

# Jack Ruby, Oswald and

Following is the sixth article in a seven-part serialization of "Who was Jack Ruby."

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## the police

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## connection

Jack Ruby was an informer on every police level there was.

He regularly fed tips to members of the Dallas police force. He met in Dallas with two Chicago detectives to provide them information less than three months before the Kennedy assassination. He had an arrangement with the FBI in 1959 as an informant and, 10 years before that, he asked a Chicago lawyer to help him get established as an informer with Sen. Estes Kefauver's special Senate organized crime committee.

Operating as an informer was an indelible part of Ruby's pattern as it was when he tried to get Chief Justice Warren to take him to Washington to talk, several weeks after the Warren

Among those acquainted with Ruby were more than one out of every three Dallas policemen in the police station basement at the time he shot Oswald. In one of the sloppiest phases of its assassination probe, the commission failed to interview most of these Ruby acquaintances.

Commission's Ruby investigators, Leon Hubert and Burt Griffin, conducted their late-March 1964 interviews with 21 of the 1,175 members of the Dallas police force.

Hubert and Griffin attempted in those interviews to find out how Ruby got into the police station basement, but not why. And their concern with how he got in didn't relate to the movement of the prisoner Lee Harvey Oswald from the third floor down to the basement.

"We might not have grasped the connection as we should have," Griffin says now about the movement of Oswald and the security lacks in the

basement. "Hubert and I never carried on an inquiry into the whole system for protecting Oswald."

GRIFFIN SOON DECIDED he and Hubert were not getting a complete story from the Dallas police.

"I always thought all along about the Dallas police that anything that would get them into trouble or embarrass them, they would lie to us. No question about that." Griffin recalls now from his Cleveland judge's chambers.

Dallas reserve officers held day-to-day jobs in the outside business world, but were eager to dress up as cops in their spare time. They were given training to assist regular police in routine assignments, but were unpaid volunteers who bought their own uniforms.

William J. Newman put on his dark blue uniform, pinned on his badge No. 317 and showed up in the police station basement to stand guard the Sunday morning Oswald was to be transferred. He was in the basement for two hours before Oswald was shot; two days later, he filed a report stating he had seen nothing unusual happen before the shooting.

But then, like some of the regulars on the force—such as detectives Barnard (cq) S. Clardy, T.D. McMillon (cq) and Don Ray Archer, Newman began to shift his story so that Ruby appeared as a lone antagonist who had eased down the Main Street ramp.

These stories suddenly emerged during a two-day period: November 30 and December 1, the weekend following the shooting.

It was Sunday, December 1, that Newman radically changed his account. He told two police investigators that "he recalled observing an unknown white male run down the Main Street ramp into the basement... approx-

imately one minute prior to the shooting of Oswald. This unknown male disappeared into the newsmen and police officers and was not observed by Newman again."

The story of Ruby supposedly using the ramp entrance into the basement didn't surface in the first written reports of Newman and the three detectives. It was only after the department instituted its own official investigation of how Ruby got into the police basement that Newman and the others adjusted their accounts.

Newman never actually said it was Ruby he claimed to have seen, but his tardy story came the day after the three detectives belatedly began to tell of hearing Ruby admit, minutes after his arrest, that he had come down the Main Street ramp.

**NEWMAN'S DESCRIPTION** of an unknown man moving down the ramp about a minute before the shooting fit in exactly with what detectives Clardy, Archer and McMillon claimed they heard Ruby say.

Griffin didn't mince words when he met with Newman in late March 1964. The Warren Commission lawyer called Newman a "damned liar" to his face when Griffin found Newman's testimony to be in "direct contradiction" to descriptions of people and events in the police station basement as given by others.

Newman had no recollection of two automobiles being driven out of the basement (from the garage) and being placed on the Commerce Street ramp (the area where Newman said he was standing) immediately after Lieutenant (Rio Sam) Pierce's car went up the Main Street ramp," Griffin wrote to commission staff director J. Lee Rankin in an April 2 memorandum. "It is inconceivable to me that he could not have seen these cars... from where he was supposed to be standing. His failure to recall these movements is understandable—however, his willingness to state positively that these movements did not occur cast doubt on his reliability."

In the same memo, Griffin wrote disparagingly about Kenneth Hudson Croy (cq), another reserve officer who also waited until December 1 to report for the first time that "he saw Ruby in the basement perhaps a minute before the shooting and that he asked Ruby and another man to move back against the railing prior to the shooting."

Croy, who was both a cowboy and a real-estate salesman in his outside jobs, told Griffin that "Ruby ran past him, burst through the line in front of him and shot Oswald. This story is inconsistent with the TV films which show Ruby standing still for a few seconds behind officer (W.J. "Blackie") Harrison and then moving forward quickly to shoot Oswald."

Croy was a reserve sergeant whose duties that Sunday morning were "to check the men as they reported for duty, and much of the time he was almost totally unable to tell me anything he did or saw, or any persons he saw between the time he arrived for work Sunday morning and the time he saw Ruby."

And that wasn't even Ruby he saw, according to the findings of Dallas police investigators. They reported to Chief Jesse E. Curry on Dec. 19, 1963, that Croy's description of "Ruby" in a maroon coat matched the description of Robert S. Huffaker Jr., a Dallas television newsman who was in the Main Street ramp area of the basement.

**ANOTHER TELEVISION MAN** standing in the same area—Jimmy Turner, a WBAP producer from Fort Worth assigned to NBC—told the Warren Commission he definitely saw Jack Ruby walking down the Main Street

ramp at about the time Lt. Pierce's car went up the ramp. Turner's time frame for that corresponded with Ruby's own story, but there were three problems with Turner's descriptions of "Ruby."

The most immediately noticeable feature about the man Turner saw was the hat he wore. It was a broad-brimmed Western hat with a sugar-loaf crown. Very distinctive. Turner was sure about the hat. Ruby was wearing a snapbrimmed fedora, a hat of totally different dimensions.

And Turner seemed to think the man was wearing an overcoat and "he

seemed to be much heavier" than Ruby turned out to be, Turner told Leon Hubert.

As a result, the Warren Report concluded that "Ruby entered the basement unaided, probably via the Main Street ramp, and no more than three minutes before the shooting of Oswald."

To back up its conclusions, the report told the American public that there were three essential witnesses and that one of them, Turner, "testified that while he was standing near the railing on the east side of the Main Street ramp, perhaps 30 seconds before the shooting, he observed a man he is confident was Jack Ruby moving slowly down the Main Street ramp about 10 feet from the bottom. Two other witnesses testified that they thought they had seen Ruby on the Main Street side of the ramp before the shooting."

The two other witnesses—not named in the text of the Warren Report but identified within the hundreds of cryptic, small-type footnotes on 62 back pages of the report—turned out to be Newman and Croy, the two reserve officers whose testimony was strongly discounted by the Warren Commission's own lawyer who took their depositions.

**DESPITE DISCREPANCIES** in Turner's description of Ruby to Hubert and the inconsistencies in the stories Newman and Croy gave to Griffin, the Warren Report failed to mention specifically what evidence the commission had—only that "the sum of the evidence tends to support Ruby's claim



that he entered by the Main Street ramp . . . ”

Actually, the evidence showed that Newman and plainclothes officers L.D. Miller and Blackie Harrison were a lot less than forthright about activities on the morning of Oswald's execution. But the Warren Report never hinted at that.

Griffin met with detective Miller of the Juvenile Bureau on the first day that Warren Commission lawyers began to question rank-and-file members of the Dallas police. It was March 24, 1964. Griffin held a preliminary

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interview with Miller and then tried to take a deposition from the police detective. Griffin's notes explain what happened next:

“At the outset I asked him to raise his right hand and be sworn. He declined to do so, stating that he would like me to explain what the deposition was all about. This was after I had previously interviewed him for 15 or 20 minutes and had given a general explanation of what our purpose was.”

Griffin decided that Miller was being purposely thick, but proceeded anyway to formally read a general statement that Leon Hubert had prepared outlining the tasks of the commission.

“Miller indicated to me that he still did not understand the purpose of the desposition and I attempted to expand on Mr. Hubert's prepared text,” Griffin's notes continue. “When he continued to indicate uncertainty I obtained copies of the Executive Order and the Congressional Resolution establishing the commission, together with the commission rules.”

**MILLER STILL BALKED** and was

told to return the next day. By then, Hubert and Griffin were ready to see that Miller would be subpoenaed to appear before the full Warren Commission, which would have meant a trip for Miller from Dallas to Washington to face an inquisition. Miller decided to raise his right hand.

"The most significant aspect of Miller's testimony was his lack of memory and his original reluctance to testify at all," Griffin noted. After Griffin complained about the detective's lack of memory, Miller volun-

teered that he had accompanied Harrison on the morning Ruby shot Oswald to the nearby Delux (cq) Diner, where Officer Harrison received a telephone call from an unknown person."

Harrison testified soon after Miller. But Harrison, the officer Ruby stood behind while waiting to lunge at Oswald, showed up in the company of a lawyer, Dallas Assistant City Attorney Ted P. MacMaster.

Harrison "was somewhat slow in revealing the coffee break he had taken with Miller at a diner on Commerce Street," Griffin wrote in his memorandum. "And he had to be prodded to talk about the telephone call which he received there. He explained the telephone call as having come from another member of the police department, officer Goolsby (cq). He said that the telephone call was to summon him back to the department."

**WHY WERE MILLER and Harrison** so guarded, especially about what should have been a routine telephone transaction at the Delux Diner?

Griffin did not ask Harrison if he in turn telephoned Ruby with information on the Oswald transfer. The Warren Commission also failed to explore Harrison's relationship with Ruby. And neither side had wanted to summon Harrison as a witness in the Ruby trial, since neither the defense nor the prosecution wanted to risk testimony reflecting pre-murder contacts between Ruby and any of the police.

Harrison's two known absences before the murder that Sunday morning, shortly after 9 and again after 10:30—the first time when the basement transfer route for Oswald was established and the second time when the armored van was en route for the planned pickup of the prisoner—were the two key periods when he could have been in contact with his longtime acquaintance.

Harrison, who died of cancer in 1975, said he had known Ruby at least 11 years, since his days as a motorcycle cop when he would go into Ruby's Silver Spur for a cold one.

Ruby's police friends were like an iceberg and the Warren Commission barely noticed the tip.

**AMONG THOSE ACQUAINTED** with Ruby were more than one out of every three Dallas police in the police station basement at the time he shot Oswald. In one of the sloppiest phases of its assassination probe, the commission failed to interview most of those Ruby acquaintances who were in the basement.

One was detective H.L. McGee, who reported that a Dallas lawyer with easy access to the police station walked up to the jail office window from the Harwood Street entrance of the police building—at about the same instant Oswald was brought off the elevator.

"That's all I wanted to see," said the lawyer, who turned around and went back out the Harwood Street door. Seconds later, Oswald was shot and the lawyer would have a famous client to defend. The lawyer was Tom Howard. Yet the commission never questioned Howard, who treated his client Ruby as a hero; and it never questioned McGee.

Lt. Richard E. Swain, who knew Ruby, was one of those on Oswald's last elevator ride. Swain went ahead of the group and studied the badly confused scene in the basement where Oswald's killer awaited him. Swain turned back to the transfer party and indicated to Capt. Will Fritz that everything was ready. Swain was not questioned by the commission.

Standing in the midst of that confused scene was Lt. George Butler, normally a hardy man who was seen trembling as Oswald's appearance neared. Butler worked in the same criminal investigation unit with Harrison and Miller. Butler's specialty had been dealing with syndicate criminals and he had known Ruby a long time.

Butler and former Dallas Sheriff Steve Guthrie had trapped one of Ruby's underworld associates, Paul Rowland Jones, in a police payoff scheme in 1946 and Guthrie told the FBI that Ruby was supposed to have been a front man in Dallas for the Chicago syndicate, as Jones had laid out the schemes in Guthrie's home.

*NEXT: Ruby in the electric chair.*