

## MEMORANDUM

To: The Review Board

From: Philip D. Golrick

Date: July 17, 1995

Subject: Assassination Record Determination -- Sections 1-16 of the FBI  
Headquarters File on Sam Giancana (92-3171)

This memorandum provides background information on Sam Giancana and the question to what extent to which the entire FBI Headquarters file on Giancana should be designated as an assassination record.

From the time he was a teenager, Sam Giancana rose steadily within the Chicago organized crime syndicate until he became syndicate leader in 1957.<sup>1</sup> He abdicated this position in 1966 and moved to Mexico.<sup>2</sup> In July 1974, he was deported back to Chicago, where he was murdered in 1975, shortly before he was scheduled to testify before the Church Committee.<sup>3</sup>

The HQ file on Giancana consists of 37 "sections" (the FBI's term corresponding roughly to "volumes") containing documents dated from 1954 through Giancana's death in 1975. The HSCA initially requested access to all FBI files on Giancana, but apparently was allowed to review only certain portions from the HQ file. The FBI initially claimed that the sections of this file covering August through December 1963 were not reviewed by the HSCA and therefore were not assassination records. However, after the Review Board staff questioned the basis for this claim, the FBI advised that it would designate as assassination records all post-1962 documents (i.e., sections 17-37.)

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<sup>1</sup>William F. Roemer, Jr., Roemer: Man Against the Mob, p. 29 (1991). For many years, Roemer was a Special Agent on the FBI's organized crime squad in Chicago.

<sup>2</sup>Id., pp. 220-21.

<sup>3</sup>Id., pp. 334-39.

The FBI continues to maintain that the HSCA reviewed only a relative handful of the approximately 1000 pre-1963 documents in sections 1-16 of this file,<sup>4</sup> and that all such documents not reviewed by the HSCA are not assassination records.<sup>5</sup>

#### I. Historical Value of Giancana Files

For several reasons, Giancana is of historical interest, particularly with respect to the Kennedy assassination. These reasons include:

1) Involvement in plots to assassinate Castro: From late 1960 through late 1962 or early 1963, the CIA was conspiring with Giancana, Roselli, and Santos Trafficante to kill Castro.<sup>6</sup> According to the CIA's reconstruction of events, these efforts were practically dormant from April 1961 (the Bay of Pigs invasion) to late 1961.<sup>7</sup> Both the CIA and the HSCA's staff report concluded that Giancana and other organized crime figures were probably also involved in conspiracies against Castro's life that were not sanctioned by the CIA.<sup>8</sup> The possibility that the CIA-Mafia plots against Castro were somehow related to the Kennedy assassination

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<sup>4</sup>The FBI has designated as assassination records approximately 80 pre-1963 "serials" (the FBI's term for "records") which, for the most part, were provided to the HSCA in response to requests for information regarding the authorization and installation of electronic surveillance of Giancana. The direct results of this electronic surveillance are kept separately from the remainder of the HQ Giancana file. The FBI is in the process of reviewing this material under the JFK Act.

<sup>5</sup>Throughout this memorandum, citations to serials within these sections that the FBI asserts are not assassination records are in **bold**.

<sup>6</sup>See generally HSCA staff report, "The Evolution and Implications of the CIA-Sponsored Assassination Conspiracies against Fidel Castro," X HSCA 147-95.

<sup>7</sup>Id., p. 151.

<sup>8</sup>See id., pp. 175-76, relying in part on a 10/18/60 FBI document reporting on Giancana's discussion of a plot to kill Castro, the details of which differed from the CIA-sponsored plan. This memorandum is at the HQ Giancana file, 92-3171-83, and has been processed by the FBI as an assassination record. However, the FBI contends that several other documents regarding investigation of Giancana's alleged anti-Castro activities are not assassination records. See 92-3171-84 (11/12/60 airtel); 92-3171-89 (12/1/60 report); 92-3171-123 (2/18/61 teletype); 92-3171-314 (7/13/61 teletype).

received considerable attention from the HSCA and the Church Committee.<sup>9</sup>

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<sup>9</sup>The FBI became aware of the CIA's involvement no later than May 1962. See 92-3171-1st NR 721 (5/9/62 memorandum by Director Hoover of conversation with Attorney General).

2) Hostility toward the Kennedys: Attorney General Kennedy specifically targeted Giancana in his “war” against organized crime. As a result, Giancana frequently expressed hostility toward John and Robert Kennedy.<sup>10</sup> Some of these statements appear to reflect a sense of betrayal, thereby tending to confirm that Giancana had expected more lenient treatment in exchange for some form of assistance to the Kennedys.<sup>11</sup>

3) Associates in common with President Kennedy: Both Sam Giancana and President Kennedy were on friendly terms with Frank Sinatra. Sinatra apparently represented to Giancana and other organized crime figures that he could effectively intercede on their behalf with the Kennedys.<sup>12</sup> In July 1963, Giancana told an FBI agent who was tailing him, “If Bobby Kennedy wants to talk to me, he knows who to go through” -- which the agent took as a reference to Sinatra.<sup>13</sup>

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<sup>10</sup>For example, regarding a recent election result in February 1963, Giancana gloated: “That will teach that little (obscenity) Kennedy, who runs Chicago.” HSCA JFK Exhibit F-627. See also, e.g., FBI HQ file on Giancana, 92-3171-917 (10/31/62 teletype); 92-3171-369 (8/4/61 report); 92-3171-361 (7/24/61 teletype); 92-3171-314 (7/13/61 teletype).

<sup>11</sup>For example, Giancana said of a local candidate: “He’s like Kennedy, he’ll get what he wants out of you, but you don’t get anything out of him.” HSCA JFK Exhibit F-605 (January 1962 excerpt from FBI electronic surveillance).

<sup>12</sup>See, e.g., FBI HQ file on Giancana, 92-3171-527; 92-3171-580 (1/10/62 airtel); 92-3171-594 (1/18/62 airtel); John H. Davis, Mafia Kingfish, p. 118 (1989); Roemer, supra, p. 177.

<sup>13</sup>FBI HQ file on Giancana, 92-3171-1070.

In February 1960, Frank Sinatra introduced Judith Campbell to John Kennedy.<sup>14</sup> Kennedy and Campbell began an ongoing romantic relationship. In March 1960, Giancana met and himself began an affair with Campbell.<sup>15</sup> Through its investigation of Giancana's associate, Johnny Roselli, the FBI learned of a number of phone calls from Roselli to Campbell and from Campbell to the White House, and conveyed this information to the President.<sup>16</sup>

4) Alleged contribution to 1960 presidential campaign: By the end of 1961, reports that Giancana had contributed a large sum of money to the Kennedy presidential campaign had begun to surface. Some of these reports are from FBI electronic surveillance of apparently unguarded conversations of Giancana and his associates.<sup>17</sup>

5) Alleged links to Joseph P. Kennedy, Sr.: Rumors of involvement in illicit bootlegging and rumrunning dogged Joseph Kennedy throughout the 1920's.<sup>18</sup> Decades later, organized crime leaders from New York and Chicago claimed to have been both bootlegging partners with and competitors of Joseph Kennedy.<sup>19</sup> Giancana reportedly claimed knowledge of Joseph Kennedy's bootlegging, asserting that "'Kennedy was one of the biggest crooks who ever lived.'"<sup>20</sup>

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<sup>14</sup>See, e.g., John H. Davis, The Kennedys, p. 678 (1984).

<sup>15</sup>Id.

<sup>16</sup>Roemer, supra, p. 176. Years later, Campbell claimed to have served as a courier between Giancana and Kennedy, and that the two men had met personally on several occasions. See id., pp. 176-77. Roemer rejects these allegations.

<sup>17</sup>See FBI HQ file on Giancana, 92-3171-527 (12/9/61 memorandum from Director Hoover to Attorney General Robert Kennedy); id., 92-3171-1st NR 1265 (12/10/63 memorandum).

<sup>18</sup>Doris Kearns Goodwin, The Fitzgeralds and the Kennedys, p. 443 (1987). Researchers are divided over the extent to which these rumors were true. Compare id., pp. 442-43 (describing a lack of "hard evidence" and concluding that any involvement on Kennedy's part was "most likely" confined to the early 1920's before liquor trafficking became dominated by "large criminal gangs") with Davis, The Kennedys, pp. 48-49 (arguing from circumstantial evidence that Kennedy was involved in the liquor trade throughout Prohibition).

<sup>19</sup>Davis, supra, pp. 48-49; Goodwin, supra, p. 443.

<sup>20</sup>Davis, supra, p. 49.

## II. Whether to Designate Additional Sections and Serials as “Assassination Records”

The interpretive guidance adopted by the Review Board includes as assassination records “all records . . . that document, describe, report on, analyze or interpret activities, persons, or events reasonably related to the assassination . . . and investigations of or inquiries into the assassination.”<sup>21</sup> In order to designate a group of records as “assassination records,” “the Review Board must determine” that such records “will more likely than not enhance, enrich, and broaden the historical record of the assassination.”<sup>22</sup>

Conceptually, there are three alternative approaches available to the Review Board in determining to what extent, if any, the pre-1963 serials at issue meet these criteria:

- 1) Designating a specific date, following which all documents become assassination records, and before which no serials are assassination records (several possible dates could be selected);
- 2) Designating specific pre-1963 documents as assassination records; or
- 3) A combination of the first two approaches that would designate all documents after a certain date, but also some documents before that date.

As described above, a number of the pre-1963 serials at issue are “reasonably related” to subjects explored in some detail by the HSCA’s investigation of the assassination. The Research and Analysis staff has identified additional serials, which the Review Board may wish to review. The Review Board staff recommends that, at a minimum, the Review Board determine that these particular serials are assassination records.

The Review Board staff believes, however, that designating only specific serials in isolation is not the best course. Such an approach would have the undesirable archival consequence of separating these original serials from the documents that come immediately before and after them in the Giancana file.

More significantly, it would deny researchers the benefit of having in the JFK Collection the entire file for the pertinent time frames. Although it is difficult to prove a negative, the historical significance of these sections of the Giancana file may lie as much in what they do not contain as in what they do. For example, the HQ Giancana file appears to lack contemporaneous evidence of any assistance, financial or otherwise, to the 1960 Kennedy campaign. But as it stands now, the JFK

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<sup>21</sup>To be codified at 36 CFR § 1400.1(a).

<sup>22</sup>Id. § 1400.8(a).

Collection does contain a December 1963 document alleging such assistance.<sup>23</sup>

For these reasons, the Review Board staff recommends that the Review Board designate all serials appearing after an appropriate point as "assassination records." The staff believes that any of the following points would be reasonable:

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<sup>23</sup>Giancana HQ file, 92-3171-1st NR 1265.

a) March 1954, the date of the first serial in the HQ Giancana file. The entire file may be regarded as reasonably related to the HSCA investigation, simply because the HSCA originally requested this entire file, and received portions of it only because the FBI denied access to the rest. Moreover, this choice would yield the greatest contribution to the historical record of the FBI's knowledge of Giancana. Finally, because there are relatively few documents from the earliest years of the file,<sup>24</sup> this most inclusive approach would result in only a modest increase over what the FBI would have to process under either b) or c) below.

b) January 1960, when John Kennedy declared his presidential candidacy.<sup>25</sup> This cut-off point would demonstrate whether the HQ Giancana file corroborates allegations that Giancana assisted the Kennedy campaign. By including less-than-all of the file, this cut-off point should send a desirable signal to the FBI that the Review Board intends to apply a broad, but principled, understanding of what constitutes an assassination record.

c) October 1960, when mention is first made in the HQ Giancana file of conspiracies to assassinate Castro.

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<sup>24</sup>Pre-1960 documents consist of a little more than one of the 16 sections at issue.

<sup>25</sup>Goodwin, supra, p. 794.