

APPENDIX C

Scobey Memo of May 15, 1964<sup>3</sup>

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3. Intra Office Memo from Alfreda Scobey to Richard Russell, May 15, 1964, Kennedy Assassination Series, Richard B. Russell Collection, Richard B. Russell Memorial Library, University of Georgia Libraries, Athens.

May 15, 1964

MEMORANDUM

TO: Senator Russell  
FROM: Fredda Scobey

1. I have at this point read, and am in the process of having transcribed brief notes on, the approximately 6,000 pages of testimony offered before the commission. These notes refer to salient testimony of witnesses, each on an individual sheet, for references. They are being prepared in duplicate in case you wish to scan any of them at any point.

2. As I mentioned, the Commission report will when published also include the full text of the depositions, which comprise approximately an equal amount of material. Therefore this should also be examined.

3. So far as the testimony is concerned, I would say that conflicts between witnesses produced at the hearings are of a minor character. For instance, I am well satisfied that there is proof beyond a reasonable doubt that there were only 3 shots, that they did come from the area of the east sixth floor window of the Depository, facing Elm Street, that the fingerprint testimony is sufficient to establish that Oswald was at this window and did handle these boxes there, that the cartridges did come from his rifle, and that the rifle was kept in the blanket in the Paine residence garage (expert testimony of blanket fibres found on the rifle, etc.). There is a discrepancy in the length of the package made of Kraft wrapping paper found at site and which could have contained the rifle and its length as described by Frazier, who brought him from Irving to Dallas on the morning in question, explainable only by the fact that the witness, observing Oswald from the rear as he carried the package, was mistaken in the way he carried it. This and similar conflicts are no more than one finds in every criminal record and nothing I have found to date seriously disturbs me on the issue of Oswald as the man who pulled the trigger. I am of course annotating them for future reference, however.

4. The murky area involves things beyond the testimony itself, which has been well chosen for the purpose. FBI started with a preconceived theory in the face of early rumors (1) that Oswald had been approached by the FBI to act as a counter agent, and (2) that the assassination was an indirect result of its failure to pass on pertinent information to the Secret Service. Following that, I am sure there is also a preconceived theory at higher levels here, and the combination may well lead to a failure to investigate into pertinent areas.

(a) Example 1. At the time Oswald shot Tippitt there was only a brief description of him on the radio. In fact there were probably two description, and one may have stated what he was wearing. The first to be broadcast seems to have come from personnel files and would do no more than place Oswald in the general category of men having a certain general appearance. There is (I am told) in depositions and/or FBI reports which I have not seen an indication that Tippitt intervened in a restaurant altercation in which Oswald was involved and therefore knew him; also some indication placing Oswald and Rbuy (sic) together. Tippitt's action in slowly coming up to Oswald at the curb and stopping him, then dismounting and walking to the left of the car hood apparently with pistol partly drawn (since it was found under the body) but not in a position for defense (no witness saw it; it was not visible over the hood); Oswald's quick kill and his words, 'Poor damn (or dumb) cop' as he left the scene, suggest at least a possible inference that this was more than an officer stopping a suspect at random.

(b) Example 2. Doubtless unimportant except insofar as it reveals investigative procedure. The Atlanta long distance operator who stated she had handled calls of a single person to (a) Oswald, (b) Ruby, and (c) Ruby's sister was "checked out and discredited." Now the check-out consisted in asking some official of Southern Bell whether it would be likely that The same operator would by chance handle this series of calls and was told it was very unlikely. But if I am not mistaken it is quite normal procedure for a person placing a series of long distance calls to have the same operator place a call, check back if it is not completed, and then receive another call from the same person. I would like to know whether this operator follows this procedure, and whether she is dependable has initiative and a good memory. I would like to know more about her record. If she is this type (she has 20 years service) I would want a more thorough check of telephone records than has been conducted.

5. Using these questions, I had a brief conversation with Mr. Rankin this morning. He said he was not satisfied with Tippitt but it had been suggested to him that it was unnecessary and would be unduly burdensome to his wife to have her interviewed (although Marguerite Oswald, an undeniably unreliable person, wrote in saying that she had personally talked with Mrs. Tippitt, hearing the news broadcast, immediately rushed his lunch and hurried back to the area, which was unusual for him. Tippitt cannot be ipso facto posited as an unusually conscientious officer since he had been passed over for many promotions.

6. The testimony is that Oswald left for his Mexico trip he carried a zipper bag and a suitcase. He did not have the suitcase when he crossed the border. The theory is that he planted it somewhere for use in a subsequent escape ( at this time, of

course he could not be planning to assassinate Kennedy as this was before the trip was planned, in October) cannot be reconciled with all other evidence that Oswald was trying to get to Havana at the time of the trip but was unable to get to Havana visa unless he also had a Soviet visa, which he found to be impossible to obtain in Mexico City. Would this suitcase solve any of our (sic) problems and have the efforts to track it been sufficient? There was one witness who identified him as being seen at this time in Austin, which is considerably out of the way for this route. The only check on this that I know of was the establishment that he was not registered as having been a visitor in Governor Connally's office, which means nothing. There are indications Oswald went to Austin at least once before, in 1963. Was there sufficient investigation here?

What concerns me is whether the investigation has proceeded with as much diligence into left-wing as well as right-wing groups. When the Staff here was set up into six areas, with a junior and senior member assigned to each area, No. 6 reads: "Security Precautions to Protect the President, Possible Influence of HATE groups - DALLAS." My conversation with Mr. Rankin this morning touched on this due to a sentence I had noticed in a staff memo: "A discussion of the atmosphere of hate in the U.S. would fall in the second category." I assumed to Mr. Rankin that the approach in this area was to be ideological as well as investigative, and received confirmation of that opinion. This may, from your point of view, to be a section of the final report to be particularly studied conceptually.

7. A picture firms up of Oswald as a "loner" who could have conceived the assassination in terms of personal frustration and a desire for notoriety. Contrary deductions, however, come from staff members who have actually worked on his early life and do not conceive him as a psychotic personality. Any efforts to base a definitive conclusion on the deposition of the psychiatrist who examined him before he entered the marines will be suspect, as this man says he knew Oswald was psychotic at the time and would never have recommended parole for him, but Mr. Liebler tells me the record shows he did in fact do so.

The thing that really isn't in the picture is Ruby. Nobody feels he can be explained as a psychotic (sic) fanatic. Some pressure must have been exerted on him-- you just feel there had to be a rational motive here. The Ruby background is unsatisfactory to me. Most of the people interviewed about him were connected with his nightclub activities or at the club, but he personally was there very little. Mr. Rankin threw out the theory to me this morning that Ruby's underworld Chicago affiliations might have been interested in an assassination to clip the wings of Attorney General Robert Kennedy. I find it hard to believe he seriously considers this theory, as it obliterates his first stated theory of Oswald as a self-motivated killer. This is the general area where it seems to me the whole attempt to write a

definitive study of these events may open up more questions than it answers. Have you any suggestions? At this level I'm completely out of my depth!

8. With your approval, I'll continue into the depositions after completing the notes on testimony. Please tell me if you want a copy in its very rough form. (This just refers to synopsis of testimony, no analysis or conclusions.)

9. Also, with your approval, I'm planning to fly to Atlanta Friday and return the following weekend. A much appreciated letter from Judge Russell tells me the May cases don't look too bad, but I'd like to put some time on them for him. Sorry Judge Richard Russell is to have opposition. If there is anything further I can be doing, please let me know.