

MEMORANDUM

To: Members of the Assassination Records Review Board

From: Tom Samoluk

CC: David Marwell

Date: June 23, 1995

Re: Review Board Public Hearing in New Orleans; Wednesday, June 28, 1995

I. Introduction

The Review Board is scheduled to conduct a public hearing in New Orleans on Wednesday, June 28, 1995. The site for the hearing is the third floor auditorium of the Old U.S. Mint Building, located at 400 Esplanade Avenue in the French Quarter.

The hearing is scheduled to begin at 10:00 a.m. and should conclude by 1:00 p.m. Review Board members are asked to arrive at the third floor auditorium by 9:30 a.m. for media availability prior to the public hearing.

I have attached an advance story on the Review Board hearing which appeared in the New Orleans Times-Picayune on Saturday, June 24, 1995. I have also attached the Associated Press story on the Board vote to release in full the (16) CIA documents, as it appeared in the Boston Globe on Thursday, June 22, 1995.

II. The Public Hearing Agenda

The agenda for the public hearing is likely to follow this order:

1. Opening statement and review of the Board's work to date by the Chair, and opening statements by members of the Board who choose to make one.

I suggest the following talking points are important to emphasize during the hearing, if possible, and when talking to the media:

- a. We are in New Orleans because it is an important chapter in the history of the assassination.
- b. We are asking people, beyond our witnesses today, who may have records which are relevant to the assassination, to contact us.

c. We are not conducting a re-investigation into the assassination of President Kennedy and are not mandated to reach any conclusions in our final report.

d. Our mandate is to identify, locate, secure and make available to the American public records related to the assassination.

2. Testimony of witnesses

As of the time that this memorandum is being written, only Dr. Michael Kurtz has provided us with a written statement. Other statements which we obtain prior to the hearing will be provided to Board members.

In this section, background information and suggested questions for each witness are provided.

a. **The Honorable Lindy Boggs**; former Congresswoman and wife of the late Congressman Hale Boggs, who was a member of the Warren Commission.

Background

Mrs. Boggs agreed to testify at the hearing after initially being contacted by Anna Nelson. Despite a busy schedule, involving a lot of travel, she has been very cooperative about the hearing. Her purpose at the hearing is to state her support of the Board's efforts and the importance of preserving the historical record of the assassination. Perhaps most importantly, Mrs. Boggs will publicly state that she is allowing the Board access to her late husband's papers at Tulane University, some of which relate to the late Congressman Boggs's service on the Warren Commission.

I have attached two excerpts from Mrs. Boggs' book which relate the assassination of President Kennedy and the Warren Commission.

Suggested Questions

1. Do you have an opinion about what records relative to the Kennedy administration could enrich the historical record surrounding the assassination?

2. Are there any other sources of records from the Warren Commission that either your husband or other Commission members maintained which we should be pursuing?

b. **The Honorable Harry F. Connick, Sr., District Attorney of New Orleans.** His office possesses records from the investigation into the assassination of President Kennedy and the prosecution of Clay Shaw which were conducted by former New Orleans District Attorney Jim Garrison in the late 1960's.

Background

After prolonged discussions during the last several weeks, District Attorney Connick has agreed to testify at the hearing and eventually give the original documents (with the exception of grand jury materials) to the Board, to be made part of the JFK Assassination Records Collection. Connick is not yet ready to give the Review Board the records. He wants the opportunity to review them himself before he gives them to us. He has agreed to allow Review Board staff to look at the records on the day before the hearing. The actual transfer of documents will occur at a later date.

Connick has stated that he will announce at the hearing that he is interested in cooperating with the Board and that he intends to allow the Board to have original documents from the Garrison files. We have also asked him to describe briefly what is in the files which his office still maintains from the Garrison investigation.

Since the House Select Committee on Assassinations efforts in 1978 to obtain access to grand jury records related to the Clay Shaw prosecution, District Attorney Connick has consistently opposed letting anyone see the grand jury records, citing state law. He has reiterated this position to us on repeated occasions during recent weeks. I suggest that this issue should not be raised at the hearing because it could adversely affect our ability to obtain the rest of the Garrison records, which Connick has agreed to provide to the Board. We plan to pursue the grand jury records as a separate matter following the hearing and our obtaining the non-grand jury records.

It should be noted that Connick strongly disagreed with Garrison's investigation into the assassination of President Kennedy. He believes that the prosecution of Clay Shaw was a terrible injustice.

I have attached two memos from House Select Committee on Assassination staffers who wrote about their review of the Garrison files in 1978. They were allowed to inventory the five files cabinet drawers and actually copied a limited number of documents which now are in the Collection at the Archives. Their inventory and a list of what they copied are also attached. They were not allowed to see grand jury materials.

Suggested Questions

1. Apart from the records which were donated to the New Orleans Public Library, have the Garrison records remained the same since you came into office?
2. Do you have any idea of what the volume of records was prior to your coming into office?
3. Can you suggest the location of other records which may be relevant to the Garrison investigation and are not in your office?

c. **Wayne Everard, Archivist, City of New Orleans Archives.** He oversees records at the New Orleans Public Library that are from the investigation into the assassination of President Kennedy conducted by former New Orleans District Attorney Jim Garrison.

Background

Everard will describe the history and the content of the Garrison records which are at the New Orleans Library. These three file boxes were donated to the Library by the District Attorney's office in 1990. In 1993, he gave a Society of American Archivists presentation at a conference in New Orleans. His testimony at the hearing will be very similar. I have attached Everard's notes from this 1993 presentation.

As you will see in Everard's notes, he may briefly mention some other items that the Library has related to the assassination, in addition to the Garrison files.

We have ordered microfilm of the three boxes of Garrison records which the New Orleans Library obtained in 1990. The Review Board members should be aware that Everard expected that he and the Library would be receiving additional Garrison records which are still at the District Attorney's Office. At the same time that David Marwell had contacted District Attorney Connick about obtaining access to the Garrison records which he possessed, Connick was indicating to the Everard that he was ready to send additional Garrison records to the Library. Everard will not be pleased to hear that Connick now plans on giving us original documents, although he has indicated to Anne Buttimer and me that he was aware of the possibility. Everard may be satisfied to receive copies or microfilm of the additional Garrison records.

Suggested Questions

1. Is there anything in the Garrison records which the Library has which could lead us to additional records?
2. Are there other sources of records in New Orleans which may help enrich the JFK Collection?
3. Could you describe the collection of newspaper clips relevant to the Garrison investigation that you have at the Library?
4. Do you think copies of some of these newspaper stories about the Garrison investigation would be a helpful to have in the JFK Collection?
5. Do you believe that there is information in any of those articles which could lead us to other

records?

6. Is there anything else at the Library that might be helpful to the Review Board?

d. Dr. Michael L. Kurtz; Professor of History at Southeastern Louisiana and author of Crime of the Century, a 1982 book on the Kennedy assassination.

Background

Kurtz has been researching the assassination for many years. He also teaches a course on the assassination.

Dr. Kurtz's book was updated in 1993. I have attached the introduction to the book. Two points are worth noting. First, Kurtz believes that "Fidel Castro masterminded the assassination of President Kennedy in retaliation for the repeated attempts against his own life during the Kennedy administration." Second, he discusses the work of the Review Board in the 1993 introduction of his book. The introduction was written before the Board members were nominated, but it is worth reading this section.

I had asked Kurtz to discuss the historical context of the assassination in connection with what was occurring in New Orleans in the 1960's. He did not include any historical context in his written testimony, but I have included a question on this area below.

Suggested Questions

1. Did the recent FBI release of records relative to Castro's reaction to the assassination, that is reportedly reenacting the assassination, have any impact on your view that Castro was behind the assassination?
2. How far do you think this Board should go in seeking records which would enrich the history surrounding the assassination? Where can the lines be reasonably drawn?
3. Why is the origins of the family's legal control of the autopsy materials an important part of the historical record to you?
4. Could you refine your statement that the Board should "demand all records of the CIA, FBI, Defense Department, National Security Agency, State Department and any other agency of the United States government pertaining to U.S. - Cuban relations during the period 1959-1963?" Are you saying that the Board should review these records to determine the relevancy of their content or that they inherently belong in the JFK Collection?

5. With a focus on New Orleans, and the politics and events of the early 1960's, are there other records which the Board should be seeking to make a part of the JFK Collection?
 6. Do you have any other suggestions on records relative to Lee Harvey Oswald and his time in New Orleans which the Board should pursue?
- e. **Stephen Tyler**; producer and director of the 1992 documentary "*He Must Have Something: The Real Story of Jim Garrison's Investigation of the Assassination of JFK.*"

Background

Tyler produced and directed his documentary with a very small budget. The result was a respected piece of work which almost everyone with whom I spoke in connection with New Orleans mentioned. Most people in some way connected with the Garrison investigation were interviewed by Tyler. The few that chose not to be interviewed, reportedly commended him afterwards. The documentary is known for its balance and objectivity. It includes interviews of primary players in the Garrison investigation and archival footage from the late 1960's.

Mr. Tyler has agreed to make his documentary available, to be part of the JFK Collection. In addition, he is donating nearly (50) hours of interview outtakes which did not make it into the (90) minute documentary. He has been extremely cooperative with the Review Board staff.

We asked Tyler to discuss his making of the documentary and the contents of the outtakes. Because he has pursued the Kennedy investigation since the completion of the documentary, with a particular focus on Clay Shaw, he will also testify about what he thinks are important records and where some may be located.

I have attached a proposal for follow-up documentary that Tyler hoped to do on Clay Shaw. He has not obtained the necessary funding, but still hopes to make such a documentary at some point in the future.

Suggested Questions

1. As someone in the media, how important do you think films or videotape acquired by the networks or individual television stations are to the JFK Collection? Given the large volume of materials, what do you think is the most important for the Board to consider?
2. Are there other sources of records relative to Clay Shaw and his prosecution which could be in private hands in the New Orleans area?
3. To the extent that David Ferrie was investigated by Jim Garrison, are you aware of any records

which the Board should be seeking relative to him?

4. You mentioned an interest in Clay Shaw and CIA records. Do you have any specific file numbers that the Board should be pursuing?

f. **Cynthia Anne Wegmann, Esq.**; daughter of the late Edward Wegmann, a member of the legal team which defended Clay Shaw at his 1969 assassination conspiracy trial.

Background

Ms. Wegmann possesses her father's papers from the defense of Clay Shaw. She has agreed to donate the original documents to us, to be made part of the JFK Collection. We expect to have these records in our possession prior to the hearing. Wegmann has four boxes which include papers from the defense team, memos from the Garrison files which were obtained from a former Garrison investigator who became unhappy with the investigation and gave them to the Shaw defense team, and some movie films, including what is believed to be a copy of the Zapruder film.

In addition, the Wegmann papers include original statements made by witnesses in Clinton, Louisiana who claimed to have seen Oswald with Clay Shaw and David Ferrie in Clinton, prior to the assassination. Gerald Posner put a lot of emphasis on these statements, which he saw in the Wegmann files. I have attached two excerpts from Posner's book in which he refers to the Wegmann papers.

We asked Ms. Wegmann to describe the content of her father's papers during her testimony. Interestingly, she also attended most of the Clay Shaw trial, in between college classes. She ran errands and did other minor assignments for the defense team.

Cynthia Wegmann has been very cooperative with the Review Board staff and has expressed genuine interest in making these papers available to researchers and historians. She knew Clay Shaw and feels that the prosecution was a great injustice to him.

Suggested Questions

1. To your knowledge, are these all of the records which you father maintained from the Clay Shaw case?
2. Are you aware of other records connected to litigation involving Clay Shaw which the Board should be pursuing?

3. Do you think that there may be records of Clay Shaw or relative to his involvement in this case which are in private hands?

g. Steven Tilley; the National Archives and Records Administration's JFK Assassination Records Collection Liaison will give an update on the Collection.

Background

Steve has been asked to give a short update on the Collection. We hope that there can be more dialogue between him and the Board than there was in Boston.

Suggested Questions

1. What are the recent additions to the Collection?
2. What additions are expected?
3. What has the level of interest been lately, particularly in the recent FBI releases on Castro's reported reaction to the assassination and the FBI organized crime files?
4. Do you have any updated numbers on the available number of assassination records at the Archives? Any breakdown on investigations (Warren Commission, HSCA, Church Committee, etc.) or agencies?
5. Have you had any recent communication with any of the Presidential Libraries relative to their responsibilities under the JFK Act?

h. Elton Wm. Killam, Esq.

Mr. Killam is a relative of a deceased individual whose name has come up in connection with the assassination. Killam, who is a public defender in Florida, requested the opportunity to testify in New Orleans. Essentially, he wants to tell the Board that he has been seeking records on his relative and after investigating, believes that more records exist than agencies are acknowledging.

David Marwell and I were of the opinion that because we will likely be short on time and given the narrow nature of Killam's interest, he should not be allowed to testify. He was told this and accepted it. He does intend to attend the hearing. I have attached the cover letter and outline which he faxed to me.

III. Additional Notes About New Orleans and Records

1. Lyon Garrison and Additional Records of Jim Garrison

Lyon Garrison is one of Jim Garrison's five children. Anne Buttimer and I met with Lyon in New Orleans earlier this month. He has agreed to donate eight boxes of original records which have been in his possession since his father's death. We did not see the records on our previous trip to New Orleans, but Lyon is supposed to turn these records over to the staff while we are in New Orleans this week, prior to the hearing.

2. Metropolitan Crime Commission

The Metropolitan Crime Commission is a private non-profit organization which acts as a "watch dog."

I met with the Managing Director and the Assistant Managing Director about the Review Board obtaining access to their records on organized crime figures in the 1960's and 1970's. Several people, including Robert Blakey, have mentioned these record as potentially important to the assassination.

Following my meeting earlier this month, the matter of the Board reviewing the Metropolitan Crime Commission was to be raised with their Board of Directors. I do not know what the result of that meeting was because the Managing Director has not returned my telephone calls. We will continue to pursue this matter, but there is nothing additional to report at this time.