

FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
MAR 10 1964
TELETYPE

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FBI DALLAS

8-39 PM CST URGENT 3-10-64 LJM

TO DIRECTOR 44-24,016

FROM DALLAS 44-1639 5-P.

JACK L. RUBY, AKA; ^{also known as} LEE HARVEY OSWALD, ^{also known as} AKA - VICTIM. CR. Civil Rights

REMYTEL EARLIER TODAY.

ENTIRE AFTERNOON SESSION OF RUBY TRIAL DEVOTED TO TESTIMONY OF DR. MANFRED GUTTMACHER, PSYCHIATRIST, ATTACHED TO SUPREME BENCH OF BALTIMORE, MARYLAND, AS DIRECTOR OF COURT CLINIC. AT OUTSET WITNESS TEXTIFIED HIS OPINION RUBY NOT CAPABLE OF DISTINGUISHING RIGHT FROM WRONG OR KNOWING THE CONSEQUENCES OF HIS ACT AT THE TIME OF THE SHOOTING OF OSWALD. STATED WAS FIRST APPROACHED TO SERVE AS MEMBER OF NEUTRAL PANEL UNDER AUSPICES OF AMERICAN PSYCHIATRIC ASSOCIATION TO EXAMINE RUBY, WAS LATER CONTACTED BY DEFENSE TO SERVE AS DEFENSE WITNESS. STATED HE CALLED DR. ROY SCHAFER, YALE UNIVERSITY PSYCHOLOGIST INTO CASE AS BEING THE MOST EMINENT MAN IN HIS PARTICULAR SPECIALTY. STATED HE DOES NOT USE CLINICAL PSYCHOLOGISTS IN HIS OWN PRIVATE PSYCHIATRIC PRACTICE BUT USES ONE IN CASES INVOLVING COURT TRIALS.

WITNESS STATED MOST MURDERERS ARE SANE AND IN HIS OPINION A SMALL NUMBER ARE EPILEPTICS, USING FIGURE THREE POINT THREE PER CENT AS THAT SUPPLIED BY A LONDON HOSPITAL FOR THE CRIMINALLY

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PAGE TWO

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INSANE. WITNESS CHARACTERIZED RUBY AS HAVING ABNORMAL PERSONALITY, BEING A SUICIDAL RISK, GIVEN TO IMPULSITIVITY. QUESTIONED AS TO RUBY-S POSSIBLE REACTION ON THE WITNESS STAND, WITNESS WOULD NOT VENTURE A PREDICTION, STATING COULD BECOME PSYCHOTIC AND POSSIBLY ENGAGE IN SELF DESTRUCTIVE EFFORT.

WITNESS ADMITTED HAD WRITTEN REPORT WITH HIS CONCLUSIONS RUBY WAS PROBABLY VICTIM OF PYSCHOMOTOR EPILEPSY ON JANUARY SEVEN LAST. DEFENSE ATTEMPTED TO INTRODUCE CERTIFIED COPY OF MEDICAL RECORDS SHOWING RUBY-S MOTHER HAD RECEIVED PSYCHIATRIC TREATMENT OVER SEVENTEEN YEAR PERIOD, THAT BROTHER EARL HAD IN RECENT YEARS RECEIVED PSYCHIATRIC TREATMENT AND THAT SISTER EILEEN KAMINSKY HAS BEEN TREATED FOR INVOLUTIONARY MELANCHOLIA. DEFENSE OBJECTED ON BASIS WITNESS HAD FORMED HIS CONCLUSION AND WRITTEN HIS REPORT PRIOR TO RECEIPT OF CERTIFIED COPIES IN QUESTION AND HAD ONLY STATEMENTS OF RUBY, HIS SISTER EVA GRANT, AND BROTHER EARL REGARDING FAMILY HISTORY. DURING ARGUMENT ON ADMISSIBILITY WITNESS STATED HEREDITY WAS MOST IMPORTANT SINGLE FACTOR IN PSYCHIATRIC STUDY BUT IN VOIR DIRE QUESTIONING BY PROSECUTION ADMITTED PSYCHOMOTOR EPILEPSY WAS NOT A HEREDITARY DEFECT.

END PAGE TWO

PAGE THREE

IN CROSS EXAMINATION WITNESS STATED RUBY DID NOT TELL HIM HOW HE GOT IN BASEMENT AREA THE CITY HALL BUT ON FURTHER QUESTIONING GAVE SOME DETAILS SUPPLIED BY RUBY IN THIS REGARD. HE STATED RUBY TOLD HIM HE ALWAYS CARRIED A GUN. RUBY TOLD HIM OF HIS REACTION ON SEEING OSWALD IN BASEMENT AREA AND USED WORD "RAT" IN DESCRIBING OSWALD. PROSECUTION APPEARED TO ATTACH CONSIDERABLE SIGNIFICANCE TO USE OF THIS WORD SINCE A PROSECUTION WITNESS HAD PREVIOUSLY TESTIFIED RUBY AT TIME OF SHOOTING USED PHRASE "RAT SON OF A BITCH." WITNESS STATED RUBY, WHEN ASKED WHY HE HAD FIRED ONLY ONE SHOT, STATED SOMEONE HAD GRABBED HIS HAND AND HAD TOLD OF BEING WRESTLED TO FLOOR ALTHOUGH WITNESS WAS NOT CLEAR WHERE RUBY WAS WRESTLED TO FLOOR.

QUESTIONED AS TO WHEN THE FUGUE STATE OF RUBY WHICH HE BELIEVED EXISTED BEGAN, STATED WHEN RUBY FIRST SAW OSWALD. WAS INDEFINITE AS TO WHEN FUGUE STATE LIKELY ENDED EXCEPT THAT IT WAS LIKELY A VERY SHORT TIME LATER. WITNESS DURING FURTHER CROSS EXAMINATION STATED HE HAD NOT SAID RUBY WAS VICTIM OF PSYCHOMOTOR EPILEPSY. QUESTIONED THEN AS TO WHAT HE BELIEVED IF SUCH WAS NOT THE CASE, HE USED PHRASES "RUPTURE OF THE EGO," "EPISODIC DISCONTROL," AND OTHERS

END PAGE THREE

PAGE FOUR

TO DESCRIBE RUBY-S CONDITION AT TIME OF SHOOTING.

WITNESS WAS CONFRONTED WITH QUOTATIONS FROM A BOOK HE HAD CO-AUTHORED IN WHICH IT WAS STATED IN EFFECT THAT TEMPORARY INSANITY IS MOST OFTEN A DEFENSE CREATED IN THE COURTROOM. WITNESS AGREED THE STATEMENTS WERE IN THE BOOK BUT ATTEMPTED TO CREDIT HIS CO-AUTHOR WITH THAT PORTION. QUOTATIONS WERE ENTERED IN EVIDENCE.

WITNESS STATED BELIEVED RUBY CURRENTLY KNOWS RIGHT FROM WRONG AND AT TIME OF THE DOCTOR-S LAST INTERVIEW WITH HIM LIKEWISE KNEW RIGHT FROM WRONG.

WITNESS STATED RUBY HAD TOLD HIM ABOUT GOING TO CUBA STATING HIS PURPOSE WAS TO MAKE SOME MONEY BY SELLING JEEPS, THAT THIS WAS AT A TIME WHEN CASTRO WAS NOT IN DISFAVOR IN THIS COUNTRY.

WITNESS ADMITTED RUBY HAD TOLD HIM A PART OF HIS MOTIVATION WAS HIS FEELING MRS. KENNEDY SHOULD BE SPARED THE ORDEAL OF RETURNING FOR A TRIAL.

CROSS EXAMINATION BROUGHT OUT THAT RUBY HAS BEEN TAKING A DRUG CALLED PRALUDIN /PHONETIC/ FOR REDUCING PURPOSES AND THAT HE SAID IT IS VERY STIMULATING AND THAT WHEN MIXED WITH LIQUOR IT MAKES HIM "NASTY AND ARGUMENTATIVE."

END PAGE FOUR

PAGE FIVE

FOLLOWING EXCUSING THIS WITNESS DEFENSE STATED PURPOSE OF INTRODUCING IN EVIDENCE A DISK RECORDING ENTITLED "FOUR DAYS THAT SHOCKED THE WORLD" TO SHOW THE EMOTIONAL STRAIN WHICH RUBY WAS UNQUESTIONABLY UNDER DUE TO ALL THE EVENTS. DEPUTY SHERIFF ADVISES THIS RECORD, A COPY OF WHICH HE SECURED, INCLUDES NUMEROUS EXCERPTS FROM NEWS BROADCASTS, ETC., DURING PERTINENT PERIOD. COURT WAS RECESSED HOWEVER BEFORE RECORD WAS ADMITTED.

FOLLOWING CORRECTIONS IN RETEL REQUESTED. LINE ONE, PAGE TWO SHOULD READ QUOTE OF BRAIN WERE NEGATIVE. UNQUOTE. FIRST WORD, LAST LINE PAGE TWO AND FIFTH WORD, LINE TWO, PAGE THREE SHOULD BE FUGUE.

NOTE THESE CORRECTIONS ARE FOR REFERENCED TELETYPE---NOT THIS ONE.

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CC: MR. BELMONT