

(283) Attachment F: Executive session testimony of Judge Burt W. Griffin and Howard P. Willens.

SUBCOMMITTEE HEARING

THURSDAY, NOVEMBER 17, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE ASSASSINATION
OF JOHN F. KENNEDY OF THE SELECT
COMMITTEE ON ASSASSINATIONS,
Washington, D.C.

The subcommittee met at 10:40 a.m., pursuant to recess, in room 2359, Rayburn House Office Building, Hon. Louis Stokes (chairman of the Select Committee on Assassinations) presiding.

Present: Representative Stokes, Fauntroy, Dodd, and McKinney.

Professional staff members present: G. Robert Blakey, chief counsel; J. Facter, J. Wolf, K. Klein, E. Berning, L. Wizelman, D. Hardway, M. Mars, R. Genzman, A. Hausman, R. Morrison, D. Kuhn, and J. Hess.

Chairman STOKES. The meeting will come to order.

At this time the Chair will recognize Ms. Elizabeth Berning, clerk of the committee, to read for the record those members officially designated to be on the subcommittee today pursuant to committee rule 12.13

Ms. BERNING. Mr. Preyer and Mr. Dodd are regular members. Mr. Stokes will be substituting for Mr. Sawyer. Mr. McKinney will be substituting for Mr. Thone. Mr. Fauntroy will be substituting for Mrs. Burke.

Chairman STOKES. At this time I will recognize Mr. Fauntroy as the chairman of the subcommittee in the absence of the designated chairman, Mr. Preyer.

Prior to recognizing Mr. Fauntroy for that purpose, we should have a motion that the subcommittee go into executive session for today's hearing and one subsequent day of hearing since, on the basis of information obtained by the committee, the committee believes the evidence or testimony may tend to either defame or degrade people, and consequently section 2(k) (5) of rule 11 of the rules of the House and committee rule 3.3(5) require such hearings to be in executive session.

Mr. MCKINNEY. I so move.

Chairman STOKES. It has been properly moved that the committee go into executive session. The clerk will call the roll.

Ms. BERNING. Mr. Stokes.

Chairman STOKES. Aye.

Ms. BERNING. Mr. Sawyer.

[No response.]

Ms. BERNING. Mr. McKinney.

Mr. MCKINNEY. Aye.

Ms. BERNING. Mr. Fauntroy.

Mr. FAUNTROY. Aye.

Ms. BERNING. Mr. Dodd.

[No response.]

Ms. BERNING. Three "ayes," Mr. Chairman.

Chairman STOKES. Then at this time the subcommittee is officially in executive session and members of the public are asked to remove themselves.

The Chair at this time will recognize Mr. Fauntroy for the purpose of acting as subcommittee chairman.

Mr. FAUNTROY [presiding]. The Chair welcomes as our first witness today Mr. Burt W. Griffin. Mr. Griffin, if you will stand we will swear you at this time.

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

Judge GRIFFIN. I do.

TESTIMONY OF BURT W. GRIFFIN

Mr. FAUNTROY. I understand, Mr. Griffin, that the committee rules have been given to you prior to your appearance today.

Judge GRIFFIN. That is correct.

Mr. FAUNTROY. Let me begin by saying that the House Resolution 222 mandates the committee "to conduct a full and complete investigation and study of the circumstances surrounding the assassination and death of President John F. Kennedy, including determining whether the existing laws of the United States concerning the protection of the President and the investigatory jurisdiction and capability of agencies and departments are adequate in their provisions and enforcement, and whether there was full disclosure of evidence and information among agencies and departments of the U.S. Government, and whether any evidence or information not in the possession of an agency or department would have been of assistance in investigating the assassination, and why such information was not provided or collected by that agency or department . . . and to make recommendations to the House . . . if the select committee deems it appropriate for the amendment of existing legislation or the enactment of new legislation."

To begin our questioning the Chair will yield now to our Chief Counsel, Mr. Blakey.

Mr. BLAKEY. Judge Griffin, I would like to extend my thanks to you for coming today and also the thanks of the staff. It is a pleasure to see you again. We appreciate your taking time from your very busy trial schedule to come here and share with us your thoughts and observations.

We would also like to thank you on the record for taking time to talk with Ms. Jacqueline Hess and myself on November 4 in Cleveland.

The Chairman of the full committee, Mr. Stokes, whom I am sure you know quite well, also asked me to express to you his regrets. He apparently came a little earlier and had to leave because of a previous commitment.

Mr. Chairman, I thought it might be appropriate at this point to insert in the record and also for the benefit of the committee some of the background and biography material on Judge Griffin.

Judge, I wonder if you would let me read several things for you and indicate whether they are correct. You were born in Cleveland in 1932, received your B.A. degree with honors from Amherst College in 1954, your L.L.B. degree from Yale Law School in 1959 where you were the co-editor of the Law Journal.

In 1959 and 1960 you were a law clerk to Judge George T. Washington of the U.S. Court of Appeals for the District of Columbia, and from 1960 through 1962 you were Assistant U.S. Attorney in the northern district of Ohio.

You joined the law firm in Cleveland of McDonald, Hopkins & Hardy.

Is that all correct?

Judge GRIFFIN. That is correct.

Mr. BLAKEY. Then in 1964 you were Assistant Counsel to the Warren Commission. Is that correct?

Judge GRIFFIN. That is correct.

Mr. BLAKEY. After your term of duty with the Warren Commission ended you returned to be associated with the firm of McDonald, Hopkins & Hardy. Subsequently you served as the director of the Legal Aid Society in Cleveland and of the Office of Economic Opportunity legal service program, and finally, on January 3, 1975, you were appointed judge of the Court of Common Pleas for the County of Cuyahoga, Cleveland, Ohio.

Judge GRIFFIN. That is correct, except that I was elected.

Mr. BLAKEY. Turning then to your assignment with the Warren Commission in 1964, would you tell the committee how you were hired?

Judge GRIFFIN. I was first contacted by a man named David Filvaroff, a staff member of the Justice Department. I believe he worked, but I am not certain, in the Deputy Attorney General's office. He is a man I had known when I was practicing law in Cleveland, Ohio. He had been contacted by others in Washington to suggest names of people who might be appropriate to serve as counsel to the Commission. He contacted me and asked me if I would be interested in serving. I told him that I would be.

He suggested I send a résumé to J. Lee Rankin with some kind of cover indicating that I talked with Mr. Vilaroff. I did that. My recollection is at that point I received a telegram back from Mr. Rankin. I may have had a brief telephone conversation with him, but I can't be sure about that. My contacts were primarily with Mr. Filvaroff.

Mr. BLAKEY. What were you told about the goals of the Warren Commission?

Judge GRIFFIN. I was told that our goal was to attempt to determine what the facts were behind the assassination of President Kennedy.

Mr. BLAKEY. Did you have any conversations with Chief Justice Warren?

Judge GRIFFIN. Prior to being hired?

Mr. BLAKEY. Yes.

Judge GRIFFIN. No.

Mr. BLAKEY. Did you have any conversation with Mr. Rankin?

Judge GRIFFIN. Prior to being hired?

Mr. BLAKEY. Yes.

Judge GRIFFIN. I can't recall whether I had a brief telephone conversation with him or not. If so, it wasn't a matter of any substance.

Mr. BLAKEY. Did you have any conversations with Mr. Willens?

Judge GRIFFIN. I never met Mr. Willens until I actually joined the staff.

Mr. BLAKEY. After you came on the staff, what were you told about the goals of the Warren Commission?

Judge GRIFFIN. I should correct this. I have no recollection of conversation with Mr. Willens. It is possible I did but I certainly don't remember at this point.

Mr. BLAKEY. After you came with the Commission what were you told about the goal of the Warren Commission?

Judge GRIFFIN. Essentially what I have just said. I was assigned a particular area to investigate.

Mr. BLAKEY. Who specifically talked with you? Do you recall any conversations with the Chief Justice?

Judge GRIFFIN. Not at the outset. I have really no distinct recollection of the particular individual I talked with. I have a general recollection at the time I arrived I simply met Rankin, and having had the bulk of my conversations with Howard Willens. I really can't be at all accurate about that.

Mr. BLAKEY. Did the Chief Justice actually express to you or the other members of the staff as far as you know what he wanted the Commission to do?

Judge GRIFFIN. We had a staff meeting at some point relatively early in our work. It wasn't in the sense of a formal opening session at which the Chief Justice appeared and said, "Here is your mission." My recollection is that we appeared and we, the staff members, began working at different times and we were given instructions through Howard Willens and perhaps directly from Lee Rankin, I don't recall. We were into our work by the time we first met the Chief Justice. But we did at one point, it is my recollection, have a staff meeting at which the Chief Justice made an appearance. My most vivid recollection is occasions when I had lunch with the Chief Justice which was simply more of a social-working basis.

Mr. BLAKEY. Did he express at that time to you the hopes of the Commission?

Judge GRIFFIN. I don't recall these discussions as being much beyond the normal kind of chit-chat that would take place at lunch.

Mr. BLAKEY. When did you go to work here in Washington?

Judge GRIFFIN. When did I first begin? Your records would be more accurate than my recollection. We discussed this in Cleveland. I was under the impression that I began the 8th of December. That date sticks in my mind. Your record seems to indicate it was the latter part of January when I actually began working. I would defer to the record.

Mr. BLAKEY. Mr. Chairman, I might note that the material prepared by the staff does indicate that Judge Griffin worked, based on the pay records, from February 1, 1964 through September 26, 1964, and that he worked 225 days out of a possible 308, which makes him, next to Mr. Rankin, probably the hardest working single attorney. The average attorney worked only 159 days. The chart on which those figures are based will be introduced in the record this afternoon.

Judge Griffin, I wonder if you would give us some idea of the scope of your assignment.

Judge GRIFFIN. I was assigned with Leon Hubert, who recently died, to investigate what I think we called at that point area 5, which had to do with Jack Ruby and the means and method and motivation for the killing of Lee Oswald, and the question of whether Jack Ruby was involved in any kind of conspiracy to assassinate the President.

Mr. Hubert had the title of Senior Counsel, and I had the title of Junior Counsel. I think the committee is probably familiar with the organization format that was used.

Mr. BLAKEY. Can you give us some indication of how the Commission was organized?

Judge GRIFFIN. Well, on a staff basis Lee Rankin was the General Counsel of the Commission. Howard Willens was his Chief Administrative Assistant. There were 12 of us who were divided up in six areas. We had two lawyer teams consisting of what was conceived of as being a senior lawyer and a junior lawyer.

I might mention the one thing I do remember at the outset was a little bit about what was anticipated would be the length of time that we would serve. It was indicated to all of us that we would serve from 3 to 5 months. It was also indicated at the outset that the hope was that the report would be completed prior to the Democratic National Convention, and that was a target, it was my understanding, that essentially had been indicated by the White House, that it was the President's feeling. Obviously, I had no conversations with the President on this.

As time went on other staff people came on, but initially it was organized in this format I just outlined. Various people came on, including Norman Redlick, and it may be true that Norman Redlick was already at work when I arrived, functioning in a kind of special capacity in which he was not responsible for any exclusive area but was involved in helping out on various aspects, particularly the Oswald investigation. He really played no role of any substance that I can recall in the Ruby end.

Mr. BLAKEY. Mr. Chairman, I might indicate for the record that the pay idea indicates that Mr. Hubert worked 115 days out of a possible 308.

What was your relationship with Mr. Hubert?

Judge GRIFFIN. Mr. Hubert and I had a very good relationship. The reason for the difference in the amount of time Mr. Hubert worked and the amount of time I worked had to do with three things: one was that he was given the expectation that he would not have to give up more than 5 months out of his private practice. I believe at the time he had both a private practice and he was on the faculty of Tulane Law School.

There also developed a personal situation that it became important for many family reasons for him to go back early. A third reason was, however, that Hubert was disenchanted with some of the things that were going on in that he didn't feel he was getting the kind of support that he wanted to get, and he expressed to me a certain amount of demoralization over what he felt was unresponsiveness that existed between himself and particularly Mr. Rankin.

Of course the fourth factor was that Hubert basically felt that when he left that we had gone as far as we could go. He stayed through the period when the investigation was completed but the writing portion and the drawing together portion was really left in my hands after he left.

Mr. BLAKEY. You have given us some indication of what your responsibilities were. I wonder if you could outline in general terms what the responsibilities of the areas were.

Judge GRIFFIN. You want me to enumerate just the labels that were put on those areas as I recall them?

Mr. BLAKEY. Yes.

Judge GRIFFIN. My recollection is not going to be as good as the written record. My recollection is that Arlen Specter and Frank Adams were to be responsible for the rather narrow question of the shots that were fired at the President. But I think it was actually labeled in a different way, that Joe Ball and Dave Bellin were responsible for tracing Oswald's conduct in the period immediately surrounding the assassination, although I am not sure whether their work was separated from Specter's in such a way that Specter took the few hours leading up to the assassination and Belin and Ball took the period from the point of the assassination until Oswald was shot.

Jim Lebler and Albert Jenner had responsibility for trying to determine what Oswald's motive was which involved them heavily in developing a live history of Oswald. Dave Slawson and Mr. Coleman were responsible for the question of whether or not Oswald was involved in a conspiracy, I believe the limited question of whether they were involved in a foreign conspiracy.

It may be that Belin and Ball were concerned with whether he was concerned in a domestic conspiracy. Again my recollection is not good on this.

Mr. Stern, Sam Stern, was responsible for the question of Presidential protection. I don't recall whether he had a senior lawyer working with him. My recollection is that he did not, he was the only one that did not.

Mr. BLAKEY. What was the relationship or interrelationship among the various areas? Were there staff meetings, interchange of memos?

Judge GRIFFIN. We had very few staff meetings of a formal nature. We did have two or three, maybe four or five. The bulk of the communication was on a person-to-person, ad hoc basis. There were some memos, I believe, passed back and forth. Again, I think the records would be more accurate on that than my memory.

Mr. BLAKEY. What was your relationship with Mr. Willens and Mr. Rankin and the Commission? Did you have direct access, for example, to Mr. Rankin?

Judge GRIFFIN. I suppose that it would not be fair to say that we did not have direct access to Rankin. I cannot say at any point when we

tried to see Rankin that we couldn't see him. I don't recall any situation where we were formally required to go through someone else to get there. There was no doorkeeper in a certain sense.

All of those communications that were in writing that went to Rankin went through Howard Willens, but as a practical matter, and I am not sure entirely what the reasons are, Hubert and I did not have a lot of communication with Rankin. We really communicated with him personally very infrequently. We had a certain amount of communication at the beginning. I do remember at the outset Hubert and I had a meeting with Rankin in which we discussed the work of the mission that we had, but I would say that by the first of April we had relatively little communication with Rankin. That is, we might not speak to Rankin maybe more than once every 2 weeks.

Mr. Rankin is a formal person. Hubert and I did not feel comfortable in our relationship with him. I point this out because I think our relationship with Rankin was different than some of the other staff members. I think a number of them would genuinely say, and I would believe from what I saw, that they certainly had much better communication than we did. Whether they would regard it as satisfactory I don't know.

Mr. BLAKEY. What was your relationship to the Commission itself?

Judge GRIFFIN. I don't recall other than sitting in on the taking of testimony once in which Norman Redlick was involved. We never had any direct contact or formal appearance before the Commission.

Mr. BLAKEY. Looking back, would you say that the organizational structure of the Commission was effective to achieve its goals?

Judge GRIFFIN. Are you asking me a question about structure or are you asking me a question about operation?

Mr. BLAKEY. I would say how it actually operated.

PRESIDENT'S COMMISSION
ON THE
ASSASSINATION OF PRESIDENT KENNEDY

200 Maryland Ave., N. E.

WASHINGTON, D. C. 20002

EARL WARREN, *Chairman*
RICHARD B. RUSSELL
JOHN SHERMAN COOPER
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ALLEN W. DULLES

J. LEE RANKIN,
General Counsel

Mr. Richard Helms
Deputy Director for Plans
Central Intelligence Agency
Washington, D. C.

Dear Mr. Helms:

Enclosed is a memorandum providing background material and leads in connection with possible associations between Jack Ruby and persons who might have had a political motive for assassinating President John F. Kennedy.

I would appreciate your forwarding to this Commission copies of all records in your files which contain information about Jack Ruby or the persons mentioned in Part C of the enclosed memorandum.

In addition, we would like to confer with you or a knowledgeable member of your staff concerning possible fruitful areas of investigation, both by the Central Intelligence Agency and other agencies, which may appear from an examination of that memorandum and information now possessed by your agency. Hopefully, such a meeting can be held in the near future.

Sincerely,

J. Lee Rankin
General Counsel

Enclosure

Judge GRIFFIN. As far as I was concerned, I did not feel that it operated in a way I felt comfortable.

Mr. BLAKEY. How would you have done it differently?

Judge GRIFFIN. Let me first of all preface it. Hubert and I began to feel after a couple of months that perhaps there was not a great deal of interest in what we were doing, that they looked upon the Ruby activity, based upon information that they saw as being largely peripheral to the questions that they were most concerned with.

We did have a disagreement, pretty clear disagreement, on how to go about conducting the investigation, and I think that again was another reason why perhaps I would say the operation was not as effective as I would have liked to have seen it.

Mr. BLAKEY. Mr. Chairman, that concludes my questions in the area of his assignment and the organization. I do have some other questions but I thought it might be useful, if the committee wants to ask anything at this point, to yield.

Mr. FAUNTROY. Thank you.

Mr. DODD, do you have a question?

Mr. DODD. I want to be careful I don't get into something you are going to go into.

How did you characterize your first set of questions?

Mr. BLAKEY. Basically his assignment and the organization.

Mr. DODD. There has always been some debate as to exactly what the purpose of the Warren Commission was, what was in the minds of the Chief Justice, the President, in regard to the various memos that went back and forth.

You stated earlier that you cannot recall having any meetings ahead of time with any people.

Judge GRIFFIN. Yes.

Mr. DODD. What was your feeling, to the best of your recollection, as to what the purpose of the Warren Commission was?

Judge GRIFFIN. I felt then, and I still feel, despite a lot of misgivings that I had, that the purpose was a genuine purpose, to find out the truth behind the assassination. I do think, however, that there were major political considerations that dictated how this work was conducted. The time frame that was set initially for the work was a political consideration. This investigation was carried on during a period when everyone was vividly aware of the results of the 1950's when Senator McCarthy held a prominent position. There was a great deal of concern that we not conduct an investigation that would have overtones of what people called McCarthyism. So that a lot of the decisions that were made in terms of how we proceeded I think were made against that kind of background.

Mr. DODD. That was your impression from speaking to the various people who were in charge?

Judge GRIFFIN. I have no question about that.

Mr. DODD. I notice the Chief Justice's opening remarks to the Commission referred to their job as not one of collecting evidence but one of evaluating evidence. That is a vast distinction in terms of a Commission that is investigating an assassination.

Judge GRIFFIN. I think that as a staff member we saw our role as collecting evidence. that is. that wherever there appeared to be gaps in

information that had been provided to us by the investigative agencies we had an obligation to try to get beyond those gaps. And where there were contradictions, then to find further evidence that would resolve those contradictions.

However, we did not have an investigative staff. We had lawyers who were taking testimony and functioning as lawyers, but we did not have people on our own who were out conducting initial interviews with witnesses. That was done, and I think both Mr. Rankin and Mr. Willens could speak much more authoritatively on this than I can, but it was my understanding that that was done because there was also a concern that this investigation not be conducted in such a way as to destroy any of the investigative agencies that then existed in the Government. There was a genuine fear expressed that this could be done.

Second, that it was important to keep the confidence of the existing investigative agencies, and that if we had a staff that was conducting its own investigation that it would generate a paranoia in the FBI and the other investigative agencies which would not only perhaps be politically disadvantageous, it would be bad for the country because it might not be justified but it might also be counterproductive.

I think there was a fear that we might be undermining. Again, I think you should talk to Willens and Rankin about this. My impression is that there was genuine discussion of this at a higher level than mine.

I am trying to get a flavor for the atmosphere of the Commission as you walked in on February 2 in terms of presumptions and perceptions.

Judge GRIFFIN. I think that it is fair to say, and certainly reflects, my feeling, and it was certainly the feeling that I had of all of my colleagues that we were determined, if we could, to prove that the FBI was wrong, to find a conspiracy if we possibly could.

I think we thought we would be national heroes in a sense if we could find something that showed that there had been something sinister beyond what appeared to have gone on. I think that everyone that worked on the staff level that I was working at, and I think Howard Willens, with whom I had enough communication, I think, to be able to pass a judgment on him, and the only reason I did not mention others is I did not have the communication.

Mr. DODD. Was that junior counsel concept because of your being the younger guys there? Did you sense there was a different attitude at the top? I appreciate your candor. I can get a sense of what you are saying. Did you believe that that feeling you had about going out to maybe uncover something far more sinister was in contradiction to what the senior counsel and the members of the Commission themselves felt?

Judge GRIFFIN. No; first of all, as far as the senior counsel, Hubert Ball, Jenner, I don't think there was any difference in perspective. I think that designation that was originally set forth vanished very quickly as working relationships developed among people, and it turned out who was doing the work, senior and junior did not mean a thing. In fact, they abolished the label. It does not show up in the report in the final listing of people, and they recognized that.

I think that a number of us, I have no doubt the people I had close communication with, who were essentially Belin, Slawson, to some

extent Lebel, Norman Redlich for a substantial period of time, were determined to prove that the FBI was wrong, and determined to root out—

Mr. DODD. Wrong in what way?

By the way, if I am getting into something you will be inquiring into, I will hold up.

Mr. BLAKEY. You are going into it very well. Don't let me stop you.

Mr. DODD. Is it fair to say from your perceptions that the FBI and agencies of Government at that period of time were convinced that Lee Harvey Oswald was a lone assassin?

Judge GRIFFIN. Right.

Mr. DODD. That was clearly coming from the FBI and the agencies?

Judge GRIFFIN. I think at that point my recollection of conversations, for example, with Norman Redlich were that he took a political view of the FBI. He saw them as a conservative agency which was determined to pin this on someone who was of a different political persuasion. I think he started out with a strong motivation along that line, to prove that they were wrong.

I had worked with the FBI for 2 years when I was an assistant U.S. attorney. I didn't have a political view of them but I frankly didn't think they were very competent. I felt then, and I still feel, that they have a great myth about their ability but that they are not capable by their investigative means of ever uncovering a serious and well-planned conspiracy. They would only stumble upon it. I think their investigative means themselves may be self-defeating. I never found them very creative, very imaginative.

My attitude toward them was that I thought they were honest. I didn't think in a sticky situation that I would have great faith in them.

Mr. DODD. I don't want to editorialize, but you have these feelings: Redlich is suspicious of them for political reasons; you are suspicious of them because of their inability to cope with a situation of this magnitude.

Judge GRIFFIN. Rankin did not trust the FBI, either.

Mr. DODD. Yet you are sitting here and you are evaluating, all you are really doing is evaluating the evidence that they are handing you, with all of your suspicions.

Judge GRIFFIN. We did have other agencies. We had a countercheck on them. We were getting to a certain extent parallel investigations from the Secret Service. We were also getting information back from the Dallas Police Department. A lot of people who were being interrogated by the FBI were being interrogated by other agencies, even the Post Office Department. So that in a lot of things there were ways of having checks.

I think in terms of the scientific information there was a definite effort not to rely on the FBI. As I recall, the Commission did utilize in the ballistics—I don't want to be held to what fields, but it may be in the fingerprint and ballistic areas that they did rely and deliberately went to find people independent of the Federal Government. I think there were some experts from Illinois, as I recall, involved.

Mr. DODD. I am trying to develop the relationship between what is listed as junior counsel and senior counsel in terms of perceptions as you go into this. Again I realize you did not have time to contact them

on a day-to-day basis to draw concrete conclusions, but you may have. I may prejudice your response by my questions.

In terms of the Commission members themselves, the Chief Justice, President Ford and so forth, how did you relate their perceptions in starting out as opposed to what you told me the reactions were from Redlich, Rankin, yourself, and others?

Judge GRIFFIN. I had almost a total lack of contact with the Commission members. I have some thoughts in retrospect now about some of the perceptions, total conjecture but based on other things that have happened, but at the time I did feel that Senator Russell was genuinely concerned about conducting an investigation.

Mr. DODD. Concerned about what?

Judge GRIFFIN. Genuinely wanted to conduct an investigation. Senator Russell genuinely wanted to conduct an investigation as distinguished from simply an evaluation. I may be overstating that, and I say this because he hired a woman named Alfreda Scobey after a couple of months of Commission work to come in and actually do a countercheck on the staff.

It would be difficult for me to reconstruct exactly what was happening that motivated him to do that, but after a while there became within the staff some differences of opinion and some feeling that we were not going far enough. I do recall that at the time Scobey came on, there was expressed through her communications with others that Russell really wanted to make sure that there weren't going to be any stones unturned.

Mr. DODD. I am just talking about that initial period as you come into this position and your feeling and perceptions about what the Commission members actually felt, the Katzenbach memo.

Judge GRIFFIN. I am not familiar with the Katzenbach memo.

Mr. DODD. The memo that Deputy Attorney General Katzenbach sent to Lyndon Johnson on November 26, or so I think it was, some 4 or 5 days after the assassination, saying he thinks it is important that there be an investigation to determine that in fact Lee Harvey Oswald was—the clear implication of the memo was to set aside the uneasy feelings that everyone had and let us establish once and for all that Lee Harvey Oswald did this thing.

Mr. MCKINNEY. He also sent a similar letter to each Commission member at a later date.

Mr. DODD. You have from the Justice Department a clear perception that the President seemed to agree with it.

Judge GRIFFIN. Maybe I can in part answer it in this way, in addition to saying I have no idea what was in their minds, but I think it is important to say that if they had a point of view about this difference from the one I expressed that was a staff point of view, it was never communicated to the staff. We had no knowledge that we were being restrained in any way from conducting the kind of investigation that we wanted to conduct.

If the investigation began to be limited in the method in which we proceeded beyond the staff limitations that we had—that is, the areas we went into and how far we went—I think it may have reflected the point of view that I did hear attributed to the Chief Justice, that in his 20 years as district attorney in Alameda County, he never had seen

a criminal homicide investigation that was as thorough as this; and if we had not found anything that would show any more than already seemed to be the conclusions, there was not anything there to be found.

I recall as pressures began to be put on to move away from investigation and into drafting the report, it was really based on this concept, that what we had going here was a classical investigation into murder, and we had gone far beyond what anybody who had ever had any experience would do, and we had not found anything.

Mr. DODD. I have taken more time than I should have.

I thank the chairman.

Mr. FAUNTROY. Mr. McKinney.

Mr. MCKINNEY. You have covered most of my ground anyway.

Judge, I was interested and was going to follow through on the Commission item. No. 1, I would agree with you on Senator Russell because he expressed his outrage several times at the lack of communication between Federal agencies.

It seems to me that we have two factors here. I just want to get your interpretation on whether I am correct or not. In reading the transcript of the Commission's meetings, time, let's get it over with, Katzenbach letters, we have to put the Nation to rest, so on and so forth, your statement that this has been the most complete investigation, let us get it over with, we have to get the report out, then we have all of you coming in.

It seems to me that there is a great disparity between the Commission and the junior staff, but you did not actually feel that?

Judge GRIFFIN. Let me say it was never communicated to us that it was the Commission that wanted to curtail things. There were two communications that were made as to where this pressure was coming from. The most prominent one was the White House, that there was a general, unspecified reference to the fact that the White House wanted this report out before the convention. That was said to us many, many times. I think the convention was in June.

Second, just by way of human interest, color, perhaps, another date began to be set because the Chief Justice had a trip scheduled to go to Europe, and the hope was that it could be completed before he went on his trip to Europe.

Mr. MCKINNEY. I may have to leave before you finish because I have a trip to Boston.

Judge GRIFFIN. Mr. McKinney, it is difficult for the general public to understand that these human factors play a major role in a lot of these decisions.

Mr. MCKINNEY. Let me ask you a question I have asked each witness on the subject. When you arrived here, the CIA was not what you would call in the best of repute; it had fallen apart on the Bay of Pigs, it had fallen apart on the Cuban missile crisis, it had fallen apart on the Berlin Wall. The FBI was going through its personality problems in severe fashion at that time. When you got here, did you become appalled with the amount of work you had to do in the time you were given, and the fact that you were really going to review Agency material?

Judge GRIFFIN. Yes. I don't know whether I would say appalled, but we were very concerned about it, very anxious about it.

Mr. MCKINNEY. For instance, I am appalled that we have to do what we are supposed to do in 2 years. My question is probability or possibility after the slow start we had.

Judge GRIFFIN. Let me answer that, however, from the standpoint of what Hubert and I were doing. I don't know how the others felt. I think Arlen Specter, for example, may have felt comfortable with the time period. But Hubert and I, we had a completely, we had a scope of investigation that was as great as all the other people put together, because we were investigating a different murder. We had two people who were investigating a conspiracy from one man's point of view, and we had a security question, how did he get into the basement, and so forth.

Hubert and I particularly felt that way. It may not have been valid for everybody else.

Mr. MCKINNEY. I think Mr. Dodd has covered most of my material so I have no further questions.

Mr. FAUNTROY. Counsel may continue.

Mr. BLAKEY. I would like to continue with the relationship between the Warren Commission and both the CIA and FBI.

Mr. Griffin, you have given us some indication of what the relationship between the Commission and the Bureau was, and an indication of what the attitude was between the Commission staff and the Bureau. What did you perceive the attitude to be between the FBI and the Warren Commission?

Judge GRIFFIN. I didn't have any real factual basis for making any judgments about it. My perception just grew out of my past experiences. I felt that it is a big bureaucracy and most of the people I felt within the FBI functioned like a clerk in any other big organization, and they try to do their job and they try to not get in hot water with the boss and get egg over their face, and sometimes they have a couple of bosses, we being one and somebody else being another.

Mr. BLAKEY. Did you have any day-to-day contacts with field agents?

Judge GRIFFIN. Very limited. Day to day, I did not. I think, in fact I know, that Norman Redlich worked closely with a couple of agents, but I did not.

Mr. BLAKEY. Did you have any day-to-day contact with seat of government agencies?

Judge GRIFFIN. What do you mean by seat of government?

Mr. BLAKEY. Here in Washington, as opposed to field agents in Dallas or New Orleans.

Judge GRIFFIN. Did I personally?

Mr. BLAKEY. Yes.

Judge GRIFFIN. No. Everything basically went out from us by way of written memorandum.

Mr. BLAKEY. I would like to outline for you an incident that occurred that may be illustrative of the relationship between the Warren Commission and the Bureau, and ask you if you recall it and then comment on it.

Robert B. Gimberling, who was a special agent of the FBI, acted as coordinator of the FBI's investigation in Dallas. Gimberling's report dated December 23, 1963, which was submitted to the War-

ren Commission on January 13, 1964 and labeled as CD205, contained a transcription of Oswald's address book but omitted the name, address, telephone number, and car license number of Special Agent James B. Hosty. This is Gimberling's report dated February 11, 1964 submitted to the Warren Commission on February 24, 1964 and labeled CD385, which, however, contained the remaining contents of the address book including the Hosty entry.

Judge GRIFFIN. Right.

Mr. BLAKEY. Gimberling submitted the Commission an affidavit dated February 25, 1964, explaining the original omission. Special Agent John T. Hosty, who reviewed the similar transcript submitted a similar affidavit. Both affidavits explained that the omission reflected Gimberling's instructions to the effect that Kesler was to extract all names and telephone numbers the identity of which were unknown together with any other lead information.

On this basis Special Agent Hosty's name was said to have been excluded because it was neither unknown nor lead information.

Do you recall that incident?

Judge GRIFFIN. I recall the Hosty incident. I don't recall that memorandum.

Mr. BLAKEY. What effect, if any, did that incident have on the relationship between the staff and the Bureau?

Judge GRIFFIN. I think it established in our minds that we always had to be worried about them.

Mr. BLAKEY. Do you think it led to any increased or decreased, or about the same, skepticism toward the investigation?

Judge GRIFFIN. I think it increased. I think we never forgot that incident. We were always alert, we were concerned about the problem.

Mr. BLAKEY. Was it discussed at the time among the staff attorneys?

Judge GRIFFIN. Yes, it was. There was a staff meeting about it, as I recall. One of the few staff meetings I have a general recollection of at this point seems to me was one that Rankin called in which we were all brought in on this, and we were all told about the problem and once it had been discovered there was a discussion about whether our discovery should be revealed to the FBI and how should we proceed with it.

Mr. BLAKEY. Would it be fair to characterize the incident then as perhaps producing a more healthy skepticism on the part of the staff and less trust of the Bureau?

Judge GRIFFIN. I think that is right.

Are you trying to contrast it to my earlier statement?

Mr. BLAKEY. Not necessarily. Would it be fair to say that the incident far from adversely affecting the quality of your investigation may have heightened it?

Judge GRIFFIN. No, I don't think that is true.

Mr. BLAKEY. If it made you more skeptical and more probing would it help the investigation?

Judge GRIFFIN. No, I don't think it did. The reason I say that is that I think it basically set the standard for the kind of judgment that was going to be made about how we were going to deal with these problems, and the decision made there was that there was not going to be confrontation, they were going to be given an opportunity to explain

it. So the decision was really, as I recall, to go back and give them an opportunity to clean up their act rather than to carry on a secret investigation that might be designed to lay a foundation for our further impeachment of them.

Mr. BLAKEY. Let me outline for you another incident and ask you to comment on it.

Sometime approximately 2 weeks before the assassination it is said that Lee Harvey Oswald left a note at the Dallas office of the FBI for Agent James B. Hosty. The receptionist who took the note has testified that its contents were as follows: "Let this be a warning. I will blow up the FBI and the Dallas Police Department if you do not stop bothering my wife."

Agent Hosty acknowledges, or has acknowledged, in testimony receiving the note on the same day. He remembers it, however, as saying, "If you have anything you want to learn about me come talk to me directly. If you don't cease bothering my wife I will take appropriate action and report this to proper authorities."

Hosty put the note in his workbox and that on the evening of November 24, 1963, he was instructed by his superior, Gordon Shanklin, who was the SAC in Dallas, to destroy the note and the memorandum he wrote discussing the note and his contact with Lee Harvey Oswald. Hosty destroyed both of them.

When Hosty testified before the Warren Commission on May 5, 1964, at that time he made no mention of the note or its destruction because, he said, he had been instructed by the FBI, the seat of government personnel, not to volunteer any information.

Were you aware of that incident in 1964?

Judge GRIFFIN. No.

Mr. BLAKEY. Had you known of it in 1964 do you think it would have made any difference in how you conducted the investigation?

Judge GRIFFIN. I don't know. I don't know how committed those who made policy were to the idea of avoiding confrontation.

Mr. BLAKEY. Let me ask you one further matter in this regard.

Judge GRIFFIN. Let me say this: I think that the dynamics of the Commission, if there had been a second incident involving Hosty, the dynamics of the staff would have brought tremendous pressure out of the staff not to give Hosty a second chance and the Bureau a second chance on this. I don't know how it would have been resolved.

Mr. BLAKEY. Mr. Griffin, you have indicated that you had general jurisdiction over Oswald's death and therefore Jack Ruby.

Judge GRIFFIN. Don't put it that way. It makes me sound like a conspirator.

Mr. BLAKEY. Were you aware that the Bureau had administratively designated Ruby as a PCI—by PCI I mean a potential criminal informant—during the period March to October 1959?

Judge GRIFFIN. We were aware, it is my recollection at this point, and documents would be more accurate than my recollection—my recollection is that we were aware that Ruby had been contacted by the FBI and it had been hoped that he could provide them with information, that there were as many as six or seven contacts with him that produced any information.

I can't say I had any familiarity with the label PCI.

Mr. BLAKEY. If you had known that administrative designation had been placed on Kuby would it have made any difference on how you handled your investigation of him and his activities?

Judge GRIFFIN. I don't know whether we would have then looked upon this as some—I don't know whether that would have given heightened importance to it or not. I don't know that labeling might have made a difference. It might or might not have.

Mr. BLAKEY. Let me turn now and ask you some questions about the relationship between the Warren Commission and the CIA. How would you characterize the general relationship between the Commission and the Agency? How would you characterize it?

Judge GRIFFIN. I don't know that I am in a position to say that. The only direct contact I ever remember with the CIA was at a meeting. It is my recollection that Helms and another person who was designated as the liaison person were at a meeting with us. They were introduced and the discussion took place about what the formal relationship ought to be or the nature of the relationship, how we communicated with the CIA.

After that I never spoke, to my recollection, with anyone from the CIA.

Mr. BLAKEY. You indicated what the attitude of the staff was toward the FBI. Would you characterize for us what the attitude of the staff was toward the CIA?

Judge GRIFFIN. You know, this is a very impressionistic thing I am going to say. If anybody on the staff has a different view their view is more accurate than mine, but my impression is that I for one trusted them. I guess I for one trusted them, I think.

Mr. BLAKEY. Did you have much contact with agency personnel other than this one meeting where you met with Mr. Helms and Mr. LaRocca?

Judge GRIFFIN. After their failure to respond to us in the inquiry that Hubert and I directed toward them, and after they finally did respond with basically an answer that they didn't have any information that we didn't have already, I was skeptical but I won't go so far as to say I distrusted them.

Mr. BLAKEY. Mr. Chairman, I wonder if we could have the Clerk mark four specific items, a note of March 14, 1964 with the initials HPW on it; a memo of February 24, 1964, Hubert and Griffin to Helms, re Ruby background; three, a letter from Rankin of May 19, 1964 to Helms, re Ruby, and a memo from Mr. Karamessines of September 15, 1964 to Mr. Rankin, re Ruby, as JFK exhibit No. 62.

Will the Clerk show the exhibit to the witness?

Mr. Griffin, are you familiar with these materials?

Judge GRIFFIN. Yes, I am.

Mr. BLAKEY. Mr. Chairman, I wonder if we can incorporate the material in the record at this point so I can ask some questions of the witness.

Mr. FAUNTROY. Without objection it is so ordered.

[The documents referred to, marked JFK exhibit No. 62 and received for the record, follow:]

JFK EXHIBIT No. 62

GENERAL SERVICES ADMINISTRATION ROUTING SLIP											
TO	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL						BUILDING, ROOM, ETC.					
1. Mr. Tolson files						36					
2.											
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<input type="checkbox"/> ALLOTMENT SYMBOL <input type="checkbox"/> APPROVAL <input type="checkbox"/> AS REQUESTED <input type="checkbox"/> CONCURRENCE <input type="checkbox"/> CORRECTION <input type="checkbox"/> FILING <input type="checkbox"/> FULL REPORT <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____			<input type="checkbox"/> HANDLE DIRECT <input type="checkbox"/> IMMEDIATE ACTION <input type="checkbox"/> INITIALS <input type="checkbox"/> NECESSARY ACTION <input type="checkbox"/> NOTE AND RETURN <input type="checkbox"/> PER OUR CONVERSATION <input type="checkbox"/> PER TELEPHONE CONVERSATION			<input type="checkbox"/> READ AND DESTROY <input type="checkbox"/> RECOMMENDATION <input type="checkbox"/> SEE ME <input type="checkbox"/> SIGNATURE <input type="checkbox"/> YOUR COMMENT <input type="checkbox"/> YOUR INFORMATION <input type="checkbox"/>					
REMARKS											
<p style="font-size: 1.2em;">This letter and the memorandum prepared by Messrs. Hubert and Giffie was not sent. The memorandum was delivered by hand to representatives of CIA at a meeting on 3/12/64.</p>											
FROM	CO	R1	R2	R3	R4	R5	R6	R7	R8	R9	R10
NAME AND/OR SYMBOL <i>pmk</i>						BUILDING, ROOM, ETC.					
						TELEPHONE			DATE 3/14/64		

[Memorandum]

FEBRUARY 24, 1964.

To : Richard Helms, Deputy Director for Plans, Central Intelligence Agency.
From : Leon D. Hubert and Burt W. Griffin, Staff Members, President's Commission on the Assassination of President Kennedy.
Subject : Jack Ruby—Background, Friends and other Pertinent Information.

A. BACKGROUND ON JACK RUBY

Jack Ruby was born on about March 25, 1911, in the United States, the fifth of eight living children of Joseph and Fannie Rubenstein. Three other children are: Hyman Rubenstein, born December 1911, in Poland; Ann Rubenstein Volport, born June 1904, Poland; Marion, a.k.a. Marlan, Rubenstein Carroll, born June 1906, in United States; Eva Rubenstein (Magid) Grant, born in United States, 1909; Sam Rubenstein) Ruby, born December 1912 in United States; Earl (Rubenstein) Ruby, born April 1916 in the United States; and Eileen Rubenstein Keminsky, born July 1917 in United States. Jack and his brothers, Sam and Earl, were known by the name Rubenstein until that name was legally changed by each of them in approximately 1947 or 1948.

Ruby's father, Joseph, was born in Sokolov, Sedlitz Province, Poland on February 2, 1871. He served in the Russian Army Artillery from 1893 to 1898. He married Fannie (Turrell) Rutkowski in 1901. Fannie was born in 1875, one of seven children of a reportedly prosperous Polish physician.

At least two of Fannie's sisters together with her parents remained in Poland. One brother reportedly came to the United States. Joseph also had at least one brother who came to the United States. We have no evidence as to any other family members of either Joseph or Fannie who remained in Europe. Nor have we any information concerning family ties maintained with relatives or friends in Europe.

Jack Ruby spent his early life in Chicago, quitting school at approximately sixteen, and beginning to work thereafter as a ticket scalper and peddler of cheap merchandise. In 1933, he traveled to Los Angeles and remained there and in San Francisco until sometime in 1937. His sister, Eva, accompanied him to San Francisco, and lived with him for most of the time that he was there. Both worked as sellers of subscriptions for daily newspapers in San Francisco. Jack also had employment selling a horse race "tip sheet" and linoleum. Jack was known both by his Chicago and west coast friends as "Sparky" Rubenstein.

Jack Ruby returned to Chicago sometime in 1937 and was employed for undetermined periods of time by the Stanley Oliver Co. and the Spartan Co. We have no further information concerning those companies. He also continued to engage in ticket scalping, the sale of cheap merchandise, and the sale of punch boards. The punch board operation involved traveling throughout New England and the Eastern Seaboard including Wilkes-Barre, Pennsylvania.

Sometime between 1937 and mid-1940, Ruby was employed as an organizer and in other undisclosed capacities for the Waste and Material Handlers Federal Union in Chicago. Paul Dorman later became head of this union. At the time of Ruby's association with the union, the President was Jack Martin, another principal figure was an attorney, Leon Cooke. Cooke was shot by Martin in an argument in December 1939, and died as a result thereof in January 1940. Shortly thereafter, Ruby left the union.

Jack Ruby served in the United States Army Air Force from May 1943 to February 1946. He was stationed the entire time in the United States, obtained the rank of Private First Class, and had Army Serial Number 36666107.

After leaving military service, he was employed for approximately one year with Earl Products Co., a Chicago based business jointly owned with his brothers, Earl and Sam Ruby. His brothers became dissatisfied with him because he allegedly was not devoting full time to that business. As a result, they bought out his interest in 1947. We do not have precise information as to what Jack Ruby was doing while he was also employed with Earl Products; however, he is rumored to have frequented and been employed at various Chicago area night clubs in the capacity of a bouncer or other minor functionary.

In early 1947, he went to Dallas, Texas, to manage the Singapore Supper Club, a business in which his sister, Eva Grant, was engaged. He returned to Chicago sometime in the late summer or early fall of 1947. At about this same time, he became the subject of a narcotics investigation along with his brother, Hyman,

and Paul Roland Jones. Both Hyman and Jack disclaimed any knowledge of Jones' activity in narcotics and were not prosecuted. Jones was prosecuted and convicted by federal authorities.

Sometime in late 1947, after having been interrogated by Narcotics Agents, Ruby returned to Dallas and established permanent residence. He continued to operate the Singapore Supper Club with Eva until sometime in 1948 when she moved to California and alone for an undisclosed period thereafter. At some undisclosed point, Ruby changed the name of the Singapore Supper Club to the Silver Spur. He no longer operates that club. He eventually purchased the Vegas Club and operated it with Eva after early 1959. In 1960, he purchased the Sovereign Club, changed the name to the Carousel Club, and continued to operate it and the Vegas Club until his arrest on November 24, 1963. Both the Vegas Club and the Carousel Club have been put under management other than the Ruby family since Ruby's arrest.

Ruby is considered to be a highly emotional person. He speaks with a lisp, has been described as soft spoken, is generally well mannered and well dressed, but is given to sudden and extreme displays of temper and violence. He is known to have brutally beaten at least 25 different persons either as a result of a personal encounter or because they were causing disturbances in his club. The normal pattern is for Ruby to attack his victims without warning, and few of the beatings of which we have knowledge seem to be the result of prolonged arguments. After many of these assaults, Ruby is known to have apologized to the victim.

Ruby is known to have a strong affection for dogs and a great pride in physical fitness. He has owned as many as seven dogs at one time, and one person has stated that he cared more for his dogs than he cared for people. At various times during his life, he is known to have worked out regularly at the YMCA or other gymnasiums, and he is reported to have owned and kept in his apartment a set of barbells during recent years. He neither smokes, nor drinks, and curses rarely.

He is said to have effeminate mannerisms and is alleged by some to be homosexual. However, there is no direct evidence of any homosexual behavior. Although he has never been married, he is known to have dated and at one time was known as a "ladies man." In recent years, some of the women toward whom he has shown interest have indicated that he had perverted attitudes toward sex. One male witness describes an occasion when he masturbated one of his dogs and apparently derived great pleasure from it.

Ruby's friends and close associates are detailed more fully in a subsequent section. To generalize, it can be said that, while living in Dallas, Ruby has very carefully cultivated friendships with police officers and other public officials. At the same time, he was, peripherally, if not directly connected with members of the underworld. The narcotics episode mentioned above concerning Paul Roland Jones is representative. Ruby is also rumored to have been the tip-off man between the Dallas police and the Dallas underworld, especially in regard to enforcement of the local liquor laws. Ruby is said to have been given advance notice of prospective police raids on his own club and other clubs. However, it must be emphasized that such allegations are in the rumor category. Ruby apparently did not permit prostitution to be carried on in his clubs; nonetheless, his associations with stripteasers and cheap entertainers brought him into constant contact with people of questionable reputation. Ruby operated his business on a cash basis, keeping no record whatsoever—a strong indication that Ruby himself was involved in illicit operations of some sort.

When it suited his own purposes, he did not hesitate to call on underworld characters for assistance. For example, shortly prior to the assassination of President Kennedy, Ruby was involved in a dispute with the American Guild of Variety Artists (AGVA) concerning the use of amateur stripteasers in Dallas. Ruby claimed that AGVA was permitting his competitor to use amateurs but denying him that privilege. When he was unable to get satisfaction from AGVA, Ruby called Barney Baker, a Chicago hoodlum who was reputedly a muscle man for Jimmy Hoffa and had been released from prison in June 1963, to ask Baker to give him assistance in his dispute with AGVA. For the same purpose, Ruby also called Frank Goldstein, a San Francisco gambler, who was a friend of his sister, Eva Grant.

Ruby is not known to have been politically active. He is reported to have been a Democrat and an admirer of President Kennedy and President Roosevelt. However, the evidence on this is not sufficiently reliable to warrant a firm conclusion.

Prior to World War II, he was a member of a vigilante group which physically interfered with meetings of the German-American Bund in an area of Chicago known as White City. Ruby's group was known as the Dave Miller gang, but we have no evidence to indicate whether this group was simply made up of aggressive young men who were looking for trouble and were from the Jewish neighborhood in which Ruby lived or whether it was an organized group with a strong political basis. He is not known to have engaged in any political activities in Dallas. At the time of his arrest, Ruby was found in possession of various radio scripts issued by H. L. Hunt, a prominent American right wing extremist. There is insufficient evidence as to how these radio scripts came into Ruby's possession, their content and Ruby's reaction to them to be able to pass judgment on the relationship of Ruby to any right wing groups.

In about 1959, Ruby became interested in the possibility of selling war materials to Cubans and in the possibility of opening a gambling casino in Havana. He was in contact at that time with a friend, Lewis J. McWillie. Insufficient evidence is available on that episode to evaluate Ruby's connection with any Cuban (anti-Castro or pro-Castro) groups. Ruby is also rumored to have met in Dallas with an American Army Colonel (LNU) and some Cubans concerning the sale of arms. A Government informant in Chicago connected with the sale of arms to anti-Castro Cubans has reported that such Cubans were behind the Kennedy assassination and was financed by Jewish interests.

Religiously, Ruby is Jewish. He was not a regular attender at the Synagogue, although he did attend the services on high holidays. We have no information as to whether or not Ruby observed any particular Jewish customs in his home or was active in Jewish lay organizations. Nonetheless, it is established that Ruby was very sensitive to anti-Semitism and to his position in Dallas as a Jew.

On balance, it may be said that Ruby's primary interest in life was making money. He does not seem to have had any great scruples concerning the manner in which he might do so; however, he has usually been careful to avoid prosecution by law enforcement authorities. This care did not necessarily involve avoiding violations of the law although there is no evidence that he did commit any flagrant legal violations. His primary technique in avoiding prosecution was the maintenance of friendship with police officers, public officials, and other influential persons in the Dallas community. Ruby appears to be the kind of person who could be persuaded by another person whom he respected (either because of that person's friendship, influence, power, prestige or wealth) to become involved in any activity which was not obviously contrary to the interest of the United States. No one who knows Ruby has indicated that he was politically sophisticated, and some have commented that he was devoid of political ideas to the point of naivete. It is possible that Ruby could have been utilized by a politically motivated group either upon the promise of money or because of the influential character of the individual approaching Ruby. If he is a deviate, blackmail is also possible.

B. THE FOLLOWING GROUPS AND PLACES WERE SIGNIFICANT IN LOOKING FOR TIES BETWEEN RUBY AND OTHERS WHO MIGHT HAVE BEEN INTERESTED IN THE ASSASSINATION OF PRESIDENT KENNEDY

1. The Teamsters Union. Ruby's old union, the Waste Handlers in Chicago, is now a part of the Teamsters. Ruby had a contact with Barney Baker, reputed to be close to Hoffa. Ruby also frequented the Cabana Motel in Dallas, alleged to have been built with Teamster money.

2. The Las Vegas gambling community. Ruby was particularly close to Lewis J. McWillie of Las Vegas.

3. Persons involved in the promotion of fad items. Ruby himself was attempting to sell an item known as a "twist board," in the fall of 1963 and has often been involved in the sale of gimmick-type items.

4. Persons connected with cheap nightclub entertainment.

5. The Dallas Police Department.

6. The Dallas news media, with particular emphasis on entertainment columnists and persons employed at radio station KLIF.

7. The following geographical areas:

- a. Chicago
- b. Denver
- c. Milwaukee

- d. Minneapolis
- e. New York
- f. Los Angeles
- g. San Francisco
- h. New Orleans
- i. Gulf Coast areas (Texas, Louisiana, Mississippi, Alabama, Florida)
- 8. Places frequented by Ruby in Dallas :
 - a. Adelphus Hotel
 - b. Cabana Motel
 - c. Egyptian Lounge
 - d. Sol's Turf Bar.
 - e. Bull Pen Drive-in.
 - f. Vegas Club.
 - g. Carousel Club.

C. THE FOLLOWING PERSONS SEEM, AT THIS WRITING, TO BE THE MOST PROMISING SOURCES OF CONTACT BETWEEN RUBY AND POLITICALLY MOTIVATED GROUPS INTERESTED IN SECURING THE ASSASSINATION OF PRESIDENT KENNEDY

1. Family members

a. *Eva Grant*, born and reared in Chicago, 1909 to 1933. Lived in San Francisco 1933 to 1937 and 1948 to 1959. Known to be in Chicago August 1937 and January 1938. Lived in Dallas approximately 1942 to 1948 and 1959 to present. Married about 1930 to Hyman Magid, divorced about 1932. One son, Ronald Dennis Magid, born 1931. Married Frank Grant, aka Frank Granovsky, in San Francisco, 1936. Lived with him about six months, divorced about 1940. Friendships with Frank Goldstein, San Francisco gambler and Paul Roland Jones, convicted in Dallas about 1948 for narcotics violations. While living in Dallas, engaged in export and import of raw materials and managed night clubs.

b. *Earl Ruby*, born, Chicago, about April 1916, lived in Chicago until 1961. U.S. Navy 1942 to 1944. Sold punch boards on East Coast with brother Jack in early 1940's. Owner and manager of Earl Products, 1944 to 1961. Nervous breakdown 1961. Moved to Detroit and opened Cobo Cleaners in 1961. Telephone records show telegram of undisclosed nature to Havana, Cuba, April 1, 1962, telephone call to Ansan Tool Manufacturing Company, 4750 North Ronald, Chicago, Illinois, owned by Anrei and Mario Umberto, and to Dominico Scorta, 102 West Grant, Chicago, Illinois. Also calls to Welsh Candy Company. Nature of telephone calls in all cases unknown, no further investigation of the call as yet has been initiated.

c. *Anna Volpert*, sister of Jack Ruby, born June 1904 in Poland. Remained in Chicago until early 1930's. Sometime after 1937 but before 1939 moved to Youngstown, Ohio. Resided in Youngstown, with husband until 1959. Husband was engaged in a company known as National Home Improvement Company.

2. Close friends

a. *Andrew Armstrong*, Ruby's Man Friday at the Carousel Club. Resident of Dallas, background unknown, Negro.

b. *Ralph Paul*. Resident of Arlington, Texas, born New York City. About 55 years old, came to Dallas about 1948. Owns Bull Pen Drive-in Restaurant in Fort Worth. Co-owner with Ruby of the Carousel Club.

c. *George Senator*, roommate of Jack Ruby. Background unknown.

3. Other associates and employees

a. *Barney Baker*, Chicago hoodlum. Reported muscle man for Jimmy Hoffa. Requested by Ruby in mid-November of 1963 to assist him in dispute with AGVA.

b. *Karen Bennett Carlin*, employed by Ruby as strip-teaser under name of Little Lynn. Borrowed \$5 from Ruby on Saturday night, November 23, telephoned Ruby Sunday morning, November 24, and says she requested him to send her \$25. Mrs. Marguerite Oswald (mother of Lee Oswald) believes that she knew a Carol Bennett when she (Mrs. Oswald) was employed as a waitress in Dallas. Mrs. Oswald claims that Carol Bennett was the daughter of a Dallas hoodlum who was murdered in a gangland slaying. No information as to whether or not Karen Bennett Carlin and Carol Bennett are the same person or are related.

c. *Bruce Carlin*, husband of Karen Bennett Carlin.

d. *Curtis Laverne Craford*, aka Larry Craford. About 22 years old, itinerant laborer. Worked for Ruby at the Carousel Club from about October 31, 1963 to November 23, 1963. Became close confidant of Ruby. Fled Dallas area Saturday, November 23. Located in rural part of Michigan, November 28.

e. *Robert Cravens*, age unknown. Resident of Los Angeles. Friend of Ruby's. Came to Dallas about October 1, 1963, to operate a show at the Dallas State Fair called How Hollywood Makes Movies. Called Ruby in November 1963 with respect to the sale of some lumber. No other information concerning Cravens.

f. *Leopold Ramon Duces*, life was threatened by a person suggesting that the same group that would kill Duces had been responsible for getting rid of Kennedy. Name "Leopoldo" has been mentioned by others who claim that Ruby was associated with an anti-Castro group in the procurement of arms. Name "Leopoldo" also mentioned by a woman in Dallas who claims she was introduced to a "Leon Oswald," description fitting Lee Harvey Oswald, in October 1963 by anti-Castro Cuban leaders.

g. *Frank Goldstein*, age unknown. San Francisco gambler. Friend of Eva Grant. Requested by Ruby in November 1963 to assist him in his difficulties with AGVA.

h. *Sam Gordon*, west coast resident. Friend of Ruby from childhood in Chicago. Reportedly purchased sixty-first home run ball from Mickey Mantle. General background and connections unknown.

i. *Alex Gruber*, resident of Los Angeles. Friend of Ruby. Visited him in Dallas in November 1963. Received telephone call from Ruby on Friday after the assassination of President Kennedy.

j. *Thomas Hill*, name found in Ruby's notebook. Official of John Birch Society. Resides in Massachusetts.

k. *H. L. Hunt* and *Lamar Hunt*, may be same person. Name Lamar Hunt found in notebook of Ruby. Ruby visited his office on November 21. Hunt denies knowing Ruby. Ruby gives innocent explanation. Ruby found with literature of H. L. Hunt after shooting Oswald.

l. *Lewis J. McWillie*, operates Las Vegas gambling casino. Formerly employed at gambling casino in Havana. Ruby visited him in Havana. Ruby also purchased a gun for McWillie and had it mailed to McWillie in Las Vegas. Ruby and McWillie give innocent explanations of their relationship.

m. *Barney Ross*, former professional prize fighter. Former narcotics addict. Long time friend of Ruby from Chicago days. Ruby visited him at least once a year and telephones him two or three times a year.

n. *Amesi* and *Mario Umberto*, owners of Ansen Tool Manufacturing Company in Chicago. In telephone communication with Earl Ruby.

o. *Billy Joe Willis*, musician employed by Ruby at Carousel Club. Lives in Irving, Texas, across the street from Mrs. Ruth Paine (Friend at whose home Marina Oswald resided).

MAY 15, 1964.

Mr. RICHARD HELMS,
Deputy Director for Plans,
Central Intelligence Agency,
Washington, D.C.

DEAR Mr. HELMS: At a meeting on March 12, 1964, between representatives of your Agency and this Commission, a memorandum prepared by members of the Commission staff was handed to you which related to the background of Jack L. Ruby and alleged associates and/or activities in Cuba. At that time we requested that you review this memorandum and submit to the Commission any information contained in your files regarding the matters covered in the memorandum, as well as any other analysis by your representatives which you believed might be useful to the Commission.

As you know, this Commission is nearing the end of its investigation. We would appreciate hearing from you as soon as possible whether you are in a position to comply with this request in the near future.

Sincerely,

J. LEE RANKIN,
General Counsel.

Memorandum for: Mr. J. Lee Rankin, General Counsel, President's Commission on the Assassination of President Kennedy.
Subject: Information Concerning Jack Ruby (aka Jack Rubenstein) and his Associates.

1. Reference is made to your memorandum of 19 May 1964, requesting that this Agency furnish any information in its files relative to Jack Ruby, his activities and his associates.

2. This memorandum will confirm our earlier statement to the Commission to the effect that an examination of Central Intelligence Agency files has produced no information on Jack Ruby or his activities. The Central Intelligence Agency has no indication that Ruby and Lee Harvey Oswald ever knew each other, were associated, or might have been connected in any manner.

3. The records of this Agency were reviewed for information about the relatives, friends and associates of Ruby named in your summary of his background. Our records do not reflect any information pertaining to these persons.

THOMAS H. KARAMESSINES,
Acting Deputy Director for Plans.

Mr. BLAKEY. Judge Griffin, let me direct your attention to the date on the memorandum prepared by yourself and Mr. Hubert, February 24, 1964, and the date and the routing slip that has Mr. Willens' initials, March 12, 1964.

Do you know why there was a 16-day delay in Mr. Willens' communicating this material to the CIA?

Judge GRIFFIN. No, I don't.

Mr. BLAKEY. Was it usual or unusual for him to do something by direct communication as opposed to mail? The note, of course, indicates that the proposed letter which accompanied the memorandum was not sent, rather that it was physically handed to the agency representative.

Judge GRIFFIN. I don't know what their procedure was or, indeed, whether they used couriers rather than mail. I really don't know how things went out.

Mr. BLAKEY. Let me direct your attention as well to the fourth item, the memo of Mr. Karamessines of September 15, 1964, to Mr. Rankin. I take it this is the answer to the oral request of Mr. Willens of March 12, 1964.

Do you know why it took from March to September, some 7 months, to answer the questions raised in your memorandum of November 24?

Judge GRIFFIN. I can only speculate.

Mr. BLAKEY. Were you ever told why it took that long?

Judge GRIFFIN. Never.

Mr. BLAKEY. Was this kind of delay typical in getting a response from a Government agency?

Judge GRIFFIN. I don't believe we ever had a delay of this magnitude about anything else.

Mr. BLAKEY. Could it have been that kind of delay that would have been a factor contributing to your inability to make the deadlines that were being set for you by the Chief Justice and others in your investigation of Jack Ruby?

Judge GRIFFIN. No. You are really asking me the question that goes back to some other memos that aren't in the record at this point, and what happened to the investigations that Hubert and I had suggested be conducted, and why they weren't conducted.

Mr. BLAKEY. We will get to some of that later on. I am wondering now about the relationship between the Agency and your own concerns.

Judge GRIFFIN. The reason it took us so long to do the job was that it was a tremendous amount of work. That was the starting point. The other question about why we weren't allowed—I won't say we weren't allowed—why we got the reaction we did get with respect to certain of our suggested investigations, whatever underlies the delay

in this memorandum may underlie—may, I am not certain—may underlie some of that.

I suspect that within the whole vast apparatus of investigation that was going on it went far beyond the Commission, but even within the Commission different considerations may have affected different people who made decisions. What affected Howard Willens might be very different from what affected Lee Rankin or what affected the Chief Justice.

Mr. BLAKEY. Mr. Chairman, I would like to turn from the relationship between the Warren Commission and the Bureau and Agency and ask some specific questions about the character of the investigation itself.

Judge, you previously testified in response to questions by Congressman Dodd and Congressman McKinney that you were under certain political pressures, and I don't mean political pressure in a pejorative sense, a desire to allay public fears, perhaps to work at a smooth transition in national leadership.

Certainly this would be in the context of the political conventions. Let me ask you some specific questions in regard to a perhaps less attractive motivation, for limiting your investigation. I hope you will bear with me if I ask you a series of questions which may sound like a strike force attorney asking hard questions of a witness.

To your knowledge did the Chief Justice have any information while he was serving with the Warren Commission concerning any involvement of U.S. intelligence agencies in plots against Cuba or to assassinate Fidel Castro?

Judge GRIFFIN. I have no direct knowledge on that.

Mr. BLAKEY. That he had knowledge?

Judge GRIFFIN. I have no direct information.

Mr. BLAKEY. Do you have any indirect information?

Judge GRIFFIN. Nothing that would be information. I only have my speculations.

Mr. BLAKEY. To your knowledge did any other commissioner have such information while he was serving with the Warren Commission?

Judge GRIFFIN. I have no knowledge that anybody would have. All I have is speculations.

Mr. BLAKEY. The point of time that I am directing your attention to is while you were serving on the Warren Commission.

Judge GRIFFIN. Right.

Mr. BLAKEY. To your knowledge did any staff member have any such information while he was serving with the Warren Commission?

Judge GRIFFIN. Not to my knowledge.

Mr. BLAKEY. In retrospect was there any conduct on the part of the Chief Justice from which you could or did infer that he had such information?

Judge GRIFFIN. Tell me again what information you are asking me about.

Mr. BLAKEY. This goes to whether the Chief Justice or other people in leadership capacity were aware of any involvement of U.S. intelligence agencies in plots against Cuba or to assassinate Fidel Castro.

The question now is whether in retrospect there was any conduct on the part of the Chief Justice from which you could have or did infer that he had such information.

Judge GRIFFIN. The only statement that he made in retrospect from which any inference—there are two statements from which one could make any kind of inference about what he knew about national security problems. One was his statement to us that we did not handle this in a responsible way, and I think my characterization has to be against the background of the fear of McCarthyism; that we didn't handle what we found in a responsible way, we could trigger a thermonuclear war.

I remember that phraseology, thermonuclear war, being used. I don't know whether I heard the Chief Justice say that directly or was told it by Mr. Rankin he had said that.

Mr. BLAKEY. Did he ever explain to you or did anyone else explain to you what he meant by "handle in a responsible way"?

Judge GRIFFIN. I am certain this all came up in the context of protecting confidences, not leaking things to the press and maintaining the internal security of our own investigation. That is the area in which you have to review that.

The other thing was the statement that I was quoted in the press as making, that there might be materials that the Commission had which couldn't be revealed for some extended period of time. I don't remember whether it was 50 years or what the period of time was. Frankly, that statement also surprised me, even at the time, because there was nothing that I saw in my judgment that couldn't have been revealed the minute we concluded our report, with one exception, which I always understood, which had to do with the autopsy photographs, had nothing to do with national security but had to do with personal factors surrounding the Kennedy family. But I never saw any investigative information that in my view justified any secrecy whatsoever.

Mr. BLAKEY. In retrospect was there any conduct on the part of any other Commissioner, that is, other than Chief Justice Warren, from which you could have or did infer that that Commissioner had such information?

Judge GRIFFIN. Not at the time.

Mr. BLAKEY. In retrospect was there any conduct on the part of any staff member from which you could have or did infer that he had such information or she had such information?

Judge GRIFFIN. No, not at the time, nor is there any conduct that I can think of that would fall in that category.

Mr. BLAKEY. While you served with the Commission did you see any document from which you could have or did infer that the Chief Justice or any other Commissioner or any staff member had such information?

Judge GRIFFIN. Never.

Mr. BLAKEY. Were you ever present during a discussion from which you could have or did infer that the Chief Justice or any other Commissioner, or any staff member, had such information?

Judge GRIFFIN. No.

Mr. BLAKEY. Were you ever instructed by anyone, including the Chief Justice or any other Commissioner or any staff member, while you were serving on the Warren Commission, not to pursue any area of inquiry?

Judge GRIFFIN. I was never instructed not to pursue an area of inquiry. Some of the ways we went about opening up areas of inquiry,

since we had limited resources and were under time pressures, required permission, permission to subpoena witnesses to travel, and we needed to clear all requests for information to an agency through the administrative hierarchy of the Commission.

I don't recall, I can't at this point remember if any specific inquiry that we ever sent to an agency was blocked within the Commission. But there were areas of investigation and methods of investigation that we wanted to pursue that were turned down.

Mr. BLAKEY. Did anyone ever suggest to you that certain matters should not be explored as opposed to instructing you not to do it?

Judge GRIFFIN. In a substantive sense, no, that was never done. It all had to do with the method of investigation.

Mr. BLAKEY. Let me turn now from the general question of political pressure and talk to you a little bit about the time pressures that you were under at that time.

Mr. Chairman, I wonder if we could have the clerk mark the memo of Hubert and Griffin, dated May 14, 1964, re the adequacy of the Ruby investigation, as JFK exhibit No. 63.

Mr. FAUNTROY. Without objection.

Mr. BLAKEY. Would the clerk show the memo to the witness.

Judge GRIFFIN. I have a copy of it.

Mr. BLAKEY. Mr. Chairman, I wonder if we can have that memo incorporated in the record at this point in order that I can ask some questions based on it.

Mr. FAUNTROY. Without objection it is so ordered.

[The document referred to, marked JFK exhibit No. 63 and received for the record, follows:]

JFK EXHIBIT No. 63

[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 secured, if possible, to affirmatively exclude that:

- (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 purposes. Nor were they probed in such a manner as to permit a determination as to how much of Ruby's time they occupied.

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 described by Ralph Paul, Ruby's business partner, as one of Ruby's closest friends. Ruby mailed a gun to McWillie 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 Brenner 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.

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. 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.

i. 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.

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:

i. *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:

i. *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 2½ 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:

i. *Alex Gruber*.—To obtain personal history to establish original meeting and subsequent contacts with Ruby; to obtain details of visit to Dallas in November 1965, including where he stayed, how long, who saw him, etc. The FBI should also check its own files on Gruber.

ii. *Lawrence Meyers*. (Same as Gruber.)

iii. *Ken Dowe*.—(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.

iv. *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 crucial 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 Crafard, 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 presumed 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;

iii. After the depositions of Nancy Parrin, 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, IBC, 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 26 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.

Mr. BLAKEY. Mr. Griffin, do you recall the circumstances that led you and Mr. Hubert to prepare this memorandum?

Judge GRIFFIN. In a general sense I do; yes. I don't remember the specific catalytic event but I remember where we were.

Mr. BLAKEY. Were you asked sometime in May to finish your work by June 1?

Judge GRIFFIN. I don't remember the date but we were given a deadline which we felt we couldn't meet, whatever that date was.

Mr. BLAKEY. Was this memorandum prepared in response to that request?

Judge GRIFFIN. At the same time as that kind of pressure was coming, whether it was specifically in direct response to a request I don't know, but for practical purposes that is right.

Mr. BLAKEY. I wonder, Judge Griffin, if I could direct your attention to page 2 of the memorandum and ask you to focus on paragraph 3a. In general terms you indicate that there was a need for further investigation and you observe that the FBI has thoroughly investigated Mr. Ruby's night club operations but does not seem to have pinned down his other business or social activity. Is that correct?

Judge GRIFFIN. Yes.

Mr. BLAKEY. In the period of time after this memorandum was written, that is, between May and July and August when the investigation wound down, did the Bureau subsequently pin down these other activities?

Judge GRIFFIN. I don't think they did. The question in part is whether they did any more as a result. What was Mr. Rankin's response to this memo? I don't know whether we got a written response to this or not. I don't have any recollection of really pursuing this. I have a general recollection of a conversation, I don't remember who it was with, in which we were not told we could not do any of these things but we were told not to go off the deep end, and so forth, and we were in a sense given a light to go ahead but they still made clear to us that we had these deadlines. So I don't know what we did to follow that up.

Mr. BLAKEY. Let me direct your attention now to page 2 of the memorandum, to paragraph e, which then continues over on page 3 and also paragraph f, on page 3, which continues over on page 4.

Judge GRIFFIN. Right.

Mr. BLAKEY. In which you generally indicate that Mr. Ruby had been close to persons pursuing various illegal activities. You note, for example, in September 1959, Mr. Ruby visited Havana at the invitation of a man named Louis J. McWillie, whom you characterized as a Las Vegas racketeer. You also indicate that Mr. Ralph Paul had indicated that Ruby considered Mr. McWillie one of his closest friends.

Judge GRIFFIN. Right.

Mr. BLAKEY. You comment :

In addition 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.

Now reading over page 4, paragraph f :

We think that neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored.

This of course was written as of May 14. In the period of time after May 14 in your judgment did the Bureau subsequently adequately explore these Cuban matters?

Judge GRIFFIN. In fairness to the Bureau I don't think they had much of a request to explore them. There were some requests made to them for investigation. We did not pursue these matters in a manner I felt at the time, or ever have felt, was satisfactory.

Mr. BLAKEY. Let me direct your attention now to page 3 of the memorandum, specifically paragraph d, in which you generally indicate that there is some possible connection between Ruby and various rightwing groups. Particularly you mention H. L. Hunt, and raise the possibility of some connection between Mr. Ruby and the John Birch Society.

Judge GRIFFIN. Yes.

Mr. BLAKEY. In your judgment in the period of time following May did the Bureau adequately explore these possible rightwing connections?

Judge GRIFFIN. Again, I have to answer that in terms of what we requested them to do. At this point I don't recall what we requested with respect to H. L. Hunt. With respect to Earl Ruby, Hubert and I explored Earl Ruby's connection with Ruby to a very limited extent but we never requested any followup.

We took his deposition on May 14, 1964, and asked him some questions about the Welch Candy Co. We did push a request for information on Thomas Hill. My recollection on that is that the Bureau did everything we asked them to do. Whether they could have done more about it and didn't, that I don't know.

Mr. BLAKEY. I call your attention to page 4, specifically paragraph g, and note that you indicate that Mr. Ruby had a visit from one Lawrence Meyers from Chicago. You comment on the relationship between Mr. Meyers and Mr. Alex Gruber of Los Angeles and conclude: "Background checks have not been made on these persons."

Subsequently did the Bureau do background checks to your knowledge of Mr. Meyers and Mr. Gruber?

Judge GRIFFIN. I don't know. Again I am not certain whether we requested that. I will say that I don't know whether there was anything put in writing, any written response to this memo. Your records I think would reveal that. It is quite possible that based on your conversations with those who received this memo that Hubert and I decided that we had to make—in fact, I know we did this—after we had talked about this we decided we had to make some choices about where we could go, because we had a lot of resistance to these things. We felt that we couldn't expose ourselves to too many dead ends on things that looked like wild goose chases.

I am fairly confident that although we may never have been told not to do certain things, that we made the decision probably ourselves that we should go for the things that we thought might have the best chance of a payoff and avoid any further hassle with others in the Commission over our view on how to conduct the investigation.

Mr. BLAKEY. Let me last direct your attention to page 4 and specifically to paragraph h, and quoting from the record:

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.

In your judgment did the investigation in succeeding months adequately focus on that area?

Judge GRIFFIN. No.

Mr. BLAKEY. Judge Griffin, I wonder if I could direct your attention to the final report of the Commission, a copy of which is on the desk in front of you, to your right, and ask you to look at page 365 in the official report, and page 340 in the New York Times edition.

Looking now at page 365, the Commission discusses at page 365 in the official report and page 340 of the New York Times report, Ruby's background and associates and it says:

In addition to examining in detail Jack Ruby's activities from November 21 to November 24, and his possible acquaintanceship with Lee Harvey Oswald, the Commission has considered whether or not Ruby had ties with individuals or groups that might have obviated the need for any direct contact near the time of the assassination. Study of Jack Ruby's background, which is set out more fully in appendix XVI, leads to the final conclusion that he had no such ties.

Judge GRIFFIN. Let me understand what that first sentence is there. "The Commission has considered whether or not Ruby had ties with individuals or groups that might have obviated the need for any direct contact near the time of the assassination."

Ties to some intermediate group that might have wanted to assassinate the President?

Mr. BLAKEY. In the context of your memorandum of May were you raising the question whether Ruby had illegal dealings with Cuban elements who might have had contact with Oswald? Do you believe that the succeeding months of investigation from May through September adequately explored those dealings so that this conclusion "leads to the final conclusion that he had no such ties," could have been justified?

Judge GRIFFIN. If this phrase "individual or groups that might have obviated the need," if that is read to mean any Cuban groups or any people interested in dealing with Cuba, I would say no, I would not agree with that last sentence that you read.

I must say I don't know what the first sentence means.

Mr. MCKINNEY. Does that not simply mean that there could have been contact between Ruby and Oswald without physical contact?

Judge GRIFFIN. I know it means that. The question is whether someone had in mind some group that we knew had contact with Oswald. If that is meant to say that we could reach a conclusion that someone that we knew had direct contact with Oswald also had direct contact with Ruby, then this sentence about the firm conclusion is probably

correct, that we could conclude that based upon someone that we know at that time that had a direct contact, we could say yes, he didn't have any direct contact we knew about, but how about the people we don't know about?

Mr. BLAKEY. I would like to know your feeling in May that there might be a relationship between Oswald and Ruby through Cuban elements, and your suggestion in May that that possible connection should be adequately explored.

Judge GRIFFIN. Right.

Mr. BLAKEY. I am raising the question that I understand that you thought it was not adequately explored.

If it was not, I am wondering how the Commission could have concluded on page 365 in the official report and on page 340 in the New York Times report that there were no such ties.

Judge GRIFFIN. Because I think that this report throughout was really written from a very narrow perspective when general terms were used and they really meant someone we already knew, a group we already knew had contact with Oswald. The question was could we find that Ruby had contact with any of those specific individuals or groups, groups not meaning every Cuban in the country but a specific known group that Oswald had made contact with.

Mr. BLAKEY. In the context of that answer, let me direct your attention to page 370 of the official report and the New York Times report on page 346. Reading now from page 340 of the official report and page 348 of the New York Times report, there is an indication of information on a relationship between Ruby and Louis J. McWillie, who you mentioned in your memorandum of May 5; and then in the next designated paragraph, paragraph designated "Possible Underworld Connections," let me direct your attention to the two concluding sentences:

Ruby has disclaimed that he was associated with organized crime activities, and law enforcement agencies have confirmed that denial.

Judge GRIFFIN. I suppose that statement on its face is true, that Ruby has said that he didn't have organized criminal activity and law enforcement agencies have said yes; he is not associated with organized criminal activities.

Mr. FAUNTOY. The law enforcement agencies said that?

Judge GRIFFIN. That is right. I think that is a true statement.

Mr. MCKINNEY. Counsel, I would like to apologize to the witness that I have to leave.

Mr. BLAKEY. On page 801 of the official report and page 707 of the New York Times edition, I quote now from the last paragraph, headed "Underworld Ties." This is from the appendix generally dealing with Mr. Ruby's background:

Based on its evaluation of the record, however, the Commission believes that the evidence does not establish a significant link between Ruby and organized crime. Both State and Federal officials have indicated that Ruby was not affiliated with organized criminal activities, and numerous persons have reported that Ruby was not connected with such activity.

Judge GRIFFIN. Right. I think the key words are "significant link" and that question was: Where did Ruby stand in the organized criminal hierarchy? Was he a big fish, little fish, or was he on the

periphery? It is not an attempt to say that he did not have lots of friends and associates and couldn't perhaps get things done and that they might not call upon him.

Mr. DODD. Counsel, that is clearly what it says. I don't know how you can possibly reach any other conclusion from that statement that he was not associated or affiliated. To say that that statement indicates he was not significantly involved, I think, is not a fair appraisal of it.

Judge GRIFFIN. The question is what you mean by "significant."

Mr. BLAKEY. Do you think a normal person, an average American lay reader to whom this report was directed, in reading that, would have led to believe that Ruby was not associated in any way with organized crime?

Judge GRIFFIN. Let me say this: If anybody who reads the whole appendix there, which lays out all what his associations were—if you just read the last sentence, if you don't read all the other associations that are laid out but if you read one or two pages we have on this and you look at the footnotes, you will see—it is actually one page, I guess—it goes in his past history, so this entire appendix covers a good many pages of laying out what his specific associations were, going all the way back to the 1930's and early 1940's in Chicago.

I don't think anybody who could read this and have all of this information that is in here would have any doubt that there were lots and lots of associations that he had with underworld types and that one could fairly characterize him in a kind of way as a fringe person in the underworld.

Unfortunately, for various reasons, this report is loaded with code words such as "the Commission found no evidence" and this one: "a significant link." It is an attempt by the Commission to say to the public that: "Yes; the average person would read this and, if you read it in the newspapers, you would think there is a lot of stuff here, but we are exercising a professional evaluation and we don't think this is significant."

Mr. BLAKEY. In your professional judgment, did you adequately explore the relationship between Ruby and McWillie, and possible connections with organized crime figures?

Judge GRIFFIN. If we were conducting an investigation that really was a no-time-limit, no-stops investigation into whether there could have been a conspiracy to assassinate the President that involved the underworld, and if we had had one bit of information at that point that was significant that would show that the underworld might have had a motive or might have been connected with someone else who had a motive to assassinate the President, my answer would be that this was not adequate.

But at the point that we stopped this investigation, we didn't know anything about the so-called Mafia connections with the CIA, we knew nothing about the assassination attempts in the Caribbean. The only thing we could see in the underworld types were that they were trying to make some money selling guns to Cuba, and that did not seem to us to justify the next conclusion, that they therefore wanted to assassinate the President.

Mr. BLAKEY. Did you know in 1964 that it was at least alleged that McWillie was manager of the Tropicana Casino?

Judge GRIFFIN. I think that is all in the record.

Mr. DODD. Did you say earlier you were familiar with this memorandum from the Central Intelligence Agency dated, I think, September 17, 1964, in which the CIA states emphatically that they have no information on Jack Ruby or his activities?

Judge GRIFFIN. Including Louis McWillie, for example. His name was in a memo that they were responding to. Louis McWillie's name was given to them by us along with a lot of other people. Understand that we got that memo 8 or 9 days before the report was published. That report was already in galley proof, and the galleys—probably the page proofs—were being read at the time this report came back from the CIA.

Mr. DODD. In your memo of May 14, 2 or 3 months before that, you clearly raise questions about Ruby's possibly becoming involved in purchasing jeeps for Castro, which is a political activity on which the CIA would have some information or they would be derelict in their duty?

Judge GRIFFIN. Absolutely.

Mr. BLAKEY. Were you also aware after May 1960 he took a job at the casino that was allegedly owned by Meyer Lansky?

Judge GRIFFIN. I don't know whether we knew that.

Mr. BLAKEY. Would you have known the name Meyer Lansky in 1964?

Judge GRIFFIN. Yes. That kind of information would not have significantly affected our decision unless we knew two things, at least unless we knew that the Mafia, the underworld types, were being used by the CIA in connection with international Cuban activities. If we had known that the CIA in any way was utilizing underworld people in connection with any kind of Cuban activity, that might have said more for us—most particularly if we had, of course, known there was an effort on some part of the people in our Government to assassinate Castro.

Mr. BLAKEY. You know it?

Judge GRIFFIN. We did not know it.

Mr. BLAKEY. You knew that Ruby had some connection with the underworld?

Judge GRIFFIN. That is all we knew.

Mr. BLAKEY. You knew he was trying to sell jeeps to Castro?

Judge GRIFFIN. In 1959—incidentally, we had rumors on that which we could never confirm from anyone.

Mr. BLAKEY. You were suspicious enough?

Judge GRIFFIN. We were suspicious.

Mr. BLAKEY. You knew the guy had underworld connections, you knew he had political activities in a foreign country?

Judge GRIFFIN. We took the depositions of all of the people who gave us that information. We requested further information from the CIA. We got their September 15 memo. We got nothing to start with from them. We were being told to write the report. We got no further information.

I can't tell you in any kind of detail what we requested of the FBI. I feel fairly certain that we were making requests to the FBI up to the point that we got nothing back. At that point we had nothing to link it in with.

Mr. BLAKEY. Would any of these other names be familiar with you? Jake Lansky? Would that name mean anything to you?

Judge GRIFFIN. Sure.

Mr. BLAKEY. Gerald Catena. Would that name mean anything to you in 1963?

Judge GRIFFIN. Yes; that would not have told us anything that we did not already believe about Lansky anyhow.

Mr. BLAKEY. Would the name David Cellini mean anything to you?

Judge GRIFFIN. No; it would not mean anything to us.

Mr. BLAKEY. Eddie Levinson, who was alleged to own the Riveria Casino?

Judge GRIFFIN. No.

Mr. BLAKEY. Does the name Trafficante mean anything to you?

Judge GRIFFIN. No.

Mr. BLAKEY. Raoul Gonzales or Benny Fernandez?

Judge GRIFFIN. I think the answer would have to be no; it did not mean anything to us.

Mr. BLAKEY. The reason I raise this with you, Judge Griffin, to move off the question of a possible CIA or Mafia connection as a motive: Were you aware in the 1960's the Department of Justice, under Robert Kennedy, had what some people say was a vigorous organized crime drive?

Judge GRIFFIN. Yes.

Mr. BLAKEY. Would the death of the President have possible undermined Robert Kennedy's political support in the Government?

Judge GRIFFIN. You are asking me to speculate now on that? Or did we think about that question? I don't think we thought about it. I didn't think about it.

Mr. BLAKEY. As a matter of fact, did Robert Kennedy remain in the Department of Justice after the President's assassination, under President Johnson?

Judge GRIFFIN. He was elected Senator from New York.

Mr. BLAKEY. In point of fact, he left the Department of Justice, did he not?

Judge GRIFFIN. I will say categorically that by Hubert and me that possibility was not seriously explored. I think what you are saying is the possibility that someone associated with the underworld would have wanted to assassinate the President; isn't that right?

Mr. BLAKEY. To undermine the organized crime program.

Judge GRIFFIN. You see, the difficulty with making that leap was that—I am satisfied everyone who investigates this will have the same conclusion—that Oswald was the person who assassinated the President. There was no showing that Oswald had any connection with organized crime. Therefore, there was no reason to think that, simply because Ruby was involved in organized crime, that that would have been linked to the assassination of the President.

We needed to fill that in, in some way, but that is why the Cuban link is so important. If we had known that the CIA wanted to assassinate Castro, then all of the Cuban motivations that we were exploring about this made much, much more sense. If we had further known that the CIA was involved with organized criminal figures in an assassination attempt in the Caribbean, then we would have had a completely different perspective on this thing.

But, because we did not have those links at this point, there was nothing to tie the underworld in with Cuba and thus nothing to tie them in with Oswald, nothing to tie them in with the assassination of the President.

Mr. BLAKEY. Let me direct your attention back to what has been marked as JFK exhibit No. 63, your memorandum of May 14. Beginning on page 5 and following, there are the names of a number of people that you suggest either should be interviewed by the staff or from whom depositions should be taken or that the Bureau should reinterview in the field.

Judge GRIFFIN. Right.

Mr. BLAKEY. I don't find McWillie among those people. Is there any reason why he was omitted that you can recall now?

Judge GRIFFIN. It may be that we had pursued—this is a request mostly for background information on these people. We identified McWillie very early as a somebody who might be a key link. It may be that at the time we wrote this memo, we had gotten everything we felt we could get out of the FBI, that we could not make a productive request to the FBI, so that we were now focusing on other people in an effort to see if they somehow linked back in. I think that is probably why McWillie was left out.

Mr. BLAKEY. If you knew then what you know today about the relationship between McWillie and such figures as Meyer and Jake Lansky and Trafficante and other organized crime figures who apparently were heavily involved in Cuban gambling and the fact that those Cuban gambling syndicates had a relationship with the CIA in an effort to overthrow Premier Castro, do you think you would have more vigorously pursued McWillie?

Judge GRIFFIN. It is not simply McWillie.

Mr. BLAKEY. And all organized crime, the Cuban connection?

Judge GRIFFIN. I frankly think that if anybody on the staff level that I dealt with had had this information, the memos that Hubert and I were generating—which I expressed my unhappiness about the response to—I don't think they would have been handled in that way.

Now, whether above the staff level that I was dealing with, other people had information which produced a much higher-up decision not to go forward in this area, I don't know.

I have said to Mr. Blakey in our private conversation in Cleveland that it frankly is not conceivable to me that Allen Dulles did not know about everything we are talking about here. I personally would not believe it if he came here and denied it to my face. I also don't believe the President didn't know about this.

Now, how much was then communicated on to the Chief Justice, how specific the communications might have been, my own speculation, like any other citizen's, reflecting my own involvement in this, is that I think the Chief Justice had to be told something pretty convincing in order to get him to take this job.

I don't know how much detail they would have given him but he must have genuinely believed that there was a national security question involved here, not simply a McCarthyism kind of question.

From my own perspective at this point, I have a strong belief, without any more information than I have already expressed, that at least

Allen Dulles, if not one or two other people somewhere in the Commission hierarchy, had some information about the importance of the Cuban problem that wasn't communicated to us.

Mr. DODD. Given that fact, would it not be fair, then, to assume—given the fact you had a group of energetic, young attorneys who were anxious to uncover this thing and, by your own statement earlier, to prove the FBI wrong—that you would have to conclude that some of the key staff people then would also have to be privy to that information?

Judge GRIFFIN. No; I don't know where the "key" goes.

Mr. DODD. What happened to this memo of yours? This is a damn good memo, May 14. Hell, these are exactly the kind of questions we are wrestling with. Had someone asked those questions, talked to people who are no longer with us at this point, we would not be sitting here possibly today. You had 2 to 3 weeks, less than that, before the Commission folded its tent?

Judge GRIFFIN. No; this was in May and the report came out in September.

Mr. DODD. Your last hearings were held in June?

Judge GRIFFIN. Right.

Mr. DODD. June 3 was the date. You had May 14 to June 3, less than 3 weeks?

Mr. FAUNTROY. They responded in September.

Judge GRIFFIN. You see, in order to understand their response, you have to take into account what they were learning outside of the Oswald area—

Mr. DODD. You have touched on some pretty sensitive points in this memo by fluke or otherwise. I think you scared some people.

Judge GRIFFIN. I don't think they were by fluke. I am trying to be totally straightforward with you because I have strong feelings about this in terms of the possibilities that we had in this area. I didn't write this memo for flimsy reasons.

Mr. DODD. I know that.

Judge GRIFFIN. Nothing that has happened since I wrote this memo substantially changes my view about this. So I obviously feel that somewhere along the line somebody pulled the rug out from under us. But I am not willing to jump to the conclusion that it knowingly took place within the staff. Some of this relates to the field.

You see people on a day-to-day basis. It is hard for me to believe that Howard Willens and Dave Slawson and the other people whom I worked with on this thing knew anything significant that I didn't know. I am strongly inclined to believe at that level they didn't know any more than I did.

Mr. DODD. What happened to this memo? You asked the question. On page 4 you say: "We think neither Oswald's Cuban interests in Dallas nor Ruby's Cuban activities have been adequately explored." I can see people at the CIA just flipping out, knowing now what they knew then.

Judge GRIFFIN. CIA never saw this memo, but they saw another one.

Mr. DODD. How do you know they didn't see it?

Judge GRIFFIN. That is true; they may have.

Mr. DODD. What I am getting at is that these are some pretty good questions and, knowing what we know now, I can see where this could have caused some serious—what happened to the memo? What happened to the response?

Judge GRIFFIN. I don't know whether we got a written response back. I can only answer that in a kind of general way. I am trying to recall 13 years ago. I made some notes on my memo, my copy of this, as to what I recall happening. In some cases we went ahead and took testimony. In other cases my notes reflect—at some point I will be happy to share my notes on all of these; these are my personal recollections I made on this—that I think we did what I indicated to Mr. McKinney we did.

We were told, in response to this memo, basically that we still had to start to write, that we had certain deadlines to meet, but we knew they kept getting put back, given the list of people that we wanted to depose and we could do it. "If you want to get some other stuff out to the FBI, okay, but remember they are getting pretty sick of this investigation at the FBI." It was this kind of quality of dialog that was taking place over this memo.

I believe that what happened was that, against that context of things, Hubert and I went back and we looked at this memo and we decided: What do we have in here that we could get something on in a reasonable period of time and let us try to get that, let us put our energies in that direction because we know we have to start producing copy for them at some point; we have to start writing. We made decisions based on that kind of thing.

Mr. DODD. I can see that.

Mr. BLAKEY. Mr. Chairman, I wonder if I could turn to a slightly different area and inquire of Judge Griffin whether there were pressures other than time, for example, resource pressures. I wonder if, in that context, I could ask the clerk to mark a Hubert-Griffin memo of April 4, 1964, to Howard Willens as JFK exhibit No. 64.

I wonder if the clerk will show it to the witness.

Are you familiar with that?

Judge GRIFFIN. Yes, I am.

Mr. BLAKEY. I wonder, Mr. Chairman, if I can have that document placed in the record so that we can ask some questions of the witness based on it.

Mr. FAUNTROY. Without objection, it is so ordered.

[The document referred to, marked JFK exhibit No. 64 and received for the record, follows:]

JFK EXHIBIT No. 64

[Memorandum]

APRIL 4, 1964.

To: Mr. Howard Willens.

From: Leon D. Hubert and Burt 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 subareas are involved:

a. A check-out of names, telephone numbers, addresses, et cetera found in Ruby's papers. (See area "E")

b. A check-out of all rumors 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. Lenbrandt (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 subarea 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, et cetera.

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 prosecution would be justified in criticizing us.

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 U.S. 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.

Mr. BLAKEY. Let me direct your attention to paragraph 2 and note that you are referring in that paragraph to a previous request for assistance in checking the names and telephone numbers and addresses found in Ruby's papers and your comment that—

*** 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 subarea 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.

I think that that was written in the context of April, where you were speaking of a May deadline. Is that an accurate reflection of your feeling at that time that you were on the staff?

Judge GRIFFIN. This is more than that. It was also a statement that this fellow Lenbrandt, who was the guard for the Chief Justice, did not strike us as the kind of person we needed for this job. Not only numbers; we didn't want somebody who had a regular job guarding the Chief Justice and part time would go out and gather information for us.

Mr. BLAKEY. Let me ask you, then, a general point. As you know, the conclusion of the Warren Commission was that Lee Harvey Oswald was the assassin of the President. Are you satisfied with that conclusion?

Judge GRIFFIN. Yes, I am. There is no doubt about that.

Mr. BLAKEY. The central conclusion from many people's point of view was that there was no evidence found of a conspiracy to assassinate the President. Are you satisfied with that conclusion?

Judge GRIFFIN. I am satisfied that that statement is true.

Mr. BLAKEY. Are you satisfied with the investigation that led to that conclusion?

Judge GRIFFIN. I am not.

Mr. BLAKEY. What would you have done differently in the area of pursuing the conspiracy allegation or the conspiracy possibility? And, in the context of asking you that question, I wonder, Mr. Chair-

man, if I could ask the clerk to mark a memo dated February 24, 1964, from Hubert and Griffin to Willens in connection with the suggested collection of phone data as JFK exhibit No. 65 and I wonder if the clerk will show it to the witness.

Are you familiar with that memo?

Judge GRIFFIN. Yes, I am.

Mr. BLAKEY. Mr. Chairman, I would ask that that memorandum be incorporated in the record at this point in order that I can ask some questions about it.

Mr. FAUNTROY. Without objection, it is so ordered.

[The document referred to, marked JFK exhibit No. 65 and received for the record, follows:]

JFK EXHIBIT No. 65

[Memorandum]

FEBRUARY 24, 1964.

To: Mr. Howard P. Willens.

From: Mr. Leon D. Hubert and Mr. Burt W. Griffin.

Subject: Further Telephone Records to be Obtained for the Commission.

In furtherance of your conversation with Mr. Griffin on February 20 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 1, 2, and 3 seek telephone numbers of phones "reasonably available" to Ruby plus records of calls placed from phones under Ruby's direct control.

Paragraph 4 seeks telephone numbers of all phones reasonably available to certain persons.

Paragraph 5 seeks only phones listed to or under the control of certain people.

Paragraphs 6 to 10 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 nonresidents of Dallas.

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 2, the FBI should indicate in its report what telephone company personnel were questioned, the ques-

tions 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, Tex.

Karen Bennett Carlin, aka Karen Bennett Karlin, aka "Little Lynn," 3609 Meadowbrook, Fort Worth, Tex.

Bruce Carlin, aka Brue Karlin, 3809 Meadowbrook, Fort Worth, Tex.

Marion (aka Marian) Rubenstein Carroll, 1044 W. Loyola, Chicago, Ill.

Eileen Rubenstein Kaminsky, 6724 N. Talman, Chicago, Ill.

Lewis J. McWillie, Las Vegas, Nev.

Hyman Rubenstein, 1044 W. Loyola, Chicago, Ill.

Sam (Rubenstein) Ruby, 11616 Jamestown Road, Dallas, Tex.

Earl (Rubenstein) Ruby, 29925 Woodland Drive, Southfield, Mich.

Eva Rubenstein (Magid) Grant, 3929 Rollins, Dallas, Tex.

Ralph Paul, Arlington, Tex., c/o Bert Bowman, Copeland Road, Arlington Road, Arlington, Tex. (home) ; Podnuh's Restaurant, Arlington, Tex. (access) ; John W. Jackson, 1602 Browning, Arlington, Tex. (access) ; Bull Pen Drive-In, 1936 East Abram, Arlington, Tex. (business).

Anna Rubenstein Volpert, 1044 W. Loyola, Chicago, Ill.

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 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, Ill. (home) ; Chicago Loop Auto Refinishing Co., Inc., 3216 South Shields Ave., Chicago, Ill. (business).

Curtis LaVerne Crafard, aka Larry Crafard (including phones available to him on his "flight from Dallas to Michigan").

Sam Gordon, 755 Crescent Drive, Palm Springs, Calif.

Alex Gruber, 5222 W. Olympic, Los Angeles, Calif. (WE. 5-1082).

Frank Goldstein, 640 Teresita Boulevard, San Francisco, Calif. (JU 7-7674) (SU 1-7343).

Lawrence Meyers, 3950 N. Lake Shore Drive, Chicago, Ill. (home) ; Ero Mfg. Co., 714 West Monroe, Chicago, Ill. (business).

Roy William Pike, aka Mickey Ryan, 2344 Connecticut Lane, Apt. C., Dallas, Tex.

Anesi Umberto, Chicago, Ill.

Mario Umberto, Chicago, Ill.

Abe Weinstein, 11028 Westmore Circle, Dallas, Tex.

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 as 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 trunkline 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.

8. The FBI should obtain a list of all telephone companies and the chief executive officer serving the following areas:

Texas; Nevada; Los Angeles, Calif.; San Francisco, Calif.; Chicago, Ill.; Detroit, Mich.; and adjacent suburbs in the Detroit metropolitan area, including Southfield, Mich.; Boston, Mass., and adjacent suburbs, including Belmont, Mass.; New York metropolitan area, including suburban Long Island, Connecticut and New Jersey; Miami, Fla.; Washington, D.C. and adjacent suburbs; New Orleans, La.

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 phones "reasonably available" to Ruby would be analyzed for possible calls to phones reasonably available to suspected intermediaries between Ruby and Oswald.

Mr. BLAKEY. Judge Griffin, as I look over this memorandum, basically what it suggests is that the Commission obtained telephone toll records of a number of phones to which Mr. Ruby had access and a number of people, including, for example, Barney Baker of Chicago, Lawrence Meyers of Chicago, with an effort. I take it, to see if there had been communication between these people.

Judge GRIFFIN. Right.

Mr. BLAKEY. I notice, for example, on page 2 of the memo we have Lewis J. McWillie of Las Vegas, Nev. You comment in the second paragraph of the memo that "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."

Mr. FAUNTROY. Will counsel yield for a moment? I am looking at exhibit No. 65 and its length. I wonder what your recommendations would be with respect to a break.

Mr. BLAKEY. I think I have only about three or four questions and I would suspect we can conclude in the next 10 minutes.

Mr. FAUNTROY. Fine.

Judge GRIFFIN. I don't have a pressing engagement; I can stay if there is any desire for that.

Mr. BLAKEY. There is a necessity for a lunch break. We have a witness due at 2, Judge Griffin. If you will bear with us I think we can finish it.

Mr. FAUNTROY. Proceed.

Mr. BLAKEY. Do you recall what happened as a result of this memorandum?

Judge GRIFFIN. I generally recall. I made some notes on my copy. In the numbered paragraphs that follow from here with paragraph 1, which relates to simply obtaining telephone numbers and locations of telephones without the actual underlying calls that were made from it, a request was made for what with respect to Jack Ruby. I can tell you the extent to which we got returns on it. We got some of that information.

I also think, with respect to paragraph 2, we did get that. That was the original telephone company records for telephones that were listed to Jack Ruby or any of his clubs. We got that.

With respect to the request in paragraph 3, whether the FBI reported to us in the fashion that we requested I don't know or even if we made a followthrough on that request.

With respect to paragraph 4, my recollection is that much of that, that information on the specific telephones of the individuals named there, telephone listings to their names, I believe that was given to us.

We were suggesting here going beyond simply their names and getting numbers reasonably available, which required some thought and investigation. I don't believe that was done but I am not certain.

In paragraph 5, I am not certain in paragraph 5 whether we got those telephone company records.

In paragraph 6, I think this is the one requesting a freeze on telephone company records; I will have to read that again. My notes reflect, as I read it prior to coming here, that I concluded that that was not done, paragraph 6.

In paragraph 7, I don't recall—I do remember internal conversations with other staff members about whether that kind of thing was feasible—in other words, getting information on local calls as opposed to long-distance calls that might somehow be utilized by us. I know we never directly had a conversation with telephone company people to find out whether there was anything that we might use that could trigger some information for us.

With respect to No. 8, it is my recollection that that was not done but I am not entirely positive on that.

With respect to No. 9, I would definitely state that that was not done. Although the records could prove me wrong, I am virtually certain no request to freeze records was made to telephone companies.

No. 10, my recollection is that it probably wasn't done but I am not certain about that.

Mr. BLAKEY. You testified that you were not satisfied with the adequacy of the investigation of conspiracy. Would your failure to follow through on this telephone toll call records request be an example of an area where you were not satisfied with the conduct of the investigation?

Judge GRIFFIN. That is right.

Mr. BLAKEY. Mr. Chairman, that concludes my questions. I would like to express my gratitude to Judge Griffin for coming and spending so much of his time with us, taking precious time away from his trial calendar, and my own personal thanks. I appreciate it, Judge. I have no more questions, Mr. Chairman.

Mr. FAUNTROY. I would like to add to your thanks that of myself and that of the committee for your kindness in giving us so much time, Mr. Griffin.

Are there any concluding questions, Mr. Dodd?

Mr. DODD. I really have found your testimony most interesting, Judge. I hope by some of my questions you did not glean anything more than my really trying to determine exactly the frame of mind in which you dealt with it at that particular time. I am sympathetic to outside influence, schedules, all kinds of things that came to bear on it at that time.

Judge GRIFFIN. May I also say to you, Mr. Dodd, and the committee, that I do not feel any sense of purpose in trying to defend what we did for the sake of defending it. To defend it against inaccuracies, yes. For approximately 2 years now I have been trying to communicate with various people in the Congress about my personal feelings which have gone back almost 2 years, that an investigation of the sort that your committee is conducting should be conducted.

I simply want to say to the committee that I am happy to cooperate and assist the committee in any way they think I can be useful.

Mr. DODD. I appreciate that. I am sure we will probably be in more contact with you than you care to hear from us on some of the information we have.

I have one question in my own mind and my ignorance is really responsible for the question. What was Ruby's motivation that came out of the trial for killing Oswald? I had heard he had great affection for the President and so forth. Was that carried through in the trial?

Judge GRIFFIN. That was his defense. Are you also asking me to comment on what I think his motive was?

Mr. DODD. You got to know this fellow pretty well after poring back over his life. I wondered if you had turned up any kind of evidence that he had a deep affection for Kennedy.

Judge GRIFFIN. I don't think his motivation had anything to do with that. Strangely enough, I do think it was tied in with his feelings about anti-Semitism.

Mr. DODD. Would you explain that?

Judge GRIFFIN. I only say this based on the assumption that we don't link him into some kind of a conspiracy. That is an open question as far as I am concerned. But based on the evidence that we have, that, I think, seems to be the most reliable; at the time that the President was assassinated, he was already very much upset about the fact that someone had placed a black-bordered advertisement in the Dallas

Morning News suggesting that the President was a traitor and it was signed by a man whose name was listed as Bernard Weissman.

As we trace Ruby's activities from that point when he was in the Dallas Morning News office and learned that the President had been shot and the reactions of people there and following this on through, it did seem to me that there was a very consistent pattern that showed that Ruby was emotionally involved in the possibility that the assassination of the President was an attempt to discredit the Jews, that this ad which had a Jewish name on it was somehow linked in Ruby's mind to a group, unknown group, that might have wanted to assassinate the President and pin it on the Jews.

He tried to search for Weissman. He found there was no Weissman listed in the Dallas phone book. He checked with his rabbi and found that there was no Weissman in the small Jewish community by this name in Dallas.

He virtually did not sleep. He was on a drug, which was really a reducing pill but has a narcotic effect, called Preludin. Put this together with Ruby's personality and his penchant to be in the limelight and all these other things; Ruby was in a frame of mind by Sunday morning that in some way, as he said to an arresting officer immediately after the arrest, "I want to show the world a Jew had guts."

Now, that does not preclude that someone might not have utilized him in that frame of mind but to me that explains what happened to him.

I have left out a lot of details on this but I feel that was the basic thread behind his emotional state at this time.

Mr. DODD. Thank you. Thank you, Mr. Chairman.

Mr. FAUNTROY. You have made reference, in response to questions from counsel, on instructions which were given you that the staff has to conduct the investigation in a responsible way and that the consequences of irresponsible investigating might be that a thermonuclear war might be precipitated.

Judge GRIFFIN. Right.

Mr. FAUNTROY. Do you recall what your reaction to that formulation was?

Judge GRIFFIN. My reaction basically was that if unsubstantiated or only suspicious but not really solid evidence were developed that this was motivated by a foreign government, whether it be the Russians or Cubans or anybody else, that then political forces would be set afoot in the United States, much as heard in Spanish-American War, that could have forced the country into some kind of retaliatory attack upon someone.

I did not understand this as a statement that we should not find the information or that we should conceal the information if we found it. I always understood it in the context that we should try to get what we could possibly find out. If it led to these kinds of consequences, then we had to be very careful about how it was handled within the Commission.

That was the reason that the Commission was structured the way it was, with important Members from both Houses of Congress. The hope was that if this kind of information which could trigger a demagog such as we were concerned with, the kind of McCarthyism

of the 1950's, that it could be handled in a responsible way within the political process. That is what I always felt it to mean. I still feel it was intended to mean that.

Mr. FAUNTROY. Mr. Griffin, pursuant to our rules, at the conclusion of the questioning, we offer the witness 5 minutes to explain or amplify his testimony. That offer is made to you at this time.

Judge GRIFFIN. I would like to decline the offer. I would like to have the privilege to reflect on what has happened here and perhaps send you something in writing in lieu of any kind of oral statement to you.

Mr. FAUNTROY. I would be very happy to accede to that request.

Judge GRIFFIN. I again want to compliment the committee for conducting this investigation. I have read your rules. I feel that if these rules are adhered to, that this will be a responsible investigation. Conceivably you could be in the same situation that we were in and you will have to wrestle with the same problems. I wish you good luck if you do.

Mr. DODD. We might find ourselves on that side of the table 10 years from now.

Mr. FAUNTROY. Thank you for that wish and for that compliment.

The committee will recess until 2 o'clock.

[Whereupon, at 12:55 p.m., the subcommittee recessed, to reconvene at 2 p.m.]

AFTERNOON SESSION

[The subcommittee reconvened at 2:40 p.m., Hon. Walter E. Fauntroy presiding.]

Professional staff members present: Chief Counsel G. Robert Blakey, E. Berning, M. Wills, R. Genzman, M. Mars, D. Hardway, L. Wizelman, J. Hess, K. Klein, W. Cross, J. Wolf, and A. Purdy.

Mr. FAUNTROY. The committee will come to order.

Pursuant to our meeting of this morning, the executive session will continue.

At this time I will swear our witness.

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

Mr. WILLENS. I do.

TESTIMONY OF HOWARD P. WILLENS

Mr. FAUNTROY. Will the witness state his name and address for the record, please?

Mr. WILLENS. Howard P. Willens, W-i-l-l-e-n-s, 4242 Mathewson Drive NW., Washington, D.C. 20011.

Mr. FAUNTROY. Thank you. We are very pleased to have you before the committee. I do understand that you have the committee rules provided you, and you had them prior to your appearance today.

Mr. WILLENS. Yes, I have, Congressman.

Mr. FAUNTROY. The Chair would like to state for the record and for the witness that House Resolution 222 mandates the committee "to conduct a full and complete investigation and study the circumstances surrounding the assassination of John F. Kennedy, including determining whether the existing laws of the United States concerning protection of the President and the investigatory jurisdiction