

W.C. SULLIVAN

1-16-64

W.A. BRANIGAN

- 1 - Belmont
- 1 - Rosen
- 1 - Sullivan
- 1 - Malley
- 1 - Branigan
- 1 - Turner

LEE HARVEY OSWALD
INTERNAL SECURITY - RUSSIA

Jack Ruby

The following observations and recommendations are submitted for your consideration in connection with the proposal of the President's Commission to furnish all reports in the Ruby and Oswald cases to the prosecution and defense attorneys for the Ruby murder trial in Dallas:

1. We believe that the FBI has done a good job of investigation in this matter both before and after the assassination. We have nothing to hide and if all of the facts were to be made public and reviewed by the public, it is felt that the Bureau would not be criticized by reasonable people and legitimate organizations. However, in this instance, we are caught in the crosscurrents between the left and the right and each is trying to make a big conspiracy out of the assassination. They as well as others who have political or personal axes to grind will seize upon every opportunity to criticize the investigation as illustrated by some of the publicity since the assassination.

2. The issue in the murder trial is very narrow - whether Ruby was sane - and unless the attorneys intend to make a spectacle of it, the contents of our reports should not be disclosed. However, there is the definite danger that attempts will be made to persuade the jury that Ruby's action was justified because subject was directed by the Russians or the Cubans. Parts of our reports may be lifted out of context and by omission or innuendo the impression left that there was in fact such a conspiracy and that our investigation which failed to uncover it was incomplete.

The manner in which the reports were written add/ to this danger. The allegations were reported as received and then run out. The results of investigation may be hundreds of pages from the raw allegation and spread among several Dallas reports or those of other field offices. Time and the volume of information did not permit reporting the results of investigation along with the allegation.

105-82555
ETT:cgw
(9)

- 1 - 62-109090 (President's Commission)
- 1 - 44-24016 (Ruby)

JAN 28 1964

44-24016 UNREC
NOT RECORDED
199 JAN 27 1964

ORIGINAL FILED IN 105-82555-1494

Memo for Mr. Sullivan
Re: LEE HARVEY OSWALD
105-82555

RECOMMENDATION

It is recommended that the above facts be pointed out to the Commission; that we suggest that there be stringent conditions against publicizing our reports if they are given to the attorneys; and that we tell the Commission that we will set the record straight in any instance where only part of the facts are lifted from our reports and publicized.

3. Before disseminating our raw reports to the Commission we were careful to classify only those which included classified information from another agency or where it was necessary to protect a Bureau source. In some instances only a small portion of the report was of this nature but in accordance with classification rules, the whole report was classified.

RECOMMENDATION

It is recommended that we inform the Commission concerning the specific portions of the classified reports which cannot be declassified and which should, therefore, not be furnished to the attorneys in the Ruby prosecution.

4. There is a danger that the Bureau will be criticized for reporting rumor, gossip or other information which might be embarrassing to various individuals. Because of the nature of this case, the field was instructed to report everything. The reports, therefore, contain every allegation about Oswald, his acquaintances and associates; critical statements made by various individuals about President Kennedy and his family; allegations by mental cases; other persons trying to be helpful, et cetera. To assist in evaluating the information, we included in the reports data from our files

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regarding many of the persons who furnished information particularly those who had an history of mental instability. We also included in the reports such things as the report of the autopsy of President Kennedy which the family did not want publicized; a statement of the chief of police in Dallas that he could not rely upon what General Walker said, et cetera. Some gossip could be regarded as libelous.

RECOMMENDATION

It is recommended that we specifically point out to the Commission that the reports contain information of this kind which in some instances could cause embarrassment to some citizens and in others could be considered by the persons named as unwarranted publication.

5. There is a danger that demands may be made upon the Bureau to identify our confidential sources of information. In these reports wherever possible we attributed the information to the original sources but we did use T symbols to cover such sources as

[REDACTED] people who requested their identities concealed and our own confidential informants who for the most part were utilized to characterize persons or organizations mentioned in the reports.

RECOMMENDATION

Although we can answer inquiries concerning Western Union or bank sources by advising that a subpoena should be issued to obtain the information, it is recommended that we point out to the Commission that we cannot disclose the other sources without compromising our informants, damaging our relations with other agencies or breaching confidences, all of which would be detrimental to our future investigative operations.

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It is believed that the above recommended action will serve to alert the Commission as to the dangers of releasing our reports and put us in a better position in the event such release later results in criticism of the Bureau.