

FBI - OSWALD INTERROGATIONS

Statements of Witnesses - James W. Bookhout
Deposition -

April 8, 1964, 7 H 308-18

In all the Commission's hearings, if their proceedings can be so dignified, and in all the testimony it took that I have read, if the words spoken do not do violence to the designation "testimony", no one was as smoothly and as consistently evasive, no one made as many false statements with as much insurance to protect himself against the charge of false statement, and no one was, as a consequence, more kindly treated than James W. Bookhout, FBI Dallas office, veteran of 22 years in the Bureau, 18 in the Dallas office.

Bookhout said he was officially designated to be the liaison with the police. At least in theory, he was to have been present at all interrogations etc. In the first one he was accompanied by Hosty, who, if the FBI reports printed in the appendix to the Report itself are complete and accurate, disappeared after Oswald accused Hosty to Hosty's face of apparently threatening Marina Oswald. Asked to describe Oswald's demeanor in the course of the interrogations, Bookhout described him as "very arrogant and argumentative. That is about the extent of the comment on that."

This is hardly the picture painted by Capt. Fritz. Asked by Asst. Counsel Stern whether Oswald's attitude was aimed at him, Hosty or Fritz, Bookhout's reply was "...no; that would apply to everyone present." Again this is in contradiction to Fritz's statement and is also in obvious contradiction to the fact of the clash with Hosty which Bookhout is soon to admit.

Asked whether Oswald answered all questions or "did he refuse to answer questions?" Bookhout's reply was "there were certain questions he refused to comment about."

Note how there is no meat and very little potatoes in this stew he is cooking up. ^

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It was an easy matter for Bookhout to define the questions Oswald refused to answer. They were clear, for example, to Insp. Kelley of the Secret Service. Oswald talked freely about anything that would not connect him with the crime of murder. Note also that he is not asked to be specific by Mr. Stern. But when finally Mr. Stern asks for a sample - and recall this relates to the first interview - Bookhout evades by saying, "Well, now, I am not certain whether this would apply then to this particular interview, the first interview ... but I recall specifically one of the interviews (sic) asking him about the ~~Secret~~^{Selective} Service card which he had in the name of Hidell ... I think generally you might say anytime that you asked a question that would be pertinent to the investigation, that would be the type of question he would refuse to discuss."

Only if by "pertinent to the investigation" one can limit the meaning to an effort to pin the rap on Oswald to the exclusion of anyone else would this be true. Oswald talked freely about ^{anything and} everything - politics, having been to Russia, his life and background, but nothing that would connect him with murder. And of these things he offered to talk when represented by counsel. All of this was known to and to a large degree reported by Bookhout in his reports. It is clear that to others present, if not to Bookhout, the point at which Oswald stopped talking was very clear and had an entirely different meaning.

When asked if Oswald "had a pretty good idea of what might be incriminating and what not incriminating?" Bookhout declined to answer because "that would call for an opinion ..." Obviously. That's exactly what Stern was asking for: An opinion. How many people should be more qualified than a man with 22 years experience in the FBI? However, Stern merely said, "Fine".

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Then Stern asked, "Did he, at that point, or later say anything specifically regarding the FBI?" Bookhout volunteered nothing in return, saying merely, "Yes." Then Stern asked what it was, to which Bookhout replied, "He accused the FBI of, generally, unfair tactics in interviewing his wife on some previous occasion." Now this was an out and out false statement. As soon as Bookhout realized Stern knew the truth, he interrupted the following question by Stern, "Was this directed specifically at either you or Hosty, or to the general -" to say, without any qualifications, hemmings and hawings, "It was directed against Hosty."

In view of the fact that this was in all the interrogation reports, and, of course, in view of the fact that when he saw he was caught, Bookhout immediately told the truth, his earlier quoted statements cannot be regarded as slips of the tongue or flaws in memory. (p.310)

Asked if Oswald had made any complaints about his treatment, Bookhout said, "I recall one of the interviews that he complained about the lineup that he was in, that he wasn't allowed to wear a jacket similar to jackets worn by others in the lineup."

Without doubt, this is true, but it is also probable that it is far from the complete truth. Oswald had other legitimate complaints about the nature of the lineups besides ^{just} the jacket. It also seems clear from the other interrogation reports that he expressed them. As a matter of fact, the police took the two cops that were in the lineup out following Oswald's complaint. On the Fair Play for Cuba question:

"Mr. Bookhout. He said he was a member of it, and was secretary of the New Orleans branch. I believe he said the headquarters was in New York City.

Mr. Stern. Was there much discussion of this, or just the ~~it~~ identification?

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Mr. Bookhout. Well, now, that is another instance where he balked on answering a question. He was asked who the officers were, and at that point he said he refused to discuss the matter further." (p.311)

This possibly is true, but it is also true that the officers are known publicly. If Oswald did, in fact, decline to give the names of the officers he knew (and he had no special knowledge of them), it was most probably because he had been trying to establish a cover.

It is also probable that the FBI knew that Oswald's so-called branch, as Bookhout describes it, of the Fair Play for Cuba Committee in New Orleans was a one-man operation. (p.311)

Stern asks Bookhout how he would describe Oswald's denials of involvement in the assassination of President Kennedy or the shooting of Officer Tippit and after first using his normally evasive language Bookhout used the words, "an emphatic denial."

Stern asked him about the ^{first} interview in which both Hosty and Bookhout participated and in which the adverb "frantically" was used, Bookhout declined to use the word and attributed it to Hosty. When Stern, after a brief exchange, said, "I am not trying to ~~put~~ put words into your mouth" and then explained, "I am most interested in getting the tone of this interrogation and his state, the way he conducted himself, ... something of a difference between saying a man is acting ^{tic} frantically as opposed to his acting emphatically," Bookhout finally conceded, "Well, I suppose the word, 'frantically,' would probably describe it..."

Was this general or in connection with questions about the shooting? "Mr. Bookhout: No; he wouldn't use the same expression of speech in answering all questions. He would have certain kinds there, and certain types of questions that he would apparently have stronger feelings on." (p.312)

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Again, Stern doesn't ask for any specification.

Bookhout doesn't remember Oswald ever pounding the desk, etc. (p.312)

On the question of the time of the interviews, Bookhout admits that the times were recorded. Apparently, Stern realized Bookhout had restricted himself to the time and Stern's training and background came out:

"Mr. Stern: Incidentally, normally, do you preserve those notes or destroy them when you make a formal report?

Mr. Bookhout. They will be, normally, destroyed at the time you make your - what we refer to as an interview report.

Mr. Stern. And in this case, did you destroy your notes?

Mr. Bookhout. That's correct." (p.313)

But even Then Stern didn't ask him what specifically happened in this case, and Bookhout didn't tell him what specifically happened in this case. Stern used the word "normally" and so did Bookhout. If the FBI reports printed in the appendix to the Report itself are an example of the type of exclusive permanent record kept by the FBI, they certainly have no records. Besides that, what is normal about the assassination of a president? There is very little likelihood that anything was destroyed; that is, by the FBI. There is nothing left out between the above and following quotations:

"Mr. Stern. So, you have no notes respecting this whole matter?

Mr. Bookhout. No, other than the reported interviewing report."

Then note the opening Stern gave Bookhout - "you have no notes". All this means is that, did Bookhout have them in his possession? It certainly doesn't ask him whether or not he passed them on, whether or not anybody else in the FBI had them, whether for example his immediate superior had them.

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He observed the first lineup and was asked, "Do you recall now (my emphasis) ^{their} ~~the~~ physical characteristics, as related to Oswald's physical characteristics?" Bookhout replied by saying there were four white American males, all of approximately the same "general age, height and weight ..."

Cuts and bruises are physical characteristics. None of the other men in the lineup had these. Only Oswald, who had just had a battle with the police. When asked about the dress of the people in the lineup, again prefacing his inaccurate response with the protective words, "I cannot recall specifically," Bookhout said, "there was nothing obviously different between their dress." The facts are so completely contrary that the police did something about it. And as a matter of fact, elsewhere Bookhout acknowledged only one aspect of it, the jacket. He also said he observed "nothing about this lineup that was out of the ordinary." This would be true if one of four men in the lineup was beaten, bruised and cut, dressed differently from any of the others, kept in the same position in the lineup all the time, and all three other men in the lineup were policemen or police employees.

Those words, "I don't recall", sometimes with the addition of "specifically", were Bookhout's constant protection: "I don't recall specifically whether he was brought back to the homicide and robbery bureau, or placed in ^{jail, but} ~~jail, but~~ I do know that I didn't interview him any more that day." ^(p. 313) But there are two different Bookhout reports for that day; the first, jointly with Hosty, appears in the appendix of the report beginning on p.612. It is dated 11/22/63, was dated and typed the next day. Beginning on p.619 of the same appendix is another report dated 11/22/63, dictated 11/24/63 and typed 11/25/63.

Unless Bookhout wrote two reports on the same interview - and

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what's the sense of doing that - he is protected only by his initial qualification.

Incidentally, in these reports, Bookhout refers to Oswald's statement he had seen other rifles in the Book Depository Building two days previously. Stern avoids asking him about this and Bookhout avoids volunteering it, even though he is asked if there is anything else he should add. (p.313)

In asking further questions, Stern tells Bookhout he may refer to his reports. Of course, Stern also had available Bookhout's reports.

On the question of lawyers, Bookhout initially gives an elaborate but too limited account of what Oswald had said. He restricts his first version only to John Abt. When later, in another question, Stern asks, "...or did he seem satisfied with the effort to reach Abt?", Bookhout, admitting, "actually, there was a good deal of conversation at that point (something no one else has elsewhere admitted)" conceded that "he would probably contact someone with the Civil Liberties Union ..." Oswald actually asked for an attorney publicly when he was on television and said he would like someone from the Dallas Civil Liberties Union. Bookhout avoids mention of the police turning away the Civil Liberties Union delegation. But he is careful to refer to the visit from the head of the Dallas Bar Assn. and to misrepresent what happened at that interview. He quotes Nichols as having "told Captain Fritz that he had seen him, and that Oswald did not want anybody from Dallas to represent him." This is not at all what Oswald had said. Oswald said he did not want the Dallas Bar Assn. to provide him with a lawyer; that if he couldn't get Abt, he would ask for one from the Civil Liberties Union of Dallas. (Refer to Nichols' statement, which has been summarized) (p.314)

On the question of Oswald's "belligerance" (and as Fritz had pointed out, Oswald's attitude that Bookhout called "belligerent" was

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restricted to only what could connect him with the crimes), Bookhout said, " ... he still refused to ~~discuss~~ discuss certain points indicated above, selective service card being one point that I recall. I remember he was asked if he would take a polygraph, and he said he would not, that it had always been his practice not to agree to take a polygraph."

Bookhout is careful to say this is not the only case. He merely states that it is "one" and it is highly doubtful that Oswald had said anything at all like what Bookhout represented him as saying about a polygraph. Under what circumstances would Oswald have ever faced a necessity for making himself a practice or a policy about polygraph? But Bookhout persisted:

"Mr. Stern. Did he suggest that he had been asked before to take a polygraph?"

Mr. Bookhout. He made some comment along the line that it had never been his policy - before, to take a polygraph.

But he didn't
Mr. Stern. ~~Elaborate~~ elaborate on it?

Mr. Bookhout. He didn't elaborate on it." (p. 315)

Bookhout concedes that Oswald made more than one reference to Hosty's treatment of Marina (here again he eliminates Hosty's name and substitutes "by the FBI") and said that Oswald "felt that his wife was intimidated."

Then this tidbit:

"Mr. Stern. In your report before this interview you mentioned that he again denied shooting President Kennedy, and apparently said that he didn't know until then that Governor Connally had been shot?"

Mr. Bookhout. That's correct. That was his statement, that he denied shooting President John F. Kennedy on November 22, 1963, and commented that he did not know that Governor John Connally had been shot.

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Mr. Stern. Did you form any impression about whether he was genuinely surprised? Did he look genuinely surprised to you, or how did you feel about that? I am just asking for your impression. If you don't have one, say so.

Mr. Bookhout. No; I have no impression on that. I arrived at no conclusion." (p.315)

Bookhout's last comment quoted above is contrary to all of his training and all of the needs of his job.

Bookhout was amazingly successful in being nonresponsive:

"Mr. Stern. Did he complain in the course of this interview about the way in which the lineup had been conducted?

Mr. Bookhout. This is the interview in which he - a previously mentioned comment here was made to the effect that he had not been granted a request to put on a jacket similar to those worn by some of the other individuals in some previous lineups." (p.316)

Note how, while seeming to answer the question, actually he reverts to the previous occasion and doesn't say whether or not Oswald made further complaint "in the course of this interview."

Then Stern wants to know "Did he ever complain that, 'We have been over that ground before,' or make any such statement?" Bookhout, again protected by his "I don't recall" armor, said, "No." The fact is the contrary. Oswald had, and he had complained of it ~~repeatedly~~ ^{pointedly}, and he had complained of it in a way the Commission was not anxious to hear. In the report of Postal Inspector H. D. Holmes, in the appendix of the report on p.636, Holmes quotes Oswald's reply when Capt. Fritz asked Oswald about an ID card: "I've told you all I'm going to about that card. You took notes, just read them for yourself, if you want to refresh your memory."

Of course, this was a perfectly safe thing for Bookhout to do in

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this context because the Commission officially takes the position that Capt. Fritz took no notes. (p.316)

Again that reservation about recollection:

"Mr. Stern. Was there any further interview that day that you participated in?

Mr. Bookhout. None that I recall." (p.317)

The truth is that in the appendix of the report itself on p. ⁶²⁸~~677~~ appears one of the reports of Secret Service Insp. Thomas J. Kelley who said there was a 12:35 p.m. Nov. 23, 1963, interrogation in Capt. Fritz's office at which, among those present, was Bookhout. Here Bookhout had "recalled" only an earlier and a later interview on that day.

Even when confronted with the evidence of this one, but without the specific citation of the source, Bookhout maintains his same position (see quotation from p.318).

There is what I take to be a minor clue, Larry, that there was a tape recording made because at one point on p.317 Bookhout said during one interview he was on the opposite side of a glass partition where he could see what was going on. Bookhout does not specifically state he could not hear what was going on. It seems hard to imagine he could have discharged his responsibility or fulfilled his assignment by not being able to both see and hear.

Stern returns to the Nichols interview on Saturday:

"Mr. Stern. I would like to clear up one point, Mr. Bookhout, about the number of interviews on Saturday. Your present recollection is that there were how many in which you participated?

Mr. Bookhout. Two on Saturday.

Mr. Stern. One at about what time and the other at what time?(p.317)

Mr. Bookhout. One was about 10:35 a.m., and the second one was about 6:30 p.m.

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Mr. Stern. You do not now recall any separate interview at about 12:30 on Saturday?

Mr. Bookhout. I don't specifically recall any separate interview at that time. I checked the record before coming over and the interviews that I have mentioned are the only ones I have in the report." (p.318)

What Bookhout's motives could have been for finding no report on this interview which the Secret Service inspector said he attended, I can only guess. But there is one possible clue relating to the belated securing of a search warrant for the police which they either apparently lead Kelley to believe was the initial search or Kelley appeared in the misrepresentation of what had happened, because his reports says after the obtaining of the search warrant, the police "recovered Oswald's effects from the home of Mrs. Paine," and he specifically says that the controversial pictures, Exhibit 133 and 134, were obtained at that time. It is just possible that this kind of misrepresentation was just a little bit too sticky for Bookhout, the FBI or both.

Asked if he wants to read and sign the typed script of his deposition or waive signature, Bookhout becomes very lofty, generous and anxious to help: "My idea - the purpose - only purpose I would have would be just to help you if there are any typographical errors in there." (p.318)

So as a matter of fact, we don't know if he did read the statement or, if he did read it, whether he made any additions or changes.

Bookhout managed to not remember any of the things that Oswald had said that might have provided police agencies with clues in the event anybody else might have been involved, with or without Oswald. He managed not to remember anything Oswald said in his own defense. He managed to be uncertain, even when he by internal evidence seemed

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to have his reports with him and was told he could refer to them.