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United States Department of Justice

UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS, LOUISIANA 70180

[Handwritten signature]

AIR MAIL

May 29, 1967

1291

Mr. Nathaniel E. Kossack
First Assistant
Criminal Division
Department of Justice
Washington, D. C. 20530

In Re: Judge Edward A. Haggerty, Jr. +
Regis L. Kennedy

Dear Tully:

Enclosed herewith is a copy of a memorandum
covering our Sunday escape.

Kindest personal regards,

Sincerely,

[Handwritten signature]
LOUIS C. LACOUR
UNITED STATES ATTORNEY

LCLAC/ccy

Enclosures (3)

FILE-J.R.R.

Novel's tapes

① RIF

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MEMORANDUM

by John C. Ciolino

On May 5, 1967, Regis L. Kennedy, Special Agent of the Federal Bureau of Investigation, was served with a subpoena to testify as a witness before the Orleans Parish Grand Jury on May 10, 1967 at 11:00 A.M. Immediately thereafter, this office undertook to represent Mr. Kennedy in this regard.

On May 10, 1967, Agent Kennedy, along with myself and Fritz Veters, appeared in Section H of the Criminal District Court for the Parish of Orleans for the filing of a motion to quash this subpoena. Attached to this motion were several documents and a memorandum of authorities in support of this motion. These pleadings were prepared through the joint effort of all members of your staff. Attached as exhibits in these pleadings is a copy of Department of Justice Order No. 324-64 relating to the production or disclosure of material or information by officers or employees of the Department of Justice. Copies of all pleadings and exhibits were furnished to the New Orleans office of the FBI. On May 10, 1967 the Court granted permission for filing of the motion to quash and set the matter for hearing on May 16, 1967.

On this date Mr. Kennedy, myself and Mr. Veters appeared in Court for the hearing, at which time the State of Louisiana filed their answer to the motion and the Court stated that it would defer a ruling on the motion to quash until 11 A.M. the following day. A copy of the State's answer was also furnished to the New Orleans office of the FBI.

On May 17, 1967 at 11 A.M. the Court denied the Government's motion to quash and issued a subpoena ordering Mr. Kennedy to appear before the Orleans Parish Grand Jury at 2 P.M. Objection to the Court's ruling was lodged. After the Court's ruling a conference was held in Chambers wherein Mr. Veters and myself, along with representatives of the District Attorney's office, established certain ground rules that were to be applied after Mr. Kennedy entered the Grand Jury room at 2 P.M. It was mutually understood and agreed between all respective parties that if at any time Mr. Kennedy wished to leave the Grand Jury room to consult with the Court or his counsel

relative to the questioning being conducted before the Grand Jury, that he would be permitted to do so. Mr. Kennedy was so informed after the Chamber conference as to this agreement.

Although Mr. Kennedy appeared outside the Grand Jury room at 2:00 P.M. as directed by the Court, he was not called before the Grand Jury until approximately 4:45 P.M. While waiting to be called, I checked with Mr. Kennedy to see whether he had with him the statement which had been prepared for his use when asserting the executive privilege, as well as a copy of the telegram from the Attorney General directing him to respectfully refuse to testify about or disclose information or material acquired by him in the performance of his official duties or because of his official status. Both documents were in his possession and were taken with him into the Grand Jury room.

From the day that the subpoena was first referred to this office for handling, Mr. Kennedy was advised by you and the members of your staff, including myself and Mr. Veters, that by virtue of the provisions of 28 CFR 16.1 et seq he was prohibited from giving testimony before the Grand Jury which would require him to disclose information or material acquired by him in the performance of his official duties or because of his official status as an agent of the FBI.

On May 17, 1967 when Mr. Veters and I accompanied Mr. Kennedy to the Criminal District Court, neither did Mr. Veters nor myself suggest to Mr. Kennedy any other method or criteria for answering questions propounded to him by the Grand Jury that were not contained in Department Order 324-64 and the telegram from the Attorney General. Mr. Kennedy was advised by me and by Mr. Veters that the executive privilege should not be invoked to questions that did not relate to information or material acquired in the performance of his official duties or because of his official status. "To invoke the executive privilege to such a question would not be proper and would not be sustained by any Court required to examine the transcript of the Grand Jury proceedings. I recall several instances wherein members of your staff, including myself and Mr. Veters, speculated with Mr. Kennedy on what questions might be posed and into what areas the inquiries might lead. It was generally conceded that the names of Clay Shaw, Lee Harvey Oswald, David Ferrie, Jack Ruby, the CIA, and Dean Andrews would be prominently mentioned

and that any question relating to these individuals would obviously require him to invoke the executive privilege. The same held true for any questions relating to the participation by any other FBI agents in any phase of the investigation relating to the assassination of President Kennedy. This was stressed to avoid the possibility of additional subpoenas being directed to other investigative agencies of the Government.

Mr. Kennedy remained in the Grand Jury room for approximately one hour without interruption, during which time there was no occasion when Mr. Kennedy felt it was necessary for him to leave the Grand Jury room to consult with counsel or the Court.

Respectfully submitted,


JOHN C. CIOLINO
Assistant United States Attorney

May 18, 1967

MEMORANDUM

by Frederick W. Veters, Assistant U. S. Attorney

On Saturday, May 6, 1967, I learned from reading the local newspapers that Special Agent Regis L. Kennedy, Federal Bureau of Investigation, had been served with an Orleans Parish Grand Jury subpoena. The subpoena was returnable on May 10, 1967.

Upon reaching my office on Monday, May 8, 1967, I was requested by the U. S. Attorney to prepare a Memorandum of Authorities in support of a motion to quash the aforesaid subpoena. I was told that Mr. John Ciolino and I would represent Special Agent Kennedy in Criminal District Court for the Parish of Orleans in all matters relative to the subpoena issued by the Orleans Parish Grand Jury.

Between this date and the time of our first appearance in court, members of our staff had several conferences with Agent Kennedy. The primary purpose of these conferences with Agent Kennedy was to advise him of the executive privilege, whereby he was prohibited from testifying without the express consent of the Attorney General to any information or material contained in the files of the Department of Justice or any other information or material acquired as a part of the performance of his official duties or because of his official status without the prior approval of the Attorney General. In short, the provisions of 28 CFR 16.1, 16.2 and 16.3 were fully explained to Agent Kennedy. I recall Mr. LaCour, in explaining the executive privilege, advise Agent Kennedy that only such innocuous and personal matters as his name, residence, marital and family status, occupation, and number of years employed by the Federal Bureau of Investigation, were not covered by the privilege, and that to all other matters Agent Kennedy should invoke the privilege. Furthermore, Agent Kennedy also received a telegram from the Attorney General directing him "to respectfully refuse to testify about or disclose information or material acquired in the performance of (his) official duties or because of (his) official status."

I also recall Mr. Palmisano advised Agent Kennedy of the nature of the privilege, and that, as a Special Agent of the Federal Bureau of

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Investigation, Kennedy was on duty 24 hours a day, so that even events occurring, for instance, at a cocktail party, while Kennedy was not conducting a formal investigation, would be covered by the privilege.

On the morning of May 10, 1967, Agent Kennedy came to our office for a further briefing prior to proceeding to Criminal District Court for the Parish of Orleans. Agent Kennedy was given by Mr. LaCour a copy of the format, which included a copy of the telegram sent to Agent Kennedy by the Attorney General, and which format he was instructed to read upon each occasion that he exerted the executive privilege before the Grand Jury. I recall that Mr. Ciolino and I were present in Mr. LaCour's office at the time the format was explained to Agent Kennedy. At this conference, Agent Kennedy was again advised of the nature and extent of the privilege by the attorneys present, even though it was anticipated that Kennedy would not actually testify on that date because of the Government's intent on filing the motion to quash.

I recall Agent Kennedy coming to our office on the mornings of May 16 and 17 prior to proceeding to Criminal District Court. On each of these occasions the privilege and the procedure to be used in exercising the privilege was explained to him.

On the afternoon of May 17, 1967, I recall Mr. Ciolino advised Agent Kennedy that certain ground rules had been laid down at a conference with Judge Bagert, whereunder Mr. Kennedy should ask for permission to consult with his attorneys and/or the Court whenever he had any doubt as to whether or not he should exercise the privilege. Mr. Garrison did not attend this conference, but Mr. Alcock, an Assistant District Attorney, did. Mr. Ciolino advised Agent Kennedy that he should remind Mr. Alcock of the ground rules, which had been previously established, in the event he, Kennedy, wished to confer with his counsel.

Special Agent Kennedy was called before the Grand Jury on the evening of May 17, 1967. He withdrew from the Grand Jury room after having been in there for approximately one hour. After he left the Grand Jury room he walked briskly down the corridor. When he passed Mr. Ciolino and me, he stated, "I've been excused.", but Agent Kennedy did not stop

and he continued at his brisk pace. By the time we realized that Agent Kennedy was not waiting for us (even though we had brought him to the court house), it was too late to catch up with him.

The next occasion on which we saw Agent Kennedy was at a conference in the U. S. Attorney's Office later in the evening on May 17, 1967.

SUPPLEMENTAL MEMORANDUM

by Frederick W. Veters, Assistant U. S. Attorney

The purpose of this supplemental memorandum is to comment upon the accuracy of the report of Special Agent Regis L. Kennedy, dated May 18, 1967, relative to his appearance before the Orleans Parish Grand Jury on May 17, 1967, which was investigating the assassination of our late President John F. Kennedy.

The bulk of Agent Kennedy's report relates to the testimony which he gave to the Orleans Parish Grand Jury. Since I was not present in the Grand Jury room, when Agent Kennedy testified, I will have no comment upon this portion of the report. Rather, I will restrict my remarks to the "instructions" which Agent Kennedy alleges he was given by Mr. Ciolino and me prior to his appearance before the Orleans Parish Grand Jury.

I specifically take issue with paragraphs 1 and 2 of Pg. 2 of Agent Kennedy's report. Agent Kennedy states in paragraph 1 of Pg. 2: "...After the hearing on the morning of May 17, 1967,....." See Exhibit "A".

At no time did I ever "tamper" or modify the instructions of the U. S. Attorney, nor, to my knowledge, did Mr. Ciolino change these instructions.

To the contrary, I repeated them to Agent Kennedy on numerous occasions. So did Mr. Ciolino in my presence. The instructions were, in my opinion, quite clear and understandable. These instructions were that Agent Kennedy was prohibited from testifying to any material or information acquired as a part of the performance of his official duties or because of his official status.

Kennedy was further advised by Messers LaCour and Ciolino, as well as myself, that he could answer such personal and innocuous matters as his name, residence, marital and family status, occupation and number of years employed by the Federal Bureau of Investigation, and that as to all other matters, he should invoke the privilege.

Such instructions were consistent and in keeping with the .

④ RIF

telegram of the Attorney General the provisions of which Agent Kennedy was directed to follow.

I recall that Mr. Ciolino advised Agent Kennedy that he should use his common sense when determining in the Grand Jury room what questions were covered by the privilege, but that if he should have any doubt, he should request permission to leave the Grand Jury room for the purpose of consulting with counsel.

In paragraph 2 of Pg. 2 of Agent Kennedy's report he states:

"....." See Exhibit "B".

I categorically deny that I ever discussed with Agent Kennedy the possibility that Mr. Garrison might ask him whether he saw David Ferrie on November 22, 1963, in the United States District Court for the Eastern District of Louisiana, at the trial of Carlos Marcello on Fraud Against the Government charges. Nor did I ever indicate to him how he should answer such a question.

It should also be stated that at no time do I recall hearing Mr. Ciolino discuss either this question with Agent Kennedy or how he (Kennedy) should answer the question.

In closing, it should be stated that if Agent Kennedy misunderstood instructions given to him by Mr. Ciolino and me, and felt that these instructions were at variance with the instructions of Mr. LaCour or, for that matter, with those of the Attorney General of the United States, as set forth in his telegram, such alleged variance or inconsistency was never called to my attention nor, to the best of my knowledge, to Messrs LaCour and Ciolino prior to Kennedy's appearance before the Grand Jury. It would seem reasonable that one would want to clear up any inconsistency in instructions prior to testifying, if one truly felt that a variance existed.

United States Department of Justice

UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS 18, LOUISIANA

May 18, 1967

Belcher
129-11

FILE

MEMORANDUM

On Friday, May 5, 1967, Special Agent Regis L. Kennedy of the Federal Bureau of Investigation was served with a subpoena to appear before the Orleans Parish Grand Jury to "testify to the truth answering to the knowledge on such matters as may be required by you." This subpoena was returned on May 10, 1967.

On Sunday May 7, 1967, Judge Bernard J. Bogert returned my telephone call of May 5 while I was at home. I informed Judge Bogert that it was the intention of the Department of Justice to file a Motion to Quash the Orleans Parish Grand Jury subpoena served upon Agent Kennedy. On Wednesday, May 10, 1967, we did in fact file a Motion to Quash with the usual supporting affidavits and legal memoranda. The thrust of our Motion was, of course, Department Order 324-64. After numerous consultations with Messrs. Cossack, Belcher and Sanders of the Department of Justice, we were agreed that Agent Kennedy would appear in the event our Motion to Quash was denied, that he would invoke the Executive Privilege on all matters pertaining to his official duties, the files of the Department of Justice and his official status as a Special Agent of the Federal Bureau of Investigation. I personally on at least three occasions explicitly instructed Special Agent Kennedy that when and if he had to appear before the Orleans Parish Grand Jury, he would answer only such questions as, name, age, marital status, occupation and etc. He was explicitly instructed that he was to invoke the Executive Privilege if he were asked questions on any matters that related in any way to any investigation that he or another agent or another agency may have conducted. The same instructions were given Special Agent Kennedy by First Assistant Gene Palmisano who went even further by way of illustrative hypothesis.

The hearing on the Motion to Quash was set for argument on Wednesday, May 17, 1967, at 10:00 A. M. in Section H of the Criminal District Court for the Parish of Orleans. Oral arguments were heard and the Motion to Quash was denied by the Court. Present with Assistant United States Attorneys Frederick W. Veters and John C. Ciolino was Special Agent Regis L. Kennedy, who was instructed to stand mute in the Court room. After the Court denied the Government Motion to Quash, AUSAs Veters and Ciolino along with Special Agent Kennedy returned to the office of the United States Attorney where I again instructed Special Agent Kennedy to invoke the Executive Privilege as hereinabove stated.

⑤ RIF

May 18, 1967
Page 2

Additionally Special Agent Kennedy was given a triple spaced typed statement setting forth Order 324-61 and incorporating the Attorney General's telegram instructing him to invoke the Executive Privilege and not to testify.

Inasmuch as the Court had ordered Special Agent Kennedy to appear before the Orleans Parish Grand Jury at 2:00 P. M., on Wednesday, May 17, 1967, he was accompanied to the Grand Jury room by AUSAs' Ciolino and Veters. It is noteworthy at this point to mention that after the Court in the morning session had denied the Government's Motion to Quash, on my instructions AUSAs' Veters and Ciolino requested the Judge to issue instructions to the State District Attorney's Office that if at any time during his presence in the Grand Jury room Agent Kennedy had any doubts or desired for any reason to consult with the two AUSAs that were standing at the door of the Grand Jury room, he was to be allowed to do so. The Judge complied with this request and ordered the District Attorney to allow Mister Kennedy to leave the Grand Jury room at any time he desired to do so.

Agent Kennedy was not called until approximately 4:50 P. M. He remained in the Grand Jury room and was questioned by District Attorney Garrison and Assistant District Attorneys' Alcock, Sciambra and Oser. Contrary to the explicit instructions that all the AUSAs and myself had given Mister Kennedy and contrary to the order of the Attorney General, Mister Kennedy chose to be selective in answering questions and invoking the Executive Privilege.

Upon leaving the Grand Jury room, Mister Kennedy sped past the two AUSAs and simply commented to them that he was excused and hastened down the hall and left in spite of the fact that he had gone there with the two AUSAs. This behavior I think to be somewhat unusual. The AUSAs had to remain at their positions at the Grand Jury room. ^{Generally,} one of the State District Attorney emerged so that they could ascertain the ^{the Grand Jury} posture of the situation. Special Agent Kennedy telephoned me a short time after he had left the Grand Jury room and came straight to my office in order that he may be informed as to what transpired. He reluctantly agreed to do so. He did not, however, come directly to this office but did instead go first to the ^{office of the} ~~office of the~~ ^{Assistant District Attorney} ~~Assistant District Attorney~~ ^{at the Orleans Parish} ~~at the Orleans Parish~~ Court building at Orleans and Broad. Immediately I informed him that I had a stenographer standing by and that it was my desire before we get into any involved discussion that he would dictate to the stenographer the questions asked of him and the answers given thereto. It took considerable prompting to get him to do this though at no time did he refuse. A copy of this statement dictated to the department on the morning of May 18, 1967. [It was learned that Agent Kennedy attempted to answer questions as to whether he had certain individuals or could he identify ~~any~~ ^{return} Barry's in the year of 1963. He was asked about Oswald and goodness knows how else he may have been asked. He invoked Executive Privilege sporadically. The observation of the District Attorney ^{and his assistants} was that it was ~~of~~ ^{withheld} ~~of~~ ^{That of} withheld.]

May 18, 1967
Page 3

This office had thoroughly and completely advised Mister Kennedy as to the course of action expected of him by the Attorney General. He was accompanied by two attorneys at all times that an appearance by him was necessary. Another attorney was on standby with prepared Removal Proceedings and Writ of Habeas Corpus papers. The chief Judge of the District had been alerted and was ~~present~~ *present* in the event a show cause hearing was filed in State Court and removal ~~was~~ *was* necessary. The Clerk of Court was standing by in the event it was necessary to issue a writ of Habeas Corpus ~~from the United States Marshal and three attorneys~~ *from the United States Marshal and three attorneys* necessary. During the entire day ~~Special Agent of the FBI~~ *Special Agent of the FBI* remained in my office and was fully apprised of the protective precautions taken by this office in order that Agent Kennedy could comply with the instructions of the Attorney General and not be incarcerated.

A copy of the Statement dictated by Agent Kennedy upon his arrival at the United States Attorney's on the evening of May 17, 1967, after his appearance is attached hereto.

This morning May 18, 1967, I was telephonically contacted by Agent ~~Smith~~ *Smith*, who informed me that since Mister Kennedy had a good night's rest and his mind was clearer than the 17th, they had polished up a statement which they were forwarding to the Bureau, a copy of which they desired I have. I told ~~them~~ *them* that I would be happy to receive a copy of such statement. [I question the sentence which says in part "when the Government's motion to quash the subpoena was granted and prior to my appearance before the Grand Jury, AUSAs' Ciolino and Veterans tempered LeCour's instructions to the extent that it would be necessary for me to justify invoking the privilege as it would be subject to judicial review." This is categorically denied by AUSAs' Veterans and Ciolino. I also told Agent ~~Smith~~ *Smith* that they had failed to include the fact that the Judge had ordered the District Attorney that Mister Kennedy could leave the Grand Jury at any time he desired. This resulted in the redictation of page 2 of the "polish report" which report is attached hereto, included the original page 2 and the corrected page 2.] *withheld*

Malheur
DM Belcher 2113
United States Department of Justice

UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS, LOUISIANA 70130

129-11

May 8, 1967

Mr. Nathaniel E. Kossack
First Assistant, Criminal Division
Department of Justice
Washington, D. C. 20530

Dear Tully:

As per our conversation of today, I am enclosing herewith the news article appearing in the New Orleans States Item dated May 8, 1967, wherein the FBI, CIA and their superiors are accused of "being accessories after the fact to one of the cruellest murders in our history."

Enclosed also is a letter dated April 20, 1967, over the signature of F. Irvin Dymond, counsel for Clay Shaw, wherein he complains that Mr. Shaw's civil rights are violated due to the action of investigators of the District Attorney's office with the prospective witness Al Beaubouef.

Enclosed also are two unsigned statements purported to have been given defense attorneys for Shaw by one John C. Cancler, alias John the Baptist.

Turned over to us also and enclosed herein is the transcript of a telephone conversation between Mr. Hugh Emiclos, former counsel for Al Beaubouef, with Beaubouef, which allegedly took place on April 17, 1967.

Walter Sheridan was in town last week and I had lunch with him on Wednesday, May 3rd, and he furnished me with a copy of a rough translation of an article appearing April 25th on pages 42-49 of the Italian magazine "Tempo", which I am also enclosing herewith.

Kindest personal regards.

Sincerely,

L. C. LaCour
LOUIS C. LaCOUR
United States Attorney

FILE - JUNE

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Encls.

United States Department of Justice

UNITED STATES ATTORNEY
EASTERN DISTRICT OF LOUISIANA
NEW ORLEANS 18, LOUISIANA

May 26, 1967

129-11.

Mr. Nathaniel E. Kossack
3404 Pauline Drive
Chevy Chase, Maryland 20015

Dear Tully:

As per our conversation today, enclosed here-
with is a copy of the memorandum by my Assistant, Harry
F. Connick, concerning the visit to his home by [REDACTED]

b7(C)
b7(D)

[REDACTED] Enclosed also are
copies of the newspaper articles involving the Noval
fiasco.

is/held

kindest personal regards.

Sincerely,

Louis C. LaCour
LOUIS C. LACOUR
United States Attorney

LCL:cbu
Encls.

FILE-J.R.R.

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lc

*Documents
w/hold on file*

4-20-61
4-20-61

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : MR. LOUIS C. LACOUR
UNITED STATES ATTORNEY

DATE: May 23, 1967

FROM : HARRY F. CORNICK *H.F.C.*
ASSISTANT UNITED STATES ATTORNEY

SUBJECT: VISIT AT MY RESIDENCE FROM [REDACTED]

17(c)
17(d) On Saturday, May 20, 1967, at approximately 4:00 o'clock P.M., the door bell rang. I answered the door bell, and it was [REDACTED] from the office of District Attorney Garrison.

17(c)
17(d) I invited [REDACTED] into the home. He advised me that he wanted to talk to me. We went to the den, and he informed me that he had received a subpoena to testify at a deposition on Monday (May 22, 1967) in the case involving Dean Andrews and Garrison. *Civil damage*

After briefly describing the fact that he had received the subpoena and that he did not know exactly what to expect, as he was not familiar with federal procedures, I suggested that he retain an attorney to counsel and represent him in the matter. He said that he was not familiar with the procedure in federal court, and this is why he was asking.

17(c)
17(d) I described the usual procedure of a deposition. [REDACTED] asked if he could use his tape recorder to record the deposition. I told him that I did not see why he could not but that he should consult with an attorney and let the attorney make that determination.

After a general, and brief, discussion about the deposition he stated, as he was about to leave the den area, [REDACTED]

17(c)
17(d) [REDACTED]

17(c)
17(d) [REDACTED] then walked to the front door. I followed. I let him out and walked with him for a few steps, shook his hand and told him goodbye.

17(c)
17(d) For purposes of clarification it should be pointed out that I have known [REDACTED] for approximately 4 years. I first met [REDACTED] when he was an attorney with the Criminal Division of the Legal Aid Bureau. We have always been on friendly terms. [REDACTED] knows, I believe, that I am now an Assistant United States Attorney.

7(c)

17 REF b7C
b7D

Memorandum

TO : MR. LOUIS C. BACON

DATE: MAY 21, 1967

FROM : HENRY P. FRENCH

SUBJECT: VISIT AT MY RESIDENCE FROM [REDACTED] PAGE 2

b7(C)
b7(D)

b7(C) States Attorney [REDACTED] also knows me, as I understand, is very friendly
 b7(D) with one of my neighbors, [REDACTED]. This will possibly account
 b7(C) his coming to my house that [REDACTED] was probably visiting [REDACTED]
 home and decided to visit because he was in the neighborhood. [REDACTED]
 b7(C) one occasion within the last 6 months saw me in my front yard, as he went to
 b7(D) visit [REDACTED]

HFC:cs

7/1

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

DATE: 29 May 1967

TO : THE FILE

FROM : Louis C. LaCour
United States Attorney
Eastern District of Louisiana

SUBJECT:

On Sunday morning, May 28, 1967, at approximately 11:30 a.m., I received a telephone call at home from Assistant Special Agent Joseph Sylvester of the FBI, wherein he informed me that sometime between the hours of 11:00 p.m., May 27 and 1:00 a.m., May 28 a telephone call was received in the local office of the FBI from Criminal District Court Judge Edward A. Haggerty, Jr., who left a message for Special Agent Regis L. Kennedy to call him at his office. Agent Kennedy was notified by the FBI office immediately and he, in turn, immediately returned Judge Haggerty's telephone call. The conversation between Judge Haggerty and Special Agent Kennedy was to the effect that Judge Haggerty wanted to speak with Agent Kennedy, that he did not desire to do so over the telephone as he feared his telephone was tapped and arrangements were made whereby Agent Kennedy was to meet Judge Haggerty at his home on Sunday, May 28 at 4:00 p.m. Judge Haggerty also indicated in the course of the conversation that he was at his office working on an order which he intended to issue on Monday, May 29, and he did not indicate that this order had anything to do with that he wanted to discuss with Agent Kennedy. It should be noted that Judge Haggerty is the Judge to whom the Clay Shaw case has been assigned.

Agent Sylvester informed me that he had notified the Washington office of the FBI of the call and tentative arrangements for Agent Kennedy to meet with Judge Haggerty on Sunday, May 28. He further informed that his instructions were that he was to request that if approved of such a meeting that either I or a designated Assistant United States Attorney accompany Agent Kennedy and that prior to any such meeting that Agent Kennedy inform Judge Haggerty that it was his intention to be accompanied by someone from the United States Attorney's office. I instructed Mr. Sylvester to do nothing until he heard further from me.

I attempted first to reach Mr. Kossack at his home in Chevy Chase, Maryland but he could not be reached. I then telephoned the home of Assistant Attorney General Fred Vinson and he, too, was not available; however, I urged Mrs. Vinson to attempt to locate either Mr. Vinson or Mr. Sanders. I subsequently reached Mr. Sanders at the White House and discussed this matter with him. We agreed that I would telephonically contact Judge Haggerty and ascertain, if possible, the purpose of his wanting to see Agent Kennedy. Subsequent to speaking to Mr. Sanders, contact was made with Mr. Kossack

7(c) (D)
b(5) de 3 100

29 May 1967

- 2 -

MEMORANDUM TO THE FILE

and we agreed that I should talk to Judge Haggerty and attempt to convince him that it would be to his best interest as well as ours that there be no personal contact between himself and Agent Kennedy.

At approximately 2:00 p.m. I contacted Judge Haggerty by telephone and had a discussion with him stating that I thought perhaps it would be better for everyone concerned that Agent Kennedy should not meet him at his home. He agreed that this was probably the best course and proceeded to explain to me why he had called Agent Kennedy.

He explained that several weeks before Clay Shaw or anyone had been arrested as a result of the Garrison investigation that he had gone to dinner one evening at Gentilich's restaurant on Tulane Avenue. That after dinner he went to the bar to get an after dinner drink where he met two longstanding friends of his by the name of Sonny Bennett and Ben Lahann (phonetically). These two men were in the company of Gordon Novel to whom they introduced Judge Haggerty. The purpose of Bennett and Lahann's being in Novel's company was that they were negotiating with Novel to take over Novel's lease on the Jamaican Village Bar and Lounge. In the course of the brief conversation with Novel and the Judge's two friends, which the Judge estimates lasted approximately fifteen (15) minutes, the subject of the Garrison investigation arose wherein Novel is alleged to have told the Judge that while he had been interviewed by the FBI and Secret Service that he had not told them everything he knows. Judge Haggerty said he then told Novel that he should have told the whole truth that if he would come to his, Judge Haggerty's, office the following day he would arrange to have Agent Kennedy present in his office and that he would urge Agent Kennedy to telephone the Director of the FBI, J. Edgar Hoover direct from his office. Novel did not appear in the Judge's office though Messrs. Bennett and Lahann did. Consequently no call was even made to Agent Kennedy relative to this conversation with Novel.

Judge Haggerty indicated that this is the one and only contact he has ever had with Gordon Novel. Presumably reports have indicated that Novel has been spouting off that he has in his possession some seven (7) tapes which he desires to make public. Judge Haggerty believes that Novel was wired for sound when he had this conversation with him in Gentilich's.

The reason for his call to Agent Kennedy was to inform him that should his name come up as a result of divulgence of tapes by Gordon Novel, he wanted him to know the circumstances of his, Judge Haggerty's, use of his name. Aside from having used his name Judge Haggerty informed me that he has known Agent Kennedy for more than twenty (20) years dating back to the time when he was Assistant District Attorney for the Parish of Orleans.

Judge Haggerty further informed that he has learned from talking to Mr. Fred Berthelson, Station Manager of Radio Station WTKX that one Blake Edwards, presently employed by Nashville Radio Station KNSA and form-

Novel's business partner in the subject bar

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MEMORANDUM TO THE FILE

- 3 -

29 May 1967

erly employed by New Orleans Radio Station WNOE, that Mr. Edwards is attempting to sell and may have already sold the seven (7) tapes he claims Novel has. The tapes are allegedly of Willard Gurvich, Investigator for Garrison, Louis Ivon, Investigator for Garrison, Judge Haggerty, Jim Garrison, Aubry Young and Governor John McKeithen. Judge Haggerty indicated that divulgence of the tape contents of his conversation does not concern him as he urged him, Novel, to tell the whole truth. He said, however, that he may have made some derogatory remarks about Mr. Garrison, however, that does not concern us. Judge Haggerty further informed that he had had a background investigation of Novel make and that he wanted to turn this over to Agent Kennedy. We agreed that he should mail this directly to me. He further informed that it was his intention to issue on the morning of Monday, May 29, 1967, another order as a guide for the news media and the bar regarding public statements being made concerning that case. He informed that he has already issued three (3) separate orders, that this order he intends to issue on the 29th of May is a further clarification of his existing orders. Judge Haggerty informed me that he will also mail the three (3) orders he has already issued along with the one he intends to issue on Monday, May 29, to me.

Judge Haggerty also informed me that when he met Novel in Gentilich's Ohio, he had given him his personal card and that when Novel was arrested in Gahanna, Ohio, this card along with about seventy-five (75) other cards was found in Novel's possession. Judge Haggerty informed that one Bill Bailey employed by a Baton Rouge newspaper called him from Baton Rouge and inquired as to Novel's possession of his personal card. Judge Haggerty said he informed Bailey that he is not appointed for life to the bench, that he has to run for office and that he thinks that is is good politics to give his card to those he meets so that they will remember who they met.

We closed with the agreement that it would be better that Agent Kennedy not call on him and Judge Haggerty requested that I inform Agent Kennedy as to the reason for his call. Judge Haggerty also informed me that he is keeping a close record of all the public statements being made in the Clay Shaw case and that he intends at the conclusion of the Shaw trial, regardless of the verdict, to bring contempt actions against those who violate his orders and guidelines.