

Memo for Mr. Tolson
Re: Lee Harvey Oswald

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1-3 all marked
Hosty in the
package*

In connection with interview of Mrs. Ruth Paine on November 1 and 5, 1963, the Commission indicates that Mrs. Paine advised a Bureau Agent that she did not know Oswald's address. She was not asked nor did she volunteer Oswald's telephone number, which she did know. The Commission intimates that Agent should have asked her specifically re phone number so Oswald's current residence could be located. This interview was conducted by Agent Hosty. Hosty advised he did not ask Mrs. Paine re Oswald's telephone number inasmuch as Mrs. Paine informed Hosty she did not know Oswald's address or how he could be located. Inspector feels Hosty should have been more specific in his interrogation and asked Mrs. Paine if she had Oswald's telephone number.

Hosty also testified that conditions in the Dallas police station at time of detention and interrogation of Oswald were "not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games." It is questionable whether Hosty should have described conditions in such an editorializing and flamboyant manner but rather should have indicated conditions were crowded and if called upon to give an estimate of how many people were located therein, to give said estimate.

66-2

The Commission's report reflects that after the assassination a number of boxes which appeared to be used as a gun rest by Oswald in the Texas School Book Depository Building were processed for fingerprints by both the Dallas Police Department and the FBI. Some of Oswald's prints were found thereon, but the Commission noted that "most of the prints were found to have been placed on the carton by an FBI Clerk and a Dallas Police Officer after the carton had been processed with powder by the Dallas police." Special Agent [redacted] advised he instructed Clerk [redacted] that the cardboard boxes were evidence, had to be processed for fingerprints, and under no circumstances was he to touch them with his bare hands in wrapping same so Special Agent [redacted] could personally carry them to the Bureau. [redacted] denies [redacted] told him to wear gloves or any covering on his fingers. He is an experienced Clerk and states he is well aware that his hands are not to come in contact with evidence to be examined for fingerprints. [redacted] advised he has never previously wrapped original evidence but only evidence packages

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which had been prepared with evidence sticker by Agents. He states instant package did not have any label indicating it was going to the Latent Fingerprint Section and only information he had was that it was to be handcarried to Bureau headquarters. Inspector feels Special Agent [redacted] culpable for not more closely handling and supervising this matter to insure that the Clerk's fingerprints were not placed on the evidence, particularly in view of the importance of this case. b6-2

The Commission report indicates that we did not have a stop on Oswald's passport with the Department of State and did not know Oswald applied for a passport in June, 1963, to travel to Western European countries, Soviet Union, Finland and Poland. This is another specific example of how this case was improperly investigated. The same personnel are responsible for this example as were previously criticized for not using appropriate techniques and making a more vigorous and thorough investigation, to determine with whom Oswald in contact or whether he had intelligence assignment. SA James P. Hosty, Jr. [redacted]

[redacted] The Bureau by letter to the Commission indicated that the facts did not warrant placing a stop on the passport as our investigation disclosed no evidence that Oswald was acting under the instructions or on behalf of any foreign Government or instrumentality thereof. Inspector feels it was proper at that time to take this "public" position. However, it is felt that with Oswald's background we should have had a stop on his passport, particularly since we did not know definitely whether or not he had any intelligence assignments at that time. b6

The Commission has criticized the FBI for taking too restrictive a view of its responsibilities in preventive intelligence work and that even though there were no Secret Service criteria which specifically requested the referral of Oswald's case nor was there any requirement to report the names of defectors, there was much material in the hands of the FBI about Oswald, the knowledge of his defection, his arrogance and hostility to the United States, his pro-Castro tendencies, his lies when interrogated by the FBI, his trip to Mexico, and his presence in the school book depository job and its location on the route of the motorcade which should have been enough to induce an alert agency, such as the FBI, to list Oswald as a potential threat to the safety of the President.

OBSERVATIONS:

We previously took administrative action against those responsible for the investigative shortcomings in this case some of which were brought out by the Commission. It is felt that it is appropriate at this time to consider further administrative action against those primarily culpable for the derelictions in this case which have now had the effect of publicly embarrassing the Bureau. It is felt that SA Hosty had the primary investigative responsibility in this case, SA [redacted] the primary field supervisory responsibility, and Special Agents [redacted] and [redacted] the primary Bureau supervisory responsibility. b6-2