

M E M O R A N D U M

May 11, 1967 (Transcribed)

TO: JIM GARRISON, District Attorney

FROM: WILLIAM R. MARTIN, Assistant District Attorney

RE: RICHARD CASE NAGELL
A-16606-H
Medical Center For Federal Prisoners
Springfield, Missouri

On the afternoon of April 19, 1967 I had a telephone conversation with Dr. Ciccone, Director of the Medical Center For Federal Prisoners, during which it was agreed that I would be able to obtain on a subsequent visit to the Medical Center, privileged communication with the subject, Richard Case Nagell, which privileged communication had been previously denied me on a prior visit. Dr. Ciccone suggested that I confirm this arrangement and handle all details through Mr. Robert Nicholas, Chief of Classification and Parole, at the Medical Center. On Friday morning, April 20, 1967, I spoke to Mr. Nicholas by telephone and he agreed that since the subject had not been comfortable or at ease during our previous meeting in a public meeting-room, that he would be allowed to meet with me under private and privileged circumstances and Mr. Nicholas suggested that such could be arranged for Monday, April 24th.

On Sunday morning April 23, 1967, at 7:30 A.M. I departed New Orleans for Springfield, Missouri on board Delta Flight 836. The purpose of this trip was to conduct a second interview with the subject identified above who had offered himself and a tape recording to this office. The proposed circumstances of this interview were to be under privileged lawyer-client circumstances under which the subject was to be able to provide the necessary instructions for obtaining the tape recording.

I arrived at the Springfield Airport at 11:15 A.M. and checked in at the Candlelight Motel. At 12:30 P.M. I proceeded to the Medical Center for Federal Prisoners and met with the subject during the regular visiting hours from 1:00 to 3:00 P.M. When Mr. Nagell was shown into the visitor's room a few minutes after 1:00 o'clock he seemed extremely glad to see me and conducted himself in a very pleasant manner. He inquired about his recent letter to me (copy attached) and asked if I had received it. I explained to the subject that I had received his letter and had travelled to Springfield because I had been able to obtain assurance that we would be allowed a private interview together under privileged circumstances. The subject was somewhat dubious about this and stated that he seriously doubted

whether he would be granted such privileged communication and that even if he were, there was no assurance that the written instructions which he could give me would not be taken from my person prior to my leaving the premises. I explained to the subject that it was highly unlikely and outlined for him a few basic reasons why this could not be done. The subject seemed to accept my explanation and we began to discuss the content of the tape recording.

The subject was willing to discuss the contents of the tape recording but asked that I not push him for too many details since he was forced to discuss this matter in extremely guarded tones. He stated that he had perhaps been a little over optimistic when he first spoke to me concerning the tape recording when he had said that the tape recording would "wrap the case for us". He stated that the tape recording would merely serve to show "conclusive proof of a plot to kill President Kennedy". He stated that there were four voices on the tape, one of which was his own voice but that he was acting as interpreter only. He implied that the person for whom he was interpreting was silent throughout the meeting and that his voice is not heard on the tape for that reason. He further stated that there was reference to persons and places in the tape recording but that the names and places used were cover names and did not literally mean what they said. For example, he stated that the name Raul appears on the tape but that Raul is a cover name for a man whose true name he will not disclose. He also stated that there is a reference to San Juan, Puerto Rico on the tape but that this is a cover for the name of Mexico City. He stated that the persons who were being tape recorded were not aware that they were being put on tape and that they probably would have shot him if they had learned what he had done.

He stated also that the tape recording was made on the 20th or 21st of August, 1963 but it should be specifically noted that later during the interview when I asked the subject again what dates the tape recording covered he stated that the tape recording covered roughly the 26th, 27th, 28th and 29th of September of 1963. When I asked the subject about this apparent contradiction he stated that the September dates had pertained to something else and that he had not been thinking clearly of my question when he answered me.

We then began to discuss the method of obtaining the tape from the subject's friend who had it in his possession. Mr. Nagell stated that he had perhaps given me already sufficient information to obtain the tape recording and that in his opinion, his friend would probably give me the tape recording even if I were to approach him without the letter written by the subject. He elaborated by saying that he had already given me the subject's name, telephone number and address and alias and had already told me so much about the tape recording that he was certain that if I were to explain all of this to his friend, that the friend would see quite obviously that he (the subject) had intended for me to have the tape recording.

I asked the subject why he had indicated to me on an earlier meeting that the requirements for obtaining the tape had.

been so extremely strict and he answered by saying that he had not quite trusted me at the time, but had since changed his mind about me.

In discussing his friend who had possession of the tape recording, the subject described him as a white male, 35 years of age, fairly slim build, short brown hair, wears glasses, and a devout Kennedy supporter who was so extremely upset at the assassination of the President that he was not able to eat for two days. Further, that for the election of President Kennedy to office, the friend had walked the streets handing out political handbills and pushing doorbells for his election. The subject further stated that his friend hates policemen but is, in his own way, a champion of justice. He further stated that his friend very often puts on the appearance of being not too bright, but that he is in fact very sharp and has a keen intellect.

Continuing the interview in a very general conversation the subject stated that shortly before the assassination he had gone to Miami where he had learned that there were two agents of the Federal Bureau of Investigation assigned to that area and working with Cuban revolutionaries and that these two agents of the F.B.I. were commonly known as "THE TACOS". He stated that when he or any of the Cubans involved wanted to get in touch with the two agents, they would call a certain telephone number which apparently a cafe or a restaurant and would ask for the men by the nickname of "THE TACOS". He stated also that while he was in Miami he had come into possession of a 22 revolver equipped with a silencer and that he had assumed that this weapon was going to be used in the assassination at close range. He stated that he had disposed of this weapon but that he could retrieve it at any time, that he knew exactly where it was, and that it was well hidden.

San Antonio

Continuing the general discussion the subject asked if the District Attorney's Office was aware of a man in San Antonio who owned a 6.5mm Mannlicher-Carcano Rifle. The subject stated that this man had known Lee Harvey Oswald and had been seen with him on many occasions.

At this point it was announced that visiting hours were over and the subject and I parted with the words that he was looking forward to seeing me the next morning in a private meeting in the office of Mr. Nicholas.

The following morning, Monday, April 25, 1967, at 8:00 A.M., I returned to the Federal Medical Center for an appointment with Mr. Nicholas. Mr. Nicholas met me at the entrance to the Medical Center and escorted me personally down a series of corridors to his office. His manner was genial and quite friendly. Mr. Nicholas sent for the subject's file and began to go through it at his desk after seeing to it that I was seated comfortably in his office. Mr. Nicholas casually inquired about my relationship with the subject and was interested to learn what grounds I was going to use to appeal the subject's case to a higher court and what the nature of the defense would be. I avoided any direct answers or any form of conversation concerning the subject but maintained a friendly and polite

attitude to Mr. Nicholas inasmuch as he was the individual responsible for arranging the privileged meeting with the subject. In the process of going through the subject's file Mr. Nicholas came to a pink sheet of paper and read it over and asked me pointedly if the subject had ever threatened to kill the President of the United States. I evidenced some surprise at this question and answered "No, certainly not to my knowledge." Mr. Nicholas wondered out loud why the aforementioned pink sheet of paper was in the file since it was a form used by the Secret Service in their capacity to protect and safeguard the President of the United States and which they added to any and all files of any and all persons who threatened or posed a threat to the President. My conversation continued with Mr. Nicholas in a very general and friendly tone.

After a moment or two Mr. Nicholas looked up from his desk in the direction of the front door of his office and said "Just a moment Mr. Nagell we will be with you very shortly." At this time Mr. Nagell, who was not yet in my line of vision, stated "Never mind Mr. Nicholas, I think I've heard enough as it is." The subject continued by saying that he had overheard Mr. Nicholas and myself speaking and that he had changed his mind about confiding in me and that he did not want to associate with me in any manner and did not want to speak to me at all. Mr. Nicholas and I both attempted to calm the subject down. He was visibly shaken, pale, and moving his hands about in an extremely nervous manner. After a few moments I was able to convince Mr. Nagell that he should sit down with me in private at least long enough to tell me what was on his mind and what had upset him so much. Mr. Nagell and I were seated in a private room adjoining Mr. Nicholas' office and he proceeded to tell me that he had overheard me speaking to Mr. Nicholas in a "friendly" manner and that he had become extremely agitated, excited and lacking in confidence since I had been "friendly" with Mr. Nicholas. The subject emphasized the word friendly in an incredulous manner as though he could not understand how I could be friendly with Mr. Nicholas and as though he regarded Mr. Nicholas as an enemy. The subject kept repeating "I am not a fool Mr. Martin." "What do you take me for, a fool?" This private meeting with Mr. Nagell occupied some 3 to 5 minutes only after which time he arose abruptly from the table and "stalked" into Mr. Nicholas' office and demanded that he be returned to wherever he had been when he was called down to the meeting. Mr. Nicholas was as surprised as I was over the behavior of the subject and spent about 10 or 15 minutes with me after the subject had departed, and had discussed with me the subject's background which had made his conduct possible. Mr. Nicholas also called the physician who had been supervising the subject's care, and whom the subject had come to be rather fond of, and the three of us held a lengthy conversation concerning the subject and what could be done to calm him down and re-establish rapport with him.

Mr. Nicholas and the physician were, of course, operating under the assumption that I was visiting the subject as his legal counsel only and I am satisfied that they knew nothing of my function as Assistant District Attorney. The aforementioned physician, whose name I do not recall, asked me to wait in Mr. Nicholas' office while he (the physician) went to have a talk with the subject in an effort to have him re-establish

relations with me. After approximately 20 minutes the physician returned and stated that he was very sorry but the subject had sent word that he would not continue with his plans to have me represent him in any manner and for me to "just forget the whole thing".

There being no immediate alternative available, I departed the Medical Center at approximately 9:30 and, failing to get an earlier flight to return to New Orleans, I returned to the Candlelight Motel for the day and returned to New Orleans on a Delta flight departing Springfield at 5:30 P.M.

CONCLUSIONS AND OPINIONS

According to statements made to me by the subject I am in possession of enough information concerning the tape recording and the subject's friend who is holding the tape recording, that I should be able to obtain the tape recording without benefit of the letter the subject was going to write. This conclusion is based on what the subject himself told me when he admitted to me that he had over-emphasized the security of his possessions being held by his friend. (See page 10, paragraph 3 of my first report on this subject.)

I was told by the subject's physician that the subject had earlier suffered severe brain damage in an airplane accident and that he also suffered from acute paranoia. The physician stated that within a few days the subject might have an equally strong and opposite reaction to his one at our last meeting and might be anxious to see me again. Based on this information it is possible to conclude that the subject might suffer a change in his present attitude and might ask for me to return to Springfield to continue with the meeting we had originally planned.

Based on my personal knowledge of the subject and of the circumstances of his case which he has described to me which include a chronic fear of betrayal by almost everyone, I do not feel at this time that the subject will be willing to continue our relationship.

A letter will be written to the subject in an effort to calm his fears and to re-establish our relationship.

M E M O R A N D U M

May 12, 1967

TO: JIM GARRISON, District Attorney

FROM: WILLIAM R. MARTIN, Assistant District Attorney

RE: RICHARD CASE NAGELL
Medical Center for Federal Prisoners
Springfield, Missouri
A-16606-H

On the morning of April 25, 1967, I had a rather lengthy meeting with a clinical psychiatrist of this City and, with his very valuable assistance, composed a letter to Mr. Nagell which, according to the psychiatrist, would be most likely to produce the desired results.

At no time was the psychiatrist given the correct name of the subject or his address and, for his part, asked that his assistance and cooperation be kept in confidence since he did not particularly want to become involved or to have his name connected with this matter in any capacity.

The letter to Mr. Nagell (copy attached hereto) was returned to me from the Federal Medical Center with a letter signed by Mr. Nicholas stating that the subject had refused to accept my letter and that he had requested that all persons be removed from his official correspondence list.