

A94

Rby

11 JUNE 1964

542 PCS

A94DN

URGENT

SECOND NIGHT LEAD RUBY

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

DALLAS JUNE 1 (AP)-JUDGE JOE B. BROWN GAVE PERMISSION TODAY FOR JACK RUBY TO RECEIVE PSYCHIATRIC TREATMENT IN HIS JAIL CELL AND SET A JUNE 19 SHOW-CAUSE HEARING TO DETERMINE WHETHER THE CONDEMNED SLAYER WILL GET A SANITY TRIAL.

BROWN ANNOUNCED THE ACTION AFTER A TWO-HOUR CONFERENCE IN HIS CHAMBERS WITH PSYCHIATRISTS AND LAWYERS FROM BOTH THE DEFENSE AND PROSECUTION. THE JUDGE SAID RUBY WILL BE TREATED BY DOCTORS IN THE COUNTY JAIL BETWEEN NOW AND THE HEARING.

"WHETHER RUBY WILL GET A SANITY TRIAL, WILL DEPEND ON HOW HE RESPONDS TO TREATMENT BETWEEN NOW AND THEN," BROWN TOLD REPORTERS.

HE ADDED THAT THE TREATMENT WILL BE ADMINISTERED BY THE THREE PSYCHIATRISTS PRESENT TODAY.

RUBY WAS XXX 2ND GRAPH NL (A77 DN)

A105DN

JA501PCS

URGENT

DALLAS--FIRST ADD SECOND NIGHT LEAD RUBY (A94DN) XXX PRESENT TODAY. THE JUDGE SAID THAT IF RUBY IS STILL ILL JUNE 19, A SANITY TRIAL WILL BE SCHEDULED FOR JULY 6. RUBY WILL BE PRESENT AT THE SHOW CAUSE HEARING, BROWN SAID.

DR. J. W. PICKARD, COUNTY HEALTH OFFICER, WILL ASSIST IN RUBY'S TREATMENT, WHICH STARTS IMMEDIATELY.

DEFENSE LAWYER JOE TONAHILL SAID AFTER TODAY'S CONFERENCE THAT BROWN HAD CONSIDERED HOSPITALIZING RUBY BUT THAT PARKLAND HOSPITAL WOULDN'T ADMIT HIM. NEITHER BROWN NOR HOSPITAL OFFICIALS WERE AVAILABLE FOR IMMEDIATE COMMENT.

EVA GRANT, RUBY'S SISTER, WAS AT THE COURT HOUSE TODAY. SHE SAID RUBY SOMETIMES GOES FOR THREE DAYS AT A TIME WITHOUT EATING. SHE ADDED THAT RUBY MADE SEVEN LONG DISTANCE TELEPHONE CALLS SUNDAY TO RELATIVES IN CHICAGO AND DETROIT.

RUBY WAS XXX PICKING UP 2ND GRAF NL (A77DN) AND DELETING TITLE AND FIRST NAME OF TONAHILL 7TH GRAF FROM BOTTOM.)

JA542PCS





EA77DN

AMS BUDGET

RUBY SANITY (380)

BY TOM JOHNSON

ASSOCIATED PRESS WRITER

DALLAS, JUNE 1 (AP)-THREE PSYCHIATRISTS, INCLUDING THOSE REPRESENTING THE COURT AND THE PROSECUTION, SAID TODAY THAT JACK RUBY IS MENTALLY SICK.

RUBY WAS SENTENCED MARCH 14 TO EXECUTION FOR KILLING LEE HARVEY OSWALD, CHARGED WITH ASSASSINATING PRESIDENT JOHN F. KENNEDY NOV. 22 IN DALLAS.

THE THREE DOCTORS MADE THE REPORT IN A DOCUMENT WHICH READ, "IN OUR MEDICAL OPINION, WE BELIEVE THAT MR. RUBY SHOULD BE TREATED PROPERLY; ACCORDINGLY, WE RECOMMEND THAT YOU CONSIDER SERIOUSLY A FORMAL SANITY HEARING FOR HIM."

THE THREE ARE DR. ROBERT STUBBLEFIELD, DR. JOHN T. HOLBROOK AND DR. WILLIAM R. BEAVERS.

THE REPORT WAS ADDRESSED TO STATE JUDGE JOE B. BROWN WHO CONFERRED DURING THE MORNING WITH ATTORNEYS OF BOTH SIDES.

JUDGE BROWN TOLD REPORTERS HE WOULD RULE, AFTER CONFERRING WITH THE PROSECUTORS, SANITY HEARING.

THE JUDGE SAID, "THE PSYCHIATRISTS ARE IN ACCORD THAT RUBY DOES NEED TREATMENT."

BROWN SAID HE DOES NOT BELIEVE RUBY IS SERIOUSLY ILL, AND HE DECLINED TO STATE AN OPINION ON WHETHER RUBY IS LEGALLY INSANE.

THE QUESTION OF WHETHER A MAN IS LEGALLY INSANE HINGES ON WHETHER HE IS CAPABLE OF ASSISTING IN HIS DEFENSE--IN THIS CASE THE APPEAL OF HIS CONVICTION.

A78DN

IF A SANITY HEARING WERE TO FIND HIM LEGALLY INSANE, THE APPEAL PROCESS WOULD STOP UNTIL HE IS DECLARED SANE.

DEFENSE ATTORNEY JOE TONAHILL OF JASPER, TEX., SAID THAT RUBY'S DEFENSE LAWYERS HAD PLANS READY TO APPEAL TO THE TEXAS SUPREME COURT SHOULD JUDGE BROWN REFUSE TO GRANT A SANITY HEARING.

DR. STUBBLEFIELD IS COURT APPOINTED, DR. HOLBROOK REPRESENTS THE STATE AND DR. BEAVERS HAS BEEN RETAINED BY THE DEFENSE AND RUBY'S FAMILY.



RUBY'S MURDER TRIAL LAWYERS CENTERED THE DEFENSE ON THE CLAIM THAT THE DEFENDANT SUFFERED FROM PSYCHOMOTOR EPILEPSY, WHICH IS ORGANIC BRAIN DAMAGE AND DIFFERS FROM A PSYCHOSIS WHICH IS THE COMMON TYPE OF MENTAL ILLNESS.

THE SANITY HEARING WAS ASKED IN APRIL BY THE FAMILY OF RUBY, 53-YEAR-OLD NIGHT CLUB OPERATOR. HIS LAWYERS SAY HE SHOULD BE SENT TO AN INSTITUTION FOR TREATMENT.

DIST. ATTY. HENRY WADE SAYS RUBY CAN BE TREATED IN JAIL OR PARKLAND HOSPITAL, A CITY-COUNTY INSTITUTION.

WADE SAYS RUBY HAS DETERIORATED MENTALLY AND PHYSICALLY WHILE IN JAIL BUT THE PROSECUTOR SAID THIS IS FAIRLY COMMON AMONG PERSONS SENTENCED TO DEATH.

RUBY BUTTED HIS HEAD AGAINST HIS CELL WALL RECENTLY, SUFFERING A LUMP AND SCRATCH. LAST WEEK HE SMASHED HIS SPECTACLES AND BROKE A LIGHT BULB WITH A SPITTOON.

UH335PCS NM