Dirty, Dirty Linen:
The Warren Commission and the Investigation of Press Leaks

by Sylvia Meagher
April 1970

"He made a statement that Lyndon B. Johnson, J. Edgar Hoover, the FBI and the 'Warren' Commission could 'kiss my a--' " and he was "strongly admonished by interviewing agents concerning his making such remarks about Director J. Edgar Hoover, the FBI and President Johnson."

This eye-popping passage appears in an FBI report on an interview with a prominent Dallas official on July 10, 1964, in the course of an investigation of the leak of confidential Warren Commission records in the Dallas Morning News. Compared with the usual prim, dehumanized prose of FBI reports, this one is positively lurid, and there also is irresistable unintentional humor in the descending order of importance (and the omission of the Warren Commission) of the parties listed by the FBI agents in their "strong admonition".

The FBI report in question is included in some 2,500 pages of unpublished Warren Commission documents in the National Archives, which I have recently acquired. Specifically, pages 82 to 88 of Commission Document 1295, and a bargain at the going rate of ten cents a page. The FBI's investigation of the press leak, in its entirety, consists of 125 pages, comprising CD 1295 and CD 1408. For those who wish to invest $12.50, these unpublished papers will present a suspenseful chronicle from which neither the Warren Commission, the FBI, nor the Dallas Establishment emerges smelling like a rose. Au contraire.

The story begins with the publication by the Dallas Morning News on June 27, 1964 of Oswald's handwritten "historic diary" (CE 24, Hearings and Exhibits, Volume XVI), information on testimony taken from Jack Ruby by Chief Justice Warren, and sundry other items such as photographs, letters, and certificates supposedly in the safe custody of the FBI or the Warren Commission.

All of the leaked items except Ruby's testimony originally were seized by the Dallas Police in searches of Oswald's possessions at his rented room at Dallas and at the home of Ruth Paine at Irving. All the [illegible] siezed materials were then turned over to and retained by the FBI, which served as the investigative arm of the Warren Commission. The FBI, [illegible], however, made a film record of the collection of evidence, on 2 reels of mm. , and sent these to the Dallas Police to provide a record in lieu of the actual physical items, which were ultimately placed in the National Archives.

The Dallas Police kept the 2 reels of film in a locked safe but on two occasions (dates) the film was removed and taken to for copies to be made. A total of copies were processed, with the following disposition: one set, to the Dallas Secret Service; two sets, to Waggoner Carr, Texas Attorney-General, one of which was to be transmitted to the Warren Commission; one set, to the Dallas FBI field office; and the remaining --- set(s), retained under lock and key by --- of the Dallas Police.

Some months later, Dallas Assistant District Attorney William Alexander came to the Police Headquarters requesting a copy of the film. The police first refused to make the film available to Alexander (characterize, from The Trial of J Ruby) but then capitulated to his mounting pressure for access to the film. When the police released the film to Alexander on loan, he took it to ---
and had --- copies made, with the following disposition:

The Dallas Morning News refused to tell the FBI the source of the evidence disclosed in its June 27, 1964 issue. The material could have been obtained from any of the parties who had access to the original materials or the film made by the FBI--from the Dallas Police, the Attorney-General of Texas, the Secret Service, the FBI, the Warren Commission members or staff, or the office of the Dallas District Attorney, Henry Wade. From the outset, Wade's assistant, Bill Alexander, was the chief suspect.

The FBI conducted 45 interviews of 36 persons between July 2 ---date--- and August 10, 1964 ---date---, using 12 ---number-- of agents and compiling ~~150~~ 1 pages of reports. (2 pages of CD 1295 remain "classified" at FBI request)
The FBI agents showed even more zeal in seeking from the newspaper people who had engineered this journalistic coup assurances which exonerated the FBI as the source of the leaked evidence than zeal to discover the

person or persons responsible for the disclosure of the confidential material. But the finger was persistently pointed at Bill Alexander, by police chief Curry and DA Wade as well as others, and ultimately the [redacted] FBI agents —with seeming reluctance, and quite understandable trepidation--tackled Alexander himself.

The interview took place on (date) between the hours of ( ) and ( ) and Mr. Alexander was not at all intimidated. It was during this delicate and difficult confrontation that he issued the invitation quoted at the outset of this article for osculatory contact with a specified portion of his flesh, in the more vulgar terms immortalized in the FBI report. One must yield some admiration for Alexander's fearlessness, however crudely verbalized, about the Sacred Cows to whom he offered the back of his hand, figuratively speaking, while at the same time he vehemently denied that he had given the film or any information to the Dallas Morning News.

A persistent rumor which cropped up during the interviews was that $50,000 had changed hands in the deal with the Dallas Morning News. Even when the FBI reached the end of this investigation and identified the source of the leak, there was no discernible effort to determine whether a sum of such magnitude had accrued to the profit of the public servant who had violated the trust placed in him by slipping important evidence to a newspaper. If the culprit was indeed guilty, and if he profited by taking advantage of his official position, the FBI and the Warren Commission were not about to expose to public scrutiny the shabby deals of a venal official - officer of the court. The FBI, without any apparent hard search, merely reported that there was no evidence to support the rumor that a large payment had been made for the leaked documents.

It was curious that Captain Will Fritz told the FBI that he first became aware of the fact that the Oswald diary was included in the FBI film at a screening on July 1964. Since Fritz must have seen all the evidence turned over to the FBI just after the assassination, and since the film was made to provide a photographic [redacted] record of that evidence, the implication of his remark was that Fritz had never seen the diary in the first place. In an attempt to clear this up, I reexamined all the published "property lists"--the inventories

of the Dallas detectives who had conducted searches and seizures of Oswald's belongings (CE 2003, pp. 294-300), Moore Exhibit, Potts Exhibit, Sims Exhibit, Stoval Exhibits, and F.M. Turner Exhibit). To my surprise, I discovered that none of the inventories listed the diary, nor was there information elsewhere in the Warren Report or the Hearings and Exhibits indicating when, where, or by whom the diary was found or what chain of evidence was maintained. Marina Oswald, asked during her testimony before the Warren Commission what was done with the diary, had it been taken by either the FBI or the Secret Service or the police department, replied, "I don't know that, because I was not at home when all these things were taken...I don't know where this book was, whether it was at Mrs. Paine's or in Lee's apartment, because I did not see it there" (1H 30).

It had never before occurred to me to question the authenticity of the diary, but ~~this~~ the fact that a ~~accidental~~ belated search ~~for~~ has failed to uncover a record of its discovery and seizure gives me some uneasy second thoughts.

After the long series of inconclusive interviews to locate the source of the leak, the FBI laboratory subjected the film copy from the District Attorney's office, and the documents published by the DMN, to examination. The FBI lab concluded, on the basis of identical common features present in both sets of copies but absent from the original film that the materials published by the Dallas Morning News had come from the Alexander copy of the film. But since other copies of the film, distributed by the Dallas Police to the Attorney-General of Texas and to the Dallas field offices of the FBI and the SS, seem not to have been examined or compared with the DMN copies, the investigation ~~seems~~ not complete, and the ~~conclusion~~ incriminating Alexander seems premature and prejudicial. Even so, compared to the manner in which Lee Oswald was incriminated, Alexander was treated with utmost consideration.

What did the Warren Commission do when it learned from the FBI that Assistant DA William Alexander had been identified as the source of the leak to the DMN? No known steps were taken to institute disciplinary action against Alexander for the breach of ethical standards or violation of official trust, or for false statements to the FBI. Rather than giving the sordid affair public disclosure, the Warren Commission maintained a careful silence and virtually covered up the shameful story which would have cast discredit upon a Dallas official and displayed the city's dirty linen and added to its disrepute. Tomm understand why the matter was covered up, one must bear in mind that the Warren Commission worked under the constant implicit threat that if it did not treat the City of Dallas "fairly," a Texas Court of Inquiry would be convened to conduct its own, independent investigation of the assassination of President Kennedy (see "Wheels Within Deals" by the author, The Minority of One, July-August 1968). A Texas Court of Inquiry might not have found a "lone assassin," as the Warren Commission did.

Ironically, the many compromises into which the Commission entered in order to "find" a lone assassin, which must have been highly distasteful to some of its members and staff, achieved little. Today there is still widespread doubt and even contempt for the Warren Report, which erupts into the headlines from time to time despite the passage of years. Senator Richard Russell, although he signed the Report, has only recently reiterated his belief that other individuals helped Oswald to plan and engineer the assassination. Where, after all, could they find a better marksman?

A story in the Washington Evening Star of April 26, 1970 quotes Senator

John Sherman Cooper--also a member of the Commission and a signatory of the Report--as telling former Texas Governor John Connally that he (Cooper) had never believed the single bullet theory, on which the finding of a lone assassin depends.

And the latest recruit to the ranks of critics and sceptics is perhaps the most astonishing of all ~~who incubated late-blooming doubts~~--the man who created the Commission and persuaded Warren to be the Chairman, former President Lyndon B. Johnson. In a story which broke in the Washington Post on April 28, 1970, it was disclosed that LBJ had ~~first~~ voiced ~~his~~ dissatisfaction with the conclusions of the Warren Report in a television interview with Walter Kronkite, ~~and then~~ but later had requested that his remarks be excised for reasons of "national security." Until the taping of the CBS-TV interview in September-October 1969, LBJ had always ~~strongly~~ endorsed the WR and dismissed with scorn, out of hand, questions raised about the findings or suggestions that the case be reopened. We are not likely to learn what moved him to such a volte-face last year, or why he reversed himself again and requested the deletion of his comments on the Warren Report, or how "national security" is involved. A number of the critics of the WR have always felt that if and when the Government could no longer defend the thesis of a lone assassin, the second line of defense would be to revive the notion of a Castro and/or Kruschchev plot. Is that what is behind the mention of "national security" by LBJ? Or does he have in mind ~~the involvement of an American group or agency,~~ a domestic conspiracy whether by official or ~~non-official,~~ private assassins, ~~which if exposed~~ (the exposure of which) would destroy what stability remains to the nation and turn the anger of the people against its most powerful institutions?

LBJ said in the CBS-TV interview shown on February 6, 1970, referring to the trip to Dallas that culminated in the assassination, "...from my personal knowledge most of what's been written was wrong. And I think most of it was deliberate."

If he was referring to the Warren Report, we can all agree with him.

Before the passage of still more time compounds the cumulative difficulties and obstacles to solving the mystery of the assassination of JFK, we should insist upon the new, full-scale investigation, employing the adversary procedures and all other available safeguards of impartiality and objectivity, ~~which has been the clear need for many years now.~~

Dallas will rise and rise again to haunt the nation's thoughts, until the official fiction is exorcised by the truth, whatever it may be, even if by no more than inscribing on the historical record that we do not know and can no longer discover who killed Kennedy, and why.

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