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MEMORANDUM

April 13, 1964

TO: Mr. J. Lee Rankin

FROM: Messrs. Samuel A. Stern and John Hart Ely

SUBJECT: Interview with Captain Fritz of the Dallas Police Department

Date: April 7, 1964.

Time: 10:00 a.m. - 12:30 p.m.

Place: Office of Captain Fritz, Homicide and Robbery Division, Dallas Police Department.

Those Present: Captain Fritz and Lieutenant Baker of the Dallas Police Department, Mr. Davis of the Texas Attorney General's Office, Messrs. Ball, Stern, Belin, Goldberg and Ely of the President's Commission Staff.

Captain Fritz mentioned an article in a Dallas newspaper to the effect that the Commission was "muzzling" police officials. He stated that this did not represent his views, adding however, that an FBI Agent (Mr. Malley?) had, by telephone, asked the police department not to release evidence. Mr. Ball made it clear that the Commission had at no time asked witnesses not to discuss the subject matter of their testimony.

Captain Fritz was asked whether Brennan had attended a lineup. Neither he nor Lieutenant Baker remembered, but they stated that they would attempt to find out. Fritz testified that the police department makes records of even those lineups where there is no positive identification, but he is not certain as to this practice.

Captain Fritz reported that Rowland's mother had called him to inform him that her son is entirely unavailable.

When asked who gave whom the shells found at the scene of the Tippit killing, Fritz referred us to the crime lab records.

cc: Mr. Rankin's Chron File
Mail Room Files
Mr. Stern
Mr. Ely

We informed Captain Fritz that the search warrant issued for the first search of the [illegible]ley Avenue house seemed to carry the wrong date. He [illegible]otified us that he would check on it. He is going to check also on where Oswald was from 12:35 to 1:10 a.m. on Saturday. (The jailer's records indicate that Oswald was checked on [illegible] jail during that period. Moreover, the police records indicate that he was arraigned at 1:35 a.m., 25 minutes after he was checked back into jail.)

Fritz indicated that because Lieutenant Baker had prepared the record which we have designated Document No. One, he would like to bring Baker with him when he testifies before the Commission.

Captain Fritz and Mr. Davis indicated that the delay between arrest and arraignment in this case was by no means unusual.

We then discussed the presence of the press in the Dallas police offices. Fritz indicated that there were more than 200 reporters in the hallway outside the homicide suite, and that he had to station two uniformed policemen at the door to keep them out. The outer office of the homicide suite was filled with FBI and Secret Service agents, and Texas Rangers. Fritz recalled that he had to fight his way through the crowd whenever Oswald was taken through the outside hall. Fritz indicated that although he was unhappy about this situation at the time, he had not considered it within his authority to bar the press.

Fritz stated that Oswald had said that he wanted John Abt to represent him, and that he was not interested in taking steps to obtain another lawyer until it became clear that Abt was unavailable. Oswald stated that if he could not get Abt, he wanted an attorney from the American Civil Liberties Union. Fritz told Oswald that he could use the jail telephone to contact Abt. (It is the ordinary procedure of the Dallas police department to allow prisoners unlimited access to the jail telephone.) Fritz also stated that he had on several occasions asked Oswald if he wanted a local attorney. Fritz recalls that on Sunday morning, a telegram was received from a Chicago lawyer offering his services to Oswald. Fritz believes the telegram was sent up to Oswald; the police department no longer has this telegram.

When asked why Curry and Wade made public statements about the evidence in the case, Fritz answered that it was not his place to comment on this issue.

We then briefly went over Captain Fritz' memorandum of his interrogation sessions with Oswald (Commission Document No. 81b, pages 136a-138e). This memorandum was prepared from notes made after the interview sessions. Fritz indicated that he had first concentrated upon trying to establish a case against Oswald in connection with the Tippit killing, since he had eye witnesses on that murder and thereby expected to establish a basis for charging Oswald and holding him without bail.

Fritz believes that he first heard the Beckley Avenue address from police officers working on the Tippit case. He is not sure who mentioned it to him or whether the precise address was given. In any case, Oswald gave Fritz this address during the first interrogation.

Captain Fritz thought that Oswald seemed well-educated, that he handled the questions well. He was not, in Fritz' opinion, "a nut." Fritz stated that Oswald had to be handled calmly. He indicated that Agent Hosty was the only interrogator who upset Oswald, that Oswald had accused Hosty of "accosting" Marina.

When Oswald was shown the picture of him holding the rifle and pistol, his composure was momentarily shaken. He subsequently protested that the picture was a composite.

Fritz stated that Oswald might have confessed, but only after long and quiet interrogation. Fritz wishes that the interrogation sessions had been recorded. He has asked, unsuccessfully, for a tape recorder in his last two annual budgets. Although other prisoners have indicated that they would object to the presence of a recorder, Fritz does not think a recorder would have bothered Oswald. Indeed, he never asked whether the interrogation was being recorded.

Oswald admitted using the name "Hidell" while he was in New Orleans, but denied ever having been in Mexico. He was not asked about the live ammunition found in his pants pockets.

On Sunday morning, Oswald seemed friendlier, but not more informative, than he had been previously.

Fritz recalls that while Oswald was being transferred, the photographers' lights in the basement were blinding. He stated that the conditions in the garage (lights, closeness of reporters, cameras, etc.) came as a surprise to him. He also opined that it was unlikely that Oswald could have recognized Ruby or anybody else.