. G. McCaghren interviewed Mr. Doyal Lane of 6549 Lake Circle, TAl-0560 at the Western Union Telegraph Company located at Main and Pearl Expressway in Dallas, Texas.

1. Mr. Lane is a supervisor for the Western Union Telegraph Company and was on duty at this location on November 24, 1963. At 11:16 a.m. Jack Ruby sent a \$25.00 Money Order to an employee, Karen Bennett, Ft. Worth, Texas and was given a receipt which was stamped with the time (11:16 a.m.)
2. Mr. Lane was shown several photographs and he readily picked the photograph of Jack Ruby from these and stated that he knew Jack Ruby inasmuch as Ruby had sent several telegrams in the past.

II. Exhibit DD

- A. Shows a distance of 339'6" from the Westernmost doorway at the Western Union Office to the center of the ramp leading into the basement of the City Hall from Main Street.
- B. Shows a distance of 99' from the center of the sidewalk down the Main Street Ramp to a line running East from the Southeast corner of the Jail Office.

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- C. Shows a distance of 16' from the Easternmost point of line mentioned in E above to point where Lee Oswald was shot.
- D. Total minimum distance Ruby would have to travel to arrive at spot of shooting from doorway of Western Union equals 454'6".

III. Exhibit BB

- A. Lieutenants Jack Revill and P. G. McCaghren on November 29, 1963, checked the time required to walk from inside the Western Union Office to the spot of the shooting in the basement of the City Hall.
 - 1. It takes 1 minute and 13 seconds to walk this distance to the entrance of the Main Street ramp.
 - 2. It requires another 22 seconds to walk down the ramp from Main Street to the location where Oswald was shot.
 - 3. Total time required was 1 minute and 35 seconds.

IV. Exhibit CC

- A. Lieutenants C. C. Wallace and P. G. McCaghren used a stop watch checking time required to walk from entrance of Western Union to location of Lee Oswald at time of shooting. Time required was 1 minute and 16 seconds.
- B. It requires 10 seconds or more to go from the desk in the Western Union Office to the sidewalk outside the office.
- C. Total time required was 1 minute and twenty-six seconds.

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V. Time of Shooting

A. Patrolman Willie B. Slack (Attachment 91) called dispatcher for doctor and ambulance.

1. Dispatcher called O'Neal Funeral Home on "Hot Line" for ambulance.

(a) Funeral Home logged call at 11:21 a.m., November 24, 1963.

(b) Funeral Home advised dispatcher to radio Ambulance 605 who was on the air.

2. Dispatcher notified Ambulance 605 at 11:22 a.m. November 24, 1963. (Exhibit BB) (Exhibit EE)

B. Statements by Ruby - Attachment 90.

1. To Lieutenants Jack Revill and F. I. Cornwall that he sent a telegram at 11:16 and did not speak to anyone in the basement prior to the shooting.

2. To Detective D. R. Archer (Attachment 2).
"At this time P. T. Dean asked the suspect, Ruby, 'Jack, how did you get in the basement?' Ruby replied, 'You guys'll never believe this, but a little girl who works for me had called and asked that I send her some money to Ft. Worth. I had left my apartment, gone to Western Union at Main and the Expressway, and wired her \$25.00. I left there and noticed the crowd around the City Hall. I walked up that way, thinking I might get a chance to see Oswald. As I reached the ramp that leads to the basement, I noticed Sam Pierce pull up from the ramp in a black car. The officer standing there turned to either answer a question or say something to Sam. - I don't know. As he did this, I walked down the ramp'."

Mr. Forrest Sorrells of the U. S. Secret Service was believed to be present at the time this statement was made to Sergeant Dean.

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3. To Detective B. S. Clardy (Attachment 17).
 "When asked why he shot Lee Oswald, Ruby replied, 'Somebody had to do it, Ya'll couldn't'. He said it was a spur of the moment thing and it was a million to one chance that he got down there at the actual time Oswald was brought down."

4. To Sergeant P. T. Dean (Attachment 27).
 "After Mr. Sorrells interrogated the subject I questioned Ruby as to how he had entered the basement and the length of time he had been there. Ruby then stated to me in the presence of Mr. Sorrells that he had entered the basement through the ramp entering on Main Street. He further stated that he would estimate his total time as about 3 minutes before the detectives brought Oswald into his view, then he immediately shot him (Oswald)."

5. To Detective T. D. McMillon (Attachment 74).
 "We talked to him when we got to the fifth floor. On the fifth floor Ruby was asked how he got to the basement. He replied that he came from the Western Union Office where he wired a girl in Ft. Worth some money. He said he saw Rio Pierce drive out of the basement. He walked past the policeman standing there. He said a policeman hollered at him, but he ducked his head and kept going. He said that he knew he could always act like a reporter. He also said, 'Ya'll wont believe this, but I didn't have this planned. I couldn't have timed it so perfect.' He said just as he got there, Oswald was coming out."

6. To Patrolman W. J. Harrison (Attachment 45)

"You all know me, I'm Jack Ruby". One officer asked him why he did it, and he answered 'I hope I killed the S.O.B.'"

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VI. Car driven wrong way up Main Street Ramp.

A. Lieutenant R. S. Pierce, Sergeant Putnam and Sergeant Mamey were in car. (Attachments 85, 86 and 69.)

1. All statements state shooting occurred between time car left Main Street Ramp and arrival at Commerce Street Ramp.

B. Lieutenants C. C. Wallace and P. G. McCaghren interviewed Mr. Fritz Kuler of KRID-TV. (Attachment 62) Mr. Kuler stated the video tape was continuous. The time recorded on the video machine of elapsed time from passage of Lieutenant Pierce's car in front of the TV camera until the sound of the shot was 56 seconds. This was checked twice.

*is this before
after
Putnam
gets!*

VII. Officer R. E. Vaughn - Attachment 102.

A. Assigned to Main Street Ramp of City Hall.

B. Instructed by Sergeant P. T. Dean to guard the North Ramp.

C. Officer Vaughn questioned several people and admitted a city mechanic and 1 reporter.

D. Stepped out into Main Street to stop traffic and allow Lieutenant Pierce to make left turn onto Main Street.

E. Saw former Officer N. J. Daniels at Main Street Ramp.

F. Saw former shine-boy from locker room, Wilbert Ray Jones at Main Street Ramp.

G. Polygraph test showed truthful answers on all pertinent questions.

VIII. Statement of N. J. Daniels - Attachment 23.

A. Saw man enter Main Street Ramp.

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B. Gave description of man.

C. Said man entered between himself and Officer Vaughn and the officer looked at him but did not stop him.

D. Polygraph test showed untruthfulness on all pertinent questions that were answered.

IX. Statement of Wilbert Ray Jones - Attachment 57

Had gone to parking lot at Commerce and Harwood at time of shot.

X. Statement of Reserve Officer W. J. Newman - Attachment 79.

Reserve Officer Newman saw someone running down the Main Street Ramp but could not definitely say the time. He believes it was about 1 minute before the shooting.

XI. Statement of Reserve Officer Sergeant Kenneth Croy - Attachment 21.

This officer gives description of man he believes to have been Jack Ruby, that was at foot of Main Street Ramp a while before the shooting. (Investigating Officers have determined that Robert Huffaker, KRIL-TV newsman was in this area at the time, and his clothes were identical to the clothing described by this officer.)

XII. Statements of Detectives B. L. Beaty and J. D. Hutchinson - Attachments 4 and 52.

These two detectives were stationed at the double doors leading into the City Hall from the basement parking area for more than 10 minutes before the shooting. They both knew Jack Ruby and neither saw him in the basement prior to the shooting. They say Ruby

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did not enter the basement area from the double doors from the Jail Office of the Police and Courts Building.

- XIII. Statements of Sergeant Putnam, Reserve Captain Arnett and Reserve Lieutenant McCoy. - Attachments 86, 3 and 72.

These officers statements are regarding the search of the basement parking area and ramps and screening of personnel in area.

- XIV. Newspaper article in Dallas Times Herald, Sunday, December 8, 1963. Statements of Darwin Payne, David Hughes and Sergeant P. T. Dean. - Attachments 82A, 50A and 27.

~~The article alleged that a Dallas Police Officer saw Jack Ruby as he came down the Main Street Ramp.~~

~~Sergeant Dean denied the allegation and the statements of the reporters and their notes show a presumption of the fact not confirmed by the evidence.~~

- XV. Statement of Officer W. J. Harrison - Attachments 45 and 84-B.

Jack Ruby came from this officer's left side when he lunged forward to shoot Oswald.

Polygraph test by Detective P. L. Bentley shows that Officer Harrison did not see Ruby prior to the exit of Oswald from the Jail Office and did not recognize Ruby until instant shot was fired.

- XVI. Security check of newsmen who entered the basement.

All members of the press who were interviewed stated their credentials were checked upon entering the basement, or that they knew the officers personally that admitted them to the basement.

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XVII. Use of Press Pass by Jack Ruby.

- A. Statement by Eva Grant that she believed her brother had a Press Pass. See Exhibit 39-A.
- B. Statement by Mr. Thad Ricks (Attachment 90) that no State Fair Pass was issued to Ruby.
- C. Negative report from all officers and news media regarding seeing Ruby with a Press Pass.
- D. An introductory card was found in Ruby's automobile glove compartment from former Judge Glen Byrd introducing the bearer as Jack Ruby and expressing appreciation for any help given bearer. (In Property Room)

XVIII. Conclusion:

- A. This investigative team believes that Jack Ruby entered the Main Street ramp as the car driven by Lieutenant Rio Pierce was leaving the basement. Patrolman R. E. Vaughn was the only officer guarding the Main Street ramp at this time, and he had stepped into Main Street to halt traffic in order that Lieutenant Pierce could make a left turn onto Main Street.
- B. We also feel it should be noted that no officer interviewed knew the time that Oswald was to be brought to the basement. The car that was to be used for the transfer was still in process of backing into position when Oswald was led from the Jail Office (Attachments 37 and 77)
- C. The still pictures (Attachments 6-A and 53-A) show many of the detectives with their eyes on Oswald at the moment of the shooting, and not watching the viewers who were across the North Ramp and on the East side of the ramp.

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The bright lights illuminating area for the TV cameras were centered on the area adjacent to the Jail Office, making it difficult for the officers who were facing the lights and cameras to observe any movements originating from the Northeast side of the ramp.

- D. These officers had been instructed to form two lines from the Jail Office door to the vehicle to be used for the transfer and to close in behind the prisoner. (See Attachments 4, 16, 18, 41, 52, 66, 87 and 104.)
- E. Exhibits 24-A, 43-A, GG & HH are sound films taken from video tape of the shooting.
- F. Exhibit 84 is a silent film of the shooting.

The other members of this Unit, Lieutenants C. C. Wallace, Jack Revill, F. I. Cornwall, P. G. McCaghren and Detective H. M. Hart concur with the statements in this report.

Respectfully,

J. G. Sawyer
J. G. Sawyer
Inspector of Police

W. R. Westbrook
W. R. Westbrook
Captain of Police

O. A. Jones
O. A. Jones
Captain of Police

JHS:nw

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Mr. SAWYER. Proceed.

Captain REVILL. This particular committee was comprised of Inspector Herbert Sawyer, Captain Westbrook, Capt. O. A. Jones, myself, a Lt. Paul McCaghren, Lt. Frank Cornwall, Lt. Cecil Wallace, and initially a detective, one of my subordinates in the intelligence unit, H. M. Hart, and as I said, it was our function to investigate the shooting of Mr. Oswald by Mr. Ruby.

One phase of the particular investigation indicated that at 11:16 a.m. on the date of the shooting of Oswald, Ruby had sent a wire to Fort Worth—11:16 a.m. It is my understanding that the shooting of Mr. Oswald by Ruby was 11:20 a.m., some 4 minutes later. The Western Union Building is to the east of the police and courts building. The distance from the counter or table where he sent this wire to the young lady in Fort Worth was approximately 454 feet from that counter to the location where he shot Mr. Oswald.

Using a tape measure and a stop watch, we determined that it involved approximately 1 minute and 35 seconds to cover the distance from the Western Union to the location of the shooting. So it was pretty close timing there for Ruby to have gained entrance to the basement of city hall.

If he sent the teletype or telegram or wire at 11:16 a.m. and the shooting occurred at 11:20 a.m. some 4 minutes elapsed, and we can account for approximately 1 minute and one half, 1 minute and 30 seconds from the time he left Western Union.

Now, I will bring something up at this time. I personally conducted that investigation, Lieutenant McCaghren and I. We are basing the times on the statement of the Western Union employee, who says that Ruby sent this wire at 11:16, and this is verified by a date time stamp.

In talking to this individual, McCaghren and I questioned him as to whether or not he actually date time stamped it automatically or immediately. He said, yes; he did because that was procedure. But that doubt was always in my mind. It is possible there was some time lapse in that maybe he didn't do this at the time because this was a part of the procedure, yes, he said he did it. So who knows?

But using the physical evidence that we found, using the date time stamp of 11:16, and Mr. Oswald being shot at 11:20, you have a period of 4 minutes.

Mr. SAWYER. Can you show us where the automobile containing the three officers was located?

Captain REVILL. Yes, this automobile had already cleared the ramp. It went the wrong way. This is Main Street here, and the normal course of travel, it is one-way ramp into the basement of the city hall off of Main Street, and you exit one way on to Commerce Street.

Officer Roy Vaughn was assigned at the ramp to prevent anyone entering the ramp.

Now, something else that came to my attention in June, and it took me by surprise. Roy Vaughn, I have complete confidence in his integrity, and credibility. He was assigned to that ramp. As part of the investigation, I submitted Roy Vaughn to a polygraph examination. He passed the polygraph examination. He did not

knowingly permit Jack Ruby entrance into the basement of the city hall. This is verified by polygraph.

In June of this year, one of the staff investigators was in Dallas and Roy Vaughn, who is Sergeant Vaughn, who I mentioned, is now my administrative sergeant, told me that he had talked to a Sgt. Don Flusche, who is still with the Dallas Police Department. Don Flusche was a sergeant assigned to the Northeast at the time of the assassination. Sergeant Vaughn reported to me that Don Flusche on that Sunday morning, had parked across the street from the police and courts building, stood outside his car with the door open monitoring the radio, just watching.

He further told me that Flusche says that he knew Jack Ruby, knew him personally, that Jack Ruby did not come down Main Street and enter the ramp of the city hall. That took me by surprise.

Mr. Moriarty, one of the staff investigators, was there, I called Sergeant Flusche to my office and he relayed that same information to both of us. So if that be true, then maybe Mr. Ruby did not enter the basement that way. It tends to dispute the findings of the investigative team I was assigned to. I don't know. That is the truth.

Mr. SAWYER. That would be consistent with the testimony of the three officers that drove up that ramp, too.

Mr. REVILL. Yes, sir; it would.

Mr. SAWYER. They had not seen him, either?

Mr. REVILL. There are also two other alternatives, and it is a possibility. After determining that information from Sergeant Flusche, Mr. Moriarty and I personally, walked to the basement of city hall and I found some more steps. I have been there in that building off and on almost 28 years, and I didn't know the steps were there; never paid any attention to them. There is another set of steps here that lead into the basement of city hall.

Mr. SAWYER. From where?

Mr. REVILL. From the first floor of the municipal building. The municipal building, at that time, was the city hall. The city hall, or municipal building and the police and courts building are two separate buildings, although they are connected.

Mr. SAWYER. Is there a door, there, too?

Mr. REVILL. There is a door leading out of the basement into some steps. You can go to the first floor of the municipal building.

Mr. SAWYER. And the first floor of the municipal building, I presume, was not secured at all?

Mr. REVILL. On Sundays, or weekends, it is normally locked. Now, whether or not it was secured on that day, sir; I do not know. But the Western Union Building is here. Midway between Harwood Street and Central Expressway South, the Western Union Building sits on the corner of Main and Central Expressway South. The police and courts building sits up at the corner of Harwood and Main. There is an alleyway that runs parallel to Harwood.

Midway between Commerce and Main Street, there is an entrance to the Municipal Building. Today, that door has a dead bolt lock. Now, what it had in 1963, I don't know. It could have had a panic lock; who knows. I don't know.

PROPERTY OF
ASSASSINATION

Another alternative is rather than coming down Main Street at all, Ruby could have come Central Expressway to an alleyway that runs midway between Commerce and Main Street and walked right into the area and it would not affect the timing at all. So, it still falls within the time frame of 4 minutes.

Mr. SAWYER. Was that door and steps from the municipal building secured or guarded in any way?

Mr. REVILL. At one time, I am told by members of the staff, there had been a police reserve officer here, but prior to Mr. Oswald being brought out, this officer had been reassigned. I am just quoting one of your staff members. I was not present at the location that day.

Mr. SAWYER. Was there any other way he could have had access to the basement other than the two you have shown us?

Mr. REVILL. Yes, sir; he could have come through the police and courts building into the main hallway, but it is my understanding that this was secured by uniformed officers and plain clothes personnel.

Mr. SAWYER. Did you ever ask Jack Ruby following this how he got into the basement?

Mr. REVILL. Yes, sir; I did. On December 1, Lieutenant Cornwall and I went to the Dallas County jail and interviewed Jack Ruby.

Jack refused to discuss with us his entrance or access into the basement. He told us this would be a part of his defense tactics. Again, on December 3, I interviewed Jack Ruby and he repeated the same thing. He refused to discuss how he gained entry into the basement.

Mr. SAWYER. Do you have any hypothesis or any reason that you could conceive why he wouldn't discuss this with you?

Mr. REVILL. None other than his statement to me that this was to be used as part of his defense.

Mr. SAWYER. Might it be that he was protecting the identity of some people that might have let him in?

Mr. REVILL. That entered my mind at the time, sir.

Mr. SAWYER. And he never said, he never said at any point that he did go down the ramp—

Mr. REVILL. Not to me; no, sir.

Mr. SAWYER. To your knowledge, did he tell anyone else that?

Mr. REVILL. I think I read some accounts in the newspapers that he had reported and he went down the ramp. But he never made this statement to me, sir.

Mr. SAWYER. Where some of these officers that went up the ramp in the car given polygraph tests?

Mr. REVILL. No, sir—

Mr. SAWYER. Or otherwise checked out?

Mr. REVILL. No, sir. The three officers who went up the ramp were not given polygraphs. An additional officer was polygraphed. An Investigator Harrison who was standing in this area here, and the reason for the examination of Mr. Harrison was, in reviewing the films of the actual shooting of Oswald, it appeared as though Harrison looked over his left shoulder and Mr. Ruby was standing just to his left. So, with that in mind, we decided that he had to have seen him. We examined Harrison on the polygraph and he passed the polygraph.

This is possible, too, because major network stations had set up, I believe the correct terminology is klieg lights, bright TV lights here in this area. We re-enacted the scene and those particular lights completely blinded anyone who looked in their direction.

Mr. Harrison did pass the polygraph examination that he did not see Jack Ruby to his immediate left just prior to the shooting of Mr. Oswald.

Mr. SAWYER. Were any of the other officers given polygraphs?

Mr. REVILL. Those were the only two that I personally was involved in polygraphing, sir. In answer to your question, I don't know of any other officers.

Mr. SAWYER. Did any of them, who were given polygraphs, fail the polygraphs?

Mr. REVILL. There was one other officer who took a polygraph examination. I had nothing to do with that. A former Dallas officer, Napoleon Daniels, was standing at the top of the ramp. It is my understanding he made a statement that he saw Ruby enter the basement by the ramp and that Roy Vaughn, who was assigned to that post, looked at him, nodded to him and permitted him to enter.

Mr. Daniels was subsequently administered a polygraph examination and he flunked the examination.

Mr. SAWYER. Was that ever followed up with any further questioning of him?

Mr. REVILL. I did not question him, no, sir.

Mr. SAWYER. To your knowledge, did anyone else?

Mr. REVILL. No, sir, not to my knowledge.

Mr. SAWYER. But it was a conclusion, then, of your special investigative unit that Ruby had come down the ramp, but I infer now you have some reservations.

Mr. REVILL. The conclusion, at the time, was that Mr. Ruby had entered the ramp of the city hall here. Based on information that just came to my attention in June of this year from Sergeant Flusche—there might be a doubt. As I said, I have complete confidence in Mr. Flusche's integrity and credibility.

Mr. SAWYER. There have been some statements that some guards were removed from the interior door about 20 to 30 minutes before the shooting had occurred. Were you aware of that?

Mr. REVILL. I found that out yesterday, sir.

Mr. SAWYER. Just yesterday?

Mr. REVILL. Yes, sir.

Mr. SAWYER. Do you know anything about that?

Mr. REVILL. Nothing other than what one of your attorneys told me. I was not present at this location on the date of November 24. I was home.

Mr. SAWYER. Had there been any public announcement or any public information about the intention to transfer Oswald at the time?

Mr. REVILL. As I recall, the chief of police at that time, Jess Curry, publicly stated over the radio and TV that at 10 a.m. on Sunday the 24th, that Mr. Oswald would be moved.

Mr. SAWYER. When you did find out that these guards were removed or had information to that effect, do you know who would have done that, or do you have any information?

Mr. REVILL. I now know who did it, but I didn't at the time because I didn't know they had been moved.

Mr. SAWYER. Do you know who did it? Can you tell us?

Mr. REVILL. Yes, sir, I am told Sgt. P. T. Dean, a retired sergeant, removed them.

Mr. SAWYER. Do you know why he removed them?

Mr. REVILL. No, sir, other than, again, going back to your counsel, he said they were moved or relocated to a position outside to work vehicular traffic. Again, that is based on your counsel.

Mr. SAWYER. Was there ever any kind of finding as to negligence or otherwise on the protection of this area made by your unit?

Mr. REVILL. I think it is a foregone conclusion that there was negligence; we let the man get killed. But as far as being able to identify any one individual as being responsible or negligent, no, sir.

Mr. SAWYER. And your special unit conducting the investigation made no finding of negligence on behalf of anyone?

Mr. REVILL. No, sir, in that the entire department was negligent.

Mr. SAWYER. Did the Warren Commission, so far as you know, rely on your report to that effect?

Mr. REVILL. I don't know, sir.

Mr. SAWYER. But they were aware—

Mr. REVILL. Yes, sir, they had copies of all of the reports.

Mr. SAWYER. I have nothing further at this time, Mr. Chairman.

Chairman STOKES. You may resume your seat at the witness table, Captain.

Mr. REVILL. Thank you.

Chairman STOKES. Captain Revill, did you attend the trial of Jack Ruby in Dallas?

Mr. REVILL. Yes, sir. The district attorney of Dallas County, Mr. Henry Wade, had myself and five of my investigators assigned to his office during the trial of Jack Ruby to assist him in preparing for prosecution.

Chairman STOKES. In the course of the trial, was it not necessary to establish how Ruby had gotten into the basement of the police station?

Mr. REVILL. I never testified to that effect, sir.

Chairman STOKES. No; but in terms of the prosecutor proving the crime, didn't he have to offer evidence of that?

Mr. REVILL. I am sure he did. I was under the rule, and I was not inside the courtroom for the actual testimony. I do not recall who actually testified or addressed that particular facet.

Chairman STOKES. In your capacity of helping the prosecution, you were kept out of the courtroom during the course of the trial?

Mr. REVILL. Yes, sir.

Chairman STOKES. And then I assume, then, that you are not familiar with what the evidence was in the case relating to how he got into the police station?

Mr. REVILL. That is correct, sir, I am not familiar.

Chairman STOKES. Are you familiar with whether or not a statement was taken from Jack Ruby by the police at the time of his arrest for the crime?

Mr. REVILL. A written statement or a verbal statement, sir?

Chairman STOKES. Well, either one.

Mr. REVILL. It is my understanding that shortly after the shooting of Mr. Oswald, Ruby made some type of statement to members of the police department in the fifth floor jail, but I was not there, sir, and I don't know exactly what he did say.

Chairman STOKES. I see.

Mr. REVILL. It was a spontaneous statement, or something to that effect.

Chairman STOKES. Let me ask counsel of the committee if they have a statement from Mr. Flusche for the record? I understand that Mr. Flusche's statement to our committee was on June 7, 1978 and has been identified as JFK exhibit F-569; is that correct? I ask unanimous consent that Mr. Flusche's statement be entered into the record at this point.

Without objection, so ordered.

[The above-referred-to exhibit, exhibit JFK F-569, follows:]

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FBI

KENNEDY

-JFK F-569-

INVESTIGATION INTERVIEW SCHEDULE

009589

Identifying Information:

Name DON F. FLUSCH Date 6-7-78
Address 2321 GLOBE AVE Place INTERNAL AFFAIRS OFFICE
City/State DALLAS TEXAS Telephone (214) 327 5777-H
Date of Birth _____ M or S _____
Social Security _____ Spouse _____
Children _____

Physical Description:

Height 5'10" Color Eyes BLUE Hair RED
Weight 180 Special Characteristics _____
Ethnic Group CAU

Personal History:

- a. Present Employment: DPD (INSPECTORIAL SERVICES)
Address DEFENDANT'S BLDG
Telephone 670 4405
- b. Criminal Record
1. Arrests _____
2. Convictions _____

Additional Personal Information:

- a. Relative(s): Name _____
Address _____
- b. Area frequented: _____
- c. Remarks: _____

Investigator John M. [Signature]Date 6-7-78

Form #4-B

KENNEDY

SELECT COMMITTEE ON ASSASSINATIONS

Name Don F. Flusche Date 6 7 78 Time 1400
 Address 2321 Globe Avenue Place on the job
Dallas, Texas 214 670 4405 (work)
214 327 5777

Interview: Interviewed Sgt. Flusche on the job today as he is assigned to the Inspectional Services Section of the Dallas Police Department, at which time he advised he was standing alone on the Main Street sidewalk diagonally across the street from the DPD basement ramp. It was some time before noon and he observed Officer Roy Vaughn, whom he knew, at the ramp's entrance on 11/24/6

The sergeant had his cruiser parked to the curb with the right front door opened on to the sidewalk area. He was listening to the Police Department radio (he was on duty). Although assigned to the "Northeast District" at the time, he was also working as the Watch Commander and had driven to Main Street to see if he could see Lee Harvey Oswald as he was moved to the Sheriff's Office.

He stood there long enough to see (Lt.) Rio Sam Pierce drive up the "in" ramp and Vaughn step towards the street.

He was still there when the obvious commotion told him something was amiss in the basement.

The street was void of pedestrians in the downtown

Interviewer Signature Jack Moriarty

Typed Signature Jack Moriarty

Date transcribed June 28, 197

Bv: Ross

PROPERTY OF

Flusche Interview

Page two

in the downtown section on this Sunday morning and he knows beyond any doubt in his mind, that Jack Ruby, whom he had known many years, did not walk down Main Street anywhere near that ramp.

Asked why he hasn't mentioned this before, he advised he did as soon as he found out what had happened. He immediately notified his superior, Lt. Knox. He didn't hear any more about it until yesterday talking with Vaughn who asked him to mention it to me.

Captain Jack Revill was present during this interview.

I accompanied the Captain and Vaughn to the basement of this building where the LEO/Ruby scene is located and we examined the scene carefully.

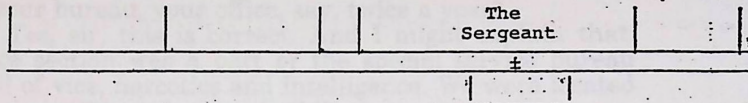
Close inspection reveals an alley separating the Police Headquarters building and the next building and the adjoining building which ends the block. This last or third building also houses (and did in 1963) the Western Union office used by Ruby that Sunday morning. It is quite plausible that Ruby - or anyone else - could walk from the corner building (Western Union) past the second building, turn left into the alley alongside the Police Headquarters and enter the Dallas Police Department by way of a side door, which leads to a stairway directly to the basement area where the shooting took place.

While this possibility doesn't alter any facts, it's an alternate route which could have been utilized by Ruby and would have made a much less conspicuous entry possible.

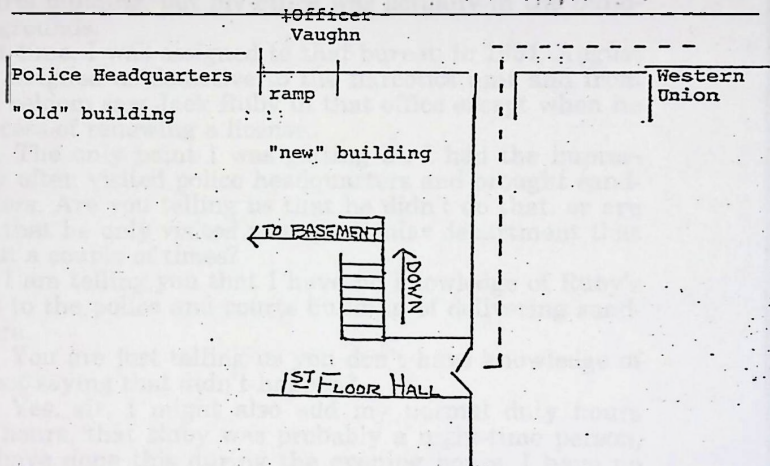
Fleusche Interview

Page three

The timing and the distance would be within feet and seconds of the "ramp" version.



Main Street



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Chairman STOKES. The gentleman from North Carolina, Mr. Preyer.

Mr. PREYER. Did you ever see Jack Ruby in jail after the trial?

Mr. REVILL. No, sir, not after the trial.

Mr. PREYER. So, you didn't see him again after the trial?

Mr. REVILL. No, sir, I saw him during the course of the trial, but I never had occasion to see him after the trial.

Mr. PREYER. The only other question I wanted to be clear in my mind on, I understood you to say that he only, or you only saw Jack Ruby in your bureau, your office, say, twice a year?

Mr. REVILL. Yes, sir, this is correct. And I might explain that. The intelligence section was a part of the special service bureau which consisted of vice, narcotics and intelligence. We were located in room 217 of the police and courts building.

In 1960, due to space limitations, the intelligence unit was physically moved to a building located in the State fairgrounds. My daily activities would require that I make trips to and from the police and courts building, but my office was actually in the building in the fairgrounds.

Prior to that time, I was assigned to that bureau in 1954, August of 1954 I was assigned as detective to the narcotics unit and from 1954 to 1960, I seldom saw Jack Ruby in that office except when he was in the process of renewing a license.

Mr. PREYER. The only point I was getting at, I had the impression that Ruby often visited police headquarters and brought sandwiches to officers. Are you telling us that he didn't do that, or are you telling us that he only visited your particular department that you knew about a couple of times?

Mr. REVILL. I am telling you that I have no knowledge of Ruby's frequent visits to the police and courts building of delivering sandwiches, et cetera.

Mr. PREYER. You are just telling us you don't have knowledge of that; you are not saying that didn't happen?

Mr. REVILL. Yes, sir, I might also add my normal duty hours were daytime hours, that Ruby was probably a night-time person, and he could have done this during the evening hours. I have no personal knowledge of it.

Mr. PREYER. Thank you, Captain.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Ohio, Mr. Devine.

Mr. DEVINE. I just want to inquire in one area, Captain. This sergeant, Don Flusche—

Mr. REVILL. Flusche.

Mr. DEVINE. I understand he was standing outside his cruiser with the door open listening or monitoring—

Mr. REVILL. His radio.

Mr. DEVINE [continuing]. His radio. Was he standing on the offside, the right side of the vehicle?

Mr. REVILL. Yes, sir, he would have been standing on the right side of the automobile parked across the street from the police and courts building.

Mr. DEVINE. So that his automobile was between the officer and the entrance to the ramp?

Mr. REVILL. Yes, sir, he was standing on the curb.

Mr. DEVINE. Yes; I believe you said he knows beyond any doubt in his mind that Jack Ruby, whom he had known many years, did not walk down Main Street anywhere near that ramp?

Mr. REVILL. This is what he told me, sir.

Mr. DEVINE. Was he questioned as to whether he consistently and continuously and without interruption observed the ramp area or was his back at any time turned to it?

Mr. REVILL. He was questioned by Mr. Moriarity of this committee extensively about what transpired and he contends that his vision was not blocked at any time, that Ruby did not walk from the alleyway in front of the municipal building into the ramp of the police and courts building.

Mr. DEVINE. At least he didn't see him.

Mr. REVILL. He didn't see him.

Mr. DEVINE. Was he assigned there specifically for that purpose or was he there just on an off-chance he may have an opportunity to see Oswald depart?

Mr. REVILL. I think the latter is the correct version. He, on that particular day, was the acting watch commander for the northeast division and due to a lack of activity in his particular sector, he had driven to the downtown area to see, in essence, what was going on, and he was parked there when the murder of Oswald took place.

Mr. DEVINE. Do you know, Captain, why he didn't make this information available to the Dallas police in November of 1963 or the Warren Commission in 1964?

Mr. REVILL. He told me he did, that he had related this information to a Lt. Earl Knox, who was his superior, and what Lieutenant Knox did with it, I don't know. I think he is now deceased.

Mr. DEVINE. Do you know whether or not this information came out during the trial of Jack Ruby in Dallas?

Mr. REVILL. Not to my knowledge.

Mr. DEVINE. Thank you, Mr. Chairman.

Chairman STOKES. The time of the gentleman has expired. The gentleman from Tennessee, Mr. Ford.

Mr. FORD. Thank you, Mr. Chairman. I have one question of the witness.

Captain, did you say earlier that the investigating team, consisted of seven, eight different officers?

Mr. REVILL. Yes, sir.

Mr. FORD. In your final report of the investigation you did not include any information regarding the stairway in the municipal building, is that correct?

Mr. REVILL. That's correct, I am saying we didn't submit any information about the stairway.

Mr. FORD. It is just until recently that the stairway in the municipal building was discovered; is that correct?

Mr. REVILL. That's correct.

Mr. FORD. Mr. Chairman, I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time. The gentleman from Indiana, Mr. Fithian.

Mr. FITHIAN. Thank you, Mr. Chairman. Captain, did you ask Jack Ruby if he went down the ramp?

Mr. REVILL. Yes, sir, I did.

Mr. FITHIAN. And he said he refused——

Mr. REVILL. He refused to respond to that saying this would be a part of his defense tactics. What he meant by that, I do not know, sir.

Mr. FITHIAN. I believe Congressman Sawyer referred to this, but I didn't quite understand all the answer, and that's the polygraph test that was administered to Mr. Daniels.

Mr. REVILL. Yes.

Mr. FITHIAN. The information I have and the documents we have is that on the crucial questions about whether he saw somebody go down the ramp and the description of the person, et cetera, he failed every one of those questions.

Mr. REVILL. I am not personally familiar with Mr. Daniels' polygraph examination, other than the fact he was administered one and he did fail the particular test. The pertinent questions, I do not know.

Mr. FITHIAN. Can you tell the committee something more about Mr. Daniels than we now know? What kind of a person was he? How reliable as officer?

Mr. REVILL. I didn't know the gentleman, sir.

Mr. FITHIAN. Let me turn, then, to another area. At the time of the transfer, you said that you were not in the building?

Mr. REVILL. That's correct.

Mr. FITHIAN. But this must have been in the long course of your review and investigation of this, a very, very pertinent topic and, therefore, am I wrong to assume that you are really pretty familiar with what the mood of the action and the activities in the building were?

Mr. REVILL. I had no knowledge of the proposed move of Mr. Oswald. Those were decisions made by the chief of police and the captain commanding the homicide and robbery unit at that time.

Since the incident involving the shooting of Oswald by Ruby, in talking to other people, I formed ideas. But having personal knowledge, no, sir, I have none.

Mr. FITHIAN. Let me ask you another way, then. Isn't it true that there was a real effort to provide security for this transfer?

Mr. REVILL. Yes, sir, there was an effort to provide security. As I have testified earlier, the basement of the city hall, and I am advised of this——

Mr. FITHIAN. I wonder if you could move the microphone over in front of you a little more, Officer.

Mr. REVILL. I am advised that the security survey was made, or a sweep of the basement of the city hall was made prior to the actual movement of Mr. Oswald, that this sweep involved looking into automobiles, under automobiles, behind any possible barricades, and that prior to the actual movement of Mr. Oswald, that the all-clear was given.

As I say, I was not there; this is what I am told.

Mr. FITHIAN. Then, in light of the fact that a fairly significant effort was made to provide security for Oswald and to transfer him to the county sheriff's quarters, what was your finding with regard to Chief Curry's making a public announcement of the time this would take place?

Mr. REVILL. We really did not address that particular aspect, sir.

Mr. FITHIAN. It just seems to me, as a layman—I am not a police officer—to take a celebrated prisoner that had just assassinated the President of the United States and then to announce to the world that at 10 o'clock, you are going to move him from point A to point B—

Mr. REVILL. I agree with you, sir, it is strange.

Mr. FITHIAN [continuing]. Is a remarkable development.

Mr. REVILL. Very strange.

Mr. FITHIAN. Second, was there ever any question as to whether or not the decision to allow the media and the klieg lights and all the commotion that would bring into the basement, was there ever any question, have you conducted that investigation as to why that decision was made?

Mr. REVILL. Yes, sir, we attempted to address that question, and we were advised that, the understanding was made with the network stations that they would not illuminate the klieg lights which were used by the TV stations which tended to blind the participants in the basement of the city hall.

Mr. FITHIAN. Captain, is it your professional opinion that had the commotion and the additional people, the media and the cameras not have been present, that Lee Harvey Oswald would not have been shot?

Mr. REVILL. They contributed to the killing of Oswald, yes, sir.

Mr. FITHIAN. That is, in creating this commotion in the basement—

Mr. REVILL. Mass confusion.

Mr. FITHIAN. Well, then, in your final findings—you were in charge of investigating this whole thing?

Mr. REVILL. No, sir, I was not in charge. I was one of the people assigned to the unit to conduct the investigation.

Mr. FITHIAN. You were one of the people assigned—

Mr. REVILL. Yes, sir.

Mr. FITHIAN. Were your findings critical of these two decisions, one, to make the public announcement, and, two, to allow the media in so you—

Mr. REVILL. No, sir, I don't think we addressed that particular subject in the investigation report. They did contribute to the confusion, but the decision had been made by the chief of police and possibly some of the city fathers to do this in an effort to cooperate with the news media to assure the world that we had not mistreated Lee Harvey Oswald while he was in our custody.

Mr. FITHIAN. Mr. Chairman, I only have a closing observation. It seems unusual that the two elements, besides Jack Ruby, that seems to have been the source of the event, or the cause of it, would not be addressed in the investigation of it. I guess that is 20-20 hindsight.

I yield back the balance of my time.

Chairman STOKES. The gentleman yields back the balance of his time. The gentleman from Pennsylvania, Mr. Edgar.

Mr. EDGAR. Thank you, Mr. Chairman.

Captain, who was in command on the Sunday morning of the Oswald shooting?

Mr. REVILL. The chief of police would have been in command of the police department that morning; he was on the premises.

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Mr. EDGAR. I had some extensive experience over a 3- or 4-year period in riding with something called the police clergy unit. I also rode in the command car, which, in the city of Philadelphia, was the lieutenant's car. He tried as best he could to be on the scene of any major incident and be on top of the situation and be in control of the situation. Do you know who was in charge?

Mr. REVILL. Yes, sir, the chief of police was in the building the morning of the transfer. As to his physically being present in the basement of the city hall, I have no information to that effect. It is my understanding the assistant chief at that time, Charles Batchelor, and the deputy chief of CID, W. M. Stevenson, were or had been physically present in the basement. But ultimately, responsibility must lie with the chief of police.

Mr. EDGAR. How would you grade his command, A, B, C, D, F, in terms of grading the quality of it on that day?

Mr. REVILL. Sir, I was not present, and again, this is hindsight. I don't feel it would be proper for me to comment—or attempt to evaluate his performance.

Mr. EDGAR. Let me comment for a second because I have been very interested in a couple of things that you have said and a couple of other important things that we have gotten over a period of time. We have analyzed and asked witnesses from the Secret Service and FBI, now the Dallas Police, whether any tape recording or any verbatim of Oswald's testimony was taken, and the answer came back no. We now find out that in terms of security arrangements, centered around the movement of Oswald, from the police station, as to whether or not the security arrangements were really adequate and good, and the answer comes back no, there were mistakes.

Even in the investigative report that you did, you have admitted this morning there was an officer who was not far from the ramp, who had testimony to give, and yet your investigative committee, looking into how Jack Ruby got into the basement, was not analyzed.

You admitted further that an access that would be a possible route of entry into the basement was not brought to your attention until recently.

We could go through a number of other specific events centered around the control of Lee Harvey Oswald, the control of the press, the control of the area, and the security, et cetera. And find a number of mistakes had been made.

Can you identify for the committee why no member of the Dallas Police Department was even reprimanded even slightly for their activities or actions surrounding the death of President Kennedy?

Mr. REVILL. No, sir, I cannot personally address myself to that. That decision would have been made by the chief of police.

Mr. EDGAR. Could it have been part of the kind of the environment of police thinking that it is very difficult to publicly criticize any of its own members for mistakes, or part of the environment of the thinking of the Dallas Police Department that they would not want to admit a mistake?

Mr. REVILL. Sir, at that time, I don't think we would have hesitated one bit to admit mistakes because we became, you might

say, a laughing stock, keystone cops, due to the inadequate security that we provided for Mr. Oswald.

Mr. EDGAR. But the record indicates that you took no action to reprimand any of your officers for any of the activities that they were involved in.

Mr. REVILL. Had the investigation proved that any particular officer was involved with Mr. Ruby, I would hope that he would have been disciplined.

I can assure you that this would occur today.

Mr. EDGAR. Let me just have one final question. I was surprised at your very quick characterization of Jack Ruby as a baffoon and your indication if you were or if there was a personnel director of the underworld, that Jack Ruby would not be someone to hire. But couldn't the speculation also go that the underworld needs a number of people to act in different capacities other than professionally involved in roles of the underworld, and that Jack Ruby could have been used by organized crime in a particular way, and that the speculation that the underworld never uses baffoons might be too quick of an analysis of underworld activities?

Mr. REVILL. This is a possibility. Again, Mr. Ruby may have been playing a role, but this is the image that he projected to me and this is my personal opinion, having observed Ruby on infrequent occasions.

As I testified, I never went to his clubs, I would see him on the streets. He was the type person who would run up to you to be identified. He sought attention. This is my interpretation of Ruby, a loud mouth.

Mr. EDGAR. I yield back my time.

Chairman STOKES. The gentleman from Connecticut, Mr. Dodd.

Mr. DODD. Thank you, Mr. Chairman.

I want at the outset to thank my colleague from Michigan, Mr. Sawyer, for filling in for me on some of those questions. I had to be over in the House Rules Committee.

I would like to ask the witness, did the special unit on that day, on November 24, ever consider the possibility after the fact that Jack Ruby had entered the basement through a route other than through the ramp? Did you examine other alternative routes that he could have come in?

Mr. REVILL. No, sir. After a determination of the physical evidence, by this, the timing, the distances involved, and the fact that Mr. Ruby had reported to other officers that he entered by the ramp, we zeroed in on that particular entry.

Mr. DODD. And didn't examine any other possible alternative?

Mr. REVILL. No, sir.

Mr. DODD. Yet based on the testimony you have given here today, what I have been able to read as a result of previous statements you have given to this committee: one, Ruby in fact did not tell you that this was the way he got in, down the ramp—I will enumerate four or five factors that I have listed in my notes—there was an alleyway route and an entrance on the side; information that the alleyway entrance door was unguarded; the additional fact that three officers in the car on the ramp said that they did not see Ruby; and that Officer Vaughn did not see Ruby; and that Sergeant Flusche, who was on the other side of the street, on Main

Street, he didn't see Ruby walking down the street. Here we have all of this evidence that seems to contradict the statement or the fact that has been believed for so long, that Jack Ruby came down the ramp.

We can conclude in light of all this evidence that he probably didn't come down the ramp? Wouldn't you agree with that?

Mr. REVILL. No, I cannot conclude positively he did not come down the ramp. As I said earlier, the information from Sergeant Flusche came to my attention in June of this year. The three officers who exited the building up the ramp onto Main Street, it is possible that they would not have seen Ruby.

It is also possible that Roy Vaughn in stepping out onto the sidewalk from the entrance to check for oncoming traffic, talking about eastbound traffic on Main Street, to enable the police car to make a left turn across traffic, Jack Ruby could have slipped into the basement at that time.

But I am satisfied that Roy Vaughn did not see Jack Ruby nor did he knowingly permit him to enter the basement.

Mr. DODD. You would have to agree this day that there exists a strong possibility, in light of all the evidence that has come to light since that time, that Jack Ruby could just as easily have entered the basement, in fact more easily, entered the basement through that alleyway and that unguarded door?

Mr. REVILL. This is possible, if that particular door leading to the alleyway was unlocked.

Mr. DODD. Prior to the shooting of Lee Harvey Oswald, in fact only minutes before, Jack Ruby sent a money order from the Western Union office. Did the special unit consider the possibility that Jack Ruby had utilized the sending of this money order to make his entrance to the basement and that the subsequent shooting of Oswald seemed a fluke or coincidence of timing?

Mr. REVILL. We discussed it, yes, sir.

Mr. DODD. What did you conclude?

Mr. REVILL. If that be the case, then Ruby had to have had assistance from someone in the police department. To know exactly what time Oswald was to be transferred.

Mr. DODD. Did the inspection unit assume that for Jack Ruby—I guess you have answered that by your response to your last question—you would have assumed he would have had to have assistance? Did you examine or how thoroughly did you examine whether or not there was a possibility of such assistance?

Mr. REVILL. We interviewed everyone that had been assigned to the basement. We interviewed members of the news media in an effort to determine if there was complicity between Ruby and any member of the police department or anyone else for that matter, and we were unsuccessful in that endeavor.

Mr. DODD. We will suspend for one moment.

Counsel informs me of another possibility. I guess for the 15 years we have always assumed that word would have had to come out to Ruby from the police station, to inform him as to exactly when Lee Harvey Oswald was going to be transferred. Did the special unit ever consider the possibility that the arrival of Jack Ruby triggered the decision to then move Lee Harvey Oswald?

Mr. REVILL. No sir, because it would have taken longer. If you can believe the fact that he did send a telegram or a wire to Fort Worth at 11:16, you have got a time lapse of 4 minutes from the time the operator date stamped the wire until his shooting of Oswald in the basement. That is a 4-minute period. That would have taken time—timing would have had to be perfect and knowing the elevator situation in the jail I can't see that they would have played it that close.

Mr. DODD. I would like to pursue just one other line of questioning, if I could.

You testified before the Warren Commission, is that correct?

Mr. REVILL. Yes, sir.

Mr. DODD. And you stated there that you knew James Hosty?

Mr. REVILL. I knew him well.

Mr. DODD. Could you tell this committee, without going through an elaborate questioning process, in your own words, tell us of your encounter with James Hosty on November 22, 1963, where it occurred, and what James Hosty told you when you ran into him, approximately the time you ran into him?

Mr. REVILL. Of course, this will be based on memory. Basically, what occurred on that date, after searching the School Book Depository, finding the weapon and other evidence, I departed the Depository and returned to the Police and Courts Building accompanied by three detectives who worked in the intelligence unit. As I entered the ramp off of Main Street into the Police and Courts Building—

Mr. DODD. This is the same ramp?

Mr. REVILL. The same ramp.

I was followed, or either I followed James Hosty, a member of the FBI. We both parked our cars—

Mr. DODD. You weren't following him specifically, he just happened to be coming into the building?

Mr. REVILL. He just happened to be coming into the building. We both parked our cars. He approached me, and again from memory, he commented to the effect that Lee Harvey Oswald, a Communist, had killed President Kennedy.

Mr. DODD. What time of day was this? If I told you that in your testimony in 1964 you had said it was approximately 2:30 in the afternoon, would you argue?

Mr. REVILL. I wouldn't argue. It was at a time after Oswald had been taken into custody at the Texas Theater but before his arrival at the Police and Courts Building.

Mr. DODD. Were you aware of the fact that Lee Harvey Oswald had been arrested?

Mr. REVILL. No, sir, not at that time.

Mr. DODD. Were you aware that Mr. Hosty knew that Lee Harvey Oswald had been arrested at that time?

Mr. REVILL. No, I assumed he did based on his statements to me.

Mr. DODD. You said, and I will quote, you said in 1964, I will quote your response to Mr. Rankin, just so you can refresh your memory and you can correct it if you would like, this is your testimony: "And Mr. Hosty ran over to me and he says, Jack, as I recall these words, a Communist killed President Kennedy.

"I said, What?

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"He said, Lee Oswald killed President Kennedy.

"I said, Who is Lee Oswald?

"He said, He is in our Communist file. We knew he was here in Dallas.

"At that time Hosty and I started walking off, and Detective Bryan as well as I recall, sort of stayed back and so forth."

Then he also states to you that at that time, according to your testimony in 1964, that they knew, that he knew, Jim Hosty knew, that Lee Oswald was capable of killing the President. You became upset at that?

Mr. REVILL. Yes, sir.

Mr. DODD. Is that a fair——

Mr. REVILL. That is a fair——

Mr. DODD [continuing]. Assessment of the conversation and your reaction?

Mr. REVILL. Yes, sir.

Mr. DODD. Why were you upset?

Mr. REVILL. Because we had worked with the Bureau on identifying people who posed not so much physical threats to Mr. Kennedy but those people who would attempt to embarrass him, and also those who would harm him. We had shared information but on this particular person, for some reason, Mr. Hosty had not shared the information with us.

Mr. DODD. This was not normal operating procedure. In fact he had in the past——

Mr. REVILL. Well, in dealing with the FBI, local law enforcement, most of it is of a personal relationship with the agents and my relationship with Mr. Hosty was that we shared information but in this particular case he had not.

Mr. DODD. Did he tell you why he—how he drew the conclusion that Mr. Oswald was a Communist?

Mr. REVILL. No, sir. What happened, after making this statement or these remarks to me, I asked him what he was going to do with the information, and he said he wanted to talk to Will Fritz, who was the Captain of Homicide. I asked him if he knew Captain Fritz and his response was no, so with that I accompanied Agent Hosty to the third floor homicide and Captain Fritz was not present at the time, some of his staff were.

I left Mr. Hosty in that office and returned to the second floor, to the Special Service Bureau office.

Mr. DODD. You are sure of that?

Mr. REVILL. Yes, sir, I am sure.

Mr. DODD. There was extensive questioning as to which route you took.

Mr. REVILL. Yes, sir. I don't walk up three flights of stairs when there is an elevator.

Mr. DODD. This was all about 2:30?

Mr. REVILL. Yes, sir.

Mr. DODD. In the afternoon?

Mr. REVILL. Yes, sir.

Mr. DODD. Prior to the time Lee Harvey Oswald had arrived at the police station?

Mr. REVILL. Yes, sir.

Mr. DODD. Can we just suspend for 1 minute?

Could I ask you if in fact later at a subsequent time in your conversations with Jim Hosty, you ever explored with him how it was that he happened to have drawn the conclusions he had, how he happened to develop a file on Lee Harvey Oswald?

Mr. REVILL. No, sir. After, I believe, that night, Chief Curry went on TV and announced that the FBI had information to this effect.

Later, it is my understanding that the statement was—he made a retraction, and from that day I don't recall ever talking to Jim Hosty again. I may have but I don't recall. And I do know that we never discussed it.

Mr. DODD. You said you wrote up a report?

Mr. REVILL. Yes, sir.

Mr. DODD. Pertaining to the Hosty conversation?

Mr. REVILL. Yes, sir.

Mr. DODD. You signed it that afternoon according to your testimony in 1964 and you state then, you said, "yes sir, at the time I was hoping it would never come up."

Mr. REVILL. This is true.

Mr. DODD. Would you tell this committee why you hoped it would never come up?

Mr. REVILL. Because Jim Hosty was a friend of mine and I knew that Hoover would crucify him.

Mr. DODD. Crucify him for what?

Mr. REVILL. For making that statement. Whether or not it was true or not, Hosty made the statement to me and I relayed the information to my captain at the time, Pat Ganaway, shortly after our conversation, and he instructed me to reduce it to writing.

At that time I told him if I do, Jim Hosty will be crucified or penalized by the Bureau, and to that he said, "I don't care, you put it on paper." I put it on paper.

Mr. DODD. Which, is he going to be, crucified for telling you or crucified for not following in the normal operating procedures of sharing that information with the Dallas Police Department?

Mr. REVILL. It is not normal operating procedure for the FBI to share that information with you. As I mentioned to you earlier, the information local law enforcement gets from the Federal Bureau of Investigation is primarily based on personal contact between an agent and the officer.

Mr. DODD. So he more than likely would have been crucified by the Director for admitting to the Dallas Police Department that they had information in the security file on someone who they perceived as capable of assassinating the President?

Mr. REVILL. I can only assume that, sir.

Mr. DODD. Thank you.

Thank you, Mr. Chairman.

Chairman STOKES. Any further questions?

Mr. Cornwell?

Mr. CORNWELL. Just one very brief matter, Captain Revill. Were you sitting in the room earlier when we, through a narrative, provided the results of a phone analysis?

Mr. REVILL. I was in and out, sir, I wasn't paying much attention.

Mr. CORNWELL. Let me ask you, then, there were a number of people who were identified through an analysis of Ruby's phone

calls as receiving calls from him or making calls to him in the months immediately prior to the assassination. Those individuals include Irwin Weiner, Nofio Pecora, Harold Tannenbaum, Barney Baker, Dusty Miller, Lenney Patrick, Dave Yaras.

Did you or the police department, to your knowledge, have any information about Ruby's association with any of those individuals during 1963?

Mr. REVILL. No, sir.

Mr. CORNWELL. Was the police department, to your knowledge, even acquainted with the names of those persons or with their reputations among law enforcement agencies?

Mr. REVILL. Yes, sir, I knew some of them.

Mr. CORNWELL. In 1963, I take it that the Dallas Police Department had no organized crime unit, per se, is that correct?

Mr. REVILL. We had an intelligence unit which was charged with gathering data on organized crime.

Mr. CORNWELL. Well, simply, if you would give us your estimate of the possibility or probability that if one or more of those persons would have been in Dallas prior to November 22 and had met with Jack Ruby, would the nature and scope of your intelligence program have been such as to likely identify such meetings?

Mr. REVILL. Yes, sir, had we had knowledge of a meeting involving these people with Ruby. Now, one of these persons you mentioned, I believe Miller, Dusty Miller, he may still be in Dallas, I don't know, he was head of one of the unions, Teamsters there, and for him to have contacted Ruby, it may or may not have caused us concern. These other people, possible.

Mr. CORNWELL. Would your intelligence unit officers have been knowledgeable of the appearance of these people, would they have recognized them if they had been in town?

Mr. REVILL. Possibly. I am not sure that we would have recognized them upon sight. Hopefully some other intelligence unit throughout the country would have forewarned us that they were enroute to Dallas.

Mr. CORNWELL. No further questions. Thank you.

Chairman STOKES. I think this might be an appropriate place for the Chair to make a special acknowledgement.

Over the life of the existence of this committee it has been necessary for our investigators to spend an enormous amount of time in Dallas and to be in touch with the Dallas Police Department and other city officials and we want to acknowledge the extraordinary amount of cooperation that the committee investigators received from all of the city officials in Dallas, along with the Dallas Police Department, particularly Chief Byrd, who when our investigators first went to Dallas, gave them a letter of carte blanche enabling them to go anywhere and talk to anyone and to have full reign in terms of gathering evidence for this committee, and the Department has on occasions located witnesses for us.

As you know, if you have been in touch with these hearings, that we have produced evidence that has been turned over by the Police Department to our investigators, particularly in conjunction with the acoustics tests which were conducted in Dallas in Dealey Plaza. The police department provided extraordinary cooperation in order that we might conduct that testing, and provided us with their own

sharpshooters and blockaded the area, and did everything necessary.

In fact, that morning they started testing somewhere in the area of 5 o'clock in the morning and went to noon trying to provide this committee with the kind of evidence we have been able to produce here at these hearings, and I certainly want to extend to both Chief Byrd and the Dallas Police Department our appreciation for that cooperation.

Mr. Revill, at the conclusion of your testimony as a witness before our committee, you are entitled to 5 minutes, at which time you may make any comment you desire on your testimony before our committee. I extend to you at this time 5 minutes for that purpose, if you so desire.

Mr. REVILL. I have no statement to make, sir.

Chairman STOKES. Then we thank you for having been here and the testimony you have given our committee this morning.

Mr. REVILL. Thank you very much.

Chairman STOKES. You are excused.

There being nothing further to come before the committee, the committee will adjourn until 9 a.m. tomorrow morning.

[Whereupon, at 1:08 p.m., the committee was adjourned, to reconvene at 9 a.m., Wednesday, September 27, 1978.]