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January 15, 1953

WARREN ~~OLNEY~~ III *SUMMARY*
 ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11-2-90 BY SP1 [REDACTED]

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I. BIOGRAPHICAL DATA:

A. Birth - Warren Olney III was born on February 25, 1904, at Oakland, California, the son of Warren Olney, Jr., and Mary McLean Olney, both of whom were born in California.

B. Education - Olney attended Pomona College, Claremont, California, from September 1921, to June 1922, withdrawing to enter the University of California, Berkeley, California, where he attended from August 1922, to May 1925, when he received a Bachelor of Arts degree. In August 1925, he was admitted to the University of California at Berkeley as a graduate student in jurisprudence, receiving the degree of Doctor of Jurisprudence on May 11, 1927.

C. Marriage - He was married to Elizabeth Olney, nee Bazata, at Saratoga, California, on June 5, 1926.

D. Military Service - Mr. Olney served as Lieutenant and as Captain in the United States Marine Corps from December 16, 1942, to August 8, 1945. His records reflect that he accepted an appointment as a Lieutenant Colonel, United States Marine Corps Reserve, on October 9, 1952.

E. Bar Associations - He was admitted to the bar in the State of California on October 7, 1927. He is a member in good standing of the Bar Association of San Francisco, the State Bar of California, and the American Bar Association.

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character and a person whom he recommends for a position of trust and confidence, adding that there is no question as to his loyalty to the United States.

[REDACTED] State Bar of California, advised that Warren Olney III has been a member in good standing since his admission to the bar in October 1927. b7c

[REDACTED] San Francisco, California, former member of the local administrative committee of the Bar, advised that he considers Mr. Olney to be a very courageous person who could not be approached to do a wrong act, adding that Olney is a man of unquestionable loyalty, character, integrity and ability. He stated that some time ago Olney, while with the Commission on Organized Crime, State of California, had made some statements concerning George W. Rochester, a legislative counsel. Olney, he said, had been quoted in the press as making a statement indicating that Rochester had accepted money from someone who was involved with a bookmaker. As a result Rochester brought suit against Olney in Alameda County, California, the jury returning a not guilty verdict. In addition, charges arising out of the matter were filed with a local committee of the Bar, but no action on them was ever taken by the Bar as Olney had not committed any violation.

The record of the Clerk of Superior Court, County of Alameda, California, reflects that a libel complaint in the amount of \$300,000 was filed March 6, 1950, by George W. Rochester, Plaintiff, against Warren Olney III and nine John Does, Defendants. The complaint accused the defendants of making a false statement without regard for the plaintiff's rights to various representatives of the press, alleging that at the time the defendants knew and intended that the statement would be published in San Francisco and other cities in California. The statement, in substance, accused the plaintiff, who held the position of Chief Counsel for the Legislative Small Loans Investigating Committee of the California Legislature in 1949, of influencing the California Attorney General's Office on behalf of the bookie-wire service. Rochester was alleged to have exerted influence after being bribed in the amount of three hundred and sixty dollars by Jack Dragna, owner of the Universal Sports News, which at that time was the head office for the bookie-wire service. The jury acquitted the defendants. The record also shows that a letter dated August 22, 1952, was addressed to Mr. Olney by Judge James R. Agee, Superior Court of the State of California, County of Alameda, in which Judge Agee wrote that in his opinion there was no evidence whatsoever introduced in the trial which indicated improper conduct on the part of Olney as a lawyer or otherwise. Judge Agee continued that the basis of the jury's verdict was that Olney acted without any malice and, his utterances being conditionally privileged, Olney was therefore not legally liable.

F. Employment and Public Service - From approximately October 1927, to January 1929, Mr. Olney was employed in the office of the District Attorney of Contra Costa County, Martinez, California, (and from about January 1929, to January 1930, he was employed as a young attorney by the law firm of Tinning and Delap, Richmond, California, both jobs being held in an unpaid capacity to gain legal experience, according to [REDACTED] b7c

From January 1930, to November 1930, he was an attorney with the law firm of McCutchen, Olney, Mannon and Greene, of San Francisco, California. From October 1, 1930, to January 13, 1936, he was employed as a Deputy District Attorney, Office of the District Attorney, Alameda County, Oakland, California; and from March 1936, to May 1939, he was again employed as an attorney with McCutchen, Olney, Mannon and Greene, San Francisco, California.

Beginning May 24, 1939, Mr. Olney was a Deputy Attorney General in the Department of Justice of the State of California, being made an Assistant Attorney General in the same department on February 1, 1942, in which capacity he continued until January 4, 1943, when he was placed on military leave. On return from military service he was from August 1, 1945, to December 2, 1946, employed as a Special Assistant Deputy Attorney General, Department of Justice, State of California.

From December 1946, to December 1950, Mr. Olney was engaged in the private practice of law in San Francisco in partnership with Attorney Scott Elder. On January 1, 1951, he became Professor of Law and Criminology at the University of California, Berkeley, California, in which capacity he has continued to the present.

Mr. Olney's public service includes appointment as Chief Counsel to the Governor's Commission on Organized Crime, State of California, on November 1, 1947, in which position he served on a part time basis until June 30, 1950. On September 1, 1951, he was appointed as Chief Counsel by Governor Earl Warren to the second Commission on Organized Crime, State of California. During 1951, he served as Consultant to the American Bar Association Committee on Organized Crime, making a study during the period of February 1 to August 31, 1951, on Organized Crime and Law Enforcement. According to the records of the University of California, Mr. Olney has also participated in various public lectures and forums.

II. RESULTS OF THE INVESTIGATION: The following individuals who have known Mr. Olney either personally, professionally, socially and/or by reputation, advised in substance that the appointee is loyal, of good character and reputation, associates with persons of the same type, and is well qualified for a position of trust with the United States Government, none of the individuals interviewed making any unfavorable comments concerning him.

A. Interviews with Professional Associates and/or Social Acquaintances

[REDACTED]
the American Bar Association.

[REDACTED] Richmond, California.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] San Francisco, California.

[REDACTED] San Francisco, California.

[REDACTED]
[REDACTED] the State Bar of California.

[REDACTED]
[REDACTED] Sacramento, California.

[REDACTED]
[REDACTED] Bar Association of San Francisco.

[REDACTED] Bar of California.

[REDACTED] Oakland, California.

[REDACTED]
State of California.

[REDACTED]
San Francisco, California. b7c

[REDACTED]
San Francisco, California.

Typical of comments made were those of [REDACTED]

[REDACTED] who stated that Olney was held in high regard and respect by him and all others on the commission, adding that Olney is a man of high ability who can be relied on to carry out his duties honestly and efficiently. He said that Olney's character, associates, reputation and loyalty are above question and that he recommends him for a position of trust.

[REDACTED] advised as follows: He has known Mr. Olney for more than twenty years. [REDACTED]

[REDACTED] The father and grandfather of Olney were esteemed members of the legal profession in California and the entire family enjoys an excellent reputation in all respects. Olney is a capable, level-headed attorney and administrator whom [REDACTED] considers completely honest and for whom he has the highest regard. He believes Olney is well qualified for a position of responsibility and importance with the United States Government. b7c

[REDACTED] advised [REDACTED] b7c

[REDACTED] She stated that Olney had been active in both legal and investigative work while in the Attorney General's Office and had been responsible for the gambling ship raids off the coast of California in the late 1930s, as well as for the preparation of the legislation which enabled Mr. Warren to clear the coast of the gambling ships and to control gambling and vice throughout the state. She informed that Olney was from one of the most distinguished families in California, from the standpoint of accomplishments and civic service, explaining that his paternal grandfather was at one time the mayor of Oakland, and his maternal grandfather was an outstanding Congregational minister. She stated that his father had served as an Associate Justice on the California Supreme Court. She considers Olney to be of the highest and most reputable character and integrity, and a person who is completely loyal to the United States, adding that he has evidenced a great capability in all that he undertook. She said that his associates are completely honorable and of the highest character.

[REDACTED] advised that he has known Warren Olney III since his birth, adding he recalls Warren Olney and Warren Olney, Jr., the grandfather and father of Mr. Olney. He informed as follows: Warren Olney was formerly mayor of Oakland and a member of the Bar in California. Warren Olney, Jr., was formerly a member of the Supreme Court of California and until his death was a member of the firm of McCutchen, Olney, Mannon and Greene, which is an old and respected law firm in San Francisco. He has known Mr. Olney both professionally and socially. It is his belief that Olney has the highest type of character and is a person of excellent reputation. Olney has gained a great deal of experience as a trial attorney in the field of criminal law. He stated that he unqualifiedly recommends Olney for a position of trust and confidence.

B. Interviews with Federal, State and Local Officials

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[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Earl Warren, Governor of the State of California, Sacramento, California, and former District Attorney of Alameda County, California.

[REDACTED]

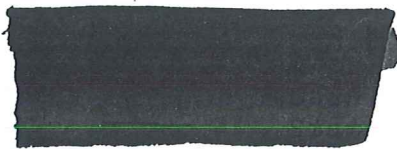
ALL
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The following United States Circuit Court judges advised that they were not acquainted with Warren Olney III, and that to their knowledge he had not practiced law before a court over which they presided. They all stated, however, that from their conversations with various attorneys who have contacted Warren Olney III, he has been spoken of very highly and they believe him to be a person of good reputation.




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The following United States District Court judges advised that they were not acquainted with Warren Olney III, and to their knowledge he has not practiced before any court over which they have presided. They stated, however, that from the information which has been brought to their attention by various members of the legal profession in California, Mr. Olney has an excellent reputation as an attorney.



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 San Francisco, California, also stated that he was not acquainted with Mr. Olney, adding, however, that he had been acquainted with his father, Warren Olney, Jr., during the time the latter practiced law in San Francisco. He stated that Warren Olney, Jr., was a person of good character and reputation and that, from the information that has come to him concerning Warren Olney III, he believes him to be a person of good reputation who is highly regarded in the legal practice in California.

Typical of comments made were those of Governor Earl Warren who advised as follows: He has known Warren Olney III since Olney was a small boy, was associated with him as a Deputy District Attorney in Alameda County about twenty years ago when Governor Warren was the District Attorney of that county. Mr. Olney performed his job in an excellent fashion and was the type of person who devoted full time and effort to whatever he undertook. Mr. Olney was the kind of public servant who has a fervent devotion to his duty. By way of illustration Governor Warren stated that after four years in the District Attorney's Office he had urged that Olney practice law in his father's law firm in consideration of his father's desires. Olney did associate with the firm, however, within four days after his father's death he returned to Governor Warren, then the State Attorney General, seeking

a position in that branch of the State Government. Olney had been most anxious to serve in the Armed Forces and after about two years in the Attorney General's Office he enlisted in the Marine Corps as a Second Lieutenant. After Olney's return to civilian life he set up a private practice in San Francisco. Governor Warren then persuaded Olney to become the Chief Counsel to the Governor's Commission on Organized Crime, in which position he has served for the past four years in a splendid manner.

Governor Warren described Mr. Olney as a very sound lawyer and as sound a man as could be found in his judgment. The Governor said he is rather cautious in recommending persons in the law enforcement fields but he felt that Olney is one person on whom he would be willing to bet his whole life, adding that Olney is one of the grandest persons whom he has ever known and one on whom he could depend in any situation. Governor Warren knows of absolutely nothing which would reflect unfavorably on Olney and has never heard of any derogatory information concerning him, adding that Olney's task in investigating organized crime in the state would have caused many whom he opposed to have spread any information concerning questionable conduct on the part of Olney and he felt certain that he would have heard of such comments. Governor Warren stated that he would, without any reservation, recommend Warren Olney for a responsible position in the Federal Government.

[REDACTED] advised that he has known Warren Olney III many years as a public official with the Alameda County District Attorney's Office, the Attorney General's Office in the State of California, and as a member of the California Commission on Organized Crime, adding that while he does not know him intimately, he has the highest respect for his integrity, moral character, reputation and associates, and believes him to be loyal to the United States. He said Olney is highly regarded by the legal profession in California and is a most capable person with an excellent professional reputation, whom he would give an unlimited endorsement for a judicial position in the Government.

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[REDACTED] has the highest regard for him and his family in all respects, considering him to be extremely well qualified both personally and professionally for the position to which he has just been appointed.

[REDACTED] advised that he is well acquainted with Mr. Olney and considers him to be a very sound lawyer and a person of considerable rectitude, adding that Olney comes from a very fine and well known family in California and was an outstanding lawyer in one of the largest firms in San Francisco. He said that Olney had evidenced a loyal spirit by his fine service in the United States Marine Corps

during World War II, and that he was a person of excellent character.

[REDACTED] advised that Mr. Olney comes from a family of excellent background and considerable wealth, but that this has not had any adverse effect on Olney personally and he has made his career on his own ability. He added that the Olney family is highly regarded in all respects. [REDACTED] said that Olney is of unquestioned integrity and completely incorruptible, is a competent trial lawyer, does excellent investigative and preparatory work for trial, and has a very thorough knowledge of organized crime. [REDACTED] b7c

[REDACTED] feels that the new administration could not have chosen a better or more qualified person for head of the Criminal Division of the Justice Department.

[REDACTED] advised that he had been acquainted with Mr. Olney's father and knows his wife, in addition to Mr. Olney himself. He said that the family background of Olney is excellent, his father and grandfather having been outstanding and highly regarded in the field of law in California. He went on to say that all members of the family enjoy the highest reputation with respect to character, loyalty, integrity, and associates. He added that Olney has been interested in public service and has done an excellent job in the field of law on the investigative, prosecutive and administrative levels, and is regarded as extremely capable in his profession. He said he considers Olney to be personally and professionally qualified in all respects for a position of importance and responsibility with the Federal Government and can give him the highest recommendation for such a position.

C. Neighborhood Investigation - The neighbors of Mr. Olney at his place of residence in Berkeley, California, furnished only favorable comments concerning him and his family. He resides at 1950 San Antonio Road, Berkeley, California.

D. Agency Checks - No unfavorable information on Mr. Olney was developed from checks of the following Federal agencies: Investigations Division, Civil Service Commission; House Committee on Un-American Activities; Office of Naval Intelligence, Department of the Navy; and the central files of the Federal Bureau of Investigation, Department of Justice.

No arrest record for Mr. Olney was found in checks of the following law enforcement agencies: the police departments of Berkeley, Oakland, Richmond, Martinez, Sacramento, San Francisco, and Los Angeles, California; and the sheriff's offices of Contra Costa, Sacramento, and Los Angeles Counties, California.

Credit records at the places of residence and employment of Mr. Olney were checked with no adverse information developed.

E. Relatives - Interviews of individuals who were acquainted with the relatives of Mr. Olney, including his parents, his father being deceased, his brother, sister and brother-in-law, daughter and son-in-law, daughter [redacted] son, and his wife, developed only favorable comment. Credit and criminal checks of his relatives resulted in no unfavorable information. b7C

[redacted]

The Labor Youth League and the Civil Rights Congress have been declared by the Attorney General of the United States to be within the purview of Executive Order 9835. b7D

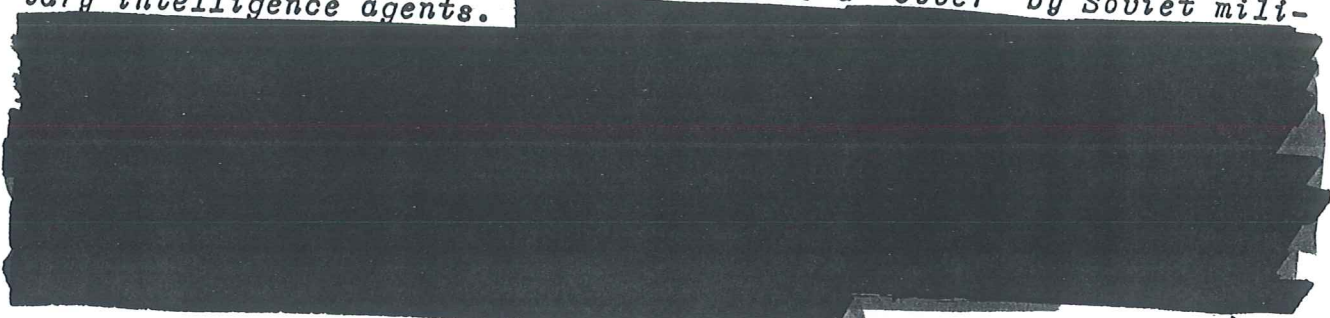
With regard to the Independent Progressive Party, the Fifth Report of the California Senate Fact-Finding Committee on Un-American Activities, page 471, sets out "it is the considered opinion of this committee, based upon confidential information and also on a tremendous mass of conclusive documentation, that the (Independent) Progressive Party is the above-ground organization of the Communist Party....."

[redacted]

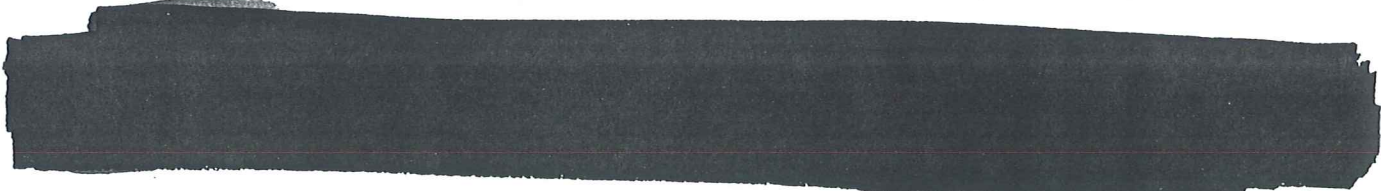
Concerning the American Council, Institute of Pacific Relations, the following is noted: b7D

The Institute of Pacific Relations, founded in 1925 in Hawaii, is an organization engaged in research on the economic, political, and social aspects of countries bordering on the Pacific Ocean. Allegations have been received from confidential sources that during the 1930s the

Institute of Pacific Relations was used as a "cover" by Soviet military intelligence agents.



The California Committee on Un-American Activities in its 1948 report cites the American Council, Institute of Pacific Relations, as a Communist front which received funds from the American People's Fund, another front organized and directed by Frederick V. Field as a repository for funds to be distributed to Communist enterprises. However, in the Fifth Report of the California Senate Fact-Finding Committee on Un-American Activities, 1948, appears: "The Institute of Pacific Relations is an important and influential competitor in the market place of public opinion. While it may be an exaggeration to describe it as a Communist front, it is indubitably true that it has been infiltrated by Communists and fellow travelers in the past. The committee extends its sincere good wishes and the offer of any possible help it can render to protect against each infiltration in the future."



Other reliable informants familiar with some phases of un-American activities in the San Francisco Bay Area advised that they had no information reflecting unfavorably on the loyalty of Warren Olney III or any member of his family.