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FBI suspected Dallas police plot with Ruby in slaying of Oswald

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WASHINGTON — In the desperate days following the murder of Lee Harvey Oswald the highest level of FBI officials acted on the strong suspicion that his killer, Jack L. Ruby, had been assisted by a conspiracy inside the Dallas Police Department.

Recently released FBI papers show that J. Edgar Hoover, the late director, ordered a massive search for any evidence that Oswald's "cop killer" image led Dallas police to arrange his death on Nov. 24, 1963, two days after Oswald killed both President Kennedy and Senator J.D. Tippitt.

Disclosure of the FBI's early suspicions about the slaying of Oswald, found in 40,001 pages of the bureau's file on the Kennedy assassination, seems to demonstrate that, far from ignoring the prospect of police conspirators, the FBI zeroed in on local officers as the prime suspects.

The Warren Commission's eventual conclusion on the case, based on the final results of the FBI investigation, was that Ruby acted alone in the shooting death of Oswald. But numerous critics of the official version have openly suggested that the FBI stepped lightly around the politically charged notion of a police set-up.

The charge appears to stem primarily from the fact that Ruby was able to slip unnoticed into the basement of the Dallas police station past dozens of officers and gun Oswald down before an array of police guards. The Dallas nightclub owner also was known to frequent the police station and occasionally hire off-duty policemen.

But the internal records of conversations and strategy sessions between high-level FBI officials indicate the first reaction inside the bureau was to quickly discover who in the department was responsible for Ruby's unhindered movements.

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In a Nov. 27, 1963, memorandum from C.L. McGowan to Al Rosen, both ranking FBI officials, it was reported that agents in Dallas had been instructed to make the investigation of police conspiracy a "prime consideration" in its probe.

"One of the prime considerations is whether Oswald was set up by the Police Department," McGowan said he had told Kyle Clark, the Dallas FBI's second in command. "The investigation cannot be conducted on the assumption that Oswald's death was just the result of a breakdown in security procedures."

McGowan's memo, written three days after Oswald's death, said he issued the orders "bearing in mind that Oswald would be regarded by the police as a 'cop killer' because of the death of Tippitt. Other memos indicate this outlook had been discussed fully with Hoover and that he had agreed.

Hoover himself followed up on McGowan's orders with a Nov. 29, 1963, teletype message to Gordon Shanklin, head of the Dallas office, which clarified and elaborated on the original instructions. The teletype indicated the involvement of police was very much a live issue at FBI headquarters and that no effort should be spared in tracking it down to a conclusion.

Demanding that all interviews be "exhaustive," the director presented Dallas agents with orders to find the

following:

- Whether there was "any indication that any police officer or other official conspired with Ruby or willfully permitted the killing" during Oswald's transfer to County Jail.

- What was the exact security procedure in effect on the morning of Nov. 24, 1963, and was "any unauthorized person permitted to enter basement or any person permitted to enter without showing identification."

- Any "police who worked part-time for Ruby." They were to be grilled, as well as "all police who were on duty in connection with the transfer of Oswald."

- Whether ranking police officials had ever issued any written instructions regarding the Oswald transfer which could be investigated for deliberate weaknesses.

Hoover emphasized in the teletype that "any positive information indicating that Ruby had a conspirator or that a police officer or public official was involved" should be immediately forwarded to bureau headquarters in Washington.

McGowan wrote that the investigation of the shooting was to be exhaustive and that such a probe "should certainly include all police who were in the area," an instruction which apparently even included searching interviews with the chief of police at the time, Jesse Curry. The top FBI official wrote that

he told Dallas agent Clark he wanted some answers about Curry's handling of the transfer.

"Where was Chief of Police Jesse Curry?" the memo stated. "Why didn't he personally handle the removal of Oswald? To whom did he give such orders, and were such orders given in writing? If so, copies should be obtained."

Another memo from Rosen to top Hoover lieutenant Alan Belmont, written only hours after the news that Oswald had been shot, indicated that Hoover already was casting a suspicious eye at Dallas police officials and had so informed President Lyndon B. Johnson.

The memo, recounting a conversation Rosen had with the director at 1 p.m. on Nov. 24, said Hoover had "just spoken" to Johnson and that he "referred to the fact that our Dallas office had warned local authorities concerning the anonymous call received . . . that threatened the shooting of Oswald when he would be transferred," a warning which came in the night before.

"He (Hoover) said Dallas Chief of Police Curry had not properly handled the situation, as evidenced by the fact that

Oswald was, in fact, critically wounded." The memo was written before Oswald actually died of the gunshot wounds at Parkland Hospital.

According to Rosen, Hoover said the president had told him he "wants us to vigorously pursue this matter from whatever angle possible and, if necessary, without complete regard for technicalities."

The matter of the anonymous call was publicly reported in the Warren Commission's volumes of evidence, but the identity of the caller and whether someone other than Ruby intended to kill Oswald was never determined.

In the early days after the shooting, according to memos found in the FBI files, the insistent demands of the FBI hierarchy for more information on police culpability and the frequency of telephone calls to Dallas left little question that local authorities were held to be the prime suspects. This feeling was further evidenced by Hoover's demands for immediate backgrounding on all suspicious incidents brought to the FBI's attention.

One memo from Rosen to Belmont,

written the day after Ruby killed Oswald, pointed out that the Houston FBI office had received a tip from an ex-felon in Corpus Christi that Ruby was "a payoff man for the Dallas Police Department" and that he always received advance warning from police sources about liquor or gambling raids in the city.

Rosen said Dallas had been instructed to find the ex-felon immediately and "vigorously pursue this allegation of Ruby's association" with police. At the bottom of the memorandum Hoover himself initialed the suggestion and said "Right."

On another occasion, according to the FBI papers, headquarters wanted immediate action to check out a report that shortly before the shooting in the basement Ruby was seen sitting in a green automobile nearby waiting for Oswald to enter the area. Both of these stories were found to be untrue in the final FBI analysis.

There is no firm indication, in the FBI's raw files, when the bureau began to believe there was no police conspiracy in Oswald's death. But in a Dec. 12,

1963, memo Hoover was asserting that he was almost 100 per cent convinced Ruby had committed the murder alone.

The Dallas Police Department in fact had set up what it felt was an elaborate security net around the transfer because of threats on Oswald's life. Police had arranged to use an armored car as a decoy for moving Oswald, who was actually going to be moved in an unmarked police car, but Ruby was able to enter the basement from the Main Street entrance when a policeman guarding the ramp was distracted by another car moving out of the basement.

Ruby later contended he had not planned to shoot Oswald but that he was carrying a gun because he had more than \$2,000 on him at the time, and that he took the opportunity when Oswald came into view because he wanted to be a "hero."

But the suspicion that others participated in the killing of Oswald has remained alive over the years, since Oswald had no chance to lay out his own motives for assassinating the president — a killing which numerous critics believe also involved others still at large.