

JACK RUBY WAS NOT EITHER AN INFORMANT FOR THE FBI

Synopsis: Jack Ruby was contacted by the Dallas FBI eight times in 1959. He provided no information, was not paid, and was not, in Hoover's definition, an informant. The FBI was less than enthusiastic about providing the Warren Commission with details and other records mentioning Ruby before November 24, 1963. This memo summarizes the correspondence I have on this matter.

CD 4, the first collection of investigative reports submitted by the FBI to the Commission, contains various items mentioning Ruby before the assassination, dating back to 1950 (pp. 155-159). This information is prefaced only by the remark that "the following is information concerning JACK RUBY, also known as Jack Rubenstein." On February 25, 1964, Rankin wrote Hoover, noting that a review of these pages "suggests the existence of a file containing information about Jack L. Ruby collected by your Bureau prior to November 22, 1963." He asked for "a report on the information relating to Ruby which may have been in your possession prior to November 22, 1963."

In his reply, dated February 27, Hoover advised that the information in CD 4 was obtained through a search of all files in the Dallas Office wherein references to Jack Ruby appeared. All available information concerning Ruby contained in the Dallas files is set forth in the report. (Emphasis added.) On March 3, Rankin wrote Hoover again, pointing out that the request had not been intended to apply only to the Dallas files. He asked for copies of all records of interviews of Ruby, or of persons mentioning Ruby.

Hoover's reply, dated April 7 (CD 732, with attachments), provided more details on the ten items in CD 4, but no new items. Four of these items are in the 26 volumes (CE's 1760, 1761, 1693, 1764). As can be seen there, the attachments Hoover provided to CD 732 are not original reports, but paraphrases. As he put it in his letter, "these copies are verbatim copies of the original source material with the exception of those instances wherein it was necessary to conceal the identity of a confidential source.... As the items basically contain information pertaining to other unrelated investigative matters much of which was furnished to this Bureau in confidence, it is requested that the President's Commission continue to maintain this information in the same confidence that it was initially furnished." This seems like a rather odd procedure and request. (Incidentally, no part of CD 732 is now withheld.)

None of the ten items are of no particular interest to me. The exception is one which is presented in CD 4 as follows: "The following description was obtained through observation and interview." In CD 732, the identical description is prefaced, somewhat more informatively, as follows: "Jack L. Ruby was contacted by Special Agent Charles W. Flynn on March 11, 1959, at which time the following description of Jack L. Ruby was obtained through observation of the Agent and this interview. No additional information was furnished by Ruby."

This description was in fact obtained in conjunction with an attempt to recruit Ruby as an FBI informant. The above-cited letters from Rankin raise no questions about this; what follows is the information presented, apparently without pooling, by Hoover.

As noted, CD 4 does not indicate the source of the description of Ruby. In his February 27 letter, Hoover wrote: "For your information, Ruby was contacted by an agent of the Dallas Office on March 11, 1959, in view of his position as a night club operator who might have knowledge of the criminal matters, and he expressed a willingness to furnish information in criminal lines. He was subsequently contacted on eight occasions between March 11, 1959, and October 2, 1959, but furnished no information whatever and further contacts with him were discontinued. Ruby was never paid any money, and he was never at any time an informant of this Bureau."

Rankin's letter of March 3 did not ask for any substantial clarification of this rather startling revelation. Hoover's letter of April 7 repeated in essence the above-quoted paragraph, with some expansion: "He was subsequently contacted by an Agent on April 28, June 5, and 18, July 7 and 21, August 6 and 31, and October 2, 1959.... These contacts were recorded only by date along with notations indicating Ruby had not furnished any information. There is no information recorded that was furnished by Ruby in connection with any of these contacts. Ruby was never paid any money and he was never, at any time, an informant of this Bureau."

Some obvious questions present themselves. Why, specifically, was Ruby contacted at that time? (One possible clue is that the "description" of Ruby obtained on the first visit includes that fact that Ruby was an associate of James Robert Todd, described as a "known Dallas area criminal.") Is it customary to record a physical description of such informants? If Ruby provided no information whatever, why was he repeatedly contacted? Even if he was not paid in cash, did Ruby at that time have any reason to seek either forms of compensation? Might there be any significance to the fact that the FBI's contacts with Ruby bracketed his September, 1959, trip to Cuba (RR 370, 802)? It is unfortunate that Hoover did not give the Commission photocopies of the original records, which presumably included file numbers and other such useful information. Why did the Commission show no great interest - or have I just missed something? (I am not aware of any subsequent interest by the Commission, after CD 732 was received, but I have not checked the relevant Archives files or made a thorough check of the 26 volumes.)

Paul E. Hoch
January 8, 1969

(Copies of the documents cited are available from me. My interest in this matter was initiated when Harold Weisberg sent me a copy of Hoover's letter to Rankin of February 27, 1964, which was discovered in the Archives by (I think) Gary Shoener and/or Hal Verb.)

To fill out the page, here is an excerpt from the nonexistent transcript of a session which the Commission did not hold on June 31, 1964:

Mr. HOOPER. Ruby was never paid any money, and he was never, at any time, an informant of this Bureau.
The COMMISSION (in unison). What, never?
Mr. HOOPER. No, never.
The STAFF (in unison). What, never?
Mr. HOOPER. Well, hardly ever.

5/21/71

Dear Paul,

Got a call from my sister this morning that my mother was going into surgery at 12:30 today, and the silence since has been disquieting. So, I laid aside writing, gathered up some materials I'd need for it and, reluctant to get far from the phone with Ldl enjoying the tricks of her trick knee, I've been doing odds and ends.

I reread your 1/8/69 memo on Ruby as an FBI informant and, as you did, find much of Hoover's stuff impossible to believe. There is no such thing as a guy in Ruby's position the agents don't see as often as the dogs go to the garbage pails. But they claim five years of total separation? Unless the language is tricky and means only that the agents did not go to see Ruby. Which could then mean he got in touch with them or they were glad Don Ameche was born.

One thing I have in CD 4 is fascinating: Ruby to Cuba and no passport record, no interview on his return?

I'm wondering if you might be updating this as you go over the new stuff. I initially decided to do little about Ruby for two reasons: I believed it would turn out to be the most difficult area and it was proper to withhold everything that could have had an adverse influence on his trial (not to the extent that the government withheld from his lawyers, though).

Compare how the FBI haunted Pena's with their separation from Ruby. Make sense?

There is a hard-to-believe report in CE 1750 from an Oakland character who claimed Ruby had a slot business and he was a mechanic for it. I had that in the file.

Saying that Ruby was paid nothing is not material. He was in the position where if he were not afraid of his associates he'd be delighted to have them on his side. I feel that language is tricky.

On the other hand, I do not know if it is worth it, not in a table of present priorities.

I also do not believe that it would not have been possible to lean hard enough on Ruby to get from him whatever was wanted. The reports list him as a known criminal. He was vulnerable. This is their preference, for the pressure-point is built-in.

Sincerely,