

RBY

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651 PCS

WITH RUBY TRIAL
BY ARTHUR EVERETT
ASSOCIATED PRESS WRITER

DALLAS, FEB. 16 (AP)-DEFENSE ATTORNEY MELVIN BELLI DESCRIBED JACK RUBY TONIGHT AS A TYPE OF EPILEPTIC WHO COULD BE TRIGGERED INTO A MURDEROUS BLACKOUT BY RAGE, SHOCK OR OTHER STRONG EMOTION.

"I THINK YOU'RE GOING TO SEE A VERY TRAGIC INDIVIDUAL HERE," BELLI SAID IN AN INFORMAL TALK WITH A GROUP OF NEWSMEN ON THE EVE OF RUBY'S TRIAL.

OUTLINING AT SOME LENGTH THE INSANITY DEFENSE HE PLANS TO OFFER FOR RUBY, BELLI SAID THE 52-YEAR-OLD DEFENDANT WAS A VICTIM OF PSYCHOMOTOR EPILEPSY AND THAT PRESIDENT KENNEDY'S DEATH SHOCKED HIM INTO A BLACKOUT DURING WHICH HE KILLED THE ACCUSED PRESIDENTIAL ASSASSIN, LEE HARVEY OSWALD, LAST NOV. 24. BELLI HAD BROUGHT OUT TESTIMONY FROM A PSYCHIATRIST AND A PSYCHOLOGIST INTENDED TO MAKE THIS POINT DURING A BOND HEARING IN LATE DECEMBER AND EARLY JANUARY.

"THIS IS THE ONE PERSON IN THE WORLD THIS NEWS WOULD DO SOMETHING TO," BELLI MAINTAINED.

BELLI COVERED MUCH OF THE SAME GROUND HE HAS BEEN OVER BEFORE IN PRE-TRIAL COURT HEARINGS. ASKED WHETHER RUBY WILL TAKE THE WITNESS STAND DURING THE TRIAL, BELLI DECLINED AN ANSWER. BUT LATER, HE DECLARED:

"IF HE'S ON THE STAND A LONG TIME, YOU'LL SEE A DEFINITE DISFUNCTION."

BELLI DESCRIBED PSYCHOMOTOR EPILEPSY AS "AN EPISODIC DISFUNCTION, WITH BLACKOUT FUGUE STATES."

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"THERE'S A LOT OF IT IN THE COUNTRY," BELLI WENT ON. "PEOPLE CAN GO INTO A BANK, GO OUT FOR A WEEKEND AND ALL OF A SUDDEN WAKE UP ON THEIR JOB THE NEXT DAY AND NOT KNOW WHERE THEY HAVE BEEN.

"WAS SUCH A PERSON RATIONAL DURING THAT TIME? HIS MORALITY HAS BEEN SUBLIMATED DURING THAT TIME. RAGE, STRONG EMOTION, OR SHOCK CAN TRIGGER THESE OFF."

BELLI REPEATED HIS PREDICTION THAT BY NEXT FRIDAY, JUDGE JOE B. BROWN WILL BE CONVINCED THAT AN IMPARTIAL JURY CANNOT BE SELECTED IN DALLAS TO TRY RUBY. THE DEFENSE ATTORNEY WANTS THE TRIAL MOVED AT LEAST 200 MILES AWAY.

"I DON'T WANT ANYBODY ON THERE (THE JURY) WHO'S DEFENDING A CITY," BELLI SAID. "THIS CITY HAS TO VINDICATE ITSELF TO SHOW IT'S A LAW-ABIDING CITY BY GIVING THIS MAN THE PENALTY.

"WE SHOULD HAVE INDIFFERENT, UNKNOWLEDGABLE PEOPLE--NOT STUPID, BUT UNKNOWLEDGABLE.

"WE WOULDN'T FIND IN ANOTHER COUNTY ANY 'PROTECT DALLAS' FEELING, OR ANY PATRIOTISM."

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