

Reports
Commission

*Int.
Circular*

March 3, 1964

MEMORANDUM FOR MR. JOSEPH A. BALL AND
MR. DAVID W. BELIN

FROM: Howard P. Willens

RE: Comprehensive memorandum dated February 25, 1964
in Area 2

On the basis of my review of your memorandum I would like to outline some of my initial thoughts for whatever consideration you believe is appropriate.

1. I think that special effort should be made to explore by testimony the procedure followed by the Dallas Police Department immediately upon learning of the assassination. I think you may wish to consider the testimony of Chief Curry and various members of his department regarding the orders given to members of his force and the surrounding of the depository. At several points in your memorandum reference is made to unspecified police officers who talked to particular witnesses and then proceeded to the depository (e.g. pp. 16-20). As you know, one of the important defense arguments is that the true assassin left the building immediately after the shots, but before the police had secured the building.

2. I think it would be desirable to prepare a program of testimony designed to explore fully the possibility that shots came from the overpass rather than from the depository. At p. 40 of your memorandum reference is made to a railroad crew on the tracks who said that the shots came from the depository. This may already have been done, but if it hasn't I think it would be desirable to secure statements from every person on the overpass at the time of the assassination and conduct whatever further investigation seems appropriate.

3. I would like you to give special consideration to any papers, documents, or other materials which you wish to secure from the witnesses you intend to call before the Commission and which you believe should be made exhibits to the witness' testimony.

cc: Mr. Rankin
Mr. Redlich

4. Hasn't there been further investigation regarding the allegation that Wes Wise of TV station KRLD TV saw Jack Ruby emerge from the rear of the depository.

5. Has the police officer who spoke to Burns (p.16) been identified? Was he the first in the building?

6. If you think that the examination recommended at p. 47 would be a useful means of determining the speed of the Presidential car, I think this is one item which should be included in a letter to the FBI.

7. If you are sure that the exhibit mentioned on p. 54 is not among the exhibits in the possession of the FBI or cannot easily be ascertained to be among these exhibits, I suggest this is another request which can be made of the Bureau.

8. With regard to your discussion beginning at p. 51 and following, I note that you do not intend to take any sworn testimony from witnesses regarding the purchase of the rifle by Oswald. I think some further consideration might be given to taking at the very least the testimony of some of these witnesses. Among other reasons it may be desirable to have certain of these exhibits as part of the records of the Commission.

9. It is my recollection that some investigation regarding the existence of a Dr. Midall in New Orleans has been conducted, but I may be mistaken. (p. 58)

10. As I recall, there have been some allegations to the effect that Oswald returned to Irving on weekdays other than Thursday, November 21. These may all have washed out in the investigation and the testimony of Marina Oswald, but it is something you may wish to ask Frazier.

11. Has there been any investigation conducted to determine whether or not Oswald did take an examination for a driver's license or make any effort in this direction? This may be something which Mr. Liebeler knows.

12. There seems to be a contradiction between Marina Oswald and Frazier as to whether Oswald carried a small package on the morning of November 22 (compare p. 90 and p. 93). I assume that investigation already conducted probably can clarify this.

13. I assume that the original sack and perhaps a replica sack will probably be made part of the Commission's exhibits during the course of the testimony of Franier and his sister.

14. At p. 100 you suggest certain investigation based on the clip board found on the 6th floor on December 2. I think this should be requested of the FBI as soon as possible.

15. I understand that Lovelady has been identified as an employee of the depository who was standing by the doorway entrance of the depository at the time of the assassination. As you know, many persons have inquired as to the identity of this person and suggested that in fact it was Oswald. I think you should consider taking the deposition of Lovelady and put the picture of him appearing in the Saturday Evening Post into the record.

16. In the course of your discussion regarding Oswald's whereabouts on the morning of November 22, it occurred to me that you may wish to take depositions of other employees of the depository.

17. When you take the deposition of Shelley, I think it would be useful to secure from him verification of chicken bones story and information from him regarding his personal knowledge of Oswald on the job at the depository.

18. With regard to your discussion at p. 116, I do not understand whether or not in fact these recommended tests have been run.

19. Do we have an affidavit from NBC correspondent McNeill? Do we need one, or a deposition?

20. With reference to p. 124, did Mr. Truly tell Capt. Frits that everyone was accounted for when in fact this was not the case?

21. With regard to your proposal for FBI interviews of depository employees suggested at pp. 125-26, I assume that you have assembled for each employee the substance of his prior statements and have ascertained that these questions have not been previously put to the employees. If this has not been done I suggest that you prepare a single letter to the FBI on this subject this week and discuss it further with me and Mr. Rankin.

22. Is the bus transfer discussed at p. 134 currently in the possession of the FBI and will it be an exhibit before the Commission?
23. Is the taxicab manifest discussed at p. 137 in the possession of the FBI and will it be an exhibit before the Commission?
24. Do we have the identification bracelet mentioned on p. 137 and will this be presented to the taxicab driver for identification during his testimony?
25. In regard to your discussion of the murder of officer Tippit I think it is important to document as fully as possible the reason why Tippit was doing what he was doing in the place where he was doing it.
26. If we do not have it, I think the FBI should be requested to conduct the inspection of the cab company records suggested at p. 144. (Is this number supplied by the reference to the cab company records on p. 160?)
27. With regard to your discussion at p. 155, do you wish the FBI to conduct any additional investigation regarding the chain of identification of the four cartridge cases picked up at the scene of the Tippit shooting?
28. If the other bullets were not examined by the FBI, do you wish them to be?
29. I think you should check to make certain whether or not the gray jacket was identified by Marina Oswald. Was this jacket shown to Lee Harvey Oswald after his arrest?
30. How important is it to have full testimony before the Commission regarding the several interrogations of Oswald by the Dallas Police Department.
31. Which witnesses from the Dallas Police Department and other law enforcement agencies should be called to testify before the Commission on this subject? Should any of the notes or reports made of these meetings be made part of the Commission's exhibits? If you were defense attorney for Oswald what would you do with regard to these interrogation sessions and the reports of the interrogations?

32. I think you should follow up the investigation regarding rifle practice to make sure that it covers any area where you think the practice may have taken place.

33. With regard to your point 6 on p. 233 I seem to recall that certain other employees left the building after the assassination, including a few female employees.

34. Isn't there some way of handling allegations regarding other suspects which will provide the Commission with a better record on this subject. I think you should be prepared to state the names of any other suspects, the source of the allegation, the nature of the investigation conducted regarding the suspects, and the basis for your conclusion that the suspect is not a serious one.

35. If, in fact, your responsibility is to determine who was the assassin of President Kennedy, then I do not understand your point H-2 on p. 233 which states that you are not analyzing whether or not there were any other persons, groups, or any group outside of the country involved in the assassination.