

Mr. MONTGOMERY. Right here, let me put "news media," right below that so that I will know as well as someone else might know.

Mr. GRIFFIN. Okay. Sign it, if you would.

Mr. MONTGOMERY. Over here?

Mr. GRIFFIN. That would be fine.

Mr. MONTGOMERY. You want me to date it or anything?

Mr. GRIFFIN. No; that's all right. We have got it on the record here. "The reporter will say witness signs an exhibit."

All right. Okay. That concludes our interview, and thank you.

TESTIMONY OF THOMAS DONALD McMILLON

The testimony of Thomas Donald McMillon was taken at 10:30 a.m., on March 25, 1964, in the office of the U.S. attorney, 301 Post Office Building, Bryan and Ervay Streets, Dallas, Tex., by Mr. Burt W. Griffin, assistant counsel of the President's Commission.

Mr. GRIFFIN. How are you? Sit down over here, Tom. I want to explain to you what we are doing here. Like I said, my name is Burt Griffin and I am a member of the advisory staff to the General Counsel of the President's Commission investigating the assassination of President Kennedy. This Commission has been set up by virtue of an order of President Johnson, Executive Order 11130, dated November 29, 1963, and also under Joint Resolution of Congress 137. Pursuant to these documents, there have been a series of rules of procedure enacted, and pursuant to those rules of procedure, I have been authorized to take a sworn deposition from Officer McMillon here. I want to say initially that the general nature of the Commission's inquiry is to ascertain, evaluate, report upon the facts that relate to the assassination of President Kennedy, also, of course, the subsequent death of Lee Harvey Oswald. As far as you are concerned, Mr. McMillon, we are primarily concerned here with the death of Oswald; although, if there is any other information that you have that you think would be pertinent to this inquiry, we would certainly appreciate your coming forward with it. Now, we have asked you to come here today through a general request, which was made by the General Counsel of the President's Commission, addressed in a letter to Chief Curry. Actually, under the rules adopted by the Commission, you are entitled to have a 3-day written notice of any appearance for this purpose, and, however, there is also a provision that you may waive this written notice if you want to, and I ask you right now if you would prefer to have us give you a written notice.

Mr. McMILLON. No.

Mr. GRIFFIN. Or do you want to waive it?

Mr. McMILLON. No; I will waive that. It is okay.

Mr. GRIFFIN. Now, you are also permitted to be represented by counsel here, and I assume, since you haven't come with an attorney, that it is your desire not to have one, but if you do desire one, tell me at this point. Tell me.

Mr. McMILLON. I don't feel like I need an attorney here present now, but I want to reserve the right to have counsel if I feel like I need it.

Mr. GRIFFIN. Certainly you have that right at that time, and I mean to cover that. I also mean to tell you that this is not—we are not involved in a trial, we have no authority to prosecute anybody for any crime. All of that is to be handled by the State of Texas. The only crime that can be committed in connection with this investigation is perjury, and it is very, very important that we find out all of the facts that surround this and find them out truthfully. This investigation is more important, I think, than anybody can really realize to the national security, and if there is any way that I can impress upon you the importance of this, that our interest is getting the truth for this purpose and our interest is not in going out and trying to put anybody in jail or anything like that.

Mr. McMILLON. All right.

Mr. GRIFFIN. If you are willing to be sworn to testify, I would appreciate your raising your right hand.

Mr. McMILLON. Right.

Mr. GRIFFIN. Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?

Mr. McMILLON. I do.

Mr. GRIFFIN. Will you give us your full name?

Mr. McMILLON. Thomas Donald McMillon. It is [spelling] M-c-M-i-l-l-o-n.

Mr. GRIFFIN. When were you born?

Mr. McMILLON. One April 1935.

Mr. GRIFFIN. Where do you live now?

Mr. McMILLON. 4929 Reiger Street, Apartment 109.

Mr. GRIFFIN. Is that Dallas?

Mr. McMILLON. Dallas, Tex.

Mr. GRIFFIN. All right. What is your occupation?

Mr. McMILLON. I am a police officer for the city of Dallas, Tex.

Mr. GRIFFIN. Are you in any particular division?

Mr. McMILLON. Yes; I am a detective assigned to the auto theft investigation bureau.

Mr. GRIFFIN. And do you have any particular rank?

Mr. McMILLON. Detective.

Mr. GRIFFIN. How long have you been in the auto theft bureau?

Mr. McMILLON. Nearly 11 months.

Mr. GRIFFIN. Have you been in any other bureaus?

Mr. McMILLON. Patrol division prior to that.

Mr. GRIFFIN. And when you were in the patrol division, whom did you work under?

Mr. McMILLON. My last captain of patrol was Capt. C. E. Talbert, I believe it is, Talbert.

Mr. GRIFFIN. Talbert. And, at that time, whose direct supervision were you under?

Mr. McMILLON. My last sergeant was Sgt. H. A. Amos.

Mr. GRIFFIN. Did you ever work under Sergeant Dean?

Mr. McMILLON. Yes, sir.

Mr. GRIFFIN. When did you work under Sergeant Dean?

Mr. McMILLON. The exact dates, I don't recall, but I did work the downtown area while he was the supervisor in that area, in that zone.

Mr. GRIFFIN. I see. And in connection with that employment, did you become acquainted with Jack Ruby?

Mr. McMILLON. I have seen Jack in the downtown area. I believe that I have probably answered calls to this Carousel Club down here. I knew him prior to that, not personally, but I had answered calls at the Vegas Club when he ran that.

Mr. GRIFFIN. I see. Do you recall when it was that you worked out at the Vegas Club area?

Mr. McMILLON. Some in 1957 and probably 1958. I am not exactly sure on those dates, but it should have been in that time.

Mr. GRIFFIN. Did you know Eva Grant when you were out there in the Vegas Club area?

Mr. McMILLON. I have seen her. I don't know her personally. I believe I have seen her in the Vegas Club.

Mr. GRIFFIN. How about Pauline Hall?

Mr. McMILLON. No. I don't know Pauline Hall.

Mr. GRIFFIN. Now, when you worked the downtown area, did you know George Senator?

Mr. McMILLON. I don't know George Senator.

Mr. GRIFFIN. Well, did you know the bartender at the Carousel Club?

Mr. McMILLON. No.

Mr. GRIFFIN. When was the last time that you worked the downtown area?

Mr. McMILLON. Most all of my time in patrol was spent, or the majority of it, was spent in the downtown area. I believe about 8 or 9 or maybe 10 months before I was promoted to a detective, I worked an area of the down-

town—one of the downtown districts. I believe in August of 1962, the first of August 1962, I went to what we refer to kindly of a South Dallas beat. Actually, it is on the edge of downtown.

Mr. GRIFFIN. Uh-huh.

Mr. McMILLON. And most of my time spent on patrol was downtown or in the downtown area or near by.

Mr. GRIFFIN. Were you on duty Friday, November 22?

Mr. McMILLON. No, sir.

Mr. GRIFFIN. Where were you at the time you learned that President Kennedy had been shot?

Mr. McMILLON. Home, in bed, asleep.

Mr. GRIFFIN. Well, you weren't sleeping. Did somebody wake you up to tell you that the President had been shot? Did somebody wake you up?

Mr. McMILLON. Yes. Phone call.

Mr. GRIFFIN. Who called you?

Mr. McMILLON. A friend of mine did.

Mr. GRIFFIN. What did you do?

Mr. McMILLON. He came to my house.

Mr. GRIFFIN. Who was that?

Mr. McMILLON. Mickey Fuller.

Mr. GRIFFIN. Did you stay home all day Friday?

Mr. McMILLON. Except probably maybe to go out to eat. I was there most of the day.

Mr. GRIFFIN. Are you married?

Mr. McMILLON. No.

Mr. GRIFFIN. Did you report—did you report for work on Friday?

Mr. McMILLON. No, no.

Mr. GRIFFIN. Was that your regular day off?

Mr. McMILLON. Yes.

Mr. GRIFFIN. How about Saturday?

Mr. McMILLON. I reported at 7 a.m. Saturday.

Mr. GRIFFIN. Did you go down to the police department at any time on Friday?

Mr. McMILLON. No.

Mr. GRIFFIN. Do you recall, did you visit the scene, did you visit the School Book Depository or any particular places on the 22d, other than your home, that you can recall?

Mr. McMILLON. No; I didn't go down near that Depository—

Mr. GRIFFIN. All right.

Mr. McMILLON. Or down near the police station or anything.

Mr. GRIFFIN. Uh-huh. Did you see anything on the 22d that might be of value to the Commission?

Mr. McMILLON. The only thing that I saw was what events that I saw on television.

Mr. GRIFFIN. Now, on the 23d, when you arrived at work, where did you go?

Mr. McMILLON. To the auto theft bureau.

Mr. GRIFFIN. Did you work in the auto theft bureau all day Saturday?

Mr. McMILLON. Yes; until 3 p.m.

Mr. GRIFFIN. What I mean to say is, did you go out of the building?

Mr. McMILLON. I don't recall if I did or not. Maybe I might have gone out for coffee. It seemed to me like I had lunch in the locker room that day. I am not sure.

Mr. GRIFFIN. Is that on the third floor of the police department building?

Mr. McMILLON. The locker room?

Mr. GRIFFIN. No, no; the auto theft bureau.

Mr. McMILLON. Yes.

Mr. GRIFFIN. Did you see anybody in the police department that day who was—who you recognized as not being a police officer or a newsman or somebody who was there visiting your department on official business?

Mr. McMILLON. Well, I don't know how to answer that. There were a lot of people there. Some of them were in and out. People at first started out

during that day coming to our office to get automobiles released from the pound.

Mr. GRIFFIN. Yes.

Mr. McMILLON. People in and out like that, and I saw a number of people that I didn't know, and I didn't see identification on them and didn't recognize them as probably being newsmen or with the press or some news media.

Mr. GRIFFIN. Was your office in the auto theft bureau used by the news people for any purposes?

Mr. McMILLON. Yes. They used our phones quite often.

Mr. GRIFFIN. Did this cause you problems?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Can you give some idea of what kind of problems these news people were causing you?

Mr. McMILLON. Well, our phones were pretty well tied up. There seemed to be quite a commotion in and around and about the office. It made it difficult to work.

Mr. GRIFFIN. Uh-huh. Did you people attempt to make any effort to get these news people out?

Mr. McMILLON. We were cooperative with them. If they asked to use a phone and if there was a phone available, we extended them every courtesy along that line.

Mr. GRIFFIN. Uh-huh. Did you see Jack Ruby at any time on Friday or Saturday?

Mr. McMILLON. No.

Mr. GRIFFIN. And, as I understand, you left work on Saturday about 3 in the afternoon?

Mr. McMILLON. Right.

Mr. GRIFFIN. When you left work on Saturday, did you have any idea that Lee Harvey Oswald would be moved from the county jail the next day—to the county jail the next day?

Mr. McMILLON. No. I may or may not have heard any rumors, I don't remember, but I didn't know when he would be moved. I had heard some rumors, I believe, but I didn't know when he would be moved.

Mr. GRIFFIN. After work that night, did you have any occasion to be around the police department?

Mr. McMILLON. No.

Mr. GRIFFIN. What did you do Saturday night?

Mr. McMILLON. I don't recall. The best I remember, it seemed to me like I stayed home and watched television. I may have gone out, but I think I stayed home.

Mr. GRIFFIN. What time did you report for work on Sunday morning?

Mr. McMILLON. 7 a.m.

Mr. GRIFFIN. Do you remember where you parked your car Sunday morning?

Mr. McMILLON. I am sure it is the same parking lot that I always park on. I park on a pay lot at the corner of Main and Pearl.

Mr. GRIFFIN. When you parked, which corner did you park on?

Mr. McMILLON. It would be the southeast corner of Main and Pearl.

Mr. GRIFFIN. That is actually between Main and Commerce, isn't it?

Mr. McMILLON. Huh-uh. Well, you might consider it that way. Can I use some paper here to show you what I mean?

Mr. GRIFFIN. Yes. Take this.

Mr. McMILLON. Okay. This would be Pearl Expressway, the directions, your north and south.

Mr. GRIFFIN. Yes.

Mr. McMILLON. Main Street running—okay. This was actually the way the streets were running.

Mr. GRIFFIN. Yes.

Mr. McMILLON. Main running east and west, Commerce running east and west, and, of course, here is Pearl going south.

Mr. GRIFFIN. All right. On here, will you mark a mark?

Mr. McMILLON. Right over here, right in here is where I parked my car, this parking lot.

Mr. GRIFFIN. Okay. Where you just placed an "X"? I am going to mark this, if I can, mark this "Dallas, Tex., Detective T. D. McMillon." That is [spelling] M-i-l-l-o-n, right?

Mr. McMILLON. Right.

Mr. GRIFFIN. 3-25-64, Exhibit 5015. At the time you arrived for work, was there a police officer stationed at the corner of Main and Pearl?

Mr. McMILLON. I don't recall whether there was or wasn't.

Mr. GRIFFIN. Now, from that parking lot, Mr. McMillon, how did you get into the police department? Did you walk down Main or Commerce?

Mr. McMILLON. Down Main.

Mr. GRIFFIN. And did you—how did you go, in the Main Street ramp?

Mr. McMILLON. No. I probably took the first floor elevator, elevator, first floor. I usually do. That particular day, I recall I walked down this ramp, but I don't recall whether I took the steps and went up to the first floor and went up the elevator. That is the way I usually go in.

Mr. GRIFFIN. You go into the city hall, as opposed to the municipal building, there is a set of steps going up into the police building?

Mr. McMILLON. Yes.

Mr. GRIFFIN. And then, when you arrived, were there any people congregated around the Main Street ramp?

Mr. McMILLON. Not that I recall. I don't know if there was or not. I don't recall there being any there.

Mr. GRIFFIN. Were there any other cars parked in the parking lot when you arrived?

Mr. McMILLON. Yes; I am sure there was. I don't know whose or which ones.

Mr. GRIFFIN. Would you recognize Jack Ruby's car?

Mr. McMILLON. I haven't seen Jack's car.

Mr. GRIFFIN. What did you do when you got up to the auto theft bureau?

Mr. McMILLON. I don't know. Probably the first thing I did, probably take my coat off and go get a cup of coffee, bring it back out of the machine. That is my normal habit or routine.

Mr. GRIFFIN. Is there a machine up on the third floor?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Is it just in the auto theft bureau or is it accessible?

Mr. McMILLON. No. There is a little lounge that is accessible to the public.

Mr. GRIFFIN. And do the police officers normally take a coffee break in there?

Mr. McMILLON. Not normally, but you may occasionally see some in there.

Mr. GRIFFIN. Where do the police officers normally go?

Mr. McMILLON. Martin's or the Majestic. Of course, Martin's wouldn't be open on Sunday, I don't think. Wherever you can go. You might possibly go to the locker room, if you wanted to. There is a coffee machine down there.

Mr. GRIFFIN. Uh-huh. Do you remember what you did up until the time that you were asked to go down into the basement?

Mr. McMILLON. I tried to work on some of my cases, the best I could. I don't remember whether I was trying to contact some complainants by phone or whether I had checked some prisoners out of the jail, was working out on prisoners, exactly what I was doing. I know I was working in the office when Lieutenant Smart came through and said, "Don't anybody leave."

Mr. GRIFFIN. Do you remember any of the cases that you worked on that day?

Mr. McMILLON. Huh-uh.

Mr. GRIFFIN. Were you busy answering telephone calls from people?

Mr. McMILLON. Yes; I answered some phone calls from people. Yes, sir; I sure did.

Mr. GRIFFIN. Did you get any phone calls in connection with the murder of the President?

Mr. McMILLON. Not that I recall.

Mr. GRIFFIN. You didn't get any of these crank calls?

Mr. McMILLON. No; I didn't take any crank calls. I sure didn't.

Mr. GRIFFIN. When you got up there, what other officers were on duty in the auto theft bureau?

Mr. McMILLON. Well, now, let's see. I recall I was on duty, Lieutenant Smart, Detective Clardy. That is my partner. Detective Rivers was working at the

desk, what we call the desk. I was working in the auto theft. He is the one that was making out the assignments.

Mr. GRIFFIN. Was it Clardy?

Mr. McMILLON. No; it wasn't Clardy.

Mr. GRIFFIN. Who was it?

Mr. McMILLON. Ed Rivers. Archer and Greeson were on duty.

Mr. GRIFFIN. How do you spell that?

Mr. McMILLON. I believe that boy spells it [spelling] G-r-e-e-s-o-n, and then I don't recall if they were there, but they were on duty this day. Detective Watson, Detective Dawson, and I don't remember who the others were.

Mr. GRIFFIN. Now, when you arrived for duty, did you know that Jack Ruby was—did you know that Lee Oswald might be moved that day?

Mr. McMILLON. No. I personally felt that he might, but I didn't know that he would.

Mr. GRIFFIN. Now, when you arrived for duty, at any time after you arrived and before Oswald was shot, did you hear that someone had called during the night and threatened to get Oswald?

Mr. McMILLON. No; not that I recall.

Mr. GRIFFIN. Did you people in the auto theft bureau, did you talk about the expected movement of Oswald that day?

Mr. McMILLON. Yes; the best I remember, we probably did, theories and opinions, probably. I don't recall how the conversation went.

Mr. GRIFFIN. Do you recall whether at any time prior to the time that Lieutenant Smart asked you to go downstairs there was any discussion as to when Ruby—Oswald would be moved?

Mr. McMILLON. I don't recall any discussions. After he told us that, I still continued busy at something, and I remember that I was the last one out of the office when we all started to leave to go down there.

Mr. GRIFFIN. When you arrived down in the office, when you walked out of your office, did you see any police officers in the hall that you recognized?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Who did you see out there?

Mr. McMILLON. I don't recall who they were. You are speaking of the third floor?

Mr. GRIFFIN. Yes, yes.

Mr. McMILLON. I don't recall who they were. I would have known most of those men, but I recall seeing some that I recognized. Right now, I don't recall who they were, but I remember seeing them and recognizing them.

Mr. GRIFFIN. Do you remember who you went down on the elevator with?

Mr. McMILLON. I believe most of them were the men from my office and some more, the best I remember.

Mr. GRIFFIN. Do you remember if you went down with men from the other bureaus?

Mr. McMILLON. Yes; there probably were some detectives from the other bureaus. I don't recall who they were now.

Mr. GRIFFIN. I see. Now, was there anybody in charge of this general movement going downstairs, was there one man going around rounding everybody up?

Mr. McMILLON. I don't know. I felt like I was under the supervision of Lieutenant Smart until I later learned that there was a man ranking to him down there who was giving orders.

Mr. GRIFFIN. Now, when you got downstairs, where did you go?

Mr. McMILLON. From the—I got off of the elevator and walked straight through two swinging doors and just outside of the jail office.

Mr. GRIFFIN. So you were between the swinging doors and the ramp?

Mr. McMILLON. Right.

Mr. GRIFFIN. Now, were all of the police officers sort of out there waiting or were they spread out on both sides of those swinging doors?

Mr. McMILLON. Well, we later had spread out on both sides of the doors.

Mr. GRIFFIN. Well, at the time that you came down, was there a general meeting held outside of the swinging doors?

Mr. McMILLON. There seemed to be to me, and a few minutes later, Captain Jones told us what he wanted done.

Mr. GRIFFIN. I see. But when you congregated outside of those swinging doors, it was everybody sort of milling around, nobody giving instructions?

Mr. McMILLON. It was right at first.

Mr. GRIFFIN. Now, did you see W. J. Harrison down there when you were outside of the swinging doors?

Mr. McMILLON. At what point?

Mr. GRIFFIN. At that point.

Mr. McMILLON. I don't recall if I saw him at that point or not, but I saw him down there.

Mr. GRIFFIN. Do you recall anybody that you saw down there as you congregated?

Mr. McMILLON. When we first arrived down there?

Mr. GRIFFIN. Yes.

Mr. McMILLON. I don't know who all was down there. I know we were from the auto theft bureau. I recall Captain Jones being there.

Mr. GRIFFIN. Now, from the time that you got down there and taking the time that you were milling around in front of the swinging doors, how long was it from then until Lee Oswald was brought down?

Mr. McMILLON. I would say about 20 minutes.

Mr. GRIFFIN. Had the armored car been brought in?

Mr. McMILLON. I have to assume that the armored car was in the position that it was, since I have since learned what I have. As I recall, I never did see the armored car.

Mr. GRIFFIN. You just don't have any recollection of seeing it at all that day?

Mr. McMILLON. I don't remember seeing that armored car at all. I may have, but I sure don't remember.

Mr. GRIFFIN. Were the TV cameras moved while you were down there?

Mr. McMILLON. There was some TV cameras placed in position while we were there.

Mr. GRIFFIN. Were they moved out of one position to another while you were there?

Mr. McMILLON. I think I know what you mean. We had those people move back over kind of in the mouthway to this deal, which would have been in my position that I finally took up, just moments before the shooting, the position that I was in then. Anyway, we had moved or had instructed those people to move back over, which would have been to my right. I will correct that. Left. This is my left hand.

Mr. GRIFFIN. Okay. Now, let me ask you this. When you walked—went down there and were waiting before anybody gave you any instructions, did you see a TV camera on the jail office side of the railing, anywhere between the railing and the jail office?

Mr. McMILLON. It seems to me like I did, but I can't be sure.

Mr. GRIFFIN. Well, do you remember whether a camera was moved from a position somewhere near the swinging doors back away across the ramp and behind the railing?

Mr. McMILLON. Yes; it seems to me like I do, but I wasn't paying any attention, because it seemed to me like there was cameras everywhere.

Mr. GRIFFIN. All right. Now, there finally came a time when somebody gave you some instructions?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Who was that?

Mr. McMILLON. Captain Jones, and, of course, Lieutenant Smart was assisting him, but Captain Jones explained to us that, when they brought the prisoner out, that he wanted two lines formed and we were to keep these two lines formed, you know, a barrier on either side of them, kind of an aisle. We were kind of to make an aisle for them to walk through, and when they came down this aisle, we were to keep this line intact and move along with them until the man was placed in the car.

Mr. GRIFFIN. So you were sort of supposed to pick him up as a flanker?

Mr. McMILLON. That was my understanding.

Mr. GRIFFIN. Uh-huh. Now, did—were you assigned to any position, to take up any particular position?

Mr. McMILLON. No; the man told us what he wanted and everybody just set it up.

Mr. GRIFFIN. Now, was Detective Harrison or Blackie Harrison, was he present when Jones gave these instructions?

Mr. McMILLON. I am sure that he was. I don't know if he was or not.

Mr. GRIFFIN. And how about Detective L. D. Miller, was he present at that time?

Mr. McMILLON. I don't know at what point Miller had got there. I am sure that he was, because Miller had taken up the position. When we set up, Miller had taken up the position on my right.

Mr. GRIFFIN. How long did you remain—well, let me ask you this: After Jones finished giving instructions, where did you go?

Mr. McMILLON. I was there in that area, and I took my position outside of the jail office door there.

Mr. GRIFFIN. Did you immediately take up the position that you had when Oswald was shot or did you move around?

Mr. McMILLON. No; I believe I had a different position there for a minute, and I saw that the space over here needed another officer in it, so I got over there.

Mr. GRIFFIN. How long did you remain in that position before Oswald came down?

Mr. McMILLON. It seemed to me like about 10 minutes. I am not sure of the time. It was possibly somewhere in that neighborhood.

Mr. GRIFFIN. All right. Now, was Detective Miller in his position when you came—when you took your position, took up your position?

Mr. McMILLON. I don't recall if he was already in position or if he moved in after I did.

Mr. GRIFFIN. How much of the time that you were in your position would be your best estimate that Miller was also there?

Mr. McMILLON. Five to 10 minutes.

Mr. GRIFFIN. Did you see Miller leave that position at any time?

Mr. McMILLON. If he did, I don't remember it.

Mr. GRIFFIN. Now, Miller was on your right, is that correct?

Mr. McMILLON. Uh-huh.

Mr. GRIFFIN. Now, would you—I am going to mark this map first of all. This is a diagram of the jail basement area, and I am going to write on here, "Dallas, Texas, Detective T. D. McMillon, 3-27-64, Exhibit 5016." Now, let me see if we can get a place where you can—let me clear this off. Now, would you take this and take that pencil and would you mark on there where you were standing when you took up what you call your position?

Mr. McMILLON. These are the swinging doors that we come out of, right?

Mr. GRIFFIN. Yes; they are.

Mr. McMILLON. Right along in here.

Mr. GRIFFIN. All right. Would you write out in here, put an arrow or something and put your name?

Mr. McMILLON. The full name or just the initials?

Mr. GRIFFIN. Just something. The "T. D." That is all right. Now, would you put down where Miller was standing?

Mr. McMILLON. Right along in here.

Mr. GRIFFIN. You want to do something to mark that that is Miller?

Mr. McMILLON. Okay.

Mr. GRIFFIN. Okay; was there anybody on your left?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Who was that?

Mr. McMILLON. I believe it was Detective Watson.

Mr. GRIFFIN. I see.

Mr. McMILLON. Right along in here somewhere.

Mr. GRIFFIN. How is it that you—you seem to have a better recollection of Miller than Watson, is that correct?

Mr. McMILLON. There was some more people down this line. I believe I talked to Miller—I don't know what we talked about—just prior to the shooting. I know that Watson was along there and "Blackie" Harrison was along over this way.

Mr. GRIFFIN. This is the position, say, 10 minutes before Oswald was brought down, is that right, 5 or 10 minutes before?

Mr. McMILLON. Yes.

Mr. GRIFFIN. All right. Did you see Rio Pierce or Sam Pierce's car pull out?

Mr. McMILLON. Yes.

Mr. GRIFFIN. And did you see anybody get out of the car?

Mr. McMILLON. Yes; seemed to me like a sergeant got out of that car.

Mr. GRIFFIN. Did you see anybody attempt to clear away the crowd?

Mr. McMILLON. I believe that is what this sergeant was doing.

Mr. GRIFFIN. Now, as you looked over there at the car, how many lines deep, if there was more than one line, were the news people across the Main Street ramp?

Mr. McMILLON. I don't know. Those people were right along in this area along in here.

Mr. GRIFFIN. Now, you are indicating the area behind the railing—

Mr. McMILLON. Yes.

Mr. GRIFFIN. Or just in front of it?

Mr. McMILLON. Part of them were behind this railing and some of them were over in here and along in here like that.

Mr. GRIFFIN. So most of the news people were strung out along the railing extending toward the armored car, is that right, or toward the Commerce Street ramp?

Mr. McMILLON. It seemed to me like that most of them was in an area something similar to this.

Mr. GRIFFIN. All right. You want to put some sort of a mark where they were?

Mr. McMILLON. It seemed to me like they were in there. Of course, there were some along in here. Of course, they weren't orderly.

Mr. GRIFFIN. As they never are. Would you write in there "News Media" or something to that effect? Okay. That has been marked "Press." Now, can you describe how thickly the people were congregated from the west wall of the Main Street ramp across?

Mr. McMILLON. This is the west wall?

Mr. GRIFFIN. Yes, sir; how thickly were they congregated across to the railing?

Mr. McMILLON. I don't know, but there were some officers lined up across this way to some point.

Mr. GRIFFIN. Do you remember where any of those officers were?

Mr. McMILLON. Yes; I think "Blackie" Harrison was along in here. I don't remember who else was along in here.

Mr. GRIFFIN. Would you put a mark where Harrison was?

Mr. McMILLON. Seems to me like he was along in here.

Mr. GRIFFIN. Would you put his name where Harrison was?

Mr. McMILLON. What did you say his initials are?

Mr. GRIFFIN. W. J.

Mr. McMILLON. W. J.

Mr. GRIFFIN. Now, you put an "X" there where you think Harrison was?

Mr. McMILLON. Yes. He was along in here. He was on out past this deal, past this.

Mr. GRIFFIN. Did you see him there, oh, 5 minutes before Oswald was brought down?

Mr. McMILLON. I don't recall. I am sure that he was.

Mr. GRIFFIN. Do you have any recollection as to whether or not he took up a position and generally held it in the same spot?

Mr. McMILLON. I am sure that he did because we had the line. It seemed to me like it was a pretty orderly line of officers, in other words, seemed to be pretty straight, in other words, this flank.

Mr. GRIFFIN. Uh-huh. Now, when Rio Pierce's car went up the ramp, what did you see happen?

Mr. McMILLON. Well, they had the red lights on.

Mr. GRIFFIN. And how far did you see him go up the ramp?

Mr. McMILLON. Well, I couldn't see very far. I could see him right here just starting up the deal, swinging up this way and starting up this way. I can see him go up the ramp, but standing here, you can't see up very far.

Mr. GRIFFIN. Did you move out at all to see the car go?

Mr. McMILLON. No. I may have done like that to see who it was.

Mr. GRIFFIN. Looked around the corner?

Mr. McMILLON. But you can't see from there up the ramp.

Mr. GRIFFIN. I see. Now, between the time that Pierce's car went out and Oswald was brought down, where did you look, what were you looking at?

Mr. McMILLON. I was looking straight ahead, and I think I heard somebody say, "Here he comes," and naturally you become a little bit more attentive or a little bit more rigid, I will say, but they hadn't left very long before they started bringing Oswald out.

Mr. GRIFFIN. Now, is it your understanding that you believed that the three men, who you have marked here, Miller, you and——

Mr. McMILLON. Watson.

Mr. GRIFFIN. Watson were supposed, as Oswald got to them, to move out sort of on the flank and move with them to the armored car?

Mr. McMILLON. Yes, just like, the way I had done, you know, just kind of make, say, a left face and the ones on that side were doing the same thing, and he would be walking between us. That——

Mr. GRIFFIN. I see.

Mr. McMILLON. That was my understanding.

Mr. GRIFFIN. Now, do you remember anybody specifically telling you this?

Mr. McMILLON. Captain Jones told us, you know, to form two lines on both sides of him, form the barrier. The exact wording, I don't know, but form the barrier until they got the man in the car, and keep those people away from him.

Mr. GRIFFIN. Now, did you see anybody come down into the basement at any time while you were down there and ask if everything was all ready?

Mr. McMILLON. Come down that ramp?

Mr. GRIFFIN. No, no. Did anyone come down into the basement area to determine if things were set up properly?

Mr. McMILLON. Well, the fact of what I know, the man that I heard came right by me. I don't know if he was speaking directly to me or not, but I answered, "Yes, sir," something to that effect. Still don't know if he was speaking directly to me or not, but it was Captain Fritz coming out of the jail office followed by Leavelle, Graves, and Oswald.

Mr. GRIFFIN. When Captain Fritz spoke in your direction, that was the first time, was it, that anybody that you can recall inquired as to whether things were all set up?

Mr. McMILLON. Uh-huh.

Mr. GRIFFIN. Now, when Fritz—when Oswald emerged from that door, what did Watson do?

Mr. McMILLON. I don't know.

Mr. GRIFFIN. What did you do?

Mr. McMILLON. When Oswald came out of the door?

Mr. GRIFFIN. Yes.

Mr. McMILLON. Well, I was standing kind of like this.

Mr. GRIFFIN. You are standing——

Mr. McMILLON. Fritz comes right on by me.

Mr. GRIFFIN. You are standing with your back to the wall?

Mr. McMILLON. Right. They come out of the deal, right by me. Captain Fritz, he had gone on by. Leavelle, he had gotten over to me. I glanced over here.

Mr. GRIFFIN. You glanced to your right?

Mr. McMILLON. Yes. They had gotten slightly past me. I started pulling

out of my part of the barrier when they had gotten past. L. D. Montgomery, detective in Homicide, was following Oswald and the two detectives.

Mr. GRIFFIN. Now, do you remember why it was that you waited until Oswald got ahead of you until you moved out?

Mr. McMILLON. I imagine that it was because there was still some people who I recognized as part of his escort from the homicide bureau. Montgomery, say for instance, he was guarding the rear of Oswald.

Mr. GRIFFIN. Well, was it your understanding that you were supposed to be alongside of Oswald or were you supposed to wait until Oswald got past you? Did you have any understanding?

Mr. McMILLON. My understanding was that, as they came on out and got by us, we would form the two lines and keep the two lines intact until he was placed in the car.

Mr. GRIFFIN. Was it your understanding——

Mr. McMILLON. Of course, I had to look to see if all of the procession was through coming out.

Mr. GRIFFIN. Was it your understanding that this line that was forming on the side of Oswald, was it your understanding that there was supposed to be somebody up ahead of Oswald as well as behind him?

Mr. McMILLON. I didn't know who from homicide would be with him.

Mr. GRIFFIN. You people, who were on the side, you flankers, so to speak, were there any of you flankers supposed to be in front?

Mr. McMILLON. Not that I know of.

Mr. GRIFFIN. Were there any specific instructions that you were supposed to be in front or behind?

Mr. McMILLON. Not that I know of.

Mr. GRIFFIN. Was there anybody that was supposed to be the leader in this, that was supposed to turn and you were supposed to follow him?

Mr. McMILLON. Not that I know of.

Mr. GRIFFIN. I think maybe we can go most easily from here if I break in a second. I am going to hand you a series of documents and——

Mr. McMILLON. All right.

Mr. GRIFFIN. And I am going to ask you to just go out into the hall and read them.

(Recess.)

Mr. GRIFFIN. I am going to mark for the purposes of identification as Exhibit 5017 a document, which is a copy of a report of an interview held by FBI Agents Allen H. Smith and Tom E. Chapoton [spelling] C-h-a-p-o-t-o-n, with you, Officer McMillon, on December 4, 1963. Have you had a chance to read this?

Mr. McMILLON. Yes, I read it out in the hall a while ago.

Mr. GRIFFIN. Now, is there—are there any corrections or additions that you would like to make in that interview?

Mr. McMILLON. No.

Mr. GRIFFIN. All right. Would you then sign on the page there that I have marked the exhibit and date it, sign any place that it is convenient?

Mr. McMILLON. Today is the 25th?

Mr. GRIFFIN. Yes, sir. Okay. Now, I am going to mark for the purposes of identification a letter dated November 27, 1963, from you to Chief Curry—this is a copy of a typewritten letter—and mark that, "Exhibit 5018, Dallas, Texas, Detective McMillon, 3-25-64." Have you had a chance to read that?

Mr. McMILLON. Yes.

Mr. GRIFFIN. And is that a true and accurate copy of a letter which you sent to Chief Curry on that date?

Mr. McMILLON. I have corrected this letter. It was written on the 24th. It was typed, apparently, on the 27th. I don't recall that date. I am sure that is right, but it was written on the 24th, and at a departmental interview, I gave a statement correcting two or three points in this deal. Here where it says I recognized Detective Leavelle on the prisoner's left——

Mr. GRIFFIN. Yes.

Mr. McMILLON. I believe that is incorrect. He was on the prisoner's right, his left hand, in other words.

Mr. GRIFFIN. You want to draw a line? I will draw a line here through the word "left." I will draw a line out.

Mr. McMILLON. Okay.

Mr. GRIFFIN. I will draw a line out to the corner. Would you put in "right," and then would you indicate in parentheses, would you indicate in parentheses that this was corrected in a later interview with whomever it was?

Mr. McMILLON. Uh-huh.

Mr. GRIFFIN. If you would, put it out in the margin right after. Now—

Mr. McMILLON. Just one second.

Mr. GRIFFIN. Okay.

Mr. McMILLON. Okay. Now, this is correct. This is the way that I wrote it on that date.

Mr. GRIFFIN. Now, let me ask you a few questions, Detective McMillon, about this letter.

Mr. McMILLON. All right.

Mr. GRIFFIN. When did you first learn that you were going to have—going to be asked to write a letter like this?

Mr. McMILLON. It was between 3:30 and 4 o'clock, Captain Nichols, my bureau commander, instructed everybody from the automobile theft bureau, who was on duty in the basement at the time, to write the special report, and that is when I wrote this, which is this.

Mr. GRIFFIN. I see. You have here what appears to be a copy—

Mr. McMILLON. This is typed.

Mr. GRIFFIN. Of a handwritten? Now, would you indicate, then, on this typed copy, which we have, where the date is, would you cross—was the actual copy of the letter dated November 27?

Mr. McMILLON. I wrote it on the 24th, and apparently this is when the girl typed it, on the 27th.

Mr. GRIFFIN. Would you circle that date, "27th," and indicate on there that it was actually written by hand on the 24th?

Mr. McMILLON. All right, sir.

Mr. GRIFFIN. Detective McMillon, you have been good enough to bring here with you a copy of this original handwritten letter. Can the commission have this copy?

Mr. McMILLON. Not that one, but I am sure that it will be available to you.

Mr. GRIFFIN. If we made a copy of this, had this copied and gave it back to you, could we then retain it?

Mr. McMILLON. No. I would rather you get that from the department. That is Captain Nichols', a copy that he had in his office, but I am sure he will give it to you.

Mr. GRIFFIN. I see. You don't even want to let us copy it without getting his permission?

Mr. McMILLON. Yes.

Mr. GRIFFIN. All right. Will you call him before you leave here and ask him if we can copy this?

Mr. McMILLON. Sure. You can call him right now.

Mr. GRIFFIN. No. Let's get on with it.

Mr. McMILLON. I want any permission to come from them. I don't want the responsibility of giving out departmental stuff.

Mr. GRIFFIN. I understand. You say that Captain Nichols told you to prepare a report of what happened?

Mr. McMILLON. He instructed everybody to.

Mr. GRIFFIN. Now, have you—has any information come into your possession or did you know at the time whether Captain Nichols was acting on his own or whether other department heads had been instructed?

Mr. McMILLON. I didn't know at the time when he instructed us if that was his own or if he had been instructed to have us do same.

Mr. GRIFFIN. Now, is Captain Nichols the head of the auto theft bureau?

Mr. McMILLON. Yes, he is.

(Discussion off of the record.)

Mr. GRIFFIN. That was Assistant Chief Batchelor, and I asked him if I could have permission to copy it, and he said "Okay." Is that good enough for you?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Let me do this right now. Let me take the copy of it and give it to one of our girls and ask her to take it and get a copy of it. Excuse me. Do you know, Detective McMillon, if people in any of the other bureaus were asked to make reports on the 24th?

Mr. McMILLON. I don't know. I am sure some of them were.

Mr. GRIFFIN. Uh-huh. Now, let me mark for identification a document which purports to be the report of an interview conducted with you by Special Agents George W. H. Carlson and Paul H. Scott of the Federal Bureau of Investigation. I will mark this, "Dallas, Texas, Detective McMillon, 3-25-64," and this will be Exhibit 5019. Have you had a chance to read over what is marked Exhibit 5019?

Mr. McMILLON. Yes, I have.

Mr. GRIFFIN. And do you have any additions or corrections you want to make in that?

Mr. McMILLON. No.

Mr. GRIFFIN. All right. Would you take these three exhibits? You have signed the first one. Would you sign and date Exhibit 5018 and Exhibit 5019?

Mr. McMILLON. Where do you want them signed?

Mr. GRIFFIN. Any appropriate place where you have got space.

Mr. McMILLON. The reason I am looking through this—one second.

Mr. GRIFFIN. Yes.

Mr. McMILLON. See, there are two FBI reports, is that right?

Mr. GRIFFIN. Right.

Mr. McMILLON. And then the copy.

Mr. GRIFFIN. Of your report?

Mr. McMILLON. Yes. You are missing one copy, one other statement that I made.

Mr. GRIFFIN. I am? Now, can you get a copy of that for us?

Mr. McMILLON. I don't know if I can or not. The department has it. I am sure it is available to us, because they had it during the trial.

Mr. GRIFFIN. Uh-huh.

Mr. McMILLON. It is in this statement that I corrected this other stuff here in my original report.

Mr. GRIFFIN. It would be easier for us if you would go back to whoever has custody of those, whoever has the responsibility for it, and then ask if you can get a copy of it and ask if you can send it to us.

Mr. McMILLON. I will.

Mr. GRIFFIN. I am sure that you won't have any difficulty getting it.

Mr. McMILLON. I don't think so. I thought probably you would have it attached to it. I am sure they probably still have that typed in court. It is a typewritten report that I made to two lieutenants, department. The third was wrote out; the second one was the two FBI agents; the third one was the one you are missing; the fourth one is this FBI report that you have.

Mr. GRIFFIN. I want to move away from the reports, go back to what happened on the 24th. As I understand it from the reports that I have marked here for identification, you remained with Ruby from the time that he was brought into the jail office until about 3:30 in the afternoon. Is that correct?

Mr. McMILLON. I was with Ruby from the time that I first grabbed an arm out there and the scuffle followed; I was with him from that point until about 3:30 in the afternoon, and during this time that I was with him on the fifth floor until 3:30 in the afternoon, I was away at different times for short intervals.

Mr. GRIFFIN. Now, when you got Ruby up to the fifth floor, was he dressed?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Now, did there come a time when you searched him thoroughly and undressed him?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Were you present during that time?

Mr. McMILLON. During part of that time.

Mr. GRIFFIN. Do you recall who else was present?

Mr. McMILLON. Detective Archer, Detective Clardy, some of the jail personnel.

Mr. GRIFFIN. Now, were you present when his pockets were emptied out?

Mr. McMILLON. I believe that I was. I am not sure.

Mr. GRIFFIN. Do you recall whether or not he had a wallet on him at that time or not?

Mr. McMILLON. I don't recall definitely, but I don't believe that he did.

Mr. GRIFFIN. Try to think as best you can, now. What was—what do you remember being taken off of his person at that time?

Mr. McMILLON. I know that there was some money. You mean in addition to the clothing?

Mr. GRIFFIN. Yes, sir.

Mr. McMILLON. I know that he had some money on him; I know that he had two post card deals on him, in his property at the jail, that had these "Impeach Earl Warren" deals on them.

Mr. GRIFFIN. Two post cards?

Mr. McMILLON. Two pieces of paper. The best I remember, they were pieces of paper.

Mr. GRIFFIN. Could they have been photographs?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Did you talk to him or did you hear anybody talk to him about these photographs?

Mr. McMILLON. It came out later on in the conversation up in the jail, I believe that he had gone out and photographed them, I believe, but anyway he mentioned this Bernard Weissman, something that he had read about a derogatory article that he had read in the paper, he had tried to run that down.

Mr. GRIFFIN. Now, let me ask you this. Were you present when Agent Ham of the FBI interviewed him?

Mr. McMILLON. Yes, part of the time. I was in and out for some short intervals. Phone calls, we will say, rest room, away for things like that.

Mr. GRIFFIN. Yes. Now, I don't want you to tell me about anything that happened right this moment while Hall was conducting the interview. Now, were you also present when Sorrels—

Mr. McMILLON. When he first came up?

Mr. GRIFFIN. Yes.

Mr. McMILLON. Yes.

Mr. GRIFFIN. Now, I don't want you to tell me anything right at this point about what was said when Sorrels was there.

Mr. McMILLON. All right.

Mr. GRIFFIN. Were you there all of the time that agent—not agent but Sergeant Dean was there?

Mr. McMILLON. No. I was away during one of those intervals. I was there part of the time. I was there when Sorrels brought Dean up there.

Mr. GRIFFIN. Were you there when Dean left?

Mr. McMILLON. I am sure I was.

Mr. GRIFFIN. Were you there when Sorrels left?

Mr. McMILLON. Yes, I believe so.

Mr. GRIFFIN. Between the time that Sorrels left and the time Dean left, did you leave at any time?

Mr. McMILLON. Yes. I was away during the time that Sorrels and Dean were there with him. I had gone around to attend to some other little detail. I didn't hear what it was. I didn't hear all of their conversation. I heard part of it.

Mr. GRIFFIN. Did Dean and Sorrels leave together?

Mr. McMILLON. I don't know whether they did or not.

Mr. GRIFFIN. I don't want you to tell me anything that was said when Dean was there or when Sorrels was there. Now, with reference to these pictures and the Bernard Weissman statement, was that made—did you hear him talk about that at any time when Hall, Dean or Sorrels were not there? In other words, when was it that you heard them talked about?

Mr. McMILLON. I don't know at what point during the day that it was. There was so much conversation, I don't remember at what point during the day that that was.

Mr. GRIFFIN. All right. When his pockets were emptied, did people immediately begin to question him about these items that were found in his pockets?

Mr. McMILLON. We didn't attempt to question the man or to interrogate him at all; it was more in the line of conversation. What Clardy or Archer or I had to say to him, it wasn't in the form of interrogation, it was in the form of conversation. We knew that it wasn't our business or place to try to. We felt we were there strictly for security.

Mr. GRIFFIN. Now, did you three, Archer, Clardy, and you, were you the ones that stripped his clothes and took the property out of his pockets?

Mr. McMILLON. We assisted in it. There was some jailers assisting us, too.

Mr. GRIFFIN. Now, when you removed the contents of his pockets, what did you do with that material?

Mr. McMILLON. As best I remember, we gave it to a jailer. I recall that a hat was sent up to the jail. I had lost mine during the scuffle. A hat was sent up to the jail. They thought it was mine. I recall seeing some of that property placed in his hat, but I can't remember for sure. I know it was turned over to authorized jail personnel.

Mr. GRIFFIN. It was turned over to some jailer?

Mr. McMILLON. Uh-huh.

Mr. GRIFFIN. Now, is that the normal procedure, when a man is stripped, to turn it over to a jailer?

Mr. McMILLON. His property?

Mr. GRIFFIN. Yes.

Mr. McMILLON. Oh, yes.

Mr. GRIFFIN. Now, whose responsibility was it to fill out an inventory at that point?

Mr. McMILLON. It would have been the jailer's, and it was.

Mr. GRIFFIN. And you didn't fill out an inventory on it?

Mr. McMILLON. No.

Mr. GRIFFIN. Do you remember if any keys were taken out of his pocket?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Did you examine those keys?

Mr. McMILLON. Not at this particular point. I can explain that right now, if you want me to go into it.

Mr. GRIFFIN. Yes, I would.

Mr. McMILLON. Okay. Later in the afternoon, one of the lieutenants, I believe it was, instructed me to take the keys from his property, to meet, I believe, Lieutenant Smart and Lieutenant Swain with those keys so they could get into his car. I took those keys and went to where they had told me that I would find them. I believe it was on the parking lot in front of the Western Union. I walked down there, and I couldn't find them. I returned to the jail, and I was later able to determine that they had already gotten the car and had impounded it and had taken care of that, so the keys weren't needed, so I took the keys back.

Mr. GRIFFIN. The keys that you had, was it clear to you that this key chain had a car key on it?

Mr. McMILLON. Yes, I believe so. I am not sure, but I mean I am sure that it was, whether I took it for granted or what, but I assumed that there was a key on it that fit the car.

Mr. GRIFFIN. Did you talk with Ruby about whether there was a key on it that fit the car?

Mr. McMILLON. I don't recall. Possibly may have.

Mr. GRIFFIN. Did you have any information at the time you got a hold of these keys as to whether the car was locked or unlocked?

Mr. McMILLON. I don't remember that. It had come up in the conversation some way that he had a dog in the car.

Mr. GRIFFIN. Now, how did that come up?

Mr. McMILLON. I don't remember that, but maybe Jack asked us to take care of his dog or something like that. I don't know. I made no note of it after I had found that they had impounded the car, that that matter had been taken care of, and I felt like that ended our responsibility or it was someone else's responsibility, other than the three of us remaining there as security there.

Mr. GRIFFIN. All right. Now, during the time that Dean and Sorrels were

present, was at least one of the other three of you, Archer, Clardy, and you, present with Ruby?

Mr. McMILLON. Yes, I believe so, probably most of the time and probably it would have been Archer more, because I was running about the jail taking care of some of the details. I was away for short periods of time, so I didn't hear all of the conversation.

Mr. GRIFFIN. Now, when you—by the time Dean and Sorrels left, what information did you have as to how Ruby had gotten into the basement?

Mr. McMILLON. They had already come out by then and had just walked right straight down the ramp.

Mr. GRIFFIN. How did that come to your attention?

Mr. McMILLON. Let me see. Let me see those notes there. I believe I have it in them. Refresh my—

Mr. GRIFFIN. That is a statement that you made on December 4?

Mr. McMILLON. That is the second.

Mr. GRIFFIN. Why don't you look at your statement of the 24th?

Mr. McMILLON. We are still missing that fourth report. I believe it was covered in there.

Mr. GRIFFIN. Well, now, that is a later report, but on the date of the 24th, when these things were fresh in your mind at 3:30, you didn't mention anything in your report, did you, about how Ruby got down the ramp?

Mr. McMILLON. Just a second. No, sir; I didn't mention it then.

Mr. GRIFFIN. Why was that?

Mr. McMILLON. Well, I couldn't possibly have mentioned everything that I knew about the deal here. I just didn't mention it.

Mr. GRIFFIN. But you knew that was important, didn't you?

Mr. McMILLON. No, sir; I didn't think anything about it being important at all at the time. I gave that information, I believe—this report was written on Sunday—I gave it to them on Saturday, I believe, during the departmental investigation.

Mr. GRIFFIN. In the meantime, had you talked with Dean?

Mr. McMILLON. With Dean?

Mr. GRIFFIN. Yes.

Mr. McMILLON. I don't recall if I had or not. I don't remember whether I had seen him or not.

Mr. GRIFFIN. In the meantime, had you talked with Archer or Clardy?

Mr. McMILLON. Oh, yes; sure had.

Mr. GRIFFIN. There came a time, didn't there, when Dean was under a lot of pressure from the people in the police department?

Mr. McMILLON. I don't know anything about that. Probably no more than the rest of us. I don't know. I think that Dean got misquoted or something in the paper.

Mr. GRIFFIN. And the department conducted—directed particular attention to that in part of their investigation, didn't they?

Mr. McMILLON. I don't know that that was what the investigation was over or not.

Mr. GRIFFIN. Didn't you know somewhere along the line that Dean might possibly be in trouble?

Mr. McMILLON. No, sir; this article in the paper, I had heard all different kinds of rumors. I had heard that the officer, who was supposed to be the one that saw him milling around outside, was an ex-police officer, the article in the paper.

Mr. GRIFFIN. There was an article in the paper that particularly quoted Dean?

Mr. McMILLON. I haven't seen the article. I understand that there was.

Mr. GRIFFIN. That is right. Now, were you present when Agent Hall questioned Ruby?

Mr. McMILLON. Part of the time.

Mr. GRIFFIN. Were you there when Agent Hall questioned Ruby about how he got down the Main Street ramp?

Mr. McMILLON. I may or may not have been. I don't know. It seemed to me like most of his conversation I recall Hall asking him there, I am sure I already

knew or had been told, but it seemed to me like Hall was running a background information, background check. His questioning seemed to be along that line.

Mr. GRIFFIN. Do you recall Hall asking Ruby how he got down the ramp?

Mr. McMILLON. I don't recall.

Mr. GRIFFIN. Or how Ruby got in the basement?

Mr. McMILLON. I don't recall Hall asking him that.

Mr. GRIFFIN. Let me say this. If you had heard this and Ruby gave information to Hall that you say was different from what you say you heard Dean get out of Ruby, you would have brought that to Hall's attention, wouldn't you?

Mr. McMILLON. I probably would have, had I heard it.

Mr. GRIFFIN. If you had heard him say something different, you would have brought it to his attention?

Mr. McMILLON. I am sure that I would.

Mr. GRIFFIN. In fact, any police officer would have done that, don't you think so?

Mr. McMILLON. Yes; I think so.

Mr. GRIFFIN. Now, isn't it true that, as late as—well, strike this—did you sign the typed copy, the original typed copy of Exhibit 5018?

Mr. McMILLON. Did I sign it?

Mr. GRIFFIN. Yes, sir.

Mr. McMILLON. Yes, sir.

Mr. GRIFFIN. So you saw that original typed copy after it had been typed?

Mr. McMILLON. Yes, sir.

Mr. GRIFFIN. Now, on November 27 or—

Mr. McMILLON. Let's back up just a second. You said did I sign the original typed copy?

Mr. GRIFFIN. Yes, sir.

Mr. McMILLON. I am sure that I did. I thought you were referring to the original handwritten, the one that I had written out in hand.

Mr. GRIFFIN. No.

Mr. McMILLON. I am pretty sure that I signed it.

Mr. GRIFFIN. It indicates that.

Mr. McMILLON. Yes.

Mr. GRIFFIN. Did you read it over before you signed it?

Mr. McMILLON. Oh, sure.

Mr. GRIFFIN. At the time that you signed that report, did you know that there was an investigation being conducted in the police department as to how Ruby got into the basement?

Mr. McMILLON. Sure did. I had already been interviewed by the FBI when I signed this departmental report.

Mr. GRIFFIN. Now, if—and did you feel that the information, which you say that you got, that you heard Ruby give Dean, did you feel on November 27 that that was important information?

Mr. McMILLON. What was that again, sir?

Mr. GRIFFIN. I believe you stated before that you heard Ruby tell Dean that he came down the ramp?

Mr. McMILLON. Yes, I heard Jack say that he came down the ramp.

Mr. GRIFFIN. All right. Now, at the time that you signed this report on November the 27th, did you realize that such a statement from Ruby was a matter of concern to the police department?

Mr. McMILLON. At the time that I signed those reports was just like all of the rest of them. I realized that anything that I might know or that I can remember might be of some value or of some significance to anybody who was investigating it.

Mr. GRIFFIN. You certainly knew that any statement that Ruby made about how he got down into that basement would be something that somebody might want to know?

Mr. McMILLON. Yes.

Mr. GRIFFIN. You read that report over?

Mr. McMILLON. Yes.

Mr. GRIFFIN. And there is nothing in that report about Ruby having made such a statement, is there?

Mr. McMILLON. This first one here?

Mr. GRIFFIN. Yes.

Mr. McMILLON. Let's see. I don't believe so. No, sir; I don't see anything.

Mr. GRIFFIN. All right. Now, you have had a chance to look over Exhibit 5019, haven't you?

Mr. McMILLON. Yes, I have looked it over.

Mr. GRIFFIN. Now, did you tell the Secret Service agents, who interviewed you at that time, about the statement——

Mr. McMILLON. I was never interviewed by anybody who was identified as Secret Service agents.

Mr. GRIFFIN. I am sorry. FBI agents. Did you tell those FBI agents anything about Ruby's statement to Dean?

Mr. McMILLON. I told them about how he said he got into the basement. I don't believe they asked me about Dean, that Ruby told him down the ramp.

Mr. GRIFFIN. What time did this interview take place?

Mr. McMILLON. Let's see the date on this. This is the two agents that came to see me on the 25th, that is on Monday?

Mr. GRIFFIN. Yes; do you remember what time of the day?

Mr. McMILLON. Yes; in the afternoon.

Mr. GRIFFIN. In the afternoon?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Had you talked to Dean between the time he left you and that afternoon, the time you made that statement?

Mr. McMILLON. I don't recall that I had, but I don't believe that I did.

Mr. GRIFFIN. Did you know by the time you made this statement that Dean had reported to somebody in the police department that he saw the man come down the——

Mr. McMILLON. No; I didn't know that at that time. I didn't know that Dean had allegedly said anything of that stuff then. People had told me, after I had got off duty, this, that and the other. I heard somewhere that Dean had been on an interview somewhere on television or something, and that is as much as I knew. I don't know. I don't believe that this article was out at the time. It possibly may have been. I think this article came out a week or two later where Dean is supposed to have said that he seen him. I believe it was some time later after this, a week or so later after this.

Mr. GRIFFIN. Did you talk with either Archer or Clardy or anybody else in the police department about this statement that Ruby made to you between the time that Ruby made it and the time you gave that interview with the FBI?

Mr. McMILLON. I don't recall what the conversation was. Archer, Clardy, and several more of us discussed the case, but Captain Nichols, about the time we got in from the jail about 3:30, when we started writing that report over there——

Mr. GRIFFIN. Yes, sir.

Mr. McMILLON. Captain Nichols' instructions were for each of us to write what we had been doing.

Mr. GRIFFIN. Uh-huh.

Mr. McMILLON. What we had been doing, facts about it, instructed us not to talk to any other man about it, that he wanted each man's own report, which I wrote my own report. After I had written my report and turned it in, there has been a lot of conversation about it. I have discussed it with numerous people.

Mr. GRIFFIN. Did anybody from the homicide bureau question you about the statement that Ruby made?

Mr. McMILLON. May have been, but I don't remember when. Something about I was supposed to sign an affidavit to them or something, but I don't believe I ever signed any affidavit to them, some fact that I was——

Mr. GRIFFIN. How soon after you heard this statement from Ruby were you questioned by homicide detectives concerning that statement?

Mr. McMILLON. I don't think I was ever to the point where we could say questioned by them. It seems to me like one of them asked me in the hall, "Did you hear him say so and so, did you hear this, that and the other, could you

testify to this, that and the other, did you hear it?" It came up in a couple of days, but, as far as I know, I didn't sign an affidavit.

Mr. GRIFFIN. Did you testify at the trial?

Mr. McMILLON. Yes.

Mr. GRIFFIN. Did you testify about having heard this statement?

Mr. McMILLON. How he entered the basement?

Mr. GRIFFIN. Yes.

Mr. McMILLON. Okay. I believe you are going to be a little more briefed on it when you get the fourth report. It is covered.

Mr. GRIFFIN. All right.

Mr. McMILLON. There is four reports, he only has three, but anyway that is the statement that I made at this departmental investigation.

Mr. GRIFFIN. Let me hand you an exhibit marked 5015. That is something you prepared, diagram, Commerce, Main, Pearl, and Expressway. Would you sign that and date it? Let me hand you what has been marked as Exhibit 5020, which is a copy of a copy, which you provided us of your original handwritten statement of November 24 to Chief Curry. Would you look that over so you are certain that that is a true and accurate copy and then, if you feel it is true and accurate, would you sign it and date it? Would you prefer to do that out in the hall?

Mr. McMILLON. It won't be but just a minute here.

Mr. GRIFFIN. Okay.

Mr. McMILLON. Okay.

Mr. GRIFFIN. Listen, Tom. I appreciate your coming up here.

TESTIMONY OF FORREST V. SORRELS

The testimony of Forrest V. Sorrels was taken at 1 p.m., on May 6, 1964, at 200 Maryland Avenue NE., Washington, D.C., by Messrs. Burt W. Griffin, Leon D. Hubert, Jr., and Samuel A. Stern, assistant counsel of the President's Commission. Fred B. Smith, Deputy General Counsel, U.S. Treasury Department was present.

Mr. HUBERT. Mr. Sorrels, my name is Leon Hubert. I will be taking your deposition this afternoon, and so will Mr. Samuel Stern. We are both members of the advisory staff of the General Counsel of the President's Commission, that is to say Mr. Rankin.

Under the provisions of Executive Order 11130, dated November 29, 1963, the Joint Resolution of Congress, No. 137, and rules of procedure adopted by the Commission in conformance with that Executive order and that joint resolution, both Mr. Stern and I have been authorized to take a sworn deposition from you, Mr. Sorrels. Of course you will take an oath a little later on. Is it understood between us that this statement of my authority and of Mr. Stern's authority is sufficient to carry for both depositions—in other words, it will be really a continuation of the deposition by Mr. Stern on another area. Is that understood?

Mr. SORRELS. Yes, sir.

Mr. HUBERT. Is it understood also that the oath you are going to take will be applicable to the testimony elicited from you by me, as well as that elicited from you by Mr. Stern?

Mr. SORRELS. Yes, sir.

Mr. HUBERT. I state to you now that the general nature of the Commission's inquiry is to ascertain, evaluate and report upon the facts relating to the assassination of President Kennedy and the subsequent violent death of Lee Harvey Oswald. In particular as to you, Mr. Sorrels, the nature of the inquiry today is to determine what facts you know about the death of Oswald and other pertinent facts which you may know about the general inquiry.

Mr. Sorrels, you have appeared today by virtue of a verbal request made by us at the direction of the General Counsel. Under the rules adopted by the Com-