

UNITED STATES GOVERNMENT
Memorandum

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TO : Mr. Rosen

DATE: November 27, 1963

FROM : C. L. McGowan

Handwritten note: who is he

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SUBJECT: JACK L. RUBY, AKA;
LEE HARVEY OSWALD - VICTIM
CIVIL RIGHTS

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The following leads were given to Mr. Malley and ASAC Clark, Dallas, at 1:40 a.m. 11-27-63.

It was pointed out that this is a full investigation of a possible civil rights violation and that one of the prime considerations is whether Oswald was set up by the Police Department bearing in mind that Oswald would be regarded by the police as a "cop killer." The investigation cannot be conducted on the assumption that Oswald's death was just the result of a breakdown in security procedures. A full investigation would normally include all witnesses, and therefore should certainly include all police who were in the area. ASAC Clark advised that all police in the area have been interviewed.

It was noted that approximately 150 newsmen were in the area and would be possible witnesses, but Dallas was advised these newsmen should not be interviewed on a wholesale basis at this time; however, if it is possible to determine the identity of those present, this should be done. ASAC Clark advised that it is impossible to determine what newsmen were present.

The following questions were raised on the basis of the summary memorandum prepared at Dallas. These points evolve from a review of pages 11 through 17 of this memorandum for civil rights interest.

1. Where was Chief of Police Jessie Curry. Why didn't he personally handle the removal of Oswald. Precisely what orders did he give regarding the removal of Oswald. To whom did he give such orders, and were such orders given in writing. If so, copies should be obtained. (ASAC Clark advised written orders were not given.)

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Memorandum to Mr. Rosen
RE: JACK L. RUBY, AKA

2. Where was Assistant Chief of Police Stevenson. Precisely what instructions did he give regarding Oswald's removal. - To whom did he give them; and if written instructions were issued, copies should be obtained.

3. Assistant Chief of Police Stevenson stated that 60 to 80 officers were present while Captain Talbert spoke of having 18 officers and 25 reserves. Is this a discrepancy or was the total number 60 to 80 plus 18 officers and 25 reserves. Just how many officers were present.

4. Who selected the time for Oswald's removal and why was that particular time selected. Is it true as indicated in the memorandum that the Sheriff's Office would not have received Oswald during night time hours on 11-22-63; (Clark advised this is true) and if Oswald could not have been transferred on the night of 11-22-63, why wasn't he transferred during daylight hours on 11-23-63. When Oswald was being taken from the city jail, why was he not surrounded by police officers.

5. Who is "Johnson" mentioned in last paragraph on page 11 of the memorandum. (ASAC Clark advised this is a typographical error and Johnson is identical with Captain O. A. Jones who is mentioned in the same paragraph.)

6. Where was Deputy Chief N. T. Fisher, and what instructions did he give.

7. Where was Captain Talbert. What were his plans for handling the situation, and what instructions did he give regarding the transportation of Oswald and the admission of spectators to the area. What credentials or authority for presence were to be required. Who was permitted to be present besides newsmen and officers.

8. Who conducted the thorough search of the area mentioned by Captain Talbert. Was Ruby present at the time the "thorough search" was made.

9. Captain Talbert stated unauthorized persons were cleared from the building. What unauthorized persons were removed.

10. How many men did Captain O. A. Jones have and did they keep press representatives and others except police east of the basement driveway as they were apparently instructed to do.

11. How many men did Lt. Smart have. What were his specific instructions, and where was he when he heard what he described as a sound like a firecracker.

12. Where was Detective Archer stationed and what instructions did he have.

13. Where was Detective McMillan stationed. What were his instructions. How did he happen to talk to Ruby after the shooting. Did he see Ruby before the shooting. Did Ruby actually send a Western Union money order as he allegedly told McMillan. If so, when and to whom was the money order sent, in what amount and for what purpose. How far is the Western Union office from the jail. Who were the officers stationed along the route Ruby allegedly told McMillan he had taken in entering the building. Interview these officers and any officers stationed outside the building who may have seen Ruby arrive. It is noted that Ruby reportedly told McMillan an officer had shouted at him but he ducked his head and kept on going.

14. Where was Lt. Gilmore when Oswald was shot. Where was Ruby when Gilmore saw him in the basement on the night of 11-22-63 and what was Ruby doing there.

15. District Attorney Wade saw Ruby at a press conference 11-22-63. Where was the conference held. Was it a closed conference and how did Ruby get in.

16. Where was Detective Cutchshaw and what were his instructions. Cutchshaw saw three men push in a television camera but only two men took the camera out. Detective Lowery stated he was under the impression three men pushed in a television camera which was later removed by two men and that this camera was never plugged in or put into operation. The two men removing the camera reportedly were taken to the homicide robbery bureau for questioning after the incident was brought to the attention of

Memorandum to Mr. Rosen
RE: JACK L. RUBY, AKA

Lt. Swain. Identify and interview these two men. (ASAC Clark said he believed this has already been done.) Lt. Swain should also be interviewed.

17. A. D. Hodge saw Ruby in the elevator of the police station 11-22-63. What was Hodge doing there. Where was Ruby going and where had he been when seen on the elevator.

18. Where was Detective Lowery. What were his instructions and why does he believe that Ruby came into the building with the television cameramen.

19. Officer McGrath, who allegedly overheard an officer state that Ruby had gained entrance with a press pass, should be interviewed. Did Ruby have a press pass or other identification card which could have been used for admission to the area and was such card or identification included in his property taken at the time of arrest. (McGrath was assigned to guard Ruby.)

20. George Phenix, a newsman, stated that he was immediately admitted to the basement of the police station on the morning of 11-24-63 without showing any identification. Were other newsmen also being admitted without being required to establish their identity. Just how did Phenix gain access. Where, when and by whom was he admitted. Where was Ruby when Phenix first saw him.

21. Information has been received that the staff at the hospital where the President and Oswald were taken after they were shot was jittery because they were afraid there would be trouble when Oswald was removed. Is this true, and if so, what was their basis for believing there would be trouble. (This is not based upon the Dallas memorandum but is information which apparently originated with news media.)

22. Interview Captain Fritz who was in charge of the investigation and movement of Oswald and who was not yet interviewed.

23. Submit a sketch of the area.

24. Account for Ruby's movements for the entire period between the arrest of Oswald and the killing of Oswald.

Memorandum to Mr. Rosen
RE: JACK L. RUBY, AKA

25. Interview off duty policemen who were employed by Ruby and any police officers who were his special friends. (Mr. Malley and Mr. Clark advised that there are 1,000 officers on the Dallas police force of whom an estimated 75 per cent were friendly acquaintances of Ruby and that none of these 750 officers are known to have been any more friendly with him than the others. It was agreed that at this time interviews will be had only with officers employed by Ruby and with any few officers who may become known to have been particularly close to Ruby.)

ACTION

Mr. Malley advised that investigation has already resolved many of the questions raised and that as much additional investigation as is possible will be conducted to resolve the other points in order that the information may be available 11-27-63. Mr. Malley pointed out that other leads and requests have been received from the Bureau, other ramifications are being explored. It is physically impossible to completely exhaust all of the leads which can be set out in time for the memorandum to reach the President Friday but they will do everything possible to resolve as many points as possible today.