

- Tolson
- Belmont
- Mohr
- Casper
- Callahan
- Conrad
- DeLoach
- Evans
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele Room
- Holmes
- Gandy

Expert Says Ruby Has Brain Damage, Is Subject to Rages

By Gene Blake

The Los Angeles Times

DALLAS, March 9—A Yale University psychologist said today that Jack Ruby, charged with murdering accused assassin Lee Harvey Oswald, has organic brain damage—most likely psychomotor epilepsy.

Earlier, Ruby's defense lawyers were nearly choked off from presenting the clinical psychologist's testimony as to his mental condition—a key point in his insanity plea.

But District Judge Joe E. Brown relented after an impassioned plea by the Chief defense counsel, Melvin Belli.

As a result, Dr. Roy Schafer, 41, of Yale University, remained on the witness stand until nearly 7 p.m., giving the jury of eight men and four women a short course in clinical psychology.

Under cross-examination by District Attorney Henry Wade, Dr. Schafer said he could give no opinion as to whether Ruby knew right from wrong when he shot Oswald—the legal test of insanity.

Belli promised this would come from two psychiatrists, Dr. Manfred Guttmacher and Dr. Martin Towler, scheduled to testify Tuesday and Wednesday. The attorney insisted the psychologist's work was an adjunct to that of the psychiatrist and that his testimony was needed.

Ross Testifies

Earlier, witnesses ranging from a former welterweight boxing champion, Barney Ross, to a stripper, Penny Dollar, depicted Ruby as a man who grieved over the loss of President Kennedy but also liked to show off his muscles in the dancing girls' dressing rooms.

A radio tape and a sound-television film of the shooting were played for the jury in a defense effort to show that Ruby did not say the things attributed to him by police witnesses.

Dr. Schafer was well into his testimony before Assistant District Attorneys William Alexander and A. D. (Jim) Bowie protested that he was not being asked the proper question on legal insanity.

Belli said he couldn't ask a prosecution's objections.

Jury Excused

The jury finally was excused so the point could be argued. The Judge told Belli to put on another witness because he was going to exclude the testimony of Dr. Schafer.

"Judge" Belli exploded. "Is your honor going to test this jury in 1964 not to take the

- The Washington Post and Times Herald P-9
- The Washington Daily News
- The Evening Star
- New York Herald Tribune
- New York Journal-American
- New York Mirror
- New York Daily News
- New York Post
- The New York Times
- The Worker
- The New Leader
- The Wall Street Journal
- The National Observer
- People's World

Date MAR 10 1964

File 6-11

44-2-111
NOT RECORDED
128 MAR 16 1964

65
MAR 11 1964

psychologist that question because it was out of his field. Judge Brown sustained the testimony of this great man from Yale University — in Dallas?"

Bowie, relenting somewhat, said there would be no objection if Belli would assure the court that some doctor would testify he used Dr. Schafer's findings in reaching an opinion on legal insanity.

"I'm going to play it by Texas law," Belli stormed. "I'm not telling anybody nothing."

But Belli eventually did assure the judge that the testimony would be connected up and Schafer was permitted to continue.

He testified he saw Ruby a total of 9½ hours the last three days of December and another two hours in late January.

His examination included ink blot tests, Memory tests, word-association tests, object-sorting tests, story-telling tests, color-form-sorting tests, sentence-completion tests and story-recall tests.

He described psychomotor epilepsy as "alteration in the state of consciousness which occurs on an episodic basis." He said the person becomes confused, disoriented and may afterward have amnesia.

Dr. Schafer testified that Ruby showed great emotional instability, great impulsiveness with a tendency to act on slight provocation, confusion, irrationality and "mood swings."

Had 'Rage States'

He said it was his opinion that Ruby was subject to "rage states" in which he would not know what he was doing. These could be set off, he said, by very emotional stimulation, fatigue and sometimes even flickering light.

On cross-examination, Dr. Schafer conceded Ruby had an intelligence quotient of 107, which exceeds that of about 73 per cent of American men his age. But he insisted this was not inconsistent with his findings.

Wade, trying to vindicate the testing methods employed by Dr. Schafer, put the witness to a memory test on the stand. He was able to repeat almost word for word stories he had used in testing Ruby.

"Want to give him 100 per cent, Mr. Wade?" asked Belli.

"No, but I think you did pretty good," the prosecutor told Dr. Schafer. "I'll give you a passing grade."