

UNITED STATES GOVERNMENT

Memorandum

Belmont	_____
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Gandy	_____

TO : MR. TOLSON

DATE: 1/20/64

FROM : A. H. Belmont

cc Mr. Belmont
 Mr. Rosen
 Mr. Malley
 Mr. Sullivan

SUBJECT: LEE HARVEY OSWALD
Internal Security - Russia

JACK RUBY
Lee Harvey Oswald - Victim
CIVIL RIGHTS

Both the prosecution and the defense in the forthcoming trial of Jack Ruby for the murder of Lee Harvey Oswald have asked for FBI reports relative to the investigation of Ruby and Oswald. Properly, we have left the decision to the President's Commission, which is studying the assassination of President Kennedy, and to the Department, as to what material should be furnished the prosecution and the defense.

Assistant AG Miller has indicated no material will be given to either the prosecution or the defense relative to the investigation of Oswald. The Department is reviewing the investigative reports relative to Jack Ruby for the purpose of removing any confidential material and thereafter making these reports available to District Attorney Wade in Dallas, through US Attorney Barefoot Sanders. Wade will select material he thinks is pertinent to the defense and thereafter the Department will pass on whether this material should be made available to him for that purpose.

The Department also contemplates furnishing Ruby's defense counsel with a list of names and addresses of persons who have furnished information bearing on Ruby's mental condition. It appears that Mr. Rankin of the President's Commission is awaiting a Departmental decision before expressing the Commission's views as to what should be furnished the prosecution and the defense.

Necessarily, we have to take the position that it is a decision for the President's Commission and the Department to make as to what information we have developed goes to the prosecution and the defense. However, we have in mind that any material which is to be furnished will be from FBI reports and, consequently, the FBI will be involved in any criticism of the material itself. Bearing in mind that we have interviewed anybody and everybody who had information concerning

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Mr. Tolson

the assassination of the President, concerning Oswald, and concerning Ruby, our reports contain a great deal of information that can be classified as rumor and gossip, and character-assassination type of information. Considerable information is from persons who are mentally disturbed. We ran out the information wherever possible to substantiate or disprove it. Nevertheless, in a great many instances the allegation will appear in one report and the investigation to prove or disprove it will appear in a later report.

If the information in these reports is misused, or comes into the hands of unauthorized persons, there is a strong possibility that there will be complaints, both on the part of persons who gave the information and persons against whom allegations were made. For example, we conducted investigation into the background of Ruth Paine and her husband, Michael Paine, in view of the close association between the Paines and the Oswalds, and reports of this investigation were furnished to the Commission. We are sending over today a 354-page report on allegations received concerning persons who made alleged threats, or had knowledge of the assassination of President Kennedy, aside and apart from any association with Oswald or Ruby. We talked to a great many "crackpots" and emotional people who made wild allegations, and the results of the interviews are in these reports.

ACTION:

We do not know whether the courts will abide by any decision the Presidential Commission or the Department makes as to restrictions on furnishing information to the prosecution and defense. In order to alert the Department and the President's Commission, we prepared letters under date of 1/18/64 to Assistant AG Miller of the Department, and to Lee Rankin of the President's Commission, in which we pointed out that if information in these reports is misused, or becomes a matter of public knowledge, it would reflect most unfavorably upon the Department of Justice and the President's Commission.

*We have done all we
could. Above all, don't
want any thing with-
held. H*