

UNITED STATES GOVERNMENT

Memorandum

AUG 6 1975

TO : Richard L. Thornburgh
Assistant Attorney General
Criminal Division

FROM : John C. Keeney, Deputy
Assistant Attorney General
Criminal Division

SUBJECT: Assassination of President John F. Kennedy

DATE:

JCK:mez

Pursuant to your request, I have reviewed the July 29, 1975 memorandum with respect to the note of Lee Harvey Oswald.

Two things are worthy of note. First, the statement of former Special Agent in Charge J. Gordon Shanklin that he had no recollection of the information furnished in Mrs. Fenner's statement as ever having been brought to his attention until about the early part of July of this year is controverted, as follows:

(a) Special Agent Kenneth C. Howe advised that subsequent to the assassination of President Kennedy, he came upon a note in the workbox of Special Agent Hosty which "obviously appeared to be from Lee Harvey Oswald". After his original statement of July 16, 1975, Howe on July 21, contacted the Bureau and provided an additional sworn statement in which he stated that the letter mentioned above was immediately and personally delivered by him to SAC Shanklin. He said that he seemed to recall that SAC Shanklin expressed some consternation, but cannot remember specifically what he said. (Page 5).

(b) Special Agent James P. Hosty, Jr. was interviewed on July 17, 1975. Hosty stated that he was going to include reference to the Oswald letter in a report he was preparing, but after consultation with, he believes SAC Shanklin and Supervisor Howe, he was instructed by Shanklin to disregard and destroy the letter. (Pages 6 & 7).

(c) Special Agent Ural Horton was interviewed on July 23, 1975. Horton advised that during a conversation of January 1974, with Shanklin with respect to Hosty, Horton stated



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that he thought Hosty [redacted] if it was true that he had gotten a note from Oswald, not opened a case on him or checked further into it. He made the comment because during the assassination investigation he had heard that Hosty had received a note from Oswald allegedly containing a threat against Hosty. Horton had the impression that Shanklin was surprised but he doesn't recall Shanklin indicating any knowledge of the Oswald note. (Page 11).

It should be noted that in his statement Shanklin claimed that he had no recollection of Howe ever bringing the matter to his attention; no knowledge of Hosty ever discussing Oswald's being at the office, leaving a note for Hosty and was "certainly never shown any by Hosty, Howe or anyone else; and never told Hosty or anyone else to destroy any note. (Page 8).

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Second, there is some question as to whether or not Special Agent Hosty was completely candid with the President's Commission on the Assassination of President Kennedy on April 2, 1974, Volume 4, page 464, when he stated "prior to the assassination of the President of the United States, I had no information indicating violence on the part of Lee Harvey Oswald. I wish the record to so read". It is clear from the statement of Howe (Page 5), as well as the statements of Mrs. Fenner (Page 4) and the admission of Hosty (Pages 6 & 7), that he did receive a note which apparently came from Oswald. Whether the note contained a threat of violence as Mrs. Fenner contends cannot be conclusively established, but the circumstance of its destruction after the assassination suggests the possibility.

5 [redacted]

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there is a possibility of developing a perjury case, particularly against Shanklin, if the Bureau was authorized to take a sworn statement in this inquiry. I would refer the matter to the General Crimes Section for a more detailed consideration of this question.

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Mr. Hosty. No, sir.

Mr. McCloy. In connection with this assassination?

Mr. Hosty. You mean involving someone else?

Mr. McCloy. Someone else?

Mr. Hosty. No.

Mr. McCloy. Other than—

Mr. Hosty. Lee Oswald.

Mr. McCloy. Oswald. And that would cover certainly any connection with
Mr. Ruby?

Mr. Hosty. That is correct.

Mr. McCloy. Have you ever interviewed Mr. Ruby?

Mr. Hosty. No, sir.

Mr. McCloy. I think that is all I have.

The CHAIRMAN. Are there any other questions?

Congressman Ford?

Representative Ford. I think earlier, Mr. Hosty, you indicated that the case
of Oswald was under your jurisdiction?

Mr. Hosty. Was assigned to me; yes, sir.

Representative Ford. Assigned to you?

Mr. Hosty. Yes, sir.

Representative Ford. As I recall the language you indicated that documents
or papers or reports came to you?

Mr. Hosty. Correct.

Representative Ford. Would this go through the special agent in charge of
the Dallas area or what would it be?

Mr. Hosty. Here would be the procedure. The mail would be received at
the chief clerk's office. They would then match it up with the proper file, and
take it to the supervisor in question.

Representative Ford. Who is that?

Mr. Hosty. Mr. Kenneth Howe was supervisor of the internal security squad,
and he would get it first, would read it, and then route it to the agent to whom
the case was assigned.

Representative Ford. So Mr. Howe—

Mr. Hosty. Yes.

Representative Ford. Was knowledgeable about the Oswald case?

Mr. Hosty. Right.

Representative Ford. Now how knowledgeable would a person in that capacity
be about this case?

Mr. Hosty. Well, I might point out where I would have 25 to 40 cases that
I was working on, he might have 500 to 700 cases he was supervising, so obviously
he couldn't pay as much attention to the details of the case as the agent to
whom it was assigned.

Representative Ford. He saw all the documents that came in or went out
involving this case?

Mr. Hosty. This case and many other cases.

Representative Ford. Did you and Mr. Howe ever discuss the Oswald case
prior to the assassination?

Mr. Hosty. I have no recollection of any discussion of the case; no.

Representative Ford. Is this unusual or is this typical?

Mr. Hosty. There would be a discussion if in my opinion there was something
I wanted to consult him on or if in his opinion there was something he wanted
to consult me on. If he thought I was handling the case all right, and I had
no questions, we would not discuss the case.

Representative Ford. Your recollection is that in this instance you and Mr.
Howe had no such discussion?

Mr. Hosty. That is my recollection.

Mr. McCloy. After this one interview in which you participated at least in
part with Lieutenant or Captain Fritz, I forgot what his rank is—

Mr. Hosty. Captain Fritz.

Mr. McCloy. Captain Fritz, did you ever interview or were you ever a par-
ticipant in an interview of Oswald thereafter?

Mr. Hosty. No; this was the only time I participated.

Mr. McCloy. Did you return to the police headquarters the next day?

Mr. Hosty. No, sir.

Mr. McCloy. You weren't there when Oswald was shot?

Mr. Hosty. No, sir.

The CHAIRMAN. Thank you very much, Mr. Hosty.

Mr. Hosty. Thank you, Mr. Chief Justice.

The CHAIRMAN. Thank you for your help. We are very glad to have seen you, sir.

The meeting will adjourn.

(Whereupon, at 5:10 p.m., the President's Commission recessed.)