

Psychiatrist Says Ruby Can't Remember Shooting

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Associated Press Wirephoto

Jack Ruby, charged with the slaying of Lee Harvey Oswald, is flanked by lawyers, Joe H. Tonahill, left, and Melvin Belli, during conference at bond hearing in Dallas.

By JACK LANGGUTH

Special to The New York Times.

DALLAS, Jan. 20 — A New York psychiatrist testified today that Jack L. Ruby did not know right from wrong when he shot the accused assassin of President Kennedy.

Dr. Walter Bromberg, the clinical director of Pinewood 'psychiatrist Hospital in Westchester County, said Ruby had told him that he did not remember the killing of Lee H. Oswald on Nov. 24 last. Dr. Bromberg, who examined

Ruby for 11 hours on behalf of the defense, said that a severe emotional shock caused by President Kennedy's assassination had triggered Ruby into a "fugue state." In such a condition, a person acts automatically with no memory later of what he has done, the doctor said. Ruby was susceptible to this condition, Dr. Bromberg added, because of apparent organic damage to his brain.

His testimony this afternoon confirmed a report offered earlier by Dr. Roy Schafer, a clinical psychologist at Yale University.

Dr. Schafer said that the results of tests he had given to Ruby last month indicated physical damage to the brain, resulting in psychomotor epilepsy.

Dr. Schafer refused to speculate on Ruby's frame of mind when he killed Oswald in the basement of the Dallas City Jail.

In an interview, however, he said that Dr. Bromberg, with both psychiatric and psychological reports to draw on, could make a valid analysis of Ruby's condition at the time of the shooting.

Although today's session was a bail-bond hearing, Ruby's defense lawyers called two of their expert witnesses and one psychiatrist engaged by the state.

Objection Answered

When the prosecution objected to the introduction of psychiatric and psychological testimony at this time, the chief defense attorney, Melvin M. Belli of San Francisco, argued that the material was relevant to a bail hearing.

Ruby is not eligible for bail unless the defense produces proof that he may not receive capital punishment.

By introducing testimony today, asserting that Ruby was not legally sane at the time of the shooting, Mr. Belli and his associates hoped to qualify their client for bail. Judge Joe B. Brown will rule on whether Ruby should be released on bond after the hearing concludes, possibly tomorrow.

Ruby's murder trial is scheduled to begin Feb. 3, but his attorneys have requested a postponement until Feb. 10. The prosecution has raised no objection to the delay.

District Attorney Henry Wade of Dallas is heading the prosecution of Ruby, assisted by his deputy, Bill Alexander. Mr. Belli's associates are Sam S. Brody of Los Angeles and Joe T. Tonahill of Jasper, Tex.

Asked by Mr. Belli how he had determined that Ruby's brain is physically damaged, Dr. Schafer listed these symptoms:

"There were frequent occurrences of mild confusion. His speech was loose. Some statements were almost incoherent. His perception of some test items was grossly distorted. Some of the ideas he entertained were peculiar and inap-

propriate, with elements of absurdity he was not aware of."

Ruby also showed signs of "concreteness of thinking," the psychologist added.

"He has an inability to think hypothetically," Dr. Schager went on. "Often, there is only one answer for him that can be right. He had difficulty in using abstractions, even the abstract words of every day life such as 'tool' and 'food'."

The same symptoms observed in Ruby were most often found in persons suffering from psychomotor epilepsy, Dr. Schafer said. He found Ruby's intelligent Quotient to be 109, which meant that his score was superior to 73 per cent of the population.

Interviewed in Jail

As evidence, Dr. Bromberg filed a 17-page report covering Ruby's medical, psychiatric and family background. His report was based on interviews made Dec. 21 and Dec. 22 at the Dallas County Jail.

Dr. Bromberg stated that Ruby had been hit severely on the head twice in his life; that he had suffered from severe depression at three periods, including the days immediately after the Presidential assassination, and that he had contracted gonorrhea on four occasions.

The psychiatrist, who had also interviewed other members of Ruby's family, reported that Ruby's father "had a definite personality disorder."

He described the father as abusive to his wife, aggressive and brusque and an excessive drinker.

Ruby's parents were separated when he was 12 years old. After the separation, Ruby's mother became severely depressed and was committed to a hospital. She died several years later.

Ruby's first head injury came when he was hit by a gunhandle in a fight in Chicago when he was in his late teens. He was jailed for two days because of that episode, but no charges were filed.

In 1941, at the age of 30; he suffered a second head injury and was treated in a hospital for brain concussion.