

Ruby Legally Sane at Time of Crime, Prosecution Medical Experts Say

By Gene Blake

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DALLAS, March 11—Expert witnesses for the prosecution today began disputing findings of brain damage and temporary insanity in Jack Ruby after the defense abruptly rested its case.

The state finished rebuttal testimony and the defense called four rebuttal witnesses before the trial was recessed today. There now appears to be a good chance the case will reach the jury before the end of the week.

Dr. Robert Subblefield of Southern Methodist University, psychiatrist appointed by the court, testified he believed that Ruby was legally sane at the time he shot accused presidential assassin Lee Harvey Oswald—assuming the police testimony about his actions and words is true.

Without that, however, Subblefield would not give his opinion other than that he believed Ruby competent to stand trial when he saw him late in January.

The psychiatrist said Ruby then refused to discuss the circumstances surrounding the shooting, on the advice of counsel.

Dr. John T. Holbrook of Beverly Hills Hospital here, the prosecution's psychiatrist, testified he believed Ruby was legally sane at the time of the shooting.

He said he did not question Ruby about the shooting when

he first interviewed him in County Jail the next day but he seemed to have a good recall of events at that time. Later, he said, Ruby refused to discuss it on advice of counsel.

Holbrook disagreed with a defense psychologist's opinion that Ruby has brain damage, declaring there is only a 50-50 chance of determining that from psychological tests.

Dr. Sheff D. Olinger, neurologist at the laboratory where Ruby was examined, said in his opinion they did not indicate any organic brain damage or psychomotor epilepsy.

The announcement by defense attorney Melvin Belli nine minutes after today's session opened that "the defense rests" caught District Attorney Henry Wade by surprise. The defense had been expected to put on about 20 more witnesses.

It meant that Ruby will not take the witness stand.

After the defense rested, District Judge Joe B. Brown denied motions for a directed verdict of acquittal based on "undisputed testimony that Ruby did not know right from wrong."

This was the testimony yesterday of Dr. Manfred Guttmacher, Baltimore psychiatrist, easily the star witness for the defense. It was apparent the defense legal team felt anything after Guttmacher's testimony would be superfluous.

Findings of brain damage and seizure disorder pointing to "psychomotor epilepsy" or "psychomotor variant" also had been reported by Dr. Roy Schafer, Yale University psychologist, and Dr. Martin Towler, Galveston neurologist and psychiatrist.

Olinger, questioned by Assistant District Attorney William Alexander, said he read the electroencephalograph brain wave tracings and the reports of Dr. Towler and Dr. Schafer.

"I disagree with their findings," he said.

Olinger said that he found an "unusual" pattern in Ruby's tracings but would not call it an "abnormality" nor positively indicative of any specific disorder.

On cross-examination by

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

Belli Olinger admitted he is not certified by any boards of psychiatry, psychology, neurology or electroencephalography.

In going over Ruby's tracings in a close huddle with the jury, Olinger admitted that the unusual patterns were suggestive of several possibilities—including psychomotor epilepsy.

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