

Shaw Bids for Evidence to Prove Fair Trial Risk

T.P. 3-1-68
Ask, DA Be Ordered to
Produce Documents

Attorneys for Clay L. Shaw Thursday requested a subpoena ordering District Attorney Jim Garrison to produce certain documents to support the contention that Shaw cannot get a fair trial in New Orleans.

The request was contained in one of seven motions for material which defense attorneys hope to use in a Criminal District Court hearing on a motion for a change of venue.

Also requested were subpoenas for all stories by the Times-Picayune and New Orleans States-Item on Shaw and Garrison's Kennedy death probe since Shaw's arrest one year ago.

Similarly, the defense requested tapes of all material broadcast about Shaw and the investigation by three local television stations and a local radio station.

The defense also sought copies of interviews and speeches by Perry Raymond Russo, a key state witness in having Shaw held over for trial and indicted last year.

DECISION FRIDAY

Attorney Salvatore Panzeca filed the seven motions with Judge Edward A. Haggerty Jr., Thursday afternoon. Judge Haggerty said he would decide on the requests Friday.

They followed closely the filing of subpoenas for personal appearances by 20 persons, including Garrison, to testify at the hearing on the change of venue motion.

The hearing is scheduled for Tuesday in Judge Haggerty's courtroom.

Some of the material the defense wants Garrison to produce which quoted a magazine which quoted Garrison as saying, "There is no way that Clay Shaw can get an acquittal."

The defense wants copies of "all correspondence" with Gerald Footlocke, the author of the article, which the defense says appeared in the National Observer in January.

Also requested was the original or copies of a letter in which Garrison supposedly commented

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SHAW DEFENSE FILES 7 MOTIONS

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on the film "Rush to Judgment."

The defense claimed that the letter was reproduced in the New York Times as an advertisement for the film.

'LARGE PART'

An attached copy of the advertisement shows a letter signed by Jim Garrison. The letter says that Rush to Judgment "played a large part in convincing me to begin the investigation of the conspiracy which led to the assassination of President Kennedy."

The defense also requests of Garrison:

—Copies of all press releases and public statements and speeches made by him or members of his staff concerning Shaw or the assassination probe.

—Copies of all subpoenas issued by the DA's office for the Grand Jury in connection with the assassination investigation.

—A copy of the investigative report dealing with an alleged attempted battery of Jim Hicks.

Hicks, an out-of-state witness who testified before the Grand Jury, claimed he was beaten while staying at the Fontainebleau Motor Hotel here.

The subpoena for Russo would order him to produce copies of all speeches and interviews made by him since Feb. 24, 1967.

"More particularly," requested, the defense motion states, are speeches made at Tulane University and at a YMBC meeting in Baton Rouge.

The other motions requested material from:

—The Times-Picayune and New Orleans States-Item, 3800 Howard ave., through George W. Healy Jr., executive editor.

—WVUE-TV, 1418 Cleveland ave., through Alec Gifford, news director.

—WWL-TV, 1024 N. Rampart, through Michael Early.

—WWL-Radio, Roosevelt Hotel, through Bill Dean.

—WDSU-TV, 520 Royal, through A. Louis Read.

LISTS 20 NAMES

Also Thursday the names of the 20 witnesses subpoenaed by

the defense for Tuesday's hearing were released.

They are:

District Attorney Jim Garrison.

William Gurvich, 610 Poydras, a former aide to Garrison who broke with him claiming the charges against Shaw were false.

Perry Raymond Russo, 4122 Prytania, who testified he heard Shaw plot the assassination with Lee Harvey Oswald and David William Ferrie, both now dead.

Mark Lane, 617 Dauphine, attorney and author of a book critical of the Warren Commission Report. He has been associated with Garrison in the assassination probe.

Mort Sahl, whose address was listed as the DA's office. A night club entertainer, he has been associated with the case in recent months.

Harry Kelleher, National Bank of Commerce Building, an attorney who had no previous association with the case.

W. Ford Reese, 5830 Pitt, an attorney with no previous association with the case.

Ed Devenport, WWL-Radio, a newsman.

Ed Planer, WDSU-Television, a news executive.

George W. Healy Jr., executive editor of The Times-Picayune and the New Orleans States-Item.

Ross Yockey, WVUE-TV, a newsman.

Hoke S. May, a States-Item newsman.

James L. Alcock, an assistant district attorney.

Richard V. Burnes, an assistant district attorney.

William Reed, WWL-TV, news

director.

Maurice I. Rouga, 9930 Chef Menteur hwy., Louisiana News Inc.

Alec Gifford, WVUE-TV, a newsman.

Harold Lidin, 2945 Beck, formerly with WVUE-TV.

Louis Ivon, an investigator for Garrison.

Robert Jones, WWL-TV, a newsman.

FORBIDS WITNESSES

After the names were released Judge Haggerty issued a statement in which he forbade the witnesses from giving any interviews about forthcoming testimony.

The statement follows:

"The list of witnesses subpoenaed by the defense in the forthcoming hearing set for March 5, 1968, on the question of a change of venue has been submitted to the clerk of court and is a public record and is therefore, open to the public.

"I specifically am calling attention to the previous orders of the court where I have ordered that witnesses and all lawyers are forbidden from making any extra-judicial statements of any kind about the case. These 20 persons have been officially listed and subpoenaed, and I expressly forbid them giving any interviews concerning their forthcoming testimony to any news media, whatsoever.

"I further forbid all attorneys for both sides from giving any resume or synopsis of what they hope or expect to prove with any or all witnesses.

"The proper forum for determination of the legal questions of whether a change of venue should or should not be granted is in open court, and nowhere else."