

## M E M O R A N D U M

To: Review Board  
From: T. Jeremy Gunn and Tom Samoluk  
Date: January 4, 1995  
Re: Preliminary Review of HSCA Documents

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### BACKGROUND

The National Archives was responsible for the initial review of documents from the House Select Committee on Assassinations (HSCA). For each document it reviewed, the Archives created the Records Identification Form (RIF) and either sent a copy of the record to the JFK Collection at the Archives or forwarded a copy of the record to the originating federal agency for review. (The originals of these records are in a vault in the main Archives building in D.C.)

### SEGREGATED HSCA RECORDS

There are two types of records, however, for which the Archives made no decision: first, records created by local agencies (usually police departments); and second, records created by the HSCA staff that contain sensitive information that raise privacy concerns. Copies of these two types of records were segregated from the remainder of the files and total two "bankers' boxes" (approximately three feet).

We spent approximately five hours reviewing the two segregated boxes in the vault. Although we did not complete our review of these records (we skimmed through approximately three-quarters of them), we identified the following types of records.

First, there are investigative records from a half dozen different police or public safety departments (including Chicago, Dade County, Los Angeles, Montgomery County, and New York City). These files contain raw investigative materials that identify, for example, alleged members of organized crime syndicates, suspected criminals, and persons associated with suspected criminals (including famous public performers and a Senator who allegedly was

a joint owner of a casino in Havana during the 1950s). One voluminous report, for example, began with the investigation of a 1970s murder in Montgomery County that led back to several organized crime figures, anti-Castro Cubans, and alleged associates of Lee Harvey Oswald. This report contains numerous raw investigative leads (including a list of dozens of names in a notebook of an alleged child molester). Some of the police reports have "Confidential" or a similar designation

- 2 -

affixed. Some of the reports include names of FBI officials and FBI file numbers. Other reports have blacked-out names and numbers.

Second, two records from the assassination of Robert F. Kennedy: the secret Grand Jury testimony of the autopsy physician, Dr. Noguchi, and his extremely detailed and careful autopsy report. (We saw no autopsy photographs or drawings.) [TOM: ANY LUCK ON FINDING THE STATUS OF THE AUTOPSY?]

Third, HSCA staff interview notes and transcripts. These notes, like the police investigative notes, contain raw allegations about individuals. One document was a transcript of an interview between and HSCA staff investigator and an attorney who represented a person linked to violent anti-Castro activities. The attorney (and his attorney who was present at the interview) demanded and received assurances of confidentiality from the HSCA investigator. The interview contains information that would be of great interest to the research community.

Fourth, [DAVID FERRIE MATERIAL TO BE INSERTED BY T.S.]

Time did not permit us to determine whether these materials may previously have been released through some other means. We know that the RFK materials [T.S. INSERT]. When we reviewed the original records from some of the police files it was revealed that some of the materials had subsequently, and possibly inadvertently, been sent to the JFK Collection and thus opened to the public.

#### **REVIEW BOARD ACTION**

There are at least two decisions that must be made by the Board.

First, whether the Review Board should contact local agencies before releasing the materials that the local agencies provided to the HSCA. The agencies would thereby be given the opportunity to propose redactions.

STAFF RECOMMENDATION: prior to the Review Board's releasing local agency records, the local agencies should be contacted and given the opportunity to suggest redactions. To prevent any needless delays, however, the local agencies should be told that the material will be released unless they make their recommendations within a specified period of time (e.g., 90 days).

Second, whether the Review Board should redact information

- 3 -

from the HSCA segregated materials that raises personal privacy issues.

STAFF RECOMMENDATIONS: first, decisions should be made on a case-by-case basis; second, presumptively, the Review Board should release all information that local agencies are willing to release; third, to the extent that local agencies do not respond, the Review Board should redact information that identifies minors who were alleged victims of sexual assaults; fourth, efforts should be made to contact individuals who provided information to the HSCA under an actual (or implied) grant of confidentiality.

We are available for further discussion and elaboration of these issues.