

OSWALD'S LEGAL AND CIVIL RIGHTS

Statements of Witnesses - Gregory Lee OLDS

Deposition - April 8, 1964, 7 H 322-5

Olds is the editor of a weekly newspaper and president of the Dallas Civil Liberties Union. Friday night they began to feel a concern over Oswald's legal rights and having heard him "directly quoted as saying he had not been given the opportunity to have counsel ...". Olds called the police department "and finally talked to Captain Will Fritz, and was - raised the question, and he said, 'No - ' that Oswald had been given the opportunity and declined. And I called - then I called the board member back who had called me -

"Mr. Stern. Excuse me. Did Captain Fritz say that Oswald did not want counsel at that time, or that he was trying to obtain his own counsel?

Mr. Olds. What I was told, that he had been given the opportunity and had not made any requests. So, I called our board member back and conferred with him and he suggested that we go down and see about it at the police department, in person, to get further assurances...." (p.323)

It is not just a question of whether Oswald had been told he could have counsel; he is entitled to counsel of his own choice.

So they went down to the police station: "Mr. Olds. We went to - first, we talked - conferred with Captain King, I believe is the right name, who is, I believe, assistant to the chief of police. I'm not sure on that. We all went in with Mr. Webster, and this was shortly after 11:35, or 11:40, and Captain King was, at this time, talking to somebody and said that Oswald had just been charged with the assassination of President Kennedy. He had here - earlier been charged with the assassination - I mean the murder of the policeman, Tippit, and we told Captain King what we were there for, and he said, he assured us that Oswald had not made any requests for counsel. / And we went outside of / (my emphasis)

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the office and went downstairs, at least - I didn't, but two of the others, I believe, went downstairs to the basement where Justice of the Peace David Johnston was. He was the one that had held the - I believe an arraignment, I believe is the right term, at 7:30 when the first charge of murder was filed against Oswald, and he also assured us that there had been an opportunity of - Oswald's rights had been explained, and he had declined counsel. (My emphasis.) Said nothing beyond that. I think that was the extent of our inquiry." (p.323)

The record is clear. Both of the <sup>places</sup> ~~statements~~ I have emphasized represent false statements by the authorities. Oswald never declined counsel, and specified the counsel he wanted. So far as Oswald's not making any request for counsel is concerned, that is so obviously false as to require no comment. At this point, the representatives of exactly the organization that Oswald said he wanted to provide him with counsel if he couldn't get John Abt: "Mr. Olds. ... felt fairly well satisfied that Oswald probably had not been deprived of his rights, so, we then broke up. I think the other men went home, and I went downstairs. I heard that there was going to be a press conference, so I thought I could stand in on that and - do you want me to go ahead and detail that?" (p.323)

Olds' description of the circumstances of the press conference was interrupted by Stern's asking the completely immaterial question, "Do you know Ruby?" After Olds answered this question, Stern comes up with another which addresses itself to security and the protection being afforded Oswald:

"Mr. Stern. Were you permitted to enter this room without displaying any identification?"

Mr. Olds. Yes; I wasn't stopped at all. Nobody seemed to pay - it was pretty well confused around there, and nobody questioned me at all.

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Mr. Stern. Would you have been known to the police as a newspaperman?

Mr. Olds. I had never been in the police building. No one had any way of knowing who I was, or what my business was.

Mr. Stern. Did you have to identify yourself to get into this building to begin with?

Mr. Olds. No." (p.324)

Olds resumes with his description of the noisiness of the press conference, etc., and is asked how Oswald looked: "Mr. Olds. He looked remarkably composed and determined. He had a - I remarked afterwards that I would have been very much distraught, and he seemed very well self-contained and determined and maintained his innocence, I heard that, and beyond that scratch above - on his forehead and the eye that was swollen and the little - he looked all right. He looked a little tired, of course, and I think his clothes were dirty, but he looked remarkably in good shape, I thought." (p.324)

Note the two comments in the last sentence, of Oswald's fatigue, because, as I had earlier pointed out, he hadn't had a moment to himself from the time of his apprehension, and that "his clothes were dirty", a very distinctive means of identification, especially when added to his regular position in the lineup, the fact that he was bruised, and the neatness of the three other men in the lineup, who were police department employees.

Still trying to establish what couldn't possible be established, that Oswald was not denied his rights, Stern continues:

"Mr. Stern. Did this give you any further assurance that - about the right to counsel question?

Mr. Olds. Possibly so, it was -

Mr. Stern. I don't want to put the idea in your head.



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Mr. Olds. Well, I know, but we had the idea that Oswald was not being accurate when he said he had been denied, because in our dealings with the police here, we have had reason to believe that they are very careful of this sort of thing. And certainly in a case of this notoriety, certainly, our tendency was to believe that, but I have always been sorry that we didn't talk with Oswald, because it was not clear whether we would be permitted to see him that night or not.

Mr. Stern. But, you did not ask to see him?

Mr. Olds. No; we did not, which I think was a mistake on my part."

(p.324)

So Olds was not only conned by the cops but, in addition, didn't even know whether he could get to see Oswald.

The police did arrange for Oswald to see a man they knew he would find unacceptable, because he had so told them in advance. (See summary of statement of H. Louis Nichols.)

Just to gild the lily, the American Civil Liberties Union got what may generously be described as a distorted<sup>or</sup> version of Oswald's interview with Nichols:

"Mr. Olds. ... this is when Mr. Nichols went down late this afternoon, I think around 5:30, and he reported after that that he had seen Oswald in respect to the same reasons that we had for going down there Saturday night, to see if he wanted some sort of legal representation, and to make sure whether or not he was denied - being denied it, and he said that he was satisfied that - in essence, Oswald told Nichols he was satisfied with the situation. I can detail this conversation if you would like, as it was told to me." (p.325)

Representing Oswald as saying that he was "satisfied with the situation" is an optimistic version. Oswald had no reason to believe he was going to be killed, presumably; he had picked out a lawyer he

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wanted; he knew the lawyer was temporarily unavailable; and he specifically told Nichols, as Nichols himself reported, that, should it become impossible to obtain this lawyer, he wanted lawyers provided by the Civil Liberties Union.

And on the question of Marina:

"Mr. Olds. Possibly later after this matter was disposed of, we became interested in the legal status of Oswald's wife, <sup>M</sup>arina, and a story in the New York Times, I believe December 19, said something to the effect that perhaps she was being held incommunicado and in some way illegally detained. Anyway, her status was not clear as far as the reporter was concerned, and our national office in New York City got a number of inquiries both by phone and personal calls and letters, telegrams, and they asked us in turn then, to see what we could find out about it. After a certain amount of negotiations with the Secret Service and FBI (my emphasis) and so on, we sent a letter to Mrs. Oswald and she later wrote us that she was content with her situation, and was very happy with her status, in fact, it was for her interest." (p.325)

Regardless of what Marina did or did not feel, it is clear that when she was in such protective custody and the only communication was a letter, there was at least a good chance that she could write nothing of which her custodian would disapprove.

There is no doubt that, if she ever had any question in her mind about her being subject to immediate deportation, by this time, she didn't. This has become clear, not only because that was precisely the legal situation, but because of the FBI's own description of its interviews with her, in which Bookhout used the word "intimidation" to describe Oswald's charges against Hosty. Even Fritz circumvented such directness.

So here the Commission has engaged in nothing but window dressing.

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It has proved nothing. It has merely laid a foundation for further deception.