

MEMORANDUM

April 18, 1967

TO: Jim Garrison, District Attorney

FROM: William R. Martin, Assistant District Attorney

SUBJECT: Richard Case Nagell, Federal Prisoner No. PMB-A-16606-H
Medical Center for Federal Prisoners, Springfield, Mo.

On Monday morning April 10, 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 interview the subject identified above who had offered himself as an informant to this office. Upon arrival in Springfield at 11:17 A.M. I retained yellow cab number 9 and was driven directly to the Federal Center. There I was advised by the guard at the main entrance to the building that he would have to obtain the permission of the classification and parole officer assigned to the subject before I would be allowed visiting privileges. The guard requested that I fill out a "visitors form" and he then took my completed form and the subject's record jacket elsewhere in the building out of my sight and returned at about ten or fifteen minutes and stated that I would be allowed to visit the subject during regular visiting hours from 1 to 3:00 P.M. By this time it was 12:20 P.M. so I elected to have yellow cab number 9 wait for me.

At five minutes to one P.M. I was ushered, along with several other visitors, into a very large and informal waiting room where we were asked to await the arrival of the person whom we had come to visit.

NOTE: Contrary to what I had been told to expect, I was not personally searched nor was my briefcase searched prior to being allowed in to visit the subject. For future reference it should also be noted that the inmates or prisoners of this Federal Medical Center are not allowed to write in any manner or to sign their names to any documents or papers during a visit.

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without the prior consent of their classification officer. All material written or signed by the inmate is censored by the prison officials and there exists no privileged communication between lawyer and client at this institution unless special arrangements have been made for a private interview by the inmate himself. The visitor is free to write his own notes during the visit with the inmate and may hand the notes and other documents or papers to the inmate for the inmate to read and this is done without supervision or censorship but, in no case may the prisoner write or sign his name or deliver a document to the visitor without the aforementioned prior approval.

The following interview with the subject, Richard Case Nagell, took place over a two day period and a total of four hours of standard visiting hours. The interviews with the subject were made without taking notes since the presence of a note pad and a pencil seem to make the subject nervous and reluctant to speak freely.

The subject was brought into the visiting room promptly at 1:00 P.M. on April 10, 1967 and was brought to my area of the room by the guard supervising the general visiting area.

This visiting area is a large room arranged in an informal manner with many individual clusters of chairs each drawn up to a low table in the center of the cluster of chairs. The visitors face the inmate from their chairs which are drawn up on the opposite side of the small table from the inmate and, I observed that in no case were the visitors allowed to sit side by side with the inmate.

After shaking hands with the subject we both took seats on opposite sides of the table and the subject opened the conversation immediately by saying that he was sorry that he had caused me to make this long trip from New Orleans for no purpose at all. He stated that he had given the matter much thought and that he had decided that it would be useless and not in his own best interests for him to confide in this office or to turn over

material or evidence to us. He stated that he was worried about recent events and was at this point afraid to confide in anyone. He elaborated that he had become very suspicious of just about everyone and was extremely upset by the way "things were being handled". Further prompted, the subject stated that he had asked his sister to contact Mr. Garrison personally and had given her explicit instructions as to how he had wanted this contact to be established. He said that his sister had gone about things in exactly the wrong way and that she and her husband were trying to play "amateur detective" and that all they were going to succeed in doing would be to get him in even deeper than he was and to stir up more pressure and more trouble. He stated that recently his brother-in-law had visited him in Springfield and had attempted to "interrogate" him very closely about this case and other matters in his past but that he (the subject) had decided to trust absolutely no one and that he would simply let his case and everything pertaining to it remain in the status quo.

At this point it seemed patently unwise to question the subject or to push him in any manner and our conversation was permitted to drift into other unimportant and miscellaneous channels.

The subject was quite interested and willing to reveal to me certain things about himself and about the depth and complexity of his own case and of his past personal life. He stated to me that he had been "a very bad boy for a very long time" and that no one knew of this since he had never discussed his personal beliefs or his personal activities with anyone and had always concealed his activities with a good cover or front. He stated that he had been involved in certain activities which could get him in a tremendous amount of trouble if the activities became known and that he would probably wind up spending the rest of his life in prison if anyone ever discovered exactly, and could prove exactly, what he had been up to. He stated to me that he had been a Marxist-Leninist for many years and that he had a particular love or

United States or any of our Government functions, nor was he interested in helping this office with our investigation, for any reason, or out of any motive, whatsoever except insofar as he thought it might be a benefit to him personally and that if he ever did decide to help this office in any manner it would only be because he decided that it would help "this number one boy" (at this point the subject pointed to himself).

The subject became intensely curious about our investigation and, as our conversation progressed, he stated that he was pleased to see that I was willing to bring him up to date on our investigation insofar as the non-confidential aspects were concerned and he stated that he was certain that, at this stage of the game, we too had our hands full with amateur sleuths who were coming out of the woodwork. Our discussion continued along this general pattern until I mentioned to the subject that he really should not be ^{too} disturbed or upset by the conduct or amateurish approach of his sister and brother-in-law since, after all, it was the best that could be expected of anyone who was not accustomed to this sort of thing and that they certainly could not be expected to behave as professionals.

At this point the subject stated that this was precisely the professionalism he was looking for when he had asked that he be contacted by Mr. Garrison. He stated that he had kept account of our progress as best he could through his limited access to newspapers and that he admired Mr. Garrison for his willingness to undertake this investigation and expose the truth regardless of where it may lead. The subject stated that he had seen Mr. Garrison on television, or had perhaps read ^{IN} a newspaper, Mr. Garrison's statement that "let justice be done though the heavens crumble" and that he (the subject) had been very much impressed with this statement and had hoped to be able to assist Mr. Garrison and, in so doing, ultimately assist himself and benefit his own position.

At this point I assured the subject that any information or material he released to Mr. Garrison's office would be handled with the strictest confidence and that it would receive the most competent and professional treatment that the office could make available. With no further encouragement the subject began to discuss the Kennedy assassination and his own relationship to it.

He stated that there had actually been three separate plots to assassinate President Kennedy. The first was a plan to kill President Kennedy by bombing (a concealed bomb in the speaker's platform or the speaker's podium) on the occasion of December or January of 1962 when the President traveled to Miami, Florida to address the group of Cuban prisoners who had taken part in the Bay of Pigs invasion and who had just been released and returned to the States. A second and similar plan to kill the President was to have taken place in June of 1963 when the President had traveled to Los Angeles for an important speaking engagement. The subject stated that the first and second plots (above mentioned) had never really become serious and that the plans never did reach more than just the talking stage. The third and final plot, which did in fact end with the assassination of President Kennedy, was an offshoot of the other two plans and was planned and put into effect by the same group of people.

The subject stated that these plots to kill President Kennedy had each involved several men, some of them Cubans, and that all three plots had been based along the same thinking and logic.

At this point the subject asked me if I was aware of the fact that the Cuban refugees in the United States had formed and organized a great number of movements, organizations, groups, and societies all of which were, in one way or another, dedicated to the overthrow of Fidel Castro. Most of these organizations of Cubans are either formal or semi-formal organizations with elected Presidents and officers and go under a variety of names, such as

The subject made it expressly clear at that time that none of these organizations, acting as organizations, planned to assassinate, or in fact assassinated, President Kennedy. Rather, he stated, that the Cubans who took an active part in the assassination acted as individuals and that they did not all belong to one organization or even to two organizations, even though they had all come together and become known to each other because of these organizations.

At this point the subject became rather nervous and seemed to be reluctant to continue his description of what had taken place in connection with the Kennedy assassination. He asked a variety of questions concerning the theories on which Mr. Garrison had been working and whether or not we had received or had been offered any cooperation by the Central Intelligence Agency or the Federal Bureau of Investigation. I assured the subject that insofar as the Kennedy assassination was concerned, that this office was working entirely independently of any other organization and that we did not believe that the FBI or the CIA could be inclined to offer us any assistance. This statement seemed to relax the subject a bit because, as he said, the information he was about to give me, or could give me, was not such that it would enhance the public image of either the FBI or the CIA.

At this time the guard in the visitors room at the Medical Center for Federal Prisoners announced that visiting hours were over and the subject and I were forced to take very rapid leave of each other. Prior to departing the subject asked me if I could possibly stay in town and return during the next visiting hours and I assured him that I had no intention of leaving town until after he had told me everything he had to say. This concluded my first interview with the subject, Richard Case Nagell at 3:00 P.M. on April 10, 1967.

Upon leaving the visiting area of the Medical Center I asked to speak to the prison social director Mr. Matthews and to the classification and parole officer in charge of the subject's case. Neither of these gentlemen were available to speak to me and I was asked to return later in the afternoon to see them and I was also asked to leave a message as to the nature of the business I had with them. I left word that I wished to make arrangements for a privileged attorney-client interview with the subject since I had not been satisfied with our meeting in a public meeting room. For the rest of the day and during the morning of the next day both of these men successfully avoided and evaded my attempts to see them in their offices.

On Tuesday morning at 8:30 A.M. I returned to the Medical Center for Federal Prisoners and continued my interview with the subject, Richard Case Nagell. Without preliminaries Mr. Nagell continued our conversation exactly where it had been interrupted the day before by asking me what theory Mr. Garrison was working on as regards the assassination of President Kennedy. The subject apologized to me for having to ask me to explain our theory or theories and explained himself by saying that he was very much concerned lest we involve him by accident in more trouble with the FBI or the CIA. The subject said that he could not afford, at this point, more trouble with either of these organizations and that he had to make absolutely certain that our approach to the investigation of the assassination was not such that, with the information that he could give us, would lead him, in his own words, into more hot water.

At this time I presented to the subject the following possibility:

That early in the Castro regime in Cuba, various efforts were made by patriotic and anti-communist cubans, to overthrow and/or to assassinate Fidel Castro. That these efforts included small guerrilla raids launched from the Florida Keys, small attempts to land weapons and explosives

Cubans, and efforts on the part of many refugee Cubans in the United States to form large organizations to collect money and weapons and to train forces for an invasion of Cuba to overthrow and/or assassinate Fidel Castro. That much of this anti-Castro work was encouraged, sponsored and financed by the Central Intelligence Agency and that for all practical purposes these miscellaneous efforts on the part of the Cubans and the CIA had been totally useless. Adding insult to injury, the Bay of Pigs invasion, an acknowledged CIA operation, was a total disaster when the Kennedy administration decided at the last minute that they could not afford, publicly, to lend our support to the Bay of Pigs Invasion in the form of Air Support and invading troupes which had been promised to the Cuban invaders. That during the long imprisonment of the Cuban troupes of the Bay of Pigs Invasion, the entire invasion operation-CIA involvement was publicly investigated and openly criticized, and that the Kennedy administration had stated as their final excuse, that world opinion and the opinion of the American public was insufficiently aroused to justify an armed invasion by the United States of the Island of Cuba. That this rationale so inflamed many of the Cuban refugees that a group of individual Cubans along with a few United States citizens decided to take matters into their own hands and to perform an act so violent and outlandish in itself, that it would instantly arouse United States and world opinion to such an extreme pitch that an armed invasion by the United States, with United States military forces, would be then justified on the Island of Cuba. This single act, designed to inflame world opinion, was the assassination of President Kennedy. That this assassination was planned originally in such a manner that the assassins and/or their fall guy would be able to take immediate refuge in Cuba and that this, in addition to other evidence which was intended to come to light, would make the assassination look as though it had been designed, planned and executed under the orders of the Fidel Castro regime in Cuba. This, the

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Concerning the content of the tape recording in question, the subject stated that it was a tape recording made of a conversation of four individuals and that the tape was primarily in Spanish although on certain occasions in the tape certain of the participants lapsed into English. When questioned as to the identity of the persons speaking on the tape the subject stated openly that one of them was "Arcacha" and another individual whom the subject would only identify ^{AS} "Q". The subject did not wish to go into more detail concerning the tape at that time since he, all during our previous conversations, had indicated that our conversation could possibly be bugged.

As to the method of our obtaining the tape recording, the subject advised as follows:

The tape in question, along with a variety of other tape recordings, papers and other items highly incriminating to the subject, are in a box or small trunk which the subject left in the safekeeping and care of an intimate/^{and} trusted friend. An arrangement was made between the subject and this friend that under no circumstances was this box or trunk or any of its contents to be released to any person whatsoever, other than the subject, unless the friend were to be approached by a person bearing a handwritten letter in the handwriting of the subject, which letter would have to be signed by the subject in a certain secret manner. If anyone were to approach the friend and attempt to obtain the box or any of its contents without first having obtained this letter signed in a secret manner, then, in that case, the friend had instructions to destroy ^{that} anything and everything/had been left in his safekeeping by the subject.

Mr. Nagell then indicated to me that he was willing to whisper to me the name, address and telephone number of the friend with whom he had left this evidence but prior to doing so the subject asked me to pledge my word that the name, address and telephone number of the individual would not be written down in this

this report, or copies of this report, could conceivably leave this office and fall into the hands of the FBI or the CIA. The subject indicated that if this should happen, he was sure that the FBI would charge in on his friend, kick in his front door, and harass him into turning over all of the aforementioned material. He stated that "this material is my whole future" and indicated that he had to be particularly careful of how it was handled. This being the case, the name, address and telephone number of the subject's friend does not appear in this report but has been turned over to Mr. Garrison for use at his discretion.

The subject and I then entered into a lengthy discussion as to how the letter in question directed to his friend could be placed into my hands; bearing in mind the fact that the subject was not able to deliver to me anything in writing and that all of his outgoing written material was very closely censored. It was resolved that there were two possibilities:

1. That the subject would immediately request of the prison officials at the Medical Center that he be granted privileged attorney-client interviews with me and that if this request were granted he would then be able to smuggle this letter to me.

2. The subject stated that he was scheduled to be sent back to Leavenworth Federal Penitentiary within a few days and since privileged communications at Leavenworth were much easier to come by than in the Medical Center, he would be able to hand me the letter in question if I were to visit him at Leavenworth.

The subject asked that I return to Springfield within a few days to attempt to see him under privileged circumstances since in his own words, "time is of the essence". If this effort is unsuccessful then a second effort will be made when the subject is transferred to Leavenworth.

IMPRESSIONS AND OPINIONS: The subject, Richard Case Nagell, is an extremely articulate and well spoken individual who seems to have full command of his senses and total recall of his

activities and constantly mentions dates, times and places that pertain to matters concerning this investigation. He is of the opinion that he will be forced to complete his full ten year prison sentence, of which six years remain, unless he offers to cooperate with the FBI. It is his impression that this cooperation would mean the release to the FBI of all of the material incident to his association with the Soviet Embassy in Moscow and he is not willing to do this. Mr. Nagell stated to me that in six years from now (i.e. when he is released from prison), he will then be forced to make a final decision of either leaving this country (United States) forever or remaining in this country in good standing forever. It is his opinion that everything will depend on how the aforementioned box or trunk containing his possessions is handled. I received the impression that Mr. Nagell does not really care, one way or the other, whether he leaves this country or not in six years since he feels that it is possible for him to live in peace either in the United States or in the Soviet Union depending on the circumstances at that time. Although Mr. Nagell stated to me that he felt no particular loyalty to the United States and had worked with the Soviet Union as a matter of principle and personal convictions, he also stated to me that the release of his tape recording to Mr. Garrison was his first step in seeing what he could do to "square himself" with this country.

At this point the guard in the visiting area announced the end of visiting hours and the subject and I parted with my promise to return to Springfield within a few days to attempt to see him under privileged visiting conditions.

At approximately 11:00 A.M. on Tuesday April 11, 1967 I returned to my room in the Candlelight Motel in Springfield and made arrangements to travel to Kansas City for the purpose of meeting with Mr. Lawrence Loftus, an attorney practicing in the

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State of Kansas with offices in the Hedrick Land Title Corp^{ns} in Olathe, Kansas.

Pioneer Air Taxi Service from Springfield to Kansas City, Kansas departed Springfield Airport at 3:30 P.M. that date and arrived Kansas City, Kansas at 4:30 P.M. I boarded this flight and was met at the Kansas City Airport by Mr. Loftus.

Throughout the following day, Wednesday, April 12, 1967, I remained with Mr. Loftus in his^{law} offices reviewing the procedural aspects of the handling of prisoners in both Leavenworth Federal Penitentiary and the Medical Center for Federal Prisoners in Springfield. Mr. Loftus, who has had a good deal of experience with inmates at Leavenworth, is of the opinion that there will be no difficulty in obtaining privileged communications with the subject once he is transferred to Leavenworth. He also stated that privileged communications should be able to be obtained in Springfield Medical Center but only at the request of the prisoner. This was basically the same information which had been obtained in Springfield and was confirmed by my research of this date. At 8:15 P.M. I departed Kansas City on 12th of April 1967 to return to New Orleans on Braniff Flight 241.

Every effort will be exerted to obtain the letter in question from the subject and, subsequently, to obtain the tape recording referred to by Mr. Nagell.