

Mr. GRIFFIN. Have you heard anything that would indicate that any police officer gave him any assistance or any advice?

Mr. ROBERTSON. No.

Mr. GRIFFIN. I am going to mark for the purpose of identification a copy of the interview report that the FBI made after talking with you. The first one is a report made by Special Agent Paul Scott of an interview he had with you on January 17, 1964, and it consists of three pages, and are numbered at the bottom of the page, 10, 11, and 12, and I am going to mark this at the top "Victor Robertson, Deposition, July 24, 1964, Exhibit No. 1." I would like you to look at it, Mr. Robertson, and read it over and tell me if there are any changes or corrections that you would make in it. I really have particular reference to whether or not that is an accurate report of what you said at the time.

Mr. ROBERTSON (after reading report). The only comment I would make about the report is that where it says, "While at Houston Street with Hugh Aynesworth, a WFAA photographer, he heard on a police radio that Officer Tippit had been shot in Oak Cliff, and he and Aynesworth proceeded to Oak Cliff." Aynesworth was not the photographer. There were two separate people. The other thing I would comment on is, in the second paragraph, Mr. Scott reports accurately that I had seen Ruby, and said sometime possibly between 5 and 7 p.m., which is what I told him and was my best judgment as to the time, although it may have been slightly somewhere between 3:15 and 7 or 8 p.m. That is what I told him and I answered to my best judgment on it.

Mr. GRIFFIN. In light of the conversation that we have had today, is that still your best judgment or would you narrow it in some other way?

Mr. ROBERTSON. I can't narrow it. The only thing that I can do is really broaden it to be sure that it is comprehensive.

Mr. GRIFFIN. What is the latest you would place it at?

Mr. ROBERTSON. I believe the latest possibly would have been 7 or 7:30 p.m.

Mr. GRIFFIN. Let me hand you what I have marked as Victor Robertson's Deposition, July 24, 1964, Exhibit No. 2. This is a document that consists of two pages, and it is an interview report by FBI Agent Vincent E. Drain, of an interview he had with you on June 9, 1964. I ask you to read it and comment on that in the same way that you did on the first one.

Mr. ROBERTSON (after reading report). The only comment I would make on this is at the end of the second paragraph. Mr. Drain has stated that the first time Ruby was mentioned by him was on a portion of the time that he reported in late December, 1963, etc., etc. This apparently is Vincent's report of the consensus that was true at the time. As I said, I mentioned to him I thought I had had it in the earlier broadcast, but Walter Evans said it had not been. The other observation I would make is that I don't recall having said between 5 and 6 o'clock. I thought I had said between 5 and 7.

Mr. GRIFFIN. All right, let me ask you then if you will sign each of these exhibits up near the top where I have marked them.

Mr. ROBERTSON. Is this all right?

Mr. GRIFFIN. Any place that is conspicuous.

Mr. ROBERTSON (initials).

Mr. GRIFFIN. Thank you very much. I appreciate your taking out this time.

Mr. ROBERTSON. My pleasure. If there is anything else I can do, let me know.

TESTIMONY OF FREDERIC RHEINSTEIN

The testimony of Frederic Rheinsteen was taken at 10:30 a.m., on July 22, 1964, at 120 Linden Avenue, Long Beach, Calif., by Mr. Joseph A. Ball, assistant counsel of the President's Commission.

Frederic Rheinsteen, called as a witness herein, having been first duly sworn was examined and testified as follows:

Mr. BALL. Will you state your name, please?

Mr. RHEINSTEIN. Frederic Rheinstein.

Mr. BALL. And you have been requested to give your testimony in this matter, haven't you, by a letter? Did you receive a letter?

Mr. RHEINSTEIN. No, sir.

Mr. BALL. You haven't been advised of the rules of the Commission?

Mr. RHEINSTEIN. No, sir.

Mr. BALL. Well, you are willing to testify, though, aren't you?

Mr. RHEINSTEIN. I am.

Mr. BALL. The purpose of the Commission is to investigate into the facts surrounding the assassination of President Kennedy, and in the course of that investigation there is also an investigation into the murder of Oswald at the police station in Dallas.

Now, what is your occupation?

Mr. RHEINSTEIN. I am a producer-director for NBC News.

Mr. BALL. How long have you been with NBC News?

Mr. RHEINSTEIN. Well, I have been with NBC 15 years, and with NBC News about 8.

Mr. BALL. And what is your age?

Mr. RHEINSTEIN. Thirty-six.

Mr. BALL. What was your education before you went with NBC?

Mr. RHEINSTEIN. I have a bachelor of arts degree from Princeton University.

Mr. BALL. And you went with NBC after your graduation?

Mr. RHEINSTEIN. Right.

Mr. BALL. And you have been with them ever since?

Mr. RHEINSTEIN. Right.

Mr. BALL. Where do you live?

Mr. RHEINSTEIN. 4906 Encino Avenue, Encino, Calif.

Mr. BALL. Were you in Dallas on the 22d of November 1963?

Mr. RHEINSTEIN. Starting at approximately 5 o'clock Dallas time.

Mr. BALL. And that was on a Friday, was it not?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. And did you commence broadcasting about that time?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. Where?

Mr. RHEINSTEIN. From WBAP Fort Worth, Tex., which is the NBC affiliate for the Dallas area.

Mr. BALL. And at any time later did you go over to Dallas with a sound truck?

Mr. RHEINSTEIN. Very early Saturday morning we took a WBAP remote television truck to the city jail in Dallas, I would guess at approximately 7:30 in the morning.

Mr. BALL. Where did you park the truck, just describe it in general?

Mr. RHEINSTEIN. Approximately in front of the entrance to the city hall and directly adjacent to the ramp to the police department basement.

Mr. BALL. That's good enough.

Mr. RHEINSTEIN. With the front of the truck facing the Hilton Hotel.

Mr. BALL. Now, it was reported that during the day a man was around your sound truck, you saw him around there several times, and that you noticed him particularly because he was there around your sound truck three or four times; is that right?

Mr. RHEINSTEIN. Yes, sir.

Mr. BALL. Then later on, the next day, on Saturday when you saw his picture—

Mr. RHEINSTEIN. Excuse me, Sunday.

Mr. BALL. On Sunday?

Mr. RHEINSTEIN. Yes.

Mr. BALL. On Sunday when you saw his picture you thought that you identified him as the man who had been around your truck; is that right?

Mr. RHEINSTEIN. Right.

Mr. BALL. And who was that?

Mr. RHEINSTEIN. That was Jack Ruby.

Mr. BALL. In other words, it's your impression that you saw Jack Ruby around your sound truck on Saturday, November the 23d?

Mr. RHEINSTEIN. Right.

Mr. BALL. About when is the first time that you saw him there?

Mr. RHEINSTEIN. To the best of my recollection, I would say it was late morning.

Mr. BALL. Before lunch?

Mr. RHEINSTEIN. Before lunch.

Mr. BALL. And just tell in your own words what you noticed then and what he did and what you saw.

Mr. RHEINSTEIN. My initial impression of Ruby was that a man, whom we later identified as Ruby, put his head through the open window of our remote truck very near the television monitors and was interestedly watching the pictures on the monitor. He caused me to look up because in putting his head through the window he put aside a curtain allowing light into the otherwise darkened truck.

Mr. BALL. How close were you to him at that time?

Mr. RHEINSTEIN. I would say about 3 feet. No more than 3 feet. He made no impression, because there had been several other people who had done this; not a large number of people, but it was an irritant, so his face became fixed. Do you want me to go on?

Mr. BALL. Yes; go ahead.

Mr. RHEINSTEIN. Subsequently, in walking around outside the truck later I saw the same man, and I believe in person twice more and I believe I saw him during the day on our television monitors, which were not at the time necessarily being broadcast, although they were being taped possibly back in Fort Worth, but the electronic cameras are on all the time and this man passed by. He was later pointed out—

Mr. BALL. By "passed by," you mean on the sidewalk?

Mr. RHEINSTEIN. No; in the corridors.

Mr. BALL. Oh, in the corridors?

Mr. RHEINSTEIN. In the corridors.

Mr. BALL. What floor?

Mr. RHEINSTEIN. We had cameras on the third floor and cameras on the ground floor.

Mr. BALL. Now, you believe—

Mr. RHEINSTEIN. I would say both times when we saw him he was on the third floor.

Mr. BALL. And he passed the cameras?

Mr. RHEINSTEIN. Right.

Mr. BALL. And that was during the daytime or evening?

Mr. RHEINSTEIN. That would all be during the daytime on Saturday.

Mr. BALL. And would that be in the morning or the afternoon that you saw him?

Mr. RHEINSTEIN. It would be in the morning and in the afternoon. The most pointed appearance, or the most memorable appearance of his followed an incident that took place thusly—do you want me to go ahead?

Mr. BALL. Yes; go ahead.

Mr. RHEINSTEIN. An unidentified WBAP engineer alleged that the man we had seen around the truck, subsequently identified as Ruby, had taken one of the fried chicken dinners which had been brought into the truck for the WBAP crew. This allegation was made when he was seen on the third floor going into an office in which District Attorney Henry Wade was purportedly working. The reason this was significant was that reporters had not been permitted inside that office, and this man whom the cameraman pointed out as the same one who had earlier been around the truck had gained access where newsmen had been unable to gain access.

Mr. BALL. Now, would that be after lunch?

Mr. RHEINSTEIN. That would be after lunch, because this was all tied up with he being the fellow who allegedly took the fried chicken dinner.

Mr. BALL. And you had ordered the fried chicken for your lunch, had you?

Mr. RHEINSTEIN. We had ordered 14 fried chicken dinners to feed the group.

Mr. BALL. All right. Now, this incident, then, must have occurred in the afternoon of the 23d of November?

Mr. RHEINSTEIN. Right.

Mr. BALL. And did you see it on your screen?

Mr. RHEINSTEIN. I saw the man who I am reasonably certain was Ruby go into a door where Henry Wade purportedly was. I did not see him come out.

Mr. BALL. He went in, but you didn't see him come out?

Mr. RHEINSTEIN. He went in. He was later reported to have come out and he was followed in about 10 minutes by District Attorney Wade who then became available for questioning by newsmen.

Mr. BALL. Was it reported or did anybody tell you, any of your men tell you why this man had gone into Wade's office?

Mr. RHEINSTEIN. The cameraman and stage manager reported to me on the earphones that this man, who was never, by the way, identified by name, always referred to as "the creep who was down at the truck," had told them that he knew Wade personally and he could get some information for us or he could get him to come out and talk to us. Both during that day and, of course, during the following days, in discussions with the newsmen around there, there seems no question about the fact that the most distinguishing thing about Ruby was his desire to be friendly with the press and also to indicate that he had an entree—not necessarily influence, but an entree into the police rooms and premises at city hall.

Mr. BALL. Now, did you see him later that day in or around your truck?

Mr. RHEINSTEIN. The last time we would have seen him—the last time I saw him either in person or on the television screen was when he walked in the door where Wade allegedly was.

Mr. BALL. And that was in the afternoon?

Mr. RHEINSTEIN. That would be in the afternoon; right.

Mr. BALL. Before dinnertime?

Mr. RHEINSTEIN. Oh, yes; it would have been, because we left there at 5:30, to go to WBAP to continue broadcasting.

Mr. BALL. Then it would have been before 5 that you saw him go into Wade's office?

Mr. RHEINSTEIN. Yes; I would say so. Certainly before 6.

Mr. BALL. And how many times do you think you saw him on the street, on the sidewalk?

Mr. RHEINSTEIN. I would say once on the sidewalk, once in the truck—once poking his face into the truck, and twice with our cameras.

Mr. BALL. And the entire span of time, then, was sometime late in the morning until not later than 5 in the afternoon?

Mr. RHEINSTEIN. Five to six; right.

Mr. BALL. Now, you mentioned the fact that you didn't know this man's name that you saw these several times.

Mr. RHEINSTEIN. No; I didn't.

Mr. BALL. And the next day you did alone identify the picture of Ruby as the man you had seen the day before, or were there some others who agreed with you that they had seen him?

Mr. RHEINSTEIN. There were a good number of the men of the same crew that identified him.

Mr. BALL. Tell me, when was it that you did identify him, tell me the circumstances.

Mr. RHEINSTEIN. We identified him—the first time we took a good look at his face, at his picture, was a mug shot which was a front and profile shot which somebody obtained while still wet on the third floor of the Dallas Police Department, and our reporter was Pettit, Tom Pettit, and he held the mug shot in front of the electronic camera where it was transmitted to a tape machine where it was taped, and on both looking at it at the first time and on subsequent replays of the tape we were certain that this was the man we had seen around the truck. We certainly had his name almost immediately, because as soon

as he was shot a number of people recognized him and we got the name right to our reporter, who was actually there while he was shot, which was Tom Pettit.

Mr. BALL. Then the first time you heard his name was on Sunday after the shooting?

Mr. RHEINSTEIN. We had his name about 10 minutes or less than 10 minutes after he shot him, actually. NBC did, and we were late because we were all out-of-towners.

Mr. BALL. Then when you saw the mug shot, when your group saw the mug shot on a replay of the tape you knew the name of the man?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Now, how many of you were around the camera or how many of you saw the mug shot?

Mr. RHEINSTEIN. I would guess the discussion was had with about four or five people. Basically the men who work in the truck. And, I'm sorry, I can get the names of the men who were there for you, but I——

Mr. BALL. You don't have the names now?

Mr. RHEINSTEIN. There are too many trucks and too many things. There would be a switcher and a director and a video engineer and an audio man.

Mr. BALL. They were all Fort Worth people, were they?

Mr. RHEINSTEIN. All WBAP, Fort Worth, and they were the same group who had been with us constantly. And there was a technical supervisor who also was there. I can put their faces to you, but I can't give you their names.

Mr. BALL. You don't remember their names. Now, I will turn to another subject, Mr. Rheinstein. Did you go in the police building on Saturday and on Sunday?

Mr. RHEINSTEIN. Yes.

Mr. BALL. You weren't there on Sunday, were you?

Mr. RHEINSTEIN. Yes.

Mr. BALL. You were at the police building on Sunday?

Mr. RHEINSTEIN. Oh, yes.

Mr. BALL. Where were you?

Mr. RHEINSTEIN. Well, I had two mobile units on Sunday morning because they were moving him from the city to the county. I started at the city, made sure the cameras were all in place and——

Mr. BALL. That's in the basement of the city hall?

Mr. RHEINSTEIN. Yes. One was in the basement, two were actually on the third floor, and, as a matter of fact, what we were trying to do was move one of the cameras from the third floor down to the basement, so I left instructions to do that and went down to the county jail where we had another mobile unit, for the first time, and we had a communications setup where I would, since I knew everything, I would call the shots, so to speak, from the county. Right before they were going to move him I came back for a last minute check at the city jail, and actually at the time of the shooting I was at the county jail. About 30 minutes later, 40, 40 minutes probably, after the shooting, and after we went off the air, I came back, we dispatched the county jail unit to the hospital and I came back and operated once again out of the city jail, so I was there a number of times.

Mr. BALL. You were at the county jail, then, at the time of the actual shooting?

Mr. RHEINSTEIN. At the time of the shooting I was calling the shots in the other mobile unit.

Mr. BALL. All right. Now, on Saturday when you went into the various parts of the building that were being used by the Dallas Police Department, were you ever asked to identify yourself in order to get in?

Mr. RHEINSTEIN. I think conceivably once I was asked to show a credential.

Mr. BALL. What about on Sunday morning when you went into the basement?

Mr. RHEINSTEIN. No.

Mr. BALL. Were you asked to show a credential?

Mr. RHEINSTEIN. No. In fairness to the Dallas Police Department, I would

offer the fact that a guy who has been out there in a mobile unit for over the period of time I was there, I was recognized.

Mr. BALL. As a man with NBC?

Mr. RHEINSTEIN. As a man with NBC.

Mr. BALL. I see.

Mr. RHEINSTEIN. And as a director, you know.

Mr. BALL. Now, did you go down the ramp in the morning, on Sunday morning?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Did you walk down the ramp?

Mr. RHEINSTEIN. Yes.

Mr. BALL. Were you alone at that time?

Mr. RHEINSTEIN. I had a cameraman with me.

Mr. BALL. Did you have a camera?

Mr. RHEINSTEIN. Well, the electronic camera was already down there, although later on I supervised the moving of a camera down there.

Mr. BALL. Did you have a badge on display?

Mr. RHEINSTEIN. No.

Mr. BALL. Did the cameraman have a badge on display?

Mr. RHEINSTEIN. No. This was one of our problems, because after the shooting they insisted on badges and the WBAP—although I carry a Los Angeles Police Department Badge, which proved sufficient, the WBAP men had no identification.

Mr. BALL. Now, I have the first name of a cameraman at WBAP, Herman.

Mr. RHEINSTEIN. Yes; that's the wrong first name, it's Homer.

Mr. BALL. Homer?

Mr. RHEINSTEIN. And I still can't remember the last name. But he and I, Belli subpoenaed he and I down in Dallas on the trial. We never got on the stand. I can't think of his name.

Mr. BALL. Then there was a reporter named Pettit, you have mentioned his name.

Mr. RHEINSTEIN. Tom Pettit; right.

Mr. BALL. Then a film man from Shreveport, La.

Mr. RHEINSTEIN. Whose name still escapes me.

Mr. BALL. He is a free lancer?

Mr. RHEINSTEIN. Right.

Mr. BALL. And he was just working for you that day?

Mr. RHEINSTEIN. He was working over that 3-day period.

Mr. BALL. As a film man for you?

Mr. RHEINSTEIN. Right. Either of these men's names are available if you want to call up.

Mr. BALL. Would you do that and call it in?

Mr. RHEINSTEIN. I sure will.

Mr. BALL. I think that's all. Is there anything else you would like to tell us or that you think would be of any assistance to us in the investigation? Do you know anything else other than what you have already told us about the problem?

Mr. RHEINSTEIN. I really don't. I really don't. You know, I don't think this is particularly valid for the record, but my overall impression was that Ruby had no particular in with the Dallas police, he was—if you work in the news business there is a type, and you know this a lot better than I do, who enjoys authority, and to ingratiate himself into what he considers high places he does almost anything. The general attitude of the police and the people of the Dallas press and whatnot of Ruby is that he was sort of a nuisance, but an omnipresent nuisance, you know, he was the kind of guy you just accepted there, and I have always said this is just the kind of guy who becomes practically inconspicuous because he is well enough known as a nuisance type, and I have always—my own personal conviction, which is worth absolutely nothing, is that if there had been not a newsman in the place, somebody would have been sure to find Ruby there and pushed him out of the way, but Ruby would have been able to get in simply because he was such a familiar type, you know, everybody there just knew who he was. I never found anybody who said anything endearing about him. That's all I can say.

Mr. BALL. That's all, then, I guess.