

Mary Mack  
KAS-TV  
40. Box 1780  
Fort Worth, Tx. 75101

3/1/84

Mr Gary,

Enclosed is Dallas FBI 89-43-224, SA Perryman to SAC, reporting that copies of Mary Norman's polaroid is being copied prior to return to her, dated 11/23/63.

This is from the Dallas main assassination file, one of the earliest records in it.

I'm not taking the time to go through my appeals files, but for your info I filed a number of ignored appeals. One of 8/4/78 and the first page only of another of 5/29/79 are enclosed. Sorry that the copier was not working well when I filed the latter appeal. Please note, if the copy enclosed is clear enough, that in it quote from a 1969 request for a copy of her pix, ignored to this day.

The 8/4 appeal notified the appeals office that DL had copies and kept that fact secret. (The constant shuffling I referred to yesterday, to get and return her picture rather than disclose existence of the copy of providing the copy for permanent Commission filing.)

I think this is all you asked for.

Best wishes

CC:Jim Lesar

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, DALLAS (89-43)

DATE: 11/23/63

FROM : SA CURTIS L. PERRYMAN

SUBJECT: ASSASSINATION OF PRESIDENT KENNEDY

There is attached a polaroid photograph taken by MARY ANN MOORMAN of President JOHN F. KENNEDY at apparently the precise moment he was shot by his assassin.

Copies of this photo should be made and the original is to be returned to Mrs. MOORMAN.

*bring down  
CLP*

*Returned by letter  
to Mrs. Moorman  
3/10/64  
pg*

2 Dallas  
CLP:JT  
(2) *JT*

89-43-224  
1963  
Perryman *CLP*  
*pg*

To Cain Shea from Harold Weisberg re JFK assassination records 8/4/78  
not provided - pictures

Yesterday I wrote you about JFK assassination pictures that had not been provided, about the FBI's refusal to respond to my letters on them and about learning of some that had been made available to another and not to me. In today's mail I have the enclosed letter relating to two other pictures, both of the time and at the scene of the crime.

Years ago I gave up on my efforts to see the second of these pictures. Recently, in the Dallas Field Office records, I learned that the FBI had made copies of them immediately and had kept this fact secret.

My third book is on the withholding of photographic evidence. These pictures are discussed in detail, including the shuffling of them back and forth to Mrs. <sup>W</sup>orman. The records the FBI gave the Warren Commission state that each time the pictures were needed they were obtained from Mrs. <sup>W</sup>orman, directly or through the Secret Service, and each time the Commission looked at them they were returned. The Dallas records I have just examined show that the first time the FBI latched onto these pictures it copied them.

What makes this more provocative is the fact that the Dallas records also reflect the fact that this woman and her companion both appear to have regarded it as a national need to inform the FBI every time anyone wanted to speak to them. "Reports of witnesses in the JFK and King assassinations being instructed not to talk are common.

I have seen no such records among those in the National Archives.

The Dallas records reflect also that the FBI was not interested in pictures unless they showed Oswald in the window with a rifle in his hands.

As a result some important photographs have disappeared forever.

This includes most of five reels of professional TV cameraman coverage of the search of the building from which the FBI says all shots were fired, for your information. If this is of interest, consulting my third book under the indexing of Alyes, Thomas, will tell the story from the FBI records available before the end of April 1967, when I wrote that book. Remarkably enough, there are no such records in the Dallas files I've just examined.

To Quinn-Dunn: From Bureau re: appeals re JFK records, PA appeals 5/28/79

Doyle, Kamin, WDSB-TV, WFL-TV film; Mary Moorman pictures

General association - "The Day After"

by FOIA requests - records of not provided; appeals not acted on

Warren Commission testimony and other records, FBI commentaries, analyses withheld

In prior appeals I have appealed continued withholdings of copies of the captioned photographs and records relating ~~xxx~~ to them and the photographers. To now the FBI has refused to provide copies of any of the photographs and began by refusing to make the appointment it requires for any examination of any copies in its public reading room.

Subsequently I wrote for you copies of 105-32555 Socials 5655-9 inclusive. They are attached hereto. At this point in the files it appears that the request and DJ-118 form are not attached although I believe they have been disclosed. No response is attached at this point either.

Reference to these requests as being of 12/15/70 is not accurate. Almost three years ago I prepared a list of my ignored requests for use in C.A. 75-1996, when I testified to them (without rebuttal) and gave a copy to the Department. A year or more ago I provided a copy to your office when I was told the FBI could not provide copies of my FOIA/PA requests.

The first listing for 1969 follows:

"January 1, FBI photos, reports filed, not given to Warren Commission, taken by Moorman, Rosell, Doyle and Martin. Number of repetitions of this request. They include WDSB and WFL news film. No compliance."

Although the attached records make no reference to the Moorman pictures and the FBI and Secret Service went through elaborate rituals of returning them to her and then fetching them again for the Commission, the actuality is that the Dallas office made and kept copies and kept the fact secret. (I have had no compliance with this request)

As the incomplete list of requests states, to then there had been no compliance with the matters referred to in the attached records. There since has been no compliance.

It is faithful to my experiences with the FBI and my reading of many records for FBIHQ to have represented FOIA requests as "allegations." (5695).

It is faithful to the FBI's dedication to Orwellian practice for it to indicate to the field offices that they are not to inform it whether they have copies of the photos, which I did request:

Dear Gary,

7/31/84

You phoned after I wrote this. There isn't enough time for me to check my Moorman files and make and include copies if I am to get this into town for the outgoing mail but I'll do that. I do think that when you were here you went over the moorman files and I made copies of what you wanted.

I suggest that instead of filing an appeal only to have to wait for it to be crapped around you you get yourself in better shape by writing the Dallas field office again. Like this.

Your letter of July 25 is not based on actualities and it asserts privacy claims that are inappropriate. The fact that the FBI has Mrs. Mary Moorman in her files has already been disclosed by the FBI itself on several occasions and by several other official investigations, with the FBI's assent. If there is anything of a personal nature that ought to be withheld, FOIA itself provides for that, as you well know, in Exemption 7(C). We have no interest in Mrs. Moorman's personal life but her pictures were of great significance in all investigations and we are interested in and have requested copies of all records related to them in any way. Until you make a search, which we believe is required by your own regulations, you have no way of knowing whether there is anything so personal that it must be withheld, and we again ask that you make the search required of you by the Act and your own regulations.

The records you sent to FBIHQ are only main assassination files and our requests quite clearly is not limited to them. It requires an indices search, not a conclusion or a passing of the buck. Will you please make it without further diversions and digressions? Our request includes all see references to Mrs. Moorman and her pictures and those are not at FBIHQ, where we filed a separate request, but are in your own offices as they relate to the records of your offices. However, you may have any other records filed, whether they are classified as administrative or other such records, any and all are within our request.

I think that after you have something like this in their hands you are in a better position for everything, including whatever the results of the computer enhancement may be. If they haven't responded further, even that will make them look worse. But you will have, on the record, cut through all their crap.

Unless Dallas has a backlog, they are required to respond within 10 working days. Whether or not they do. I'm sure they'll be in touch with FBIHQ after they get such a letter, if only to cover their own asses.

In haste,

Gary Mack  
KXAS-TV  
P.O. Box 1780  
Fort Worth, TX 75101

7/31/84

Dear Gary:

The note you added to the copy of the JPL letter says that Mary Moorman's pix have been sent to her attorney for your use. I presume this means that you phoned him as I suggested and as a result are getting access to her copies of her pix. Fine! But this does not say anything about my suggestion that you ask her for a release. After reading the Dallas response to your FOIA request I suggest that even if it now does not seem probable you ought still ask her for the release, which should be notarized, and accompany it with the assurances of protection of all rights that you gave Bronson.

Because all records relating to her and her pix are within one of my litigated requests, I'm sending copies to Jim Lesar.

From the very first the handling of Moorman and her pix was passing strange and certainly out of the ordinary in any serious investigation. You may recall my handling of this in my third book, which is on the suppression of the photographic evidence. What was strangest of all is the constant shuffling of it, ostensibly, when countless thousands of copies of pix were made, without anyone ever making any copies. Each time the Commission wanted to examine it they sent the FBI back for it and, dutifully, according to its disclosed records, it returned them. No disclosed Commission or FBIHQ record that I recall reports the making of any copies. Yet the kinds of crap that was copied! With three color prints by the FBI of each item of Commission evidence yet. This is even more exceptional because her pix show the President actually being killed and the background, including even much of the building from which the FBI claims all shots were fired, at the very moment of the assassination.

Of course it is possible to think in terms of what the Dallas internal record relating to the unwanted Bronson movies and still says, that if a picture could not be used to identify Oswald the FBI regarded it as worthless. But there are problems with this, of which I cite two: the FBI's incredible collection of photographic junk and adherence to its first law, cover the Bureau's ass. To cover its ass it needed the best possible copies of her Polaroids. If my recollection is correct, and after all these years I can't be absolutely certain, I believe that ~~Dr~~ Ivan Barrett made copies in Dallas, I think with a Speed Graphic camera, or with a large negative.

Before getting to the FBI's responses to your FOIA request, a bit more background, Jack White's excellent enlargements, which for the first time convinced me that her third shot includes a clear image of a man's face on the grassy knoll, where I said there was one in my first and second books and where the House committee concluded that a fourth shot came from. Among the reasons the FBI had from the very first moments to believe that there had been a shot from the front, or in general from the area included in her third picture, is the press conference of the Dallas doctors, for they said at least twice that the wound in the front of the President's neck was a shot from the front. This was an area of great sensitivity to the FBI during the Commission's life. More detail if you ever want it on this.

We have no way of knowing how closely the FBI has been keeping tabs on us and what we do, but there is reason to believe they have great interest and I do know that they have even kept tabs and files on students who were associated with me. They can be seriously embarrassed by our work and have been. And if you'll pardon my ellipsis, an FBI employee involved in my FOIA cases once blabbed, never expecting that it would get back to me. (He was moonlighting and while working for the parents of one of these students dropped a warning on the watching and keeping of records that in later life could hurt that particular student.) So, it is at least possible, and I

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am inclined to believe probable, that they are well aware of Jack White's work on the Moorman film and the results of the aborted computer enhancement at MIT. I do not think it likely that after MIT confirmed one man in her picture on the knoll and said another is probable from the computer enhancement it would drop the project, confiscate the computer tape, which wasn't its to begin with, and then say they'd deny everything if anything was said publicly, without a word to the government.

If this suspicion is correct, then the FBI has additional and current motive for playing games with you and your station. The Dallas response is subject to this interpretation, whether or not that underlies it.

The FBIHQ response is not unusual. It is a form letter, new to me in that it cites FOIA section (a)(6)(A)(i). All that means is that they are notifying you of their intent to comply with FOIA. They can "comply and refuse you everything. In fact they did not comply because more than 10 days elapsed. It interests me in this regard that when Dallas has no backlog to slow it down it did not reply until the day after FBIHQ did and its letter is dated 20 days after your letter.

What I would have expected Dallas to do would have been what was easiest for it and would be the best way of diverting you. I'd have expected them to write you saying that they had sent all their assassination files to FBIHQ and have for that reason referred your letter to FBIHQ. This is their basic position as well as a big lie.

But they didn't do this. Nor did they do what their regulations require, make a search to determine whether they have responsive records.

This can be pursuant to one of the FBI's newest tricks to make use of FOIA cumbersome and costly and to discourage requesters and defeat the Act. They claim privacy and under a fairly new decision (Antonelli) claim that even disclosure of the existence of FBI files on a person invades that person's privacy. What they say about this, however, simply is not applicable and, without any doubt at all, the Dallas FBI office knows this. Whether or not Udo H. Specht is still their JFK case and FOIPA officer. The reason neither Act requires what they represent is the fact that the FBI itself has disclosed that it has records on Moorman, as did the Commission and the House committee, both with FBI assent. Aside from the great public attention to her pix at the time of the crime. So, why do they give you all this who struck John and why did they then not just forward your request to FBIHQ? And why, in referring your station to FBIHQ and suggesting that the only way you can get to see the disclosed records is by going there, did they not tell you what they know very well and would have made them look better, particularly if you decided to appeal and/or litigate, that copies of these disclosed records are readily available at 10¢ a page?

Why do they tell you what they know is a very big lie, that in order to get copies of the records they know very well are already disclosed you have to have and file Moorman's release?

An obvious possible explanation is that they want to impress your station with the amount of trouble and cost they face. Another, and one I am inclined to favor, is that they have something to hide from you. And I add, from me, because anything and everything relating to Moorman and her picture is with my CAs 78-0522/6420 combined. (0522 is my Dallas request/litigation.)

Remember what I told you and sent you on the Dallas copies of the tapes of the Dallas police broadcasts? Their own later records could not help reporting the fact that they made their own dubs, on their own Wollensak tape recorded. Yet they claimed they didn't, then made other equally false claims, and their own case index does not include a single relevant record of the time of the assassination and thereafter

and in particular there is no reference to any such tapes in any of the main assassination files. Now I don't think for a minute that they did not expect me to prove beyond reasonable question that they made their dubs, yet they lied, expecting to get away with it, as to now they have, and were unconcerned about my proving that they lied about what is material and swore to that lie. Ordinarily this is perjury.

There is no doubt at all that Dallas had and has these tapes, and I am without doubt that the most everyday search of tis indices will disclose exactly where it is. My first guess would be under the first index cards to be examined, Dallas Police Department.

This is why I suggested that your request include all see references to Mary Moorman. By not filing what they did not want to let the Warren Commission have in any main assassination file they effectively hid it. By not searching any records other than these same main files they effectively deny all others what they did not want the Commission to have. Like the police tapes, a better copy than the original Polaroid, etc. And anything they may have learned in any investigation, if they made one. (I think it more likely that if they made any investigation it was at a time when the FBI was being criticized rather than at the time of the assassination.)

They have also given you an extra trap. They tell you that if you file Moorman's release to file it with FBIHQ. If you do this all you'll get is what is already disclosed and nothing else because all that Dallas has sent to FBIHQ is what they sent for disclosure to me in this litigation. If you decide to get and file it, I suggest that you file the original with Dallas and send FBIHQ a xerox of it and your letter covering it to the Dallas office. You would then ask for a proper search, not limited to what was sent to FBIHQ in 1978 in my litigation (a little more was sent later, but no Moorman records) or to what was sent for the Commission, but all records on or about her and her pictures, including in particular any analyses or investigations relating to them.

If you do not want to ask for a release you can write Dallas again, and I'd do this prior to appealing. Or you can even phone and say "Come on now, Udo old pal, where do you get off feeding us all that crap?" All you need allege is that the FBI has already disclosed that it has relevant records on Moorman and hence there is no privacy consideration. This does not mean, however, that there are not individual records for which a privacy claim ought not be asserted by the FBI, for their can be. Nor is her privacy the only possible consideration. If the cop she was running around with was a married man, he'd have privacy rights. But the Act provides for this and they withhold from the records as they disclose them anything of this character. If they want to abide by the Act. (Moreover, you have no interest in her private life. Your interest is in and what relates to her pictures.)

What you told me when we spoke is an excellent and important illustration of why they hide what most people would believe they have no reason to hide hence are not hiding, what is clear on the better remote generation of the police tapes you transcribed, the part that destroys the entire official account of what the late cop J.D. Tippit was doing at the time of the assassination. He was not home having lunch at 12:20. He was in his car and he answered a call from the dispatcher. (You forgot to send that portion of the transcript for me to forward to Cesar. I'd also appreciate a dub of that portion of the tape. I also may be able to have a little done with this in Dallas and I may try. I'll let you know.) I don't think that even before a rubberstamp judge the FBI would want me to provide its transcript of those recorded broadcasts and what it omitted that is so significant. Remember, the directive from LJB was to investigate Tippit's killing, too.

I don't know what your people want to do, but I've taken this time because it can be important. One other possibility is to request copies of all records relating to the station and certain employees. That might now be fun!

Best wishes,

Harold





U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

JUL 24 1984

MR ED MARTELLE  
NORTH TEXAS BROADCASTING  
CORPORATION A LIN STATION  
POST OFFICE BOX 1780  
FORT WORTH, TX 76101

Request No. 250625

RE: MOORMAN, MARY ANN

*determine whether to  
comply with  
this request  
dlp/so*

Dear Requester:

This is to acknowledge receipt by FBI Headquarters of your recent Freedom of Information-Privacy Acts (FOIPA) request and to advise you we will comply with your request according to Title 5, United States Code, Section 552 (a)(6)(A)(i) and other Federal statutes and regulations. Additional information, if needed, will be requested by separate letter.

A search of the indices to our records will be made to determine if we have the information you seek. If the search fails to locate record(s) pertaining to your request, you will be notified. If the search locates a record(s) which may be responsive to your request, it will be retrieved and processed according to the provisions of the FOIPA.

Your request has been assigned the number indicated above. Please use this number in all correspondence with us.

Sincerely yours,

*[Handwritten Signature]*  
Chief

Freedom of Information-  
Privacy Acts Section  
Records Management Division



**U.S. Department of Justice**

**Federal Bureau of Investigation**

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In Reply, Please Refer to  
File No.

1801 North Lamar, Suite 300  
Dallas, Texas 75202  
July 25, 1984

Mr. Ed Martelle  
KXAS - TV  
Post Office Box 1780  
Fort Worth, Texas 76101

Dear Mr. Martelle:

This will acknowledge receipt of your Freedom of Information - Privacy Acts (FOIPA) request dated July 5, 1984.

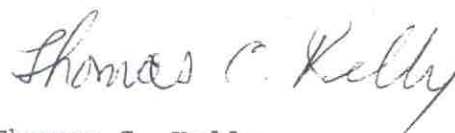
In handling requests for information pertaining to third parties, the Freedom of Information Act, while promoting a spirit of general openness in government, provides specific protection for personal privacy interests through both Exemption 6 and in the context of law enforcement records, Exemption 7 (c). In addition, Title 5, United States Code, Section 552a, popularly known as the Privacy Act, specifically prohibits the release of records concerning an individual except upon request by or with the written consent of the individual to whom the record pertains. Consequently, we hold that the records you requested are exempt from disclosure under the above-mentioned exemptions.

If you obtain a notarized authorization from Mary Ann Moorman, directing the release of information to you, please submit the original to the Federal Bureau of Investigation, Washington, D.C. 20535.

All documents regarding the investigation of President John F. Kennedy's assassination are of a pre-processed nature and available for review only at FBI Headquarters, Washington, D.C. You must make prior arrangements with FBI Headquarters either by letter or telephone (202/324-5520, FOIPA Branch Front Office), with fortyeight hours advance notice prior to your appearance to review the material.

If you desire, you may submit an appeal from any denial contained herein. Appeals should be directed in writing to the Assistant Attorney General, Office of Legal Policy, (Attention: Office of Information and Privacy), United States Department of Justice, Washington, D.C. 20530, within thirty days from receipt of this letter. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Please cite the name of office to which your original request was directed.

Very truly yours,

A handwritten signature in cursive script that reads "Thomas C. Kelly". The signature is written in dark ink and is positioned above the typed name.

Thomas C. Kelly  
Special Agent in Charge

Jet Propulsion Laboratory  
California Institute of Technology  
4800 Oak Grove Drive  
Pasadena, California 91109  
(818) 354-4321



July 25, 1984

Mr. Ed Martelle  
High Technology Reporter  
KXAS-TV Fort Worth/Dallas  
P.O. Box 1780  
Fort Worth, TX 76101

Dear Mr. Martelle:

Your letter to Frank Colella regarding possible image processing and evaluation of the Mary Moorman photo of the assassination of John F. Kennedy has been forwarded to me.

Bob Selzer told me this week that he has not yet received a copy of the photograph for preliminary evaluation, and that he will be contacting you regarding the photo. If he doesn't shortly, I urge you to contact him ((818) 354-5754) in order to expedite any work JPL might perform on the image. \*

Should Selzer find that further processing or analysis of the photo at JPL would be of use, we will be eager to help in the project in any way we can.

Sincerely,

Mary Beth Murrill  
Senior Public Information Representative

Jet Propulsion Laboratory  
California Institute of Technology  
4800 Oak Grove Drive  
Pasadena, California 91109



Mary Beth Murrill  
Senior Representative  
Office of Public Information  
(818) 354-5011

HAROLD - 7-27-84  
BOB HAS A GLOSSY  
BLOWUP AND A CONTACT  
SHEET. MARY'S PHOTOS  
HAVE BEEN SENT TO HER  
ATTORNEY FOR OUR USE.