

Ferrie docs complaint

1,2 as is

3. Defendant is the U.S. Department of Justice, which acted as an *(President's Commission on the Assassination of the President, also known as the* arm and as an integral part of the Warren Commission, providing almost all its *(various and many* investigative services, its laboratory facilities, studies and conclusions and *functions) for said* other integral ~~duties, which were the President's Commission on the Assassination of President John F. Kennedy, also and hereinafter known as~~

4. The late David William Ferrie was an official of the New Orleans, La., units of the Civil Air Patrol Cadets when the late Lee Harvey Oswald, the accused assassin, was a member.

5. Plaintiff's interest in Ferrie and the Ferrie-Oswald relationship, which is disguised and misrepresented in the Warren Commission's Report as in its hearings and published evidence, early directed ~~to~~ *Plaintiff* to unpublished evidence relating to Ferrie and the *Ferrie -* Oswald *Plaintiff first brought* relationship. ~~to bring to the first~~ it to light, from the unpublished files, in the summer of 1966 and published it in his second work, *WHITE WASH II: THE FBI-SECRET SERVICE COVERUP*, later that year. 19.

6. Since then, Plaintiff has been engaged in a systematic but frustrated effort to obtain access to the majority of the Ferrie evidence, withheld from him by the *(and Records) Service of the General Services Administration* National Archives, at the *Direction* of the Department of Justice. ~~(Exhibits~~

7. Aside from verbal requests, Plaintiff made a total of 22 written requests for this withheld material, to which there were a total of 13 written responses by both agencies, some contradicting each other. A small selection of this correspondence is attached as Exhibits 1A to 1F, inclusive.

8. Because this information in the possession of the government was denied Plaintiff, Plaintiff was forced to conduct ~~was~~ long and expensive personal investigation of Ferrie on the Ferrie-Oswald relationship.

9. This investigation discloses there was an enormous amount of public knowledge of Ferrie and the Ferrie-Oswald relationship that the Federal Bureau of

Investigation, <sup>(also known as the FBI),</sup> part of the Department of Justice, did not disclose to the Warren Commission, insofar as its disclosures of information are reflected in the Report, hearings and exhibits, and unpublished files of the Commission that are not withheld.

10. <sup>2</sup> The <sup>nature</sup> ~~character~~ of this information known to Plaintiff is such that where it is of a character that ordinarily would not ~~be~~ be the subject of official interest, in this case such interest was required were the investigation of the assassination to be thorough, complete, dependable, definitive, even honest.

11. <sup>16</sup> Most of this information is <sup>not</sup> of such a character, and there is no legitimate reason <sup>for</sup> ~~to~~ withholding it, either from the Warren Commission or under 5 U.S.C. <sup>5525</sup> including any of the exclusionary provisions.

12. <sup>3</sup> Ferrie died under mysterious circumstances, clouded by his imminent indictment as a man who had conspired to assassinate the President.

13. <sup>3</sup> Ferrie was a sex deviate whose peccadillos are not adequately encompassed by the designation "homosexual".

14. <sup>4</sup> Lee Harvey Oswald was reported to have had homosexual interests and experiences, including <sup>many FBI</sup> reports ~~from various sources~~ to the Warren Commission, <sup>that are</sup> ~~some of which have not been~~ withheld.

15. <sup>5 Oswald</sup> He was also reported by an officer of the U.S. Naval Intelligence to have had observed homosexual contacts in the New Orleans area. <sup>Such</sup> This report was made to the Warren Commission <sup>(directly and officially)</sup> through channels ~~and by other means~~. It was confirmed to Plaintiff by the officer making it. This report was also in the possession of the Department of Justice but is not available in ~~any~~ any of the Warren Commission materials, nor is there any such suggestion in its Report.

16. <sup>6</sup> The Department of Justice had interest in and investigated Lee Harvey Oswald prior to the assassination, but it did not fully disclose this interest <sup>(and the various existing reports thereof)</sup> or its fruits to the Warren Commission.

17. <sup>7</sup> The Report and the hearings of the Warren Commission obfuscate and hide and distort the Ferrie-Oswald relationship, containing no reference to Ferrie

Homosexual  
DVI

Oswald  
prior  
investigation



is at all (the slight reference in the draft having been eliminated while the report was on the presses) and containing less than adequate reference to Oswald's membership in the Civil Air Patrol Cadets. This fact is entirely eliminated from the body of the Report, where it belongs on Page 383, as part of Oswald's biography, and is referred to in but a single clause in the appendix, in an additional biographical account (Page 679), where it says only, "He was briefly a member of the Civil Air Patrol...."

18. Official intent to obfuscate the Ferrie-Oswald relationship extended to even the conduct of the lawyers in questioning the witnesses. The two witnesses ~~XXXXXXXXXX~~ of Oswald's associates who were in the Civil Air Patrol Cadets with Oswald ~~was~~ were questioned ~~are cited as authority for the statement Oswald~~ *and about it by the Warren report as proof*

was a member of the Civil Air Patrol Cadets ~~was~~ *was not investigated* (Edward Voebel, SH14 and Frederick S. O'Sullivan SH28-9). ~~They not only did not testify~~ *F. M. Shea witnesses, in fact, were induced to*  
*the questioned not to testify*  
*for example,*  
that Oswald was a member, ~~as both know~~ *but in one case* O'Sullivan (SH29),

*whose* testimony in response to the question, "Now, you don't know of your own knowledge whether or not Oswald ever did join the Civil Air Patrol, do you?" was, "No; I don't know that he signed any papers or had uniforms or anything."

19. ~~XXXXXXXXXX~~ Immediately thereafter (SH31) in the printed transcript, following a question as to whether or not the witness, then a member of the Department, had any contact with

CAP



members of the vice squad, ~~and~~ this police unit was heavily involved in the investigations attendant upon this arrest of Ferrie.

21. Plaintiff believes ~~that~~ <sup>that</sup> O'Sullivan's testimony ~~was~~ <sup>was</sup> ~~perjurious~~ <sup>(that the perjury was induced,</sup> and that some of the information withheld, allegedly for other reasons is withheld to protect ~~this~~ <sup>probative reports</sup> perjury.

22. Plaintiff's investigations disclose ~~that~~ <sup>probative reports</sup> that, aside from his connection with Oswald, Ferrie was also connected with political extremists, sex deviates, the Central Intelligence Agency, and Carlos Marcello, reputed "Number Two Man" in the Mafia.

23. Ferrie had to have been known to the FBI in ways not disclosed in any of the available reports to the Warren Commission and in all likelihood was personally known to agents of the FBI in New Orleans. These include, but are not limited to:

At his ~~xxxxxxxxxxxx~~ attendance upon Federal Court in New Orleans at the time of the assassination, with FBI Agent Regis Kennedy, during a ~~hearing~~ <sup>trial</sup> as part of a Department of Justice effort to deport Carlos Marcello. Ferrie had been Marcello's investigator in the case, which the Department of Justice lost. *(A new prosecution on this charge had just been instituted.)* Kennedy filed an elliptical, deceptive report, <sup>(attached as Exhibit 4),</sup> typed more than a week after the assassination, more than a week after the Ferrie-Oswald relationship was a subject of spectacular and wide-spread publicity in New Orleans, several days after Ferrie had been arrested by the New Orleans District Attorney for alleged involvement in the assassination, and after Ferrie had been interviewed, on invitation of the District Attorney, by both the Secret Service and the FBI. In this belated report, so brief it requires less than seven wide-margined lines of typing, Kennedy makes no reference to the involvement of ~~xxx~~ <sup>with Oswald,</sup> Ferrie in the Marcello case, <sup>to</sup> or the fact of Ferrie's ~~presence in~~ <sup>attendance upon</sup> the court at the time of the assassination. Notwithstanding this report and what was so carefully omitted from it, ~~(attached as Exhibit 3),~~ the government fostered a deliberately deceptive propaganda campaign against the later prosecution <sup>by</sup> of the New Orleans District Attorney, to make it appear ~~xxx~~ falsely that ~~he~~ had cast Ferrie in the

Marcello  
Ordent 4 pp.



*Dallas*

alleged role as Oswald's "get-away pilot", whereas it was know to Kennedy and to the FBI that this was both false and impossible, Ferrie having been to FBI knowledge in attendance upon the court <sup>in New Orleans</sup> at that very time. (All copies of this report in the National Archives are close to illegible.)

*see case 55*

*incident 4 ep*

*see the Castro*

B) It was well-known in New Orleans that Ferrie had <sup>repeatedly</sup> threatened the <sup>repeatedly</sup> life of the President of the United States, and this was known to both the FBI and to its agent Regis Kennedy. <sup>(From the outset</sup> Kennedy was part of the FBI investigation of Ferrie ~~from the outset~~ and knew Ferrie had threatened the life of the President. Kennedy also knew the government's <sup>(subsequent</sup> campaign against the New Orleans prosecution was based upon false representations. As part of ~~his~~ his investigation of Ferrie, Kennedy obtained a written statement from Ferrie, the original of which was denied ~~and is included in what Defendant Department of Justice illegally denied Plaintiff.~~ the Warren Commission, ~~is~~ is not now in its files, <sup>and is</sup> in this statement, the ~~archive~~ <sup>retyped, unsigned</sup> copy of which is attached as Exhibit <sup>5</sup> Kennedy permitted Ferrie to palm his <sup>off</sup> threats against the President ~~off~~ <sup>only one other of the</sup> on the Warren Commission as a "colloquial expression". ~~one of the~~ <sup>only one other of the</sup> FBI reports not suppressed make any ~~other~~ reference to ~~any~~ Ferrie's threats against the President who was assassinated. (Exhibit 6) Moreover, the ~~menace~~ menace Ferrie presented to the President was so publicly known in New Orleans that even so conservative a group as the Military Order of the World Wars ~~terminated~~ <sup>terminated</sup> a speech Ferrie was making to it for just this reason.

C) Ferrie engaged in anti-Castro activities, at least some of which were government-connected. He also claimed to have engaged in anti-Castro activities <sup>(were publicly reported and</sup> that may or may not have actually happened but should have been reported to the Warren Commission and are not so reported in any of the available records and are not subject to any of the exclusionary provisions of 5 USC, 552. Ferrie claimed to have overflown Cuba, to have taken young men with him on these flights, to have landed in Cuba and then to have been grievously wounded prior to escape. He was also reported to have been fabricating a miniature submarine for an attack upon the harbor of Havana. He lectured and spoke ~~privately~~ against Castro and the Cuban regime. With the involvement of anti-Castro Cubans in the investigation of the



Ferrie  
Warren  
Group

assassination and of Oswald himself, these things could not properly have gone uninvestigated and unreported to the Warren Commission but, according to the available files, they were. Ferrie is also reported to have had his own para-organization military organization of young men, to have had his own splintered cadet group to have had training facilities and exercises in the New Orleans area, and these, too, should have been the subject of intensive investigation and reporting, if only to inform the Warren Commission that they were not subject to confirmation.

indict 4 p

D) Ferrie's connections with government covert activities and those who were connected with or part of such activities include but are not limited to the following:

indict  
I A  
activities

uban  
Rev. Council  
my  
indict 4 p

1) he was a friend of and a guest in the home of and participated in clandestine activities with one Sergio Arcacha Smith, who was head of the New Orleans branch of the Cuban Revolutionary Council. This group was organized and financed by the CIA, among its purposes being to constitute the government of Cuba if Castro were overthrown or the government-in-exile, if the United States Government decided to recognize one. Ferrie was also a frequenter of the office of the Cuban Revolutionary Council, which was located adjacent to the office of the late Guy Benister, for whom Ferrie worked. One Carlos Quiroga was a close associate of Arcacha, was constantly in his presence, and, for a young Cuban refugee, heavily subsidized Arcacha. Benister was a former agent of the FBI, was a virulent racist and political extremist in New Orleans, where he operated a private detective agency and was widely reported to have been involved in clandestine government operations. He died shortly after the Warren Commission New Orleans investigation, without ever having been questioned by the Commission or its investigative arm, the FBI, to which he was very well and intimately known. Although it is carefully obfuscated to the Warren Commission in FBI reports (Exhibit 7), Benister arranged for the office space used in his building by the Cuban Revolutionary Council, as the owner of that building, confirmed to Plaintiff. This is so completely masked in FBI reporting that Benister is not identified in them, his connection with Arcacha is entirely misrepresented while being disguised,

(and deliberately obfuscated to the Warren Commission in FBI reports (Exhibit 7),  
(Saw Mike Newman, Deputy Sheriff, in any way identified in them, his connection with Arcacha is entirely misrepresented while being disguised, (Exhibit 8))



and the known identity of "a young Cuban man with SMITH (sic) on a number of occasions" <sup>was</sup> withheld from both the Department of Justice in Washington and the Warren Commission. Instead of <sup>reporting</sup> the close relationship between Banister and <sup>Arcacha</sup> ~~Arcacha~~, this report ~~xxxxxxx~~ says only that "some time ago" <sup>Arcacha</sup> ~~Arcacha~~ had "told him on one occasion that he, Smith, had an office in the building located at 544 Camp Street". This report ~~gives~~ gives the office location of the entirely unidentified "Guy Banister Associates, Inc" (of which David Ferrie was part) as 531 Lafayette Street". The truth is that both addresses are and were, <sup>to the</sup> certain knowledge of <sup>Defendant Department of Justice,</sup> the same small building, the address given for Banister being that of the side entrance and the thickness of a single floor being all that separated the office of the CIA front from that of Banister. As noted above, Banister arranged for the CIA front's office space.

Attached hereto for purposes of illustrating this fact are Exhibit 9A, a map of the area, showing the corner building at ~~544~~ 544 Camp Street is at its intersection with Camp St. and the relationship ~~xxxx~~ and close proximity of this building to the U.S. Post Office, The Reilly Coffee Co., where Oswald worked, and Alba's garage, where Oswald hung out and where federal investigative agencies parked and stored their vehicles; Exhibit 9B, an electrostatic copy of a photograph of the street signs on the Post Office corner of Camp and Lafayette Streets, across Lafayette St. from 544 Camp, which graphically shows these streets do intersect; Exhibit 9C, an electrostatic copy of a picture of the 544 Camp St. Building, taken from the diagonally-opposite corner, in ~~xxxxxx~~ Lafayette <sup>square,</sup> ~~York,~~ with the main entrance under and opposite the letter "A", the office of the Cuban Revolutionary Council and Arcacha under and opposite the letter "B", and the <sup>side</sup> entrance to Banister's office under and opposite the letter "C". Under the word "Jones" in Exhibit 9A is where literature distributed by Oswald but obtained by another, also hidden and misrepresented by both the FBI and the Commission, was printed. ~~xxxxxxx~~ It should be noted that this point is very close to where Oswald worked, across the street in the same block of Girod St. (Exhibit 9D)

Attached as Exhibit 10 is a copy of Commission Exhibit 3120, literature

*Arcacha  
Grimity*

*camp  
street  
Lafayette*

*Defendant's space*

*part 4*



46

*buried  
Sargent & Lundy*

*Quiroga*

by Defendant Department of Justice is both the fact of Oswald's use of this address and of the fact of the FBI's knowledge of Oswald's use of this former CIA-front address the summer prior to the assassination. The Commission learned this from the Secret Service and the press, but the FBI did have a copy of the Oswald literature with this return address but withholds it.

While the Commission could not ignore this entirely, it could and did distort, misrepresent and suppress. Attached as Exhibit 11 are pages 408-9 of its Report, where the fact of CIA-connection and even the name of the Cuban Revolutionary Council are suppressed; where the whole thing is obfuscated with the non-

*sequitur*  
The Commission ~~xxxxxxxxxxxxxxx~~ has not been able to find any other indication that Oswald had rented an office in New Orleans" (emphasis added), rental being entirely irrelevant and diversionary; and even the samples of Oswald's literature, in a presentation prepared by Defendant Department of Justice, excludes that on which he used this address (Exhibit 10).

The same New Orleans FBI Agent, Ernest C. Bell, Jr., on the same day, *he* November 25, 1963, also interviewed one Frank Bartes. *(Exhibit 8)* This report is of but two sentences, requiring less than six lines of typing, two lines fewer than the brief Banister report quoted above. *(also part of Exhibit 8)* It sets forth merely that Bartes succeeded Arcacha as head of the Cuban Revolutionary Council in New Orleans and that "Bartes stated that the Cuban Revolutionary Council is an anti-Castro organization". This intelligence was hardly news to the government that organized, financed and controlled the Cuban Revolutionary Council.

~~Both of these reports, when reproduced together, are attached as Exhibit 5.~~

*Previously referred to*  
Now, this unidentified young man was not unknown, was most certainly not unknown to the FBI, and was, *in fact,* well-known, having often been observed to have been Arcacha's constant companion. He is Carlos Quiroga, who was an FBI informant, *CIA* in the official sense. It is interesting that Arcacha's constant companion, FBI-*and entirely fictitious* Quiroga, is the man who arranged for Oswald's extensive publicity as a pro-Castro activist and as the head of the non-existent New Orleans Chapter of the



*(and from the Warren Commission,*

Justice in Washington, Frank Bartes, head of the CIA-front New Orleans office, interviewed for no apparent purpose, was included in Lee Harvey Oswald's pocket notebook, which is published in *(attached hereto as Exhibit 12)* the Commission's evidence as Exhibit 18. The re Oswald wrote the name phonetically, as it is pronounced in this country, "Bardes". In transcribing this notebook for the Warren Commission, among the things worthy of special note, such as the elimination of the name, auto license and phone number of the FBI's "Oswald expert", <sup>FBI</sup> Special Agent James Patrick Hosty, is the further *(on page 29)* masking of the appearance of Frank Bartes. It is deliberately misspelled, in a manner that cannot be accidental and could not but further have obliterated this ~~xxxxxxOswaldxxxxxxx~~ connection. It is spelled "Bardes". The sound of "Cardes" is in no way suggestive of either "Bahr-tez" or of "Bar-dis". *(Attached as Exhibit 13)*

Nor is it without further interest that, ~~xxxxxxx~~ immediately preceding <sup>it is entry</sup> in his notebook, Oswald listed three "Cuban exile stores", two of which are non-existent ~~xxxxxxx~~ and the third is that of another close associate of Arcacha and Quiroga, a Cuban-exile leader of the more extreme fringe, the publicity-director of the Cuban Revolutionary Council, the man who really publicized Oswald in his fictitious role as head of the non-existent New Orleans Branch of the ~~xxxx~~ Fair Play for Cuba Committee, one Carlos Bringuier, Bringuier ~~zz~~ is also a close associate of two native extremists, General Edwin A. Walker and Rev. Billy <sup>James</sup> Hargis.

The false address of a non-existent "Cuban exile store", 107 Camp street, is two things: the rear entrance to a building in which the office of Ronnie Caire, Arcacha's associate in a fund-raising scheme, "The Crusade to Free Cuba", was then located (and among Caire's connections is Kent Courtney, another rightist extremist); and across the street from the location then occupied by the International Trade Mart, which housed other CIA fronts and is the location where Oswald obtained further spurious publicity in pretended pro-Castro activity, well covered by television, the films of which are in the Warren Commission's files.

*Sudent & Spacio*

*8A*



8A

The false address of the non-existent "Cuban exile store" at 107 Camp St. is especially interesting. That is the address of the Gemelli tailoring shop, <sup>source of</sup> ~~their~~ formal clothing, for which the alleged <sup>ly</sup> ~~benign~~ Oswald had no known need. However, by the change of a single number, a not uncommon device used in this notebook by Oswald, the address is 107 Camp St., which is at the corner of Canal St. This is the rear entrance to the Cigali Building, where one Ronnie Caire then had a public-relations and advertising agency and where Oswald applied for a job. Caire was a close associate of Arcecha's and with him organized and operated a fund-raising scheme known as "Cruzada" or the "Crusade to Free Cuba". (Caire's other associates include another of the rightist extreme, one Kent Courtney.) Solicitations for funds for this scheme, made after Arcecha had been ousted from the Cuban Revolutionary Council for claimed misappropriation of funds, included the address 544 Camp St. This false address is also across the street from what is now called "The Gateway Building" but was then the International Trade Mart, which housed other CIA fronts. It is at the main ~~entrance~~ <sup>entrance</sup> of this building (the picture in attached Exhibit 11) that Oswald got his most extensive media, including television, coverage in his contrived "pro-Castro" activity, with his invented "Fair Play for Cuba Committee" non-existent chapter. Mystery also ~~surrounds~~ <sup>veils</sup> the obtaining of the existing film of this performance, both motion-pictures and still, with still ~~made from the movie and~~ <sup>both withheld</sup> pictures shown ~~witnessed~~ <sup>by</sup> agents of Defendant Department of Justice ~~not xxxixix~~ and not in the Warren Commission files. Attached as Exhibit 14 is an electrostatic copy of three photographs, <sup>two</sup> ~~two~~ showing the relationship of Gemelli's and the rear entrance to the Cigali Building and the third showing their relationship to the International Trade Mart.

1 month of space  
 FPO  
 Publishing



Photocopies of these two deceptive and misrepresentative pages of Oswald's notebook, as transcribed by the FBI for the Warren Commission, and the facing pages of the notebook as published by the Warren Commission, are attached as Exhibit 6.

~~Insert immediately above: There is no 1032 Canal Street in New Orleans, as the FBI should have informed the Warren Commission and didn't. However, this address is in the center of an area of Oswald's contrived "pro-Castro" picketing and is close to the address of Dean Adama Andrews, Jr., who acted as Oswald's attorney in New Orleans and was asked by the mysterious "Play Bertrand" to defend Oswald when he was charged with the assassination.~~

These slightly incorrect entries in Oswald's notebook are not unusual, for he seems to have made minor errors, none of which would prevent his finding any person or location he sought, where there were entries he might have felt he should in some manner disguise.

It is not without interest that Frank Bartes was also an employee of the CIA after the assassination. He flew planes for it in the Congo in 1965 and gave the Plaintiff to understand when Plaintiff interviewed him in the Spring of 1968 that he, Bartes, was under official protection.

The agent who composed these exceptionally brief and deceptive, misleading and misrepresentative reports, Ernest Bell, also knew that Ferrie had threatened the life of the President. This is set forth in a two-page report, ~~xxxxxxx~~ attached hereto as Exhibit 7, where Ferrie's statement about the President, "He ought to be shot", is again masqueraded as a "colloquial expression".

~~A young man who lived with Ferrie, one Layton Barten,~~

It should also be noted that the FBI was aware of the fact that Oswald used the return address of Sanister, Arcacha, Ferrie, Bartes and the Cuban Revolutionary Council before the assassination. It withheld this knowledge from the Warren Commission, as it also withheld the proof that it knew before the assassination of Oswald's use of this address.

One of a series of young men who lived with Ferrie is Layton Barten.

RAW  
FPC

raw  
notebook

raw  
notebook



*Arcacha's* in  
 Martens had been ~~Arcacha's~~ assistant ~~at~~ the Cuban Revolutionary Council. Where  
 Ferrie's name is barely mentioned in the published Warren Commission material  
 and then deceptively, <sup>those of,</sup> Martens' and Arcacha are not, ~~save where Arcacha's identity~~  
~~was volunteered by a witness.~~ This notwithstanding the fact that Martens was  
 picked up by the New Orleans police when they were seeking to arrest Ferrie,  
 with whom Martens then lived, *and earlier, in connection with Arcacha.*

Also not in any of the published or available unpublished material of  
 the Warren Commission is what was well-known in New Orleans, that Ferrie, *Arcacha*  
~~Arcache~~  
 and Martens are among those who combined in a CIA operation connected with the  
 aborted Bay of Pigs invasion, part of which was mounted from New Orleans, where  
 training and other preparations were also conducted. A munitions store at Houma,  
 La., was seized, with transparent official assistance and direction. Part of this  
 heist was temporarily stored, with typical concern for public safety and welfare,  
 in the Banister part of the 544 Camp Street address, which is also opposite the  
 U.S. Post Office (in which Oswald had a box and is around the corner from where he  
 worked when employed by the Rolly Coffee Company).

A co-worker in the Banister detective agency with Ferrie, ~~xxx~~ a close  
 friend of both and a religious associate of Ferrie, is one Jack <sup>S.</sup> Martin, whose correct  
 name is Suggs. One of the incredible seeming coincidences of the assassination  
 investigation is the hidden fact that within an hour of the time the assassination  
 was known to officials in Washington, the New Orleans Secret Service office was  
 directed by phone, <sup>(from Dallas)</sup> to conduct an immediate investigation of one Jack Martin because  
 "it was thought that possibly Jack Martin may have been the assassin of President  
 Kennedy". This, <sup>(New Orleans)</sup> Jack Martin could not have been, <sup>(in Dallas)</sup> his friend and employer, Banister,  
 having chosen the time of the assassination to pistol-whip Martin, which resulted  
 in his being hospitalized in New Orleans. However, that this report is ~~not available~~  
~~is not~~ is not the subject of FBI investigation in any of the available Warren  
 Commission records, that the origin of the report was not sought, is worthy of  
 note at this point. The Secret Service Reports are attached as Exhibit 15.

*Handwritten notes on the left margin:*  
 Bay of Pigs  
 Jack & Suggs  
 Arcacha's



27. So intent was the Department of Justice on not adequately reporting the Ferrie-Oswald relationship that nowhere in the files is there the readily-available picture of Oswald in his CAP Cadets uniform (an electrostatic copy of which is attached as Exhibit <sup>16</sup> 9). This picture and its source, possession of which is disclosed in the Warren-Commission testimony of J. Edgar Hoover, is among those things improperly withheld from research by Defendant Department of Justice. This withholding is not and cannot be justified under any of the provisions of <sup>5</sup> USC 552 or the Department of Justice "guidelines" for withholding. The same is true of a picture of other Civil Air <sup>Patrol</sup> Cadets at a formation (attached as Exhibit <sup>17</sup> 10) and of Ferrie, in uniform, at a Civil Air Patrol function, (attached as Exhibit <sup>18</sup> 11, with an "X" under Ferrie).

14 was published ahead in a book

do me

14 Plaintiff submits these three foregoing exhibits, withheld from the Warren Commission itself by Defendant Department of Justice, are <sup>additional</sup> prima facie evidence that Defendant Department of Justice practises the withholding of pertinent, non-secret information which it ~~then~~ classifies, at ~~least~~ without reason ~~or~~ sanction of law or applicable regulation ~~for~~ the ~~sole~~ purpose <sup>being</sup> of suppression.

28. The pertinent part of the June 12, 1970, letter from the Deputy Attorney General to Plaintiff, in which Defendant Department <sup>of Justice</sup> refuses access to any of the withheld Ferrie information, is attached as Exhibit <sup>19</sup> 12. This <sup>Honorable</sup> court is asked to note the careful semantics of Defendant's rejection of Plaintiff's request. ~~Under~~ <sup>29. First, there is</sup> the heading "Documentation Relating to David William Ferrie", <sup>language which can be taken</sup> ~~the word "documentation" can be taken to mean more than~~ ~~xxxxxxxxxxxx~~ <sup>Then these words,</sup> written documents, ~~for example, letters,~~ "you have described the documents you are seeking...as those withheld from the Warren Commission and/or withheld from the National Archives, and those withheld by the National Archives by order of the Department of Justice". <sup>is</sup> The second formulation ~~being~~ one in which there seems to be reference to only written documents.

30. There follows a paragraph the falsity of which is established with Exhibits <sup>16, 17 and 18</sup> ~~8 through 11~~ of this complaint <sup>alone</sup> into



"This will advise you that no documents relating to ~~the~~ David William Ferrie were withheld by the FBI from the Warren Commission."

30. Whether or not the FBI did the withholding, it is a fact that attached Exhibits <sup>16</sup> through <sup>18</sup> ~~do not~~ "relate" to David William Ferrie, are in the possession of the FBI, and, according to the National Archives, are not <sup>in the Warren Commission's files.</sup> there.

32. This honorable court is asked to take judicial note of the fact that, when it suits purposes of suppression, Defendant Department of Justice, acting through the Deputy Attorney General, has written Plaintiff false statements; has made deliberate misrepresentation to him; has denied having in its possession what it did have in its possession, and, in Civil Action No. 718-70, in this Federal Court, was forced to acknowledge that such statements were false, that it did have what it denied having and, in fact, under compulsion of said Civil Action No. 718-70 did make available to Plaintiff what it has solemnly assured him it did not have. Defendant Department of Justice, acting through its Deputy Attorney General, thereby certified itself a liar and establishes beyond question that when purposes of suppression are to be served thereby it writes false letters to Plaintiff, in an effort to frustrate his proper efforts to obtain what is his right under applicable law and regulation.

33. In an argumentative rather than a factual response, this letter of <sup>Jan 12, 1970</sup> says of those ~~files~~ "records (note, not "documents") now in the custody of the National Archives" that Defendant is "unable to grant your (Plaintiff's) request." Cited authorization is "pursuant to 5 U.S.C. 552 (b)(7)". This is here represented as what it is not, a mandatory requirement of withholding, whereas the attorney General himself, in response to Plaintiff's Civil Action No. 718-70, ruled this provision merely authorizes withholding, does not require it.

34. Defendant's letter, in continued divorcement from fact and reality, then says, "The disclosure of these reports might be a source of embarrassment to innocent persons, who are the subject, source or apparent source of the material in question, which contains rumor, hearsay and details of a personal nature having <sup>no significant connection with the assassination of the President</sup>



35. This is, among other things, a most original description of published pictures of the murdered and the dead.

(13)

~~no significant connection with the assassination of the President."~~

<sup>36</sup> 34. Plaintiff protests that Defendant Department of Justice is under a basic misconception <sup>about</sup> of American society, custom, law, practise and the Constitution when it undertakes to tell a writer what he shall or shall not write, what he shall believe or understand, the clear message of the ~~xxxxxx~~ conclusion that is also entirely unwarranted, that the suppressed information has "no significant connection with the assassination of the President."<sup>¶ 37.</sup> This is neither a society nor a country in which government ordains what is or is not true, or in which government orders writers to believe or not believe that which government wants believed and said.<sup>¶ 38.</sup> There having been no judicial determination of fact, it is further inappropriate for the Defendant to suggest, as it does in this writing, that the facts are beyond and without question.<sup>¶ 39.</sup> This sentence, however, does suggest motive for withholding that which cannot properly be withheld, that which is and has been misrepresented, to wit, to prevent disclosure and publication of that which is unamgenial to the "solution" of the assassination ordained by the government in its ex parte Warren Report.

<sup>40</sup> 35. Were the government to take seriously its own pretense that it must withhold "what might be a source of embarrassment to innocent persons, who are the subject, source or apparent source of the material in question" (which, as earlier noted, cannot and does not apply to all "of the material in question"), there would not have been 26 large volumes ~~xxxxxx~~ of appended data following the Warren Report, for these volumes consist largely of material exactly fitting this description.<sup>¶ 41.</sup> Furthermore, the unpublished files also abound in large quantities of precisely this kind of material, readily provided by the government when it did not serve official purposes to withhold it.<sup>¶ 42.</sup> So freely was this done that in his own writings, Plaintiff took it upon himself to withhold identifications freely made available by the government.



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36. Specifically, this includes reports that are "rumor and hearsay" the "details" of which are of so "personal" a <sup>"nature"</sup> ~~"nature"~~, they are what <sup>in this letter of</sup> ~~is here~~ <sub>June 12, 1970, is</sub> not stated by the government but <sup>(is meant,</sup> ~~are~~ an exact parallel, the direct statement that people are homosexuals, in a context where there is not only no ~~is~~ "significant connection with the assassination" but <sup>now</sup> ~~is not at all~~, none of any kind, no matter how remote. <sup>¶ 44.</sup> In short, defamations and assorted slanders are not withheld when they have no connection with anything relevant, but the pretended official desire to <sup>avoid</sup> ~~avoid~~ "embarrassment to innocent persons" is invoked as a cloak for suppression.

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37. However, it is without doubt that association with Ferrie, a known deviate, could be "embarrassing to innocent persons", if their association with him were not known, were some kind of secret kept secret by this suppression for which such purpose is falsely claimed.

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38. Such associations not only were not kept secret by the government but, in a rather large percentage of cases, are and have long been matters of public knowledge. Some of the means by which these things became known are:

- A) Self-disclosure by those concerned, including <sup>by</sup> ~~in~~ press interviews and radio and TV appearances; ~~over the years;~~
- B) As a consequence of the morals-charge arrest of Ferrie and ~~including~~ newspaper coverage of it;
- C) Because of an Eastern Airlines investigation leading to Ferrie's dismissal and his subsequent contesting of that dismissal;
- D) During the course of and as a consequence of the New Orleans District Attorney's investigation and prosecutions and the resultant extensive publicity, of which much was initiated by those involved rather than <sup>by</sup> ~~the~~ prosecution, among these, pre-eminently, being Ferrie himself; Milton ~~Erner~~ Brener,
- E) In a book by <sup>the</sup> attorney for several of those most intimately and most prominently associated with Ferrie, which not only publicized their <sup>relation-</sup> ~~relationship-~~ snip and its intimacy but specified that these clients are among those giving

I don't know if space



4 p. in ] some of the withheld information to the Defendant, (This book, setting <sup>forth</sup> all of these facts ~~forth~~ in some detail, was also serialized in the <sup>(largest</sup> New Orleans newspaper).

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48. But the ~~next~~ government, especially Defendant Department of Justice, is ~~responsible for making the largest single list of such people with~~ the associations of people with Ferrie.

48 While pretending that it must withhold any and all knowledge of such associations in order to protect the innocent, it failed to do this, instead withholding the documents themselves while freely making <sup>available</sup> the names and the fact of any associations, ~~freely available by not in any way restricting the indices to the files in which these names and included in open association with that of~~ Ferrie.

49. In the case of but a single such file, identified as "CD75", there are one hundred such <sup>associations</sup> listings of approximately seventy-five different ~~persons~~ individuals. <sup>(p. 50)</sup> These ~~include~~ <sup>include</sup> ~~from~~ <sup>from</sup> Oswald himself, under ~~five~~ <sup>six</sup> different representations of aliases, in ~~nine~~ <sup>eleven</sup> different cases; ~~two~~ <sup>two</sup> newscasters; ~~two~~ <sup>two</sup> those <sup>publicly</sup> known to have been in the Civil Air Patrol Cadets with Oswald; ~~a~~ <sup>a</sup> police officer; ~~the~~ <sup>the</sup> assistant District Attorney responsible for Ferrie's arrest (five instances); ~~men~~ <sup>men</sup> publicly known to have lived with Ferrie, including Mr. Brenner's clients, whose relationship <sup>with Ferrie</sup> was public <sup>knowledge</sup> when he further publicized ~~it~~ <sup>them</sup>; two men who had made a semi-mysterious trip with Ferrie beginning the night of the assassination, a case where, when it served official ~~purposes~~ <sup>purposes</sup>, this relationship was publicized by the government; ~~a~~ <sup>a</sup> ranking official of the Louisiana State police; ~~the~~ <sup>the</sup> men who first brought to public attention, via a self-initiated TV interview, ~~his~~ <sup>his</sup> and Ferrie's association with Oswald (a dozen pages); ~~the~~ <sup>the</sup> aforementioned, CIA-connected Martens, ~~known~~ <sup>known</sup> to have lived with Ferrie ( five instances); ~~the~~ <sup>the</sup> aforementioned Jack Martin, publicly and on his own initiative very well ~~publicly~~ <sup>publicly</sup> known to have worked with and been a close friend of Ferrie <sup>(A Jack Ruby; and P)</sup> (ten instances); ~~even~~ <sup>even</sup> the aforementioned, alleged Mafia Chieftain, Charles Marcello, for whom Ferrie was known and publicly ~~known~~ <sup>known</sup> to have been the investigator in <sup>Marcello's</sup> successful defense of ~~just~~ <sup>just</sup> charges ~~and~~ <sup>and</sup> the



amply

unsuccessful prosecution by Defendant Department of Justice. (*List of names attached as Exhibit 20.*)

51. Certainly ~~it~~ must be obvious to this honorable court, from this single large sampling alone that Defendant's claim to Plaintiff <sup>is spurious in starting</sup> ~~its~~ reason for suppressing this vital evidence <sup>to</sup> ~~is~~ <sup>side</sup> associations with Ferrie in order to "prevent embarrassment to innocent persons".

52. It is no less a ~~transparent~~ <sup>like</sup> transparent fiction that the reports of interviews with such public officials, ~~as~~ <sup>like</sup> ranking police officers and ~~the~~ <sup>an</sup> assistant district attorney, ~~are~~ have to be hidden as a "source", for providing such information is part of their public responsibilities and, in any event, was a matter of public record, widespread publicity on it having been initiated by the government and its friends.

53. Moreover, the withholding of this data is not, as Defendant Department of Justice claims, required by 5 U.S.C. 552. Defendant says, ~~ix~~ through the Deputy Attorney General (emphasis added), "I am unable to grant your request... pursuant to 5 U.S.C. <sup>552</sup> (b)(7)", which is false as an interpretation of the law and no less unfaithful as a reflection of simple fact.

54. Plaintiff believes and avers that the withholding of the data relating to the Oswald-Ferrie relationship and its ramification is not prompted by belated and exceptional considerations of decency ignored in the preparation and defense of the one-sided official Report but rather is intended <sup>by Defendant</sup> to hide ~~the~~ ~~fact~~ that it did not succeed in evading about Ferrie, ~~and~~ Oswald and their relationship with each other and others, including those connected with clandestine governmental ~~and~~ affairs, as well as their own possible government connections.

55. This withholding is ~~not~~ indeed prompted by a desire to avoid "embarrassment", ~~and~~ not to innocent individuals, <sup>but to the</sup> ~~the~~ government <sup>whose</sup> embarrassment this suppression is designed to ~~not~~ eliminate, the full disclosure of truth in this matter having this inevitable consequence, among others.

56. Plaintiff ~~alleges~~ ~~that~~ alleges that, even if all the contrived claims of the government, by which it seeks to deny him that to which



he is entitled, were valid rather than spurious, there is in this case, with such a subject, the unsolved assassination of an American President, an over-riding national interest and purpose to be served by full disclosure of what has been and <sup>still</sup> ~~is being~~ ~~hidden,~~ ~~less~~ ~~as~~ ~~that~~ ~~is~~ than the full truth, in any event.

*W. Renslow, Plaintiff-prayer, etc*