

RELEASED PER P.L. 108-686 (JFK ACT)
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RUSSO, PERRY RAYMOND
SHAW, CLAY L., TRIAL
STATE OF LOUISIANA V. CLAY L. SHAW
FERRIE, DAVID
OSWALD, LEE, POST RUSSIAN PERIOD, POLITICAL & SUBVERSIVE
ACTIVITIES
THREAT, KENNEDY, JOHN

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RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

CRIMINAL DISTRICT COURT
PARISH OF ORLEANS
STATE OF LOUISIANA

.....
STATE OF LOUISIANA . 198-059
vs. . 1426(30)
CLAY L. SHAW . SECTION "C"
.....

PROCEEDINGS IN OPEN COURT,
Monday, February 10, 1969

B E F O R E : THE HONORABLE EDWARD A. HAGGERTY, JR.,
JUDGE, SECTION "C"

Reference copy, JFK Collection; HSCA (RG 233)

Dietrich & Pickett, Inc.
Stenotypists
333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130-522-3111

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

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I N D E X

<u>WITNESS</u>	<u>Direct</u>	<u>Cross</u>
PERRY RAYMOND RUSSO	9	132

E X H I B I T S

<u>EXHIBIT NO.</u>	<u>IDENTIFIED</u>	<u>OFFERED</u>	<u>RECEIVED</u>
S-1		3	4
S-2		4	5
S-3		5	5
S-4		5	6
S-5		6	6
S-6		7	7
S-7		7	7
S-8		7	8
S-9		8	8
S-10		9	9
S-11	13		
S-12T	18		
S-13T	19		
S-14T	20		
S-15T	21		
S-16T	21		
S-17T	23		
S-18	27		
S-19	27		
S-20	83		

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

ii

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E X H I B I T S

<u>EXHIBIT NO.</u>	<u>IDENTIFIED</u>	<u>OFFERED</u>	<u>RECEIVED</u>
D-7	173	175	175
D-8	203	203	209
D-9	223	223	223

Reference copy, JFK Collection: HSCA (RG 233)

1 Pursuant to the adjournment of
2 Saturday, February 8, 1969, the proceedings
3 in open court were resumed at 9:00 o'clock
4 a.m. on Monday, February 10, 1969, appearances
5 being the same as heretofore noted in the
6 record

7 THE COURT:

8 Let it be noted in the record that the
9 Jury is here, the defendant is here,
10 all counsel are present, and the
11 State and the Defense are ready to
12 proceed.

13 Is the State ready to call its next wit-
14 ness?

15 MR. ALCOCK:

16 The State is ready.

17 THE COURT:

18 If so, call your next witness.

19 MR. DYMOND:

20 Your Honor, before we start out I would
21 like to ask whether all the exhibits
22 from the preliminary hearing are
23 available here. I know there are some
24 of those that both sides will probably
25 need.

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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THE COURT:

I am sure the Clerk's Office would have knowledge of that.

MR. ALCOCK:

The Clerk's Office, I presume. I think they have got the folders right back in your Clerk's Office containing them, Your Honor.

MR. DYMOND:

I would assume Your Honor wouldn't require a formal subpoena duces tecum for them to be brought in?

THE COURT:

No.
Call your next witness.

MR. ALCOCK:

Your Honor, prior to calling the first witness, and in conjunction with the testimony of witnesses who have testified to date, the State would like to make certain offerings of evidence. The first offer the State makes is -- I will show these to Defense Counsel (exhibiting documents to Counsel) -- S-1, which purports to be a picture

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RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 12/29/93

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of Lee Harvey Oswald.

THE COURT:

Is there any objection?

MR. DYMOND:

No objection.

THE COURT:

Let it be received.

MR. ALCOCK:

Next is S-2, which purports to be a picture of a black Cadillac automobile.

THE COURT:

Is there any objection?

MR. DYMOND:

To which we object on the ground it has not been sufficiently connected with this Defendant to permit its introduction in evidence.

THE COURT:

I believe it is offered as being similar?

MR. ALCOCK:

Similar to the Cadillac that the Defendant was allegedly in in Clinton, Louisiana.

MR. DYMOND:

I object to it on that basis.

THE COURT:

Reference copy, JFK Collection: NSCA (RG 233)

1 Let it be received as similar.

2 MR. DYMOND:

3 To which ruling we take a bill of exception,

4 making Exhibit S-2, Counsel's objec-

5 tion, the ruling of the Court, the

6 reason for the objection, and the en-

7 tire record up to this time parts of

8 the bill.

9 MR. ALCOCK:

10 Exhibit S-3 purports to be a picture of

11 David Ferrie.

12 MR. DYMOND:

13 No objection.

14 THE COURT:

15 Let it be received.

16 MR. ALCOCK:

17 Exhibit S-4 purports to be an application

18 for the Fair Play For Cuba Committee

19 identified by Officer Martello of the

20 New Orleans Police Department.

21 MR. DYMOND:

22 To which we object on the ground that it

23 has no connection with this Defendant,

24 more particularly in view of the fact

25 that no prima facie case of conspiracy

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

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has been made, and this is connected
only with Lee Harvey Oswald.

THE COURT:

Let it be received.

MR. DYMOND:

To which ruling Counsel reserves a bill,
making the State's Exhibit S-4,
Counsel's objection, the reasons
therefor, the Court's ruling and the
entire record up until now part of
the bill.

MR. ALCOCK:

The State offers, files and introduces
into evidence Exhibit S-5, which pur-
ports to be a yellow leaflet entitled
"Hands Off Cuba."

MR. DYMOND:

The same objection, for the same reasons,
and Counsel reserves a bill of ex-
ception making Exhibit S-5, Counsel's
objection, the ruling of the Court,
the reason for objection, and the en-
tire record up to this time part of the
bill.

MR. ALCOCK:

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-688 (JFK ACT)
NARA DATE 11/23/93

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Exhibit S-6, which purports to be a picture of Lee Harvey Oswald distributing Fair Play for Cuba Committee leaflets in front of the International Trade Mart.

MR. DYMOND:

No objection.

THE COURT:

Let it be received.

MR. ALCOCK:

S-7, which purports to be a scene of the same distribution.

MR. DYMOND:

No objection.

THE COURT:

Let it be received.

MR. ALCOCK:

S-8, copy of a Hands Off Cubs leaflet taken from Lee Harvey Oswald on the Dumaine Street Wharf by Officer Girod Ray.

MR. DYMOND:

Object on the ground that no prima facie case of conspiracy has been made, and Exhibit S-8 has no connection whatsoever

Reference copy, JFK Collection: ESCA (RG 233)

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ever with this defendant.

THE COURT:

Overrule the objection. Let it be received.

MR. DYMOND:

To which ruling Counsel for the Defendant reserves a bill of exception, making the State's offer of S-8, Counsel's objection, the ruling of the Court, reasons for objection, and the entire record up to this time part of the bill.

MR. ALCOCK:

S-9, which purports to be a piece of literature entitled "The Truth About Cuba is in Cuba," also received by Officer Ray from Oswald on the Dumaine Street Wharf.

THE COURT:

Is there any objection?

MR. DYMOND:

The same objection, for the same reasons.

THE COURT:

Objection overruled.

MR. DYMOND:

To which ruling Counsel reserves a bill of

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

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exception, making the State's offer of Exhibit S-9, Counsel's objection, the ruling of the Court, reasons for objection, and the entire record up to this time part of the bill.

MR. ALCOCK:

And S-10, another picture of David Ferrie.

MR. DYMOND:

No objection.

THE COURT:

Let it be received.

Are you ready?

MR. ALCOCK:

Call Perry Raymond Russo, please.

THE COURT:

Call Mr. Russo.

PERRY RAYMOND RUSSO,

a witness called by and on behalf of the State, having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. ALCOCK:

Q State your full name for the record, please.

A Perry Raymond Russo.

Q Mr. Russo, where do you reside?

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 A 5807 Elysian Fields.
2 Q How old are you, Mr. Russo?
3 A Twenty-seven.
4 Q Were you born in New Orleans?
5 A Yes, sir.
6 Q What is your educational background, Mr. Russo?
7 A I have a degree in Political Science, with two
8 years at Tulane, three years undergraduate
9 work at Loyola University, one year at the
10 Law School at Loyola University, and
11 approximately two-thirds or half a year up
12 at LSU Industrial School.
13 Q Mr. Russo, referring you to the early 1960's,
14 did you have occasion at any time during
15 that period to meet a man by the name of
16 David Ferrie?
17 A I met him with a friend of mine at his Kenner
18 address.
19 Q (Exhibiting photograph to witness) Mr. Russo,
20 I am going to show you two pictures which
21 have been previously identified as State-3
22 and State-10, and ask you to examine these
23 pictures and see whether or not you recog-
24 nize the person depicted in the pictures.
25 A Yes, sir.

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

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1 Q Who is that person?

2 A Dave Ferrie.

3 Q Mr. Russo, can you approximate for the Court
4 and the Jury when you first met David
5 Ferrie?

6 A I guess about 1961.

7 Q And where was it specifically that you met him?

8 A I don't know the address but it was out toward
9 the Moisant International Airport.

10 Q Can you recall who was present when you first
11 met him?

12 A He was there, and a lady introduced as his
13 mother, who was elderly, Al Landry was
14 there, and about -- several or quite a
15 few members of the Civil Air patrol I
16 guess.

17 MR. ALCOCK:

18 Your Honor, may I approach the bench just
19 a moment?

20 THE COURT:

21 You may.

22 (Bench conference off the record.)

23 THE COURT:

24 You may proceed.

25 BY MR. ALCOCK:

Reference copy, JFK collection: ESCA (RG 233)

1 Q Mr. Russo, after this first encounter that you
2 recall having occurred sometime in 1961,
3 did you have occasion to see David Ferrie
4 any after that?

5 A I saw him at -- in '63 extensively, and some in
6 '62, and a few times in '64.

7 Q Approximately, Perry, how many times in '62
8 did you see David Ferrie, if you can
9 approximate? I know it is difficult.

10 A Only a few, I am not sure, perhaps 10, 12, 15
11 times.

12 Q And on these occasions where would you
13 principally see him?

14 A Well, he had -- just came over to the house
15 where I lived on Elysian Fields. I lived
16 at 4607 Elysian Fields at that time, and
17 he would come over at that time.

18 Q Did you know where he lived in '62 and '63?

19 A In '63 I knew where he lived, on Louisiana
20 Avenue parkway.

21 Q Did you or do you know the address now?

22 A I know the address now, 3330.

23 Q (Exhibiting photograph to witness) Mr. Russo,
24 I am going to show you what I have marked
25 for purposes of identification as "S-11,"

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 1/23/93

1 which picture purports to show the face
2 of a home, and I ask you if you recognize
3 this picture.

4 A Yes, that is Dave Ferrie's house.

5 (Whereupon, the photograph referred
6 to by Counsel was duly marked for
7 identification as "Exhibit S-11.")

8 BY MR. ALCOCK:

9 Q Did he live downstairs or upstairs?

10 A He lived on the second floor.

11 Q Are you able to see his porch in this picture?

12 A Yes, sir, it is at the top left part of the
13 photograph.

14 Q Now, Perry, coming to the year 1963 -- and let's
15 for purposes of limitation take the first
16 six months of 1963 -- that would be say from
17 January to June -- approximately how often
18 would you see David Ferrie?

19 A I couldn't exactly say, approximately 10, 12,
20 15 times.

21 Q This is 1963?

22 A 1963.

23 Q Now going to the summer of 1963, without giving
24 an approximation in numbers, was it once a
25 day, twice a week, once a month, or how many

Reference copy, JFK Collection: ESCA (Rg 233)

1 times?

2 A Oh, I'm sure it would be twice a week or

3 better.

4 Q During the summer of '63?

5 A During the summer of '63, right.

6 Q During the course of your encounters with David

7 Ferrie, would his appearance always be the

8 same?

9 A It varied, it varied at times.

10 Q Can you explain what you mean by that?

11 A Well, it was a subject that he didn't bring up,

12 but he had strange hair or a wig, and

13 sometimes the wig would be spotted, other

14 times it would be combed straighter and

15 you wouldn't notice the missing part to

16 the wig, and then sometimes you could

17 notice eyebrows, sometimes they were

18 bushy and sometimes they weren't noticeable

19 at all. Most of the time though he did

20 wear a white shirt, as I remember, and

21 baggy trousers, although they weren't al-

22 ways dirty.

23 Q Now, Mr. Russo, you have identified State's

24 Exhibits 10 and 3. With reference to the

25 eyebrows in these exhibits, would this

1 always be the condition of his eyebrows,
2 or would there be occasions when his eye-
3 brows were not that heavy or pronounced?

4 MR. DYMOND:

5 If the Court please, I am going to object
6 at this time to the State leading
7 this witness. This is an obviously
8 leading question.

9 THE COURT:

10 Rephrase your question.

11 MR. ALCOCK:

12 All right.

13 BY MR. ALCOCK:

14 Q Would this always be the condition of his eye-
15 brows?

16 A No, not always, no.

17 Q What other condition might they be in?

18 A Well, these are very pronounced; at times they
19 weren't so pronounced as these, (they) were
20 lighter and you would notice the hair, and
21 the hairdo itself also is spotty, or at
22 least slightly spotty here.

23 Q Now, if you can recall, Perry, what was the color
24 of Ferrie's hair, if you will?

25 A Reddish-brownish.

1 Q All right.

2 MR. ALCOCK:

3 Your Honor, perhaps if I could have brought
4 into Court the exhibits in the pre-
5 liminary hearing, I might be able to
6 use some of them at this time, specifi-
7 cally those that deal with pictures
8 of the interior of David Ferrie's
9 apartment.

10 THE COURT:

11 Will one of the deputies go to the Clerk's
12 Office and ask to let me have all of
13 the exhibits from Judge Bagert in the
14 preliminary hearing.

15 I think these exhibits would properly be
16 in the Property Clerk's Office.

17 MR. ALCOCK:

18 No, they are in this little office right
19 off --

20 THE COURT:

21 All right. Proceed.

22 MR. ALCOCK:

23 Prior to their arrival I might ask Mr..
24 Russo some more questions, Your Honor.

25 THE COURT:

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 213)

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Proceed.

BY MR. ALCOCK:

Q Perry, can you approximate for the Court and the Jury how many times you might have been in the Louisiana Avenue apartment of David Ferrie?

A In his apartment?

Q In his apartment.

A I guess about 20 to 30 times.

Q Do you feel, Perry, that if you were shown pictures of the interior of that apartment taken as late as 1967, you still might recognize some of the permanent features of that apartment?

A Yes, sir.

MR. ALCOCK:

Your Honor, on these pictures that I am now marking for identification there is a prior marking, they were used on another occasion. Perhaps if I mark them S -- whatever the next number is -- and encircle that number, we could more --

THE COURT:

You might put the date and that would

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

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identify it, that as of today we know
it is the exhibit for this case.

MR. ALCOCK:

All right.

MR. DYMOND:

Either that or you could mark them State-
Such and Such -- "Trial."

MR. ALCOCK:

How about "S-12T" for Trial?

THE COURT:

"Trial." O.K.

(Whereupon, the document referred
to by Counsel was duly marked for
identification as "Exhibit S-12T.")

BY MR. ALCOCK:

Q Perry, I am going to show you a picture which I
have marked for purposes of identification
as "State Exhibit 12-Trial," and I ask you
if you recognize anything in that picture,
any structure in the picture (exhibiting
photograph to witness).

A May I see another picture first?

Q (Exhibiting photograph to witness) I show you
what I have marked "S-13-Trial."

A Yes, I recognize that picture.

Reference copy, JFK Collection: HSCA (RG 233)

1 (Whereupon, the document referred
2 to by Counsel was duly marked for
3 identification as "Exhibit S-13T.")

4 BY MR. ALCOCK:

5 Q How do you recognize that picture? What does
6 that picture recall to mind? What do you
7 see in that picture?

8 A This is the front room, or what I call the
9 front room --

10 Q Front room of whose house?

11 A Oh, of Dave Ferrie's house.

12 Q Perry, would this be essentially the same,
13 would it be essentially the same --

14 MR. DYMOND:

15 Object to leading the witness, if the Court
16 please.

17 THE COURT:

18 Rephrase your question.

19 BY MR. ALCOCK:

20 Q (Exhibiting photograph to witness) I show you
21 what I have marked as "S-14-Trial," and
22 I ask you if you recognize that picture.

23 A Yes, sir.

24 (Whereupon, the photograph referred
25 to by Counsel was duly marked for

RELEASED PER P.L. 102-538 (JFK ACT)
NARA DATE 12/23/93

1 identification as "Exhibit S-14T.")
2 BY MR. ALCOCK:
3 Q What does that picture mean to you?
4 A This is the hallway, where the policeman is
5 is the front of the building to the out-
6 side porch, and the front room is right
7 over to the right, and this is the hallway
8 looking forward, toward the front, toward
9 Louisiana Avenue Parkway.
10 Q Now, whose apartment is that?
11 A This is Dave Ferrie's apartment.
12 Q (Exhibiting photograph to witness) Referring
13 you once again to S-11, can you see any
14 portion of S-11 in S-14T?
15 A I see the front, at least part of the front
16 porch.
17 Q All right. (Exhibiting photograph to witness)
18 I now show you what is marked for purposes
19 of identification as "S-15T," and I ask you
20 if you can recognize that picture.
21 A This is the dining room area.
22 Q Whose apartment?
23 A Of Dave Ferrie.
24 Q Now I show you what I have marked for purposes
25 of identification as "S-16T," and I ask you

Reference copy, JFK Collection: ESCA (RG 233)

1 if you recognize the person depicted in
2 that picture.

3 A Yes, sir.

4 Q Who is that?

5 A That is Dave Ferrie.

6 (Whereupon, the photographs referred
7 to by Counsel were duly marked for
8 identification as "Exhibit S-15T"
9 and "Exhibit S-16T.")

10 BY MR. ALCOCK:

11 Q Now, Mr. Russo, going back to S-12-Trial, your
12 having viewed the other pictures, are you
13 able to identify the scene depicted in
14 "S-12-T"?

15 A Yes, sir.

16 Q What is that?

17 A This would be the hallway.

18 Q In whose apartment?

19 A In Dave Ferrie's apartment.

20 Q Perry, now referring you to the month of
21 September, 1963, did you have occasion at
22 any time during that month, without speci-
23 fying at this time when, to go to the
24 apartment of David Ferrie?

25 A Yes, sir.

1 Q Can you approximate for us how many times you
2 might have gone there in the month of
3 September, 1963?
4 A Perhaps three or four.
5 Q Perry, do you recall going there sometime in
6 the middle of the month of September,
7 1963?
8 A Yes, sir.
9 Q On this occasion, Perry, was there anyone else
10 present in the apartment when you arrived?
11 A There was.
12 Q Can you approximate for us how many people
13 were present?
14 A Two.
15 Q When you first arrived?
16 A There were.
17 Q Who were they, if you know?
18 A Dave Ferrie and a man introduced as his room-
19 mate.
20 Q Had you met the other man prior to that?
21 A The roommate?
22 Q Yes.
23 A No.
24 Q And you describe for the gentlemen of the Jury
25 the wearing apparel and outward appearance

22 3

1 of the roommate?

2 A Generally dirty and his hair was ruffled and
3 he had light whiskers on.

4 Q Now, Perry, what specifically do you mean by
5 "light whiskers"?

6 A Perhaps a three-, four-day growth of beard.

7 Q Was his complexion swarthy, ruddy, or what
8 sort of complexion did he have?

9 A I don't know really.

10 Q Was his beard dark or light?

11 A The beard was -- well, it wasn't really a
12 beard, it was just whiskers; it wasn't
13 dark though.

14 Q (Exhibiting photograph to witness) Perry,
15 I am going to show you what I at this time
16 will mark for purposes of identification
17 as "State's Exhibit 17-Trial," and after
18 displaying to Defense Counsel, I ask you
19 if you can recognize anyone depicted in the
20 picture.

21 (Whereupon, the photograph referred
22 to by Counsel was duly marked for
23 identification as "Exhibit S-17T.")

24 MR. DYMOND:
25 What was the old number?

1 MR. ALCOCK:
2 S-2.
3 BY MR. ALCOCK:
4 Q Perry, this is the exhibit I have marked "S-17T."
5 I ask you if you recognize any of the
6 individuals depicted in it.
7 A Yes, sir.
8 Q Would you place an "X" over the individual that
9 you recognize in that picture.
10 A (The witness complied.)
11 Q From where do you first recognize this indi-
12 vidual?
13 A The first I recognize (is) from Dave Ferrie's
14 apartment.
15 Q Did you see him on this occasion that you are
16 now relating to the Jury?
17 A Yes, sir.
18 Q Is this the roommate?
19 A Introduced that way, yes, sir.
20 Q Introudced as the roommate?
21 A Yes, sir.
22 Q Do you see him in the other frame, or do you
23 see anyone in the other frame that you
24 recognize?
25 A Well, I deduct (sic) it was the same man, but I

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

1 wouldn't identify it from that photograph,
2 no.

3 Q All right. (Exhibiting photograph to witness)
4 Perry, I am going to show you an exhibit
5 which I have previously marked for identi-
6 fication as "S-1," and I ask you if you
7 recognize the individual depicted in it.

8 A Yes, sir.

9 Q And from where do you first recognize this
10 individual?

11 A He was introduced to me at Ferrie's apartment.

12 Q Is that the occasion that you are relating to
13 the Jury now?

14 A Yes, sir.

15 Q What name?

16 A Leon Oswald.

17 Q Now, Perry, on this occasion approximately how
18 long were you in the presence of the man
19 introduced to you as the roommate?

20 A Not but a short while.

21 Q And, Perry, what, if anything, on this occasion
22 was this man doing when you first entered
23 the apartment?

24 A When I first entered the apartment he was clean-
25 ing a rifle or polishing it.

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-566 (JFK ACT)
NARA DATE 11/23/93

1 Q (Exhibiting rifle to witness) Perry, I am going
2 to show you what I shall now mark for pur-
3 poses of identification "S-18," and, after
4 displaying it to Defense Counsel, ask you
5 whether you recognize S-18, or recognize
6 it to be similar to anything you have seen
7 in the past.

8 A Yes, sir.

9 Q Have you seen this gun or a similar gun at any
10 time?

11 A Yes, sir.

12 Q Where did you see it?

13 A I saw it at Ferrie's apartment.

14 Q And if in anyone's possession, whose possession
15 was it in at the time?

16 A It was in Oswald's possession.

17 Q Perry, are you testifying that this is the same
18 gun or --

19 A No. I am not sure if it was the same gun or
20 not.

21 Q Do you see any similarities between this gun
22 and the one you saw on that occasion?

23 A The stock is similar as well as the barrel of
24 the scope.
25

Reference copy, JFK Collection: HSCA (RG 233)

1 (Whereupon, the document referred
2 to by Counsel was duly marked for
3 identification as "Exhibit S-18.")

4 BY MR. ALCOCK:

5 Q (Exhibiting photograph to witness) Perry, I am
6 going to show you a picture which I have
7 marked for identification as "S-19," and
8 I ask you whether or not you have seen
9 this picture or a similar picture at any
10 time.

11 A Yes, sir.

12 (Whereupon, the document referred
13 to by Counsel was duly marked for
14 identification as "Exhibit S-19.")

15 BY MR. ALCOCK:

16 Q Where did you see that picture or a similar
17 picture at any time?

18 A Where did I see a photograph similar to this?

19 Q Yes.

20 A In the District Attorney's office.

21 Q Do you recognize the individual depicted in the
22 picture?

23 A Yes, sir.

24 Q Who does it purport to be in your mind?

25 A The roommate of Dave Ferrie, or the man he

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93



1 introduced.

2 Q With reference, Perry, to the whiskers that

3 have been drawn on this picture, do they,

4 in your estimation, accurately reflect --

5 MR. DYMOND:

6 I object to this as leading the witness,

7 Your Honor.

8 THE COURT:

9 Rephrase your question.

10 BY MR. ALCOCK:

11 Q What are the similarities between this picture

12 and the roommate as you saw him on that

13 occasion, if any?

14 A Well, the eyes, the chin, general facial

15 structure and the messed-up hair on the

16 head, and somewhat of the whiskers.

17 Q Perry, did you have another occasion within

18 the month of September, 1963 to see the

19 man introduced to you as Leon Oswald?

20 A Yes, sir.

21 Q Approximately when was that and where did it

22 occur?

23 A It occurred at Dave Ferrie's apartment, and it

24 was about in the middle of the month.

25 Q Can you give me the occasion for this meeting?

Reference copy, JFK Collection: NSCA (RG 253)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/93

1 A Well, I just -- I came in, probably from Tulane
2 from playing basketball, just dropped in
3 and he was there at that time.
4 Q Was there anyone else present at that time?
5 A There were several people present.
6 Q Approximately how many?
7 A Eight or ten.
8 Q Did you know any of the persons that were
9 present?
10 A I had been introduced to Oswald, and I knew
11 Dave Ferrie.
12 Q Dave Ferrie was present then?
13 A Yes, it was his house.
14 Q Would that have been at 3330 Louisiana Avenue
15 parkway?
16 A Yes, sir.
17 Q Is that in the City of New Orleans, Perry?
18 A Yes, sir.
19 Q Now can you describe any of the other persons
20 that were present at that time?
21 A There were three or four Latins or Cubans, there
22 were a couple of young guys and there was
23 one well-dressed man.
24 Q Can you give me more of a description of the
25 well-dressed man?

Reference copy, JFK Collection: ESCA (RG 233)

1 A He had on a deep maroon jacket, white shirt I
2 guess, and I am not real sure about the
3 pants.
4 Q Did he have on a tie?
5 A No, not the way I remember him.
6 Q Can you give me any description as to physical
7 stature?
8 A He was big, about six four or six five, wide-
9 shouldered, distinguished looking.
10 Q Color of hair?
11 A White.
12 Q Was this man there when you first arrived,
13 Perry?
14 A Yes, sir.
15 Q Do you see that man in the courtroom now?
16 A I do.
17 Q Would you point to him, please.
18 A (The witness complied.)
19 Q Is that the defendant before the bar, this man
20 here (indicating)?
21 A Yes, sir.
22 MR. ALCOCK:
23 Let the record reflect that the witness
24 has indicated the Defendant Clay Shaw.
25 THE COURT:

1 Let it be noted in the record.

2 BY MR. ALCOCK:

3 Q Now, Perry, what, if anything, did you do after
4 you arrived at this apartment in the
5 presence of the Defendant?

6 A Well, I was just there, I mean I don't think I
7 drank anything at all though I was offered
8 some coffee. I had probably small talk
9 with Ferrie. He introduced me to several
10 of the people.

11 Q Did he introduce you to the Defendant?

12 A He did.

13 Q And what name were you given for the Defendant?

14 A Bertrand.

15 Q Any first name?

16 A Clem.

17 Q C-l-e-m?

18 A C-l-e-m.

19 Q Perry, had you seen the Defendant Clay Shaw,
20 who was introduced to you as Clem Bertrand
21 on that occasion, at any time prior to that
22 time?

23 A I had, approximately -- I had definitely seen
24 him once and perhaps twice, but I am not
25 sure of the second time.

1 Q Well, the one you are sure of, where did that
2 occur?

3 A That was at the Nashville Wharf.

4 Q Is that here in the City?

5 A Yes, sir.

6 Q Can you recall the occasion for your having
7 seen him on that date or that time?

8 A Well, I was at school, and president Kennedy
9 was coming to New Orleans to make a speech
10 right at the Nashville Wharf on that
11 occasion, because it was a new wharf, and
12 I went over to the wharf with a colored
13 friend of mine -- he was in my class --
14 and we were running late because of getting
15 out of class and just had to run, and we
16 went over there, and we got in late and we
17 were sort of -- not shoved but we were left
18 over in the back, but we had a good visible
19 view of President Kennedy.

20 Q And where did you see the Defendant on that
21 occasion?

22 A Well, we were in the back, toward the back of
23 the hangar, and he was there also.

24 Q Did he appear to be with anyone?

25 A He appeared to be with one man, right.

32

RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/27/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q Can you describe this man?

2 A He wasn't nearly as tall; he was well dressed;
3 that would be about all.

4 Q Perry, is there any particular reason that
5 your attention was drawn to the Defendant
6 on this occasion?

7 A Well, I had never seen a President before, and
8 I had rushed over there with this friend
9 of mine, and the thing that drew my eyes
10 away from the President to the Defendant
11 was that he was not looking at the Presi-
12 dent, he was looking around.

13 Q Why would that have taken your eye? Why would
14 that have drawn your attention?

15 A Well, I had never seen a President and it was a
16 big thing for me. I had attempted to see
17 President Eisenhower back in '56, and I had
18 never seen President Kennedy, although I
19 had read quite a bit on the man, and it
20 just struck me funny that someone wouldn't
21 be looking at him.

22 Q To your knowledge, Perry, did you see any Secret
23 Service men there that day?

24 MR. DYMOND:

25 Object unless they identified themselves

33

RELEASED PER P.L. 108-688 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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to him.

MR. ALCOCK:

I said to his knowledge.

THE COURT:

If he knows of his own knowledge.

MR. ALCOCK:

That is what I said.

A NO.

BY MR. ALCOCK:

Q Perry, did you notice anyone else who was not
looking at the President?

A At the Nashville Wharf?

Q At the Nashville Street Wharf.

A Not that I can recall.

Q Now, Perry, approximately how far were you from
the Defendant at this time when you ob-
served him at the wharf?

A About ten feet, 15 feet.

Q Do you recall whether or not the person that you
had gone to the wharf with, was with you
at that time?

A Would you repeat that?

Q Do you recall whether or not the person that you
went to this wharf dedication with was with
you at the time that you observed the de-

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RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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fendant?

A I am sure he was.

Q Do you know whether or not, of your own knowledge, that he made the same observation you did, or whether or not he --

MR. DYMOND:
Object to that as hearsay, Your Honor.

MR. ALCOCK:
Your Honor, I said of his own knowledge.

THE COURT:
It is a fact, it is not hearsay.

MR. ALCOCK:
It is a pretty fair deduction that he saw the same thing he saw.

MR. DYMOND:
If the Court please, I am talking about verbal observations. It is certainly hearsay. If he is asking this witness what the other man saw, the other man is certainly the best evidence of what he himself saw.

MR. ALCOCK:
I have never heard of a "verbal observation," but I didn't ask for a verbal observation, I merely asked of his own know-

1 ledge does he know whether or not the
2 other man saw the same thing he did.
3 He can testify whether or not the
4 other man was looking in the same di-
5 rection he was. That is all I am ask-
6 ing.

7 MR. DYNOND:

8 Your Honor, he can testify whether the
9 other man was in a position to see
10 certain things but certainly not
11 whether he saw certain things.

12 THE COURT:

13 Rephrase it that way. I will permit the
14 question.

15 MR. ALCOCK:

16 All right.

17 BY MR. ALCOCK:

18 Q Where physically was the other man in relation
19 to you at this time?

20 A Right alongside of me.

21 Q Would he have been on the side between you and
22 the Defendant, or on the other side?

23 A I am not sure. He probably was on both sides
24 at one time or another.

25 Q At any time during the course of your viewing

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of President Kennedy, would he have been
in a position to see the Defendant?

A Would my friend?

Q Yes.

A To see the Defendant? Yes, sir.

Q You don't know of your own knowledge though
whether or not he saw him? Of your own
knowledge. You can't say what he told you.

A NO.

Q Perry, approximately how long did you look at
the Defendant on this occasion?

A Eight or ten minutes.

NO HIATUS HERE.

RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q And other than that one occasion, you can't
2 specifically remember seeing the Defendant
3 prior to the time you saw him at Ferrie's
4 apartment, is that correct?

5 A There was one other place perhaps, but I am not
6 definitely sure. He had a hat on at that
7 time. It was at Republican Headquarters
8 on Camp Street, and a man with his face
9 and looks and also build, but much slimmer,
10 walked into the headquarters, kept his hat
11 on. He picked up a couple of bundles and
12 walked out, and that was about it.

13 Q Perry, approximately when did you observe the
14 Defendant on the Nashville Street Wharf?

15 A When President Kennedy came. He came twice I
16 think.

17 Q Do you recall what season of the year it was?

18 A Well, it was warm weather, baseball time.

19 Q Now, Perry, going back to the time that you were
20 in Ferrie's apartment and the Defendant
21 was there, Leon Oswald was there, and
22 Ferrie was there, what conversation
23 transpired in the presence of the
24 Defendant?

25 A Well, it was -- just Ferrie generally

1 monopolized the conversation. There was
2 a lot of talk. I think I recall there
3 were even records being played, speeches
4 or something in Cuban or in Spanish, and
5 people were just talking.

6 Q Do you recall anything specifically that
7 Ferrie might have said on this occasion
8 in the presence of the Defendant?

9 A Well, that they were going to kill the
10 President, but he had said that before.

11 Q He had said that to you before?

12 A Right.

13 Q Many times?

14 A Well, during the Summer he became obsessed
15 with Kennedy and the Cuban thing.

16 Q Perry, on this occasion did all of the persons
17 present in Ferrie's apartment leave the
18 apartment at the same time?

19 MR. DYMOND:

20 Object to leading the witness.

21 THE COURT:

22 Objection sustained.

23 MR. ALCOCK:

24 What is leading about that, Your Honor?

25 I am asking whether all the people

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RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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left at the same time. That is not
a leading question.

MR. DYMOND:

I didn't even know that they had left,
Your Honor.

THE COURT:

Rephrase the question.

BY MR. ALCOCK:

Q To your knowledge, did everybody stay at
Ferrie's apartment?

A For the duration of the evening?

Q Yes.

A No.

Q Now, approximately how long after you arrived
did the first people leave?

A Well, I didn't notice how long they stayed,
you know, people stayed until they left.

Q Perry, do you ever recall a conversation during
the course of that meeting in which the
Defendant participated?

A Yes, sir.

Q Now, approximately how long was that after you
arrived at the apartment?

A Approximately three, four hours; I am not real
sure of how much time elapsed.

4

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

1 Q And, Perry, who was present at the time that 41
 2 the Defendant participated in a conversa-
 3 tion that you heard?
 4 A It was Dave Ferrie, Oswald, and the Defendant
 5 and myself.
 6 Q To your knowledge, was there anyone else in
 7 the house at this time?
 8 A No, not that I know of.
 9 Q Perry, what room in the house did this conver-
 10 sation take place?
 11 A In the -- what I identified as the front room.
 12 Q (Exhibiting photograph to witness) I am going
 13 to show you what I have previously shown
 14 you and mark for identification "S-13-
 15 Trial," and I ask you if this is the
 16 front room you are referring to.
 17 A Yes, sir.
 18 Q Now, Perry, at the time this conversation took
 19 place, was the furniture arrangement the
 20 same as it is in this picture, if you can
 21 recall?
 22 A Well, roughly. I am not -- everything was
 23 moved around to some degree, but there was
 24 a big sofa alongside of this hall next to
 25 the piano (indicating).

RELEASED PER P.L. 102-586 (JFK ACT)
 NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (Pg 233)

3-5

1 Q Do you recognize any physical objects in that
2 picture that were present at the time
3 this conversation took place?
4 A The piano, and I would suppose this small
5 sofa, but I am not sure if it would be
6 the exact one but something similar to
7 that, and something similar to this coffee
8 table that was there. Probably the lamp,
9 but I just don't know if that is the same
10 lamp or not, but there was a lamp there.
11 Q Perry, would you mark an "X" on those items
12 which you feel were present at the time
13 this conversation took place?
14 A (Marking photograph) And a piano stool.
15 Q Now, Perry, I note that on one of these,
16 referring to the chair, you put a question
17 mark. What was the reason for that?
18 A Well, I don't remember two stuffed (?) chairs
19 like that being there. It could have
20 been one that was put into the dining
21 area, or, you know, might have been another
22 just old one and those might have been
23 replacements.
24 Q Where, generally, Perry, during the course of
25 the night prior to this time of the night

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 12/29/93

Reference copy, JFK Collection: ESCA (RG 233)

1 did this party -- not this party but
2 gathering take place?

3 A Where was Ferrie?

4 Q No, where were most of the guests during the
5 course of the night?

6 A Well, most of them went in the front room, that
7 room I just looked at, and also there
8 were eight or ten people -- there was a
9 dining area that was attached to the
10 front room or a section that was outstand-
11 ing on the front room, and some of the
12 people would walk into there and walk
13 out, but essentially it was in those
14 two rooms.

15 Q Now I am going to show you what I have marked
16 for purposes of identification, previously
17 identified as "State-15-Trial," and I ask
18 you if you recognize the room depicted in
19 that picture (exhibiting photograph to
20 witness).

21 A This was the dining area.

22 Q (Indicating) Is this the other area that --

23 A Right, it is an adjoining area, sort of one,
24 big area broken down into two rooms, except
25 there is a divider.

1 Q Do you recognize, Perry, any physical items
2 or objects in that room that were there
3 on that occasion, to the best of your
4 knowledge?
5 A I think the dining table was there and I think
6 the cabinet against the wall was there.
7 Q Put an "X" on those two items.
8 A (The witness complied.)
9 Q All right, Perry. Now, what conversation took
10 place at this time?
11 A This was after everyone had left?
12 Q Between the Defendant --
13 A -- Oswald?
14 Q -- Oswald, yourself and Ferrie.
15 A Yes. Well, Ferrie seemed to me just a continu-
16 ation of a conversation that he had had
17 before.
18 Q Now, what was that conversation?
19 A Well, he had said on several occasions about
20 killing Kennedy, how easy it would be to
21 do it or to accomplish it.
22 MR. DYMOND:
23 If The Court please, at this time we are
24 going to object to any statements
25 allegedly made by this Leon Oswald

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/93

1 unless they were made in the presence of

2 the man purporting to be this Defendant,

3 on the grounds --

4 MR. ALCOCK:

5 This is what I asked him. I think he is

6 relating --

7 BY MR. ALCOCK:

8 Q Are you relating what actual conversation took

9 place during the course of that night and

10 in the presence of the Defendant earlier

11 and later?

12 A No, I thought you were asking me what went on

13 before that night.

14 Q No, I am only asking you what conversation took

15 place in the presence of the Defendant.

16 A Well, Ferrie carried around a bunch of clip-

17 pings with him, clippings.

18 Q Did you see these clippings?

19 A Well, I saw a couple, just the outside of them,

20 part of them, and I would see Kennedy's

21 name on them. I just supposed the rest

22 of them were about Kennedy, too. I saw

23 perhaps two or three.

24 MR. DYMOND:

25 Object to what the witness supposes. That

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
 NARA DATE 11/23/93

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is his conclusion.

THE COURT:

Sustained. Tell what you saw not what supposedly you saw.

THE WITNESS:

I saw two or three clippings from newspapers and perhaps magazines, and they had Kennedy's name on them.

BY MR. ALCOCK:

Q And what was David Ferrie saying at the time he had the clippings in his hand? Once again, only what was said in the presence of the Defendant.

A Well, he paced back and forth on the floor, he carried the clippings. There was a speech of some kind of Latin or Spanish talking going on on a record. He didn't really -- he just didn't say much at that time, except that he did walk around muttering about Kennedy.

Q Now, getting back to the conversation that transpired at the time the -- between -- just the Defendant, Oswald and yourself, Ferrie and yourself present. What was said then?

Reference copy, JFK Collection: HSCA (RG 233)

1 A Well, Ferrie, his habit was to walk up and down,
2 and he was walking up and down telling
3 how the projected assassination could be
4 pulled off, the assassination of President
5 Kennedy, and during that period of time
6 he told them about this triangulation of
7 crossfire where there would be --
8 (demonstrating) this is a habit he had,
9 was sticking his hand up and showing a
10 three-sided triangulation or a three-
11 cornered triangulation, and he said of
12 these three people, for two of them to
13 escape one would have to be captured as a
14 scapegoat or a patsy for the other two,
15 and that perhaps there would be a diver-
16 sionary shot or all three would shoot at
17 the President somewhere in the middle and
18 one of them would have to be the scapegoat
19 but perhaps the one that was the scapegoat
20 there could be what he called a diversion-
21 ary shot and the other two would shoot for
22 the kill or a direct hit.

23 Q Did he mention the order of shooting at all?

24 A He did say that there would be -- He said the
25 diversionary shot if fired would be fired

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RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 to attract attention, and then instantly
2 the police or whatever was around would
3 look, and said the other two would shoot
4 for the kill, and he said it would be just
5 a slight delay but almost simultaneously.

6 Q The last two almost simultaneously?

7 A Well, except for the little small delay all
8 three would be almost simultaneously.

9 Q Referring specifically to the last two, were
10 they to be almost simultaneously?

11 A They were to be shot at the same time for the
12 kill.

13 Q What else was said, Perry?

14 A Well, he told about as soon as the assassina-
15 tion was performed or had, he said that
16 the escape would be by flight, said it
17 could either -- they could either go to
18 Mexico, I mean to Brazil, or could go to
19 Cuba, said if they went to Brazil they
20 would have to stop for refueling somewhere,
21 and he said Mexico.

22 Q And did the Defendant at any time during this
23 conversation make any statements?

24 A. Well, he -- at that time the Defendant objected
25 to that and said no, that wouldn't be

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possible because --

Q Objected to what?

A Objected to this -- Ferrie called it availability, the availability exit would be to go to Mexico and then to Brazil, or to go directly to Cuba, and the Defendant said that was not possible because if you had to go to Brazil you would need co-operation from some place to stop and refuel, and also the ability to fly out of the area of the assassination, and he said that wouldn't be possible with -- instantly the police would be everywhere.

Q As a result of his comment was anything further said by either Ferrie, Oswald or the Defendant?

A Well, Oswald told them to shut up, he said --

Q Told who to shut up?

A Oswald told Bertrand to shut up. He said, "Shut up, Ferrie knows what he is doing, he is a pilot."

Q And then what if anything did Ferrie say?

A What if anything -- who?

Q After this did Ferrie say anything?

A Well, he told about an alternative plan, that

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/28/93

1 perhaps this would be the better way,
2 this Plan B -- he didn't call it that but
3 he said an alternate plan -- and he said
4 what they could do was to make sure that
5 they had alibis and were in the public
6 eye at the time of the assassination.

7 Q And what if anything did the Defendant say to
8 this?

9 A Well, the Defendant seemed -- the Defendant
10 said that he could go on business for his
11 company.

12 Q Did he specify any particular location?

13 A He said on the Coast.

14 Q Did Ferrie say anything?

15 A Well, Ferrie said he could make a speech at
16 Southeastern -- Hammond or Southeastern,
17 I am not sure which -- a speech at a
18 college.

19 Q Did Oswald say anything?

20 A Oswald? No, he didn't say anything at that
21 time.

22 Q What if anything did the Defendant talk about?

23 A Well, he thought -- in that exchange that I was
24 just telling you about he felt that Ferrie
25 was a washed-up pilot.

1 Q And was anything said -- Did he make this
2 comment?

3 A I am not exactly sure of the words, because it
4 was right before Oswald told him to
5 shut up, because he said he knows what he
6 is doing because he is the pilot.

7 Q Was there a specific reference, Perry, to the
8 number of people who would definitely
9 participate in the shooting?

10 A It had to be two or it had to be three.
11 Definitely it was always one firing the
12 diversionary shot. The three would be --
13 Ferrie said one of them would fire a
14 diversionary shot and two of them would
15 shoot to kill the President. With the two
16 situation, one would fire a diversionary
17 shot and attract the attention, and the
18 number two gun would shoot to kill.

19 Q Was the type of gun or guns ever mentioned?

20 A No, except that it was a rifle.

21 Q Did you see any weapons at all on this occa-
22 sion?

23 A No.

24 Q Besides the rifle that you first saw when you
25 met Oswald, did you see any other weapon

51

RELEASED PER P.L. 102-536 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

1 in his possession at any time in Ferrie's
2 apartment?
3 A I am not sure, I am not sure.
4 Q Perry, do you recall specifically whether or
5 not on this occasion that you went to
6 Ferrie's apartment with any person?
7 A In September?
8 Q On this occasion you are relating to the Jury.
9 A Well, during that period of time I thought that
10 it was approximately -- I associated with
11 the same people, most of the time, with
12 just a few exceptions, I associated with
13 the same people, and probably some of those,
14 if anybody came with me.
15 Q Are you testifying that you are positive some-
16 one accompanied you on this occasion?
17 A I am testifying I don't know if anyone accom-
18 panied with me on that occasion.
19 Q Can you name these people who were constant
20 companions at this time?
21 A Well, Giles Peterson -- there were several
22 people at Loyola -- Father Clancy was --
23 right around that time I was involving
24 myself with the Republican Party and
25 Mike Ogden.

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1 Q Anyone else, Perry?

2 A Well, there were quite a few (in) athletics,
3 there was Tommy Hopkins, his brother
4 Harold Hopkins, there was Kenny Carter
5 from Xavier, Joe Cook from Xavier,
6 Kenny Carter from Loyola, Bush Larong,
7 Isaiah King, Louis Gremillion. All of
8 these were people that came around.

9 Q Perry, at that time did you know a girl by the
10 name of Sandra Moffett?

11 A I did.

12 Q Would you term her a constant companion during
13 this time?

14 A Right, she was -- for a period, I mean a long
15 period of time she was. Sometimes I
16 wouldn't see her for a week or perhaps two
17 weeks, but I would see her.

18 Q Was she your girlfriend at that time?

19 A There were several girls I was going around
20 with at that time.

21 Q Was she one of them?

22 A She was.

23 Q Perry, was there anything else said between
24 these three individuals other than what
25 you have related to us so far?

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

1 A No, not that I recall.

2 Q Do you recall, Perry, who, after this conver-
3 sation occurred, who left the apartment
4 first?

5 A At the end of the conversation?

6 Q Yes.

7 A No.

8 Q Do you recall, Perry, how you got home from
9 the apartment that night?

10 A No, I think -- I am not sure but I think I
11 took a bus home.

12 Q Did you have an automobile at this time?

13 A Not in my possession, with me, no.

14 Q But did you own one at this time?

15 A I owned a bunch of old rattletraps, and during
16 that period of time I probably had a
17 rattletrap that wasn't working.

18 Q Are you specifically telling us, Perry, that on
19 this occasion you did not drive home in
20 a car of yours?

21 A Yes, sir.

22 Q Perry, about what time, if you can recall,
23 did this -- or did you leave Ferrie's
24 apartment on that occasion, if you can
25 recall?

1 A It would be after midnight probably. I am
2 almost sure of that but the exact time I
3 am not sure.
4 Q After this occasion, Perry, did you have any
5 other occasion, either at Ferrie's
6 apartment or any other location, to see
7 Leon Oswald?
8 A I saw him at Ferrie's apartment.
9 Q Approximately how long was that after this
10 meeting?
11 A A few days, not very long.
12 Q And who was present on that occasion?
13 A Again Dave Ferrie was.
14 Q And what if anything was Oswald doing on that
15 occasion?
16 A He was not doing anything. There was a conver-
17 sation between Ferrie and Oswald.
18 MR. ALCOCK:
19 Your Honor, may I have a five-minute
20 recess at this time?
21 THE COURT:
22 The Captain was going to get some coffee
23 for the Jury at 10:20. All right,
24 I will grant your recess.
25 Do not discuss the case during

55

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/13/93

Reference copy, JFK Collection: HSCA (RG 233)

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the recess.

(Thereupon, a 10:15 o'clock a.m.,
a recess was taken.)

NO HIATUS HERE

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 AFTER THE RECESS:

2 THE COURT:

3 Is the State ready and the Defense ready
4 to proceed?

5 MR. ALCOCK:

6 Yes, sir.

7 MR. DYMOND:

8 We are ready.

9 BY MR. ALCOCK:

10 Q Perry, going back to this occasion which you
11 saw Oswald at Ferrie's apartment after
12 this conversation, again, who was present
13 on this occasion?

14 A Oswald and Ferrie.

15 Q And what was said on this occasion?

16 A They were having a private discussion, I did
17 not feel I was part of it, the only thing
18 I understood from the discussion --

19 MR. DYMOND:

20 I object to it as being a purported con-
21 versation between two other parties
22 when no prima facie case for con-
23 spiracy has been proven and it is out
24 of the presence --

25 THE COURT:

57

RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/23/23

Reference copy, JFK Collection: SSCA (RG 233)

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The Court overrules that objection.

MR. DYMOND:

To which ruling, if the Court please,
Counsel for the Defense reserves
a bill of exception, making the ques-
tion propounded by the State, the
answer, Counsel's objection, the
ruling of the Court, and the entire
record of the proceedings up to this
point, a part of the bill.

THE COURT:

Before you proceed, Mr. Alcock, I just
want to note in the minutes of the
Court, I will cite the articles and
cases as my reasons for my decision
at a later time. I don't want to hold
it up now, but I wish to cite certain
articles.

You may proceed.

BY MR. ALCOCK:

Q Continue, Mr. Russo.

A Ferrie said that Oswald had said he was having
trouble with his wife, and Ferrie told him,
"I will take care of it."

Q At this occasion or prior to this occasion, did

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/13

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 12/23/93

1 MR. DYMOND:
2 I would like the record to show the same
3 objection, the same bill applies to
4 this entire line of testimony.
5 THE COURT:
6 The same ruling.
7 BY MR. ALCOCK:
8 Q Can you recall, Perry, whether or not anything
9 else was said between the two on that
10 occasion?
11 A No, not really.
12 Q Perry, on this occasion, what was the physical
13 appearance of Oswald?
14 A I did not get a great look at him except that
15 he was clean, he had a white shirt on, a
16 tie he had turned sideways like that, and
17 he was relatively clean in comparison with
18 before.
19 Q Specifically, Perry, with reference to his face,
20 was there anything different than there
21 was before?
22 A I didn't take a great note, except that it was
23 the same man, just walked in, and, you know,
24 that was about it, I looked at him and left.
25 As I remember, I didn't take a really great

1 notice of his physical appearance except
2 he was clean.

3 Q Approximately, Perry, how long were you in his
4 presence on this occasion?

5 A That time?

6 Q At that time, right.

7 A Five, ten minutes at the most.

8 Q Did you actually see him leave Ferrie's apart-
9 ment on that occasion?

10 A No.

11 Q During the course of this encounter with
12 Oswald and Ferrie, did Ferrie at any time
13 leave the apartment and thereby just leave
14 you and Oswald in the apartment?

15 A No.

16 Q How long did you remain in the apartment on that
17 occasion?

18 A About five or ten minutes.

19 Q Perry, do you recall whether or not anyone was
20 with you on that occasion?

21 A No, I am almost sure I was alone.

22 Q Now, Perry, going back to the occasion you saw
23 Oswald in Ferrie's apartment, after the
24 time you saw the Defendant present, that
25 would be the first time you saw him after

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/27/93

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that, was anyone with you?

A At that time, no.

Q Referring now to the first time that you saw
Oswald present in the apartment, cleaning
the rifle that you have testified to, was
anyone present with him?

A The first time that I came up or went up there?

Q Right.

A No.

Q Perry, subsequent to this time in the middle of
September, 1966, did you have occasion to
see the Defendant again before the year
1967?

A Yes, once.

Q Now, where was this?

A This was at a Gulf Station on Veterans Highway.

Q Would that be a gasoline station?

A A gasoline station, yes.

Q Do you recall approximately when that was?

A It was in early 1964.

Q And what was the occasion for your seeing him
there?

A Well, I had trouble with my automobile, and I
pulled into a service station just by
chance, and it happened to be Ferrie's

62 13

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/28/93

1 Service Station or he was working there,
2 and these two attendants came to the car
3 and they asked me what was wrong, I think
4 it was the battery, it was bad or the cells
5 were bad, I needed a charge, and they told
6 me just to pull it over on the side and
7 Dave Ferrie walked up and said, "What are
8 you doing," and I said something, you know,
9 "Long time no see."

10 Q At this time, I don't think it appropriate that
11 you say what was said since this was the
12 year 1964. What, if anything, did you do
13 or say on this occasion?

14 A Well, I pulled the car up on the side, as I
15 was instructed by the attendants, and I
16 just sat there with the door open while they
17 worked on the car, and I at that time saw
18 Ferrie was sitting in the car next to mine,
19 and he was talking with a man at that time.

20 Q And do you see the man that he was talking with
21 at that time in the courtroom?

22 A I do.

23 Q Would you point to him, please.

24 A (Indicating).

25 Q Would that be the Defendant, Clay Shaw?

RELEASED PER P.L. 102-226 (JFK ACT)
 NARA DATE 11/23/93

1 A It is.

2 Q Approximately, Perry, how long were you at that
 3 gas station?

4 A I am not sure of that.

5 Q Approximately how long did you look at the
 6 Defendant and Ferrie talking in this auto-
 7 mobile?

8 A I looked on and off, you know, I was really just
 9 mad about the car, and I was in a rush to
 10 get out of there, maybe three, four, five
 11 minutes.

12 Q Can you recall, Perry, who was sitting behind
 13 the wheel of the car and who was sitting
 14 on the other side or the back, or wherever
 15 the other individual was sitting?

16 A Oh, the Defendant was sitting at the wheel and
 17 Ferrie was sitting closer to me toward
 18 my car with the door opened on his, just
 19 slightly adjoining.

20 Q Was the Defendant wearing a hat on that occasion?

21 A No.

22 Q Perry, did you remember on that occasion that
 23 the man that you saw talking to Ferrie was
 24 the same man that you had seen --

25 MR. DYMOND:

Reference copy, JFK Collection: NSCA (RG 233)

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I object to that as leading.

THE COURT:

Rephrase your question.

BY MR. ALCOCK:

Q Did you recall ever having seen the man talking
to Ferrie on a prior occasion?

A I have seen him on a couple of occasions, one
at Dave Ferrie's apartment, and one at the
Nashville Wharf and perhaps another time
at the Republican Headquarters.

Q Did you at any time during the course of this
encounter engage in conversation with the
Defendant?

A At the gas station?

Q At the gas station.

A No.

Q Was there any reason why you didn't?

A Well, I was in a rush, just conversation, I was
not going to go over there and start a
conversation when I was in a rush to get
out.

Q Perry, do you recall how you first made contact
with the District Attorney's Office?

A . Oh, in February, I wrote the District Attorney's
Office a letter, to New Orleans, I was

65

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/27/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/29/93

1 living in Baton Rouge at the time.
2 Q Do you recall approximately on what date that
3 you wrote that letter?
4 A About the 21st of February.
5 Q Would that be 1967?
6 A '67, yes.
7 Q Do you recall, Perry, on what date you mailed
8 the letter?
9 A Oh, two days, approximately two days later. I
10 didn't have a chance -- I didn't mail it
11 that night, something came up the next day
12 and I was involved with school and some
13 other things, and I didn't mail it that
14 next day either, I think I mailed it the
15 23rd.
16 Q Perry, did you have an occasion either that day
17 or the next day or the following day to
18 have a conversation with Mr. Andrew Sciambra,
19 the gentleman seated to my right?
20 A On the 25th of February he came up to Baton
21 Rouge.
22 Q And what did you tell Mr. -- now, you can't say
23 what Mr. Sciambra told you, but what did you
24 tell Mr. Sciambra on this occasion?
25 A Well, I identified photographs that he showed me,

Reference copy, JFK Collection: ESCA (RG 233)

1 told him to my recollection how I had known
2 the people that I had identified the photo-
3 graphs, and where and approximately what
4 years and at what instances or circum-
5 stances that I -- under which I knew these
6 people.

7 Q What pictures did you identify, Perry?

8 A Initially I identified -- well, Dave Ferrie,
9 I identified Dave Ferrie, Oswald, I identi-
10 fied Bertrand, I identified Sergio Arcacha,
11 I identified Emile Santana.

12 Q What, if anything, Perry, did you tell Mr.
13 Sciambra about where you knew Bertrand
14 or Shaw from?

15 A Oh, I told Mr. Sciambra the first time I had
16 met Shaw or Bertrand was at the Nashville
17 Wharf.

18 Q Did you tell him anything in addition to that?

19 A I told him that the next time that I had met
20 him, I recollect it was at the gas station,
21 and then finally I told him I had seen him
22 up at Ferrie's apartment.

23 Q Did you relate to him, Perry, essentially what
24 you have related to this Jury about the
25 time that you saw the Defendant at Ferrie's

67

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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apartment?

MR. DYMOND:

I object to that as being much too general a question, asking him whether he related to him substantially what he told the Jury.

THE COURT:

I will overrule the objection.

MR. DYMOND:

To which ruling, if the Court please, Counsel for the Defense reserves a bill of exception, making the question, the objection, the testimony of the witness, the ruling of the Court, the reason for the objection, and the entire record up to this point a part of the bill.

(Whereupon, the pending question was read by the Reporter.)

THE WITNESS:

Not in a great detail, but in essence, yes.

BY MR. ALCOCK:

Q Do you recall, Perry, I think you have testified that you identified a picture of Clay Shaw. Did you identify the picture as Clay Shaw,

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 or what?

2 A Well, at that time I never heard of the name

3 of Shaw, and Mr. Sciambra showed me the

4 picture and there was a bunch of pictures

5 and I picked it up and I said, "I know this

6 man, I met this man," and then I went on

7 subsequently to give his name, and I said

8 it was Bertrand, he asked me the first

9 name, and I said it was, I had to think

10 about it, I said I think it was Clem, and

11 he said are you sure of that --

12 Q Well, now, you can't say what Mr. Sciambra said.

13 A I was asked, I told him I was sure of it, and,

14 oh, it is hard to give one side of a con-

15 versation.

16 Q Would that be C-l-e-m?

17 A C-l-e-m, right.

18 Q Perry, directing your attention to approximately

19 March 21, 1967, did you ever have any con-

20 versations, without going into their

21 substance at this time, with a man by the

22 name of James Phelan?

23 A I did.

24 Q That is P-h-e-l-a-n. Is that correct?

25 A Right.

RELEASED PER P. L. 102-586 (JFK ACT)

NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q Perry, did you ever tell this man that he 70
2 wanted to --
3 MR. DYMOND:
4 Your Honor, we object at this time to this
5 witness testifying as to what he told
6 James Phelan.
7 THE COURT:
8 On what grounds?
9 MR. DYMOND:
10 It could very well be a self-serving
11 declaration in addition to corroborating
12 this witness by his own testimony.
13 MR. ALCOCK:
14 Your Honor, I assume the objection is going
15 to be hearsay, certainly a witness can
16 testify to what he said, and that is
17 all I am attempting to elicit from
18 this witness, what he told James Phelan.
19 He is subject to cross-examination if Mr.
20 Dymond feels it is a self-serving
21 declaration.
22 THE COURT:
23 Overruled.
24 MR. DYMOND:
25 To which ruling, if the Court please, Coun-

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/28/93

Reference copy, JFK Collection: NSCA (RG 233)

1 sel for the Defense reserves a bill
2 of exception, making the question, the
3 entire testimony, the objection, the
4 reasons for the objection, the ruling
5 of the Court, and the entire record
6 up to this point part of the bill.

7 BY MR. ALCOCK:

8 Q Mr. Russo, did you ever tell Mr. Phelan --

9 THE COURT:

10 You are leading the witness, now, Counsel.

11 BY MR. ALCOCK:

12 Q Can you recall essentially what you told Mr.

13 Phelan on your first encounter with him
14 in relation to the testimony that you had
15 given at the preliminary hearing, if you
16 can recall it?

17 MR. DYMOND:

18 We object, unless the question includes
19 a designation of when this alleged
20 conversation took place.

21 MR. ALCOCK:

22 I said March 21, on or about March 21,
23 1967.

24 THE COURT:

25 It is a statement that the witness made to

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P. L. 102-526 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESca (RG 233)

1 Mr. Phelan?

2 MR. ALCOCK:

3 Yes.

4 THE COURT:

5 I will permit that.

6 MR. DYMOND:

7 Same objection.

8 BY MR. ALCOCK:

9 Q Can you recall, Perry, what you told James
10 Phelan on that occasion relative to what
11 transpired at the preliminary hearing?

12 A I was shown a transcript or a memoranda, rather,
13 of an initial interview which Mr. Sciambra
14 conducted in Baton Rouge the previous
15 month, and there were certain discrepancies
16 pointed out in that as opposed to the pre-
17 liminary hearing testimony, and so I told
18 him, I attempted to --

19 MR. DYMOND:

20 We call for the production of this memo-
21 randum to which the witness has re-
22 ferred. We are entitled to follow
23 him on that.

24 MR. ALCOCK:

25 I will produce the memorandum, Your Honor.

1 At this time I have a Xerox copy of this
2 memorandum; however, some areas are
3 rather indistinct, and perhaps if I
4 could send someone to the office for
5 a more legible copy, it might better
6 suit the purposes of the Court.

7 THE COURT:

8 Do you think we could get Mr. Hull to do
9 that for us?

10 MR. ALCOCK:

11 I can ask some more questions, Your Honor.

12 THE COURT:

13 Proceed.

14 BY MR. ALCOCK:

15 Q Perry, do you recall where this conversation with
16 James Phelan took place?

17 A It took place at 311 East State Street, Baton
18 Rouge.

19 Q And what is that?

20 A That was my home at that time.

21 Q Do you recall approximately what time of day or
22 night it took place?

23 A It was -- it took place in the evening.

24 Q What do you call "evening"?

25 A From 6:00 to 10:00, 6:00 to 12:00.

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 10/28/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q And, Perry, who was present during the course
2 of this conversation?
3 A There were several people intermittently
4 present, there was one man that came up
5 with Mr. Phelan, I think his name was
6 Matt Herrin, he was a photographer, and
7 there was Mr. Phelan, myself, the neighbors
8 from next door, Mr. and Mrs. Kenneth Fisher
9 and for a few minutes, anyway, and there
10 were several other people that came in
11 and left, stayed a few minutes and left.
12 Q Were you living at that location at the time?
13 A 311 East State, yes, I was going to school.
14 Q Did you have any roommates at that time?
15 A Steve Derby.
16 Q Do you recall whether or not he was there?
17 A He was there just for a little while.
18 Q You mentioned that the persons were there
19 intermittently, and what do you mean by
20 that?
21 A Well, a Phil O'Neill for one passed over, he
22 just dropped in, stayed a little while and
23 left, several other friends of mine up
24 there at that time just came on over and
25 they stayed a few minutes and they would

74

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/28/23

Reference copy, JFK Collection: ESCA (Rg 233)

RELEASED PER P. L. 102-586 (JFK ACT)
NARA DATE 11/13/93

Reference copy, JFK Collection: ESCA (RG 233)

1 leave.

2 Q Besides yourself and James Phelan, was there
3 anyone there the entire time that you
4 spoke to Phelan?

5 A Well, was there anyone else present the entire
6 length of Mr. Phelan's stay?

7 Q That's right, besides yourself and Mr. Phelan.

8 A Not talking, Matt Herrin was there taking
9 photographs.

10 Q Other than yourself, Herrin and Phelan, was
11 there anyone within earshot the entire
12 time that Mr. Phelan was there?

13 A No.

14 Q Approximately how long was Phelan in your
15 apartment?

16 A Approximately three hours.

17 Q Perry, did you know that Phelan was coming to
18 your apartment?

19 A I knew that he was supposed to have been there
20 or supposed to have been at my place the
21 day before, something -- he did not arrive
22 the day before, he did arrive that day, I
23 had communicated with the District
24 Attorney's Office and had found out that
25 he was coming, and that he would try to

1 be there on such and such a day, which he
2 never showed up, he came the next day.
3 Q You say you communicated with the District
4 Attorney's Office. Was there any particu-
5 lar individual within the office, without
6 saying what he said, that you communicated
7 with?

8 A Andrew Sciambra.

9 Q Would that be the man to my right here?

10 A Right.

11 MR. ALCOCK:

12 I can't proceed much further without the
13 statement.

14 THE COURT:

15 Well, how long do you think it will take
16 Mr. Hull to get back with it?

17 MR. ALCOCK:

18 He has long legs, it's not too far, he
19 should be back at any time. I have
20 copies, but some of the portions are
21 indistinct, and they cannot be read.

22 THE COURT:

23 I might suggest if you wish, Mr. Alcock,
24 you get on the phone and call your
25 office and see if they are having any

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 difficulty in getting the copies.

2 That might help the situation.

3 MR. ALCOCK:

4 Very well, Your Honor.

5 THE COURT:

6 Tell Mr. Alcock we have them.

7 Do you want time to study that, Mr. Dymond?

8 MR. DYMOND:

9 We would like to look this over, yes, Your
10 Honor.

11 THE COURT:

12 I don't believe you can proceed until he
13 has an opportunity to read the exhibit,
14 and how many pages is it?

15 MR. ALCOCK:

16 Seven pages, 3500 words, as I recall.

17 MR. DYMOND:

18 Six pages, Judge.

19 THE COURT:

20 Take the Jury upstairs.

21 The Court will be in recess.

22 Would you advise me when you are ready to
23 proceed, I will be in recess.

24 MR. DYMOND:

25 Yes, Your Honor.

77

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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MR. ALCOCK:

Your Honor --

THE COURT:

Gentlemen, I understand the status of the case as of this moment is that Xerox copies, that the State has the copies, the Defense has copies, and a copy has been given to the witness to read and it is about five minutes to 12:00 and the agents are here and I will ask Mr. Russo to continue reading this statement during the noon recess.

Gentlemen, I am going to turn you over to the Sheriff's representative and I must admonish you one more time not to discuss the case amongst yourselves until it is finally given to you for decision.

(Whereupon, a luncheon recess was taken.)

AFTER THE RECESS:

THE COURT:

Is the State and Defense ready to proceed?

MR. DYMOND:

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NARA DATE 12/23/13

Reference copy, JFK Collection: HSCA (Rg 233)

1 We are ready.

2 MR. ALCOCK:

3 We are ready.

4 THE COURT:

5 Have Mr. Russo retake the witness stand.

6 PERRY RAYMOND RUSSO,

7 having been previously sworn, resumed the stand for
8 a continuation of

9 DIRECT EXAMINATION

10 THE COURT:

11 Your previous oath is still binding. You
12 may proceed.

13 BY MR. ALCOCK:

14 Q Now, Perry, prior to the recess for lunch, you
15 were given a statement allegedly prepared
16 by Andrew Sciambra of the District Attorney's
17 Office. Have you had occasion to read
18 that statement in its entirety?

19 A Yes.

20 Q You have that statement with you at this time?

21 A I do.

22 Q Now, Perry, before asking you questions relating
23 to that memorandum, let me ask you if you
24 recall on what date Mr. Sciambra inter-
25 viewed you.

79

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NARA DATE 11/23/93

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1 A That was on a Saturday, February 27th, which is 30
2 correct.
3 Q Would that have been the date that was prepared?
4 A February 25th was Saturday and this was prepared
5 on the 27th, excuse me.
6 Q Apparently, and I realize this is only an
7 approximation, but how long did Mr. Sciambra
8 speak with you?
9 A Two hours, two and a half hours.
10 Q During the course of this interview did you
11 notice Mr. Sciambra taking notes?
12 A He had a yellow, a yellow legal pad and a couple
13 of little scribbles but no, not no notes.
14 Q Would it be a fair statement to say --
15 MR. DYMOND:
16 I object to the form of this question.
17 MR. ALCOCK:
18 I haven't asked the question.
19 MR. DYMOND:
20 But you are about to. You are asking him
21 whether something would be a fair state-
22 ment which is extended to leading.
23 BY MR. ALCOCK:
24 Q Did Mr. Sciambra take down to your knowledge
25 everything you told him?

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RELEASED PER P.L. 102-686 (JFK ACT)
NARA
DATE 11/27/2012

1 A No. He took down very little of what we
2 talked about.

3 Q Again, Perry, referring to the statement you
4 have had an opportunity to read and does
5 that statement reflect everything you told
6 Mr. Sciambra on that occasion?

7 A No.

8 Q Referring once again to that statement, does
9 that statement reflect accurately that
10 portion of your conversation with Mr.
11 Sciambra that is recorded here? Does it
12 reflect it completely accurately?

13 A It, there is omissions and also some incorrect
14 statements.

15 Q Perry, at any time subsequent to this interview
16 did you have occasion to tell anyone that
17 that memorandum was not complete or totally
18 accurate?

19 A I had several occasions. One occasion was with
20 Mr. James Phelan of the Saturday Evening
21 Post. At that time I pointed out several
22 glaring errors in the transcript.

23 Q Perry, referring again to the memo, and you have
24 had an opportunity to read it, can you tell
25 the Court now what omission you are talking

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NARA DATE 12/23/93

Reference copy, JFK Collection: HSCA (R9 233)

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about or omissions?

A You want to go down sentence by sentence?

MR. DYMOND:

We object unless the document is first
read to the Jury and we will be glad
to join the State in the offer in
evidence.

MR. ALCOCK:

I don't think it is necessary, but I don't
think, I don't think there is a predi-
cate --

MR. DYMOND:

The question is: What is left out and the
Jury doesn't know what is left out if
they don't know what is in it.

THE COURT:

I think your objection is well taken, Mr.
Dymond. If there is no objection on
the part of the State or the Defense,
let it be introduced.

MR. ALCOCK:

I will read it to the Jury on introduction,
Your Honor.

BY MR. ALCOCK:

Q Mr. Russo, let me just lay a proper predicate.

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

1 Have you made any notations on the copy of
2 the memorandum that you have?
3 A A couple of notations.
4 MR. ALCOCK:
5 I think it would be more proper to use mine
6 as I have no notations.
7 MR. DYMOND:
8 Yes, I agree with you.
9 MR. ALCOCK:
10 And in connection with the testimony of
11 this witness, the State offers to
12 file and introduce in evidence, having
13 marked for purposes of identification,
14 State 20.
15 MINUTE CLERK:
16 State 20.
17 MR. ALCOCK:
18 Would that be correct?
19 MINUTE CLERK:
20 Yes.
21 MR. DYMOND:
22 We will join in the offer.
23 MR. ALCOCK:
24 Mark it State and Defense 20 and I would
25 ask at this time permission of the

Reference copy, JFK Collection: HSCA (RG 233)

1 Court to read the statement to the
2 Jury.

3 THE COURT:

4 You may so do.

5 MR. DYMOND:

6 Your Honor, in view of the fact that this
7 is a joint offering, I will ask that
8 the Court read it to the Jury.

9 THE COURT:

10 I think Mr. Alcock's voice is better than
11 mine.

12 MR. ALCOCK:

13 Is it all right if I use this microphone?

14 THE COURT:

15 Certainly.

16 MR. ALCOCK:

17 This document is entitled Memorandum and
18 dated February 27, 1967 to Jim
19 Garrison from Andrew J. Sciambra.
20 It's re the interview with Perry Raymond
21 Russo, 311 East State Street, Baton
22 Rouge, Louisiana.

23 NO HIATUS HERE.
24
25

1 "On February 25, 1967, I interviewed
2 Perry Russo at the above-mentioned
3 address. Russo was very co-operative
4 and said that he was glad to see me as he
5 had been hounded to death by the local
6 news media. He said that he would give
7 us all the help that he possibly could,
8 and that he would furnish us with names
9 of individuals who could be most helpful
10 to us in our investigation.

11 "He said that one of these persons is
12 Al Landry who lives in Gentilly. He said
13 that Ferrie was 'in love' with Landry.
14 He says in 1962 (the approximate month
15 he cannot remember but he says that it
16 can be ascertained through Landry's
17 mother) he went to Landry's house to try
18 to locate him. He was told at time to
19 time by Landry's mother that Ferrie had
20 taken Landry out of the country and that
21 she did not know where they were. Russo
22 told me later on in the interview that
23 Ferrie had taken Landry out of the country
24 twice and this was the first trip. He
25 said that later on he found out that

85

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/23/93

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1 Ferrie had taken Landry to Canada and to
2 Mexico.

3 "Russo said that he and Landry and a
4 small group of other boys used to always
5 pal around together and that it was common
6 knowledge to everyone that Ferrie was a
7 homosexual and Russo and his buddies were
8 trying to alienate Landry from Ferrie.
9 Russo said that Landry had some strange
10 fascination for Ferrie and was greatly
11 impressed by Ferrie's intelligence. He
12 says that he is sure that Ferrie had
13 Landry under some sort of spell from time
14 to time. He said that what proved this
15 to him was that in 1962 Landry took him
16 to Ferrie's apartment out in Kenner and
17 Ferrie was having a meeting with about
18 eight or ten young boys who were in the
19 Civil Air Patrol. Ferrie's mother was
20 at the meeting and Ferrie introduced his
21 mother to Russo. Russo said that he went
22 to the meeting because Landry had told him
23 that Ferrie was a great hypnotist and at
24 this meeting Ferrie would demonstrate some
25 of his hypnotic powers.

86

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/23/93

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1 "Russo said that Landry could furnish
2 us with the names of all the people who
3 were at the meeting and he could also fur-
4 nish us with a lot of information about
5 Ferrie for he and Ferrie put on a hypnotic
6 demonstration and used Landry as his
7 subject. He said that Ferrie stuck pins
8 in Landry's body and Landry would not feel
9 any pain. He said Ferrie gave a very long
10 lecture on hypnotism and post-hypnotic
11 suggestions and demonstrated his power by
12 using Landry as his subject. After the
13 demonstration Ferrie showed him and Landry
14 five diplomas that he had and said that he
15 had received his Ph.D in two of these
16 subjects. He also had various pieces of
17 machinery in his attic and surgical equip-
18 ment and bones which he doesn't know if
19 they were human or animal.

20 "Russo said after the meeting he and
21 Landry went home and he did not see
22 Ferrie for a while. He said a little while
23 later on he went to Landry's house to talk
24 with him and Landry's mother told him that
25 Ferrie had again taken her son out of the

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NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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country. She told Russo that in her opinion Ferrie was a very strange and weird individual and that she had often told her son to stay away from him but that her son would not listen to her. She said that it was as if Ferrie had some strange power over her son. She asked Russo to help her to try to alienate her son from Ferrie. Russo said that he would try and do this.

"Russo said that the next time he saw Ferrie was a few weeks later when he was standing on the corner of Decatur and Canal with a friend of his by the name of Niles Peterson who presently drives a Yellow Cab No. 792. Ferrie, Landry, and a Spanish guy or Cuban guy with a beard who could speak no English and six or eight kids in khaki uniforms passed them on the street. He said the Cuban fellow was in green fatigues. He said Ferrie and Landry told him hello and Ferrie kept walking with the group, however, Landry stopped for a moment and told him that they were going somewhere but that he would get in touch

RELEASED PER P.L. 102-628 (JFK ACT)
 NARA DATE 11/23/93

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with him in a few days. Russo asked
Landry where had he been, and Landry told
him that Ferrie and he had been to Mexico.

NO HIATUS HERE

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

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In a few days Russo contacted Landry and told him that his mother did not like Ferrie and that everyone knew that Ferrie was a homosexual and that he did not think that he should be associating with Ferrie. Landry said that he would think about breaking off his relationship with Ferrie but that it would be difficult. He said that Ferrie was teaching his group the art of fighting jungle warfare and that Ferrie's plan was to help liberate the South American countries. He said that Ferrie often referred to wiping out the rest of the Batista gang in Cuba. Russo said that he and several of his cousins all began to 'bug' Landry about Ferrie, the CAP, jungle warfare, and the liberation of the South American countries. He said that eventually got to Landry and Landry began seeing Ferrie not as much as he normally would have.

"Russo said that one night he and Landry and Tim Kershenstine, who lives on 2061 Pelopidas, phone number 943-8490, and possibly Niles Peterson were in the

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RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

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Interlect which is located on Bourbon Street and they ran into Dave Ferrie. Ferrie said that he would like to talk with Landry privately and Russo told Ferrie that whatever he had to say to Landry he should do it in front of everybody. Russo then told Landry to tell Ferrie to take a walk and that he didn't want to be involved with him any more. Landry then told Ferrie that he wanted to break off his relationship. Ferrie then told Landry that he would talk to him about it later and he then turned to Russo and told him that either he or one of his men would kill him for what he had done to him and Landry. Russo told Ferrie to just get away and stay away from Landry because he was no good for Landry. He said that Landry had told him that Ferrie used to hypnotize him and give him post-hypnotic suggestions. He also said that Ferrie eventually confessed to him that he used hypnosis for sexual purposes.

Russo said that after this incident on Bourbon Street he said that he did not

91

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NARA DATE 11/23/93

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1 see Ferrie for about six months and that
2 one day he was driving his car on the
3 Veterans Highway and that he noticed that
4 he was starting to get a flat tire. He
5 pulled his car into a service station and
6 told the two young kids who were working
7 there that he wanted to change his tire.
8 About this time Dave Ferrie came up to
9 him and tapped him on the shoulder and
10 told him hello and asked him where he had
11 been as he had not seen him for some time.
12 Russo then said that they exchanged
13 casual remarks and pleasant conversation.
14 Russo said that Ferrie was either the
15 owner or the manager of this service
16 station. He said that Ferrie then left
17 and sat in a white or very light colored
18 compact car and began talking with the
19 individual in the front seat. Russo said
20 that he then pulled his car right alongside
21 of this compact car and that he looked at
22 Ferrie and the individual that he was
23 talking to in the front seat several times
24 while he was waiting there for his car.
25 After the car was fixed and he was about

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NARA DATE 11/23/93

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to leave the station Ferrie asked him where was he staying because he wanted to come over and talk with him about a few business deals. Russo told him the address and said that a short while thereafter Ferrie came to his apartment. He said Ferrie brought over to the apartment some pornographic film that he had and that he wanted Russo to sell it for him. Ferrie told him that he had just returned from Cuba and that he could get all of this kind of film that he wanted. He said that he could get more film out of Cuba very easily and if Russo could sell the film for him they could all make money. He said that he would have to get \$150.00 a roll for the film because it was pretty risky going in and out of Cuba. Russo said the film consisted of one man and one woman and that the story was essentially that of a woman cheating the man in a game of cards and the man eventually beating her up and raping her for doing so. He said the man in the picture was either Spanish or Cuban, looked

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NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (Rg 233)

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to be strong and rather husky and had black hair. He said that he had a patch over one eye. The girl was an American. Russo said that he took this film and sold it to someone who he believes eventually sold it to a seaman. (Russo said that he would try and obtain this film for us.) He said Ferrie then began coming to his apartment on an average of twice a week and that one time he came over to his apartment and told him that he had been working with chemicals and studying their effects on the human body. He said that Ferrie had told him that he had extensive knowledge about drugs and mixtures of drugs and how they would affect the human body. Ferrie showed him a drug that he said he concocted himself and that it was very similar to Aphrodisiac but even better. He said that it would make a person extremely passionate and would enable him to forget all of his inhibitions and obtain a very free and loose attitude about love and sex. He said it would also erase any feelings of

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NARA DATE 11/23/93

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guilt that a person might have toward any type of sexual behavior that he might care to indulge in. He said that Ferrie told him that he had used this drug with different friends of his and this is how they reacted to it. He also admitted to Russo for the first time that he was a homosexual and he wanted to know if Russo would be willing to take the drug. Russo said that he did not care to take the drug. Ferrie also told him that he could get all of the heroin that he wanted but that he would not fool with it as it was too hot to handle and that he could concoct drugs that would serve his purpose.

"Russo said that one day he and Kenny Carter, a colored boy who used to attend Loyola University and who he believes attends LSU New Orleans, were in his apartment on Elysian Fields when Ferrie came in with two Cubans who were dressed in green fatigues. One of the Cubans had a beard and the other one didn't. Both of them were very strongly built, had dark complexion and rough

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NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

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looking. Their faces were extremely tough
looking. Russo said that they looked as
if they could bend a bar of steel. He
said that they were around 28 to 35 years
old and that Ferrie introduced them but
he cannot remember their names. He said
that they did not say anything because
they could not speak English. He said
that Ferrie at this time started making
remarks about Cuba and criticizing the
United States. He said the people in
Cuba are starving to death and they have
no medicine and that he blamed the United
States for this. He said that the United
States is a barbaric nation and no nation
as powerful as the United States should be
that barbaric. He also referred to the
two Cubans with him as instructors in the
manly art of jungle warfare. After this
conversation Ferrie and the two Cubans
left.

96

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: HSCA (RG 233)

NO HIATUS HERE.

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"Russo said that he did not see
Ferrie again until he went to his
Louisiana Avenue Parkway apartment with
Kenny Carter looking for him. He said
that Ferrie was there and he was with a
Cuban guy in green fatigues who was younger
and not nearly as powerful looking as the
other two Cubans. He said that Ferrie
introduced him to someone he called his
roommate. He said Ferrie mentioned his
name but he can't remember it right now.
He said the roommate had sort of dirty
blond hair and a husky beard which
appeared to be a little darker than his
hair. He said the guy was a typical beatnik,
and extremely dirty, with his hair all mess-
ed up, his beard unkept, a dirty T-shirt
on, and either blue jeans or khaki pants
on. He said he wore white tennis shoes
which were cruddy and had on no socks. He
said the roommate appeared to be in his
middle Twenties. Russo said that he went
to Ferrie's apartment about five or six
times and he can remember seeing the room-
mate about two or three times. He said that

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1 the roommate never talked to anybody. As
2 soon as anyone would come into Ferrie's
3 apartment the roommate would get up and
4 leave and go into another room by himself.
5 Russo said that one day he tried to make
6 conversation with the roommate by asking
7 him where he was from and the roommate
8 told him from everywhere and so he didn't
9 try to talk to him any more because he
10 appeared to be a real "punk." He mentioned
11 this to Ferrie and Ferrie told him not to
12 worry about it because he was a funny guy
13 and he didn't like to talk to anybody and
14 all he did was sit down on the porch in
15 the dark and think and read books all the
16 time.

17 "Ferrie told Russo that he had tried
18 the Aphrodisiac drugs on his roommate and
19 it worked perfectly. He said that he and
20 his roommate laid in bed naked and he gave
21 the drug to his roommate and his roommate
22 became very passionate and aggressive and
23 had intercourse with Ferrie. He said that
24 after this was over the roommate had no
25 recollection of what he had done. He said

98

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RELEASED PER P.L. 108-488 (JFK ACT)
NARA DATE 11/23/93

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/23

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that his roommate was a perfect subject for this. He also said that his roommate did not get along with his Cuban friends and that this is the reason why Russo never saw the roommate with any of the Cubans or with anybody else for that matter. Russo said that as soon as he would walk into the apartment, the roommate would walk out without saying a word. Ferrie repeated that these cubans who were coming to his apartment were jungle fighters and would help liberate South America.

"Russo said that he believed that Kershenstine, Kenny Carter, and maybe Niles Peterson, and Landry would know more about the roommate and be able to recognize him. Russo said that it would be hard for him to pinpoint the time right now but that he knew that this was in 1963 and he believed it was somewhere between May and October.

"Russo said that during the summer of 1963 Ferrie became obsessed with the idea that an assassination could be carried out in the United States very easily if the proper amount of planning was made. Every

Reference copy, JFK Collection: ESCA (RG 233)

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time Russo talked to Ferrie he told him more and more about how he was the kind of person who could successfully plan an assassination. Russo said that he never referred directly to J.F.K. and always used the President of Mexico or President Eisenhower as an example. Ferrie asked him, 'How many times do you remember seeing Eisenhower riding in an open-top automobile exposed to everyone without any protection whatsoever?' He said the limousine usually drives around ten miles an hour and frequently stops at different points. Therefore, it would be extremely easy to shoot somebody. Ferrie said that the whole key to a successful assassination would be the availability of exit and the use of the mass confusion that would result from such a plot. Ferrie said that one person of a small group of people could sit down and plan the whole thing out and get out of the country after it was over before anybody knew what was going on. He said that he was the key to the availability of exit as he could jump into any plane under

100

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NARA DATE 11/23/93

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RELEASED PER P.L. 102-226 (JFK ACT)
NARA DATE 1/23/93

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the sun and fly it out of the country to a place that would not extradite, such as Cuba or Brazil. He said even if for some reason the availability of exit were blocked the people could still escape by making use of the mass confusion that would erupt. He said that he was sure that he could plan the whole thing very easily. Russo said that they got into many discussions about Ferrie's idea on how easy an assassination would be and Russo said that many times he told Ferrie that it would not be as easy as he thought. Russo said that he remembered once going to the Nashville Street Wharf to hear J.F.K. make a speech and he remembers that he saw a Secret Service man guarding the President every five or ten feet. Russo said that he knew that these were either Secret Service men or F.B.I. men because these were the only people not facing J.F.K. when he was talking. These people were looking into the crowd watching for any suspicious activity. Ferrie said that all of these complications could be worked out with the proper amount

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1 of planning. Ferrie said that a person
2 could use the mob confusion to help him
3 get away but that the person should not
4 make the mistake of getting messed up in
5 the crowd. Ferrie also said that another
6 way that an assassination could be success-
7 fully carried out would be through someone
8 very intimate to the White House who had
9 sophisticated knowledge of medicine and
10 chemicals and how they would cause the
11 human body to react. He said with all the
12 knowledge he had of medicine and its re-
13 action in relationship to the human body
14 he was sure that he could commit a perfect
15 murder and no doctor in the country and no
16 autopsy report in the country could detect
17 it.

18 "Ferrie said that he had extensive
19 knowledge of medicine and chemicals and
20 their effects on the human body. Ferrie
21 said that he knew that the coroner and
22 doctors"-- I read that wrong. I'm sorry --
23 I will read it over -- "Ferrie said that
24 he knew what the coroner and doctors look
25 for when they made their autopsy report,

102

RELEASED PER P. L. 102-586 (JFK ACT)
NARA DATE 11/29/93

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1 and as a result of what they would find
2 they would have to say that the death was
3 a result of natural causes.

4 "Ferrie said that one thing that had
5 to be remembered was not to physically
6 disturb the apartment or the house because
7 if the furniture was messed up it may cause
8 some suspicion as to the cause of death
9 and further inquiry might result. He said
10 murders are committed every day, that
11 stupid doctors and coroners term natural
12 deaths. Ferrie said that he knew of a type
13 of drug which once it got into the blood
14 stream would cause physical reaction that
15 would result in extensive brain damage or
16 blood clot and eventual death. He said
17 the physical reaction to this drug would be
18 such that no doctor in this country would
19 call it anything but a natural death. He
20 said the chemical involved would dissipate
21 without leaving any trace at all and the
22 autopsy would say something like 'Blood
23 clot.'

24 "Russo said that in September and
25 October of 1963, Ferrie got worse in his

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NARA DATE 12/29/93

Reference copy, JFK Collection: ESCA (RG 233)

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speeches about an assassination. He said that for the first time since he began talking about assassinations he began making direct references to J.F.K. Ferrie told Russo on several occasions that, 'We will get him.' (Meaning J.F.K.) And that 'It won't be long'. Russo said that he hasn't spoken with Ferrie since the assassination.

"I then pulled out some pictures and I began to show Russo the pictures asking him whether or not he could identify anyone in the pictures. He picked out three people. I did not disclose the names of any of the people whose pictures I showed him. I merely said, 'Do you know or recognize any of these people?' The first person he picked out was Arcacha Smith and he says that Arcacha looks very much like the Cuban in the pornographic film that Ferrie brought to his apartment and which he sold to a seaman. He then called his brother, Steve, over to look at Arcacha's picture and asked him if that face was familiar to him, and his brother, Steve, said, 'Yes, it

104

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (pg 233)

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

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looks like the guy in the film.' Russo
said he recognized the face because, 'To
be perfectly honest I looked at the film
quite a bit.' At this point he asked me
if anything he was telling me would be used
against him. I assured him that it
wouldn't. The next picture that he identi-
fied was that of Clay Shaw. He said that
he saw this man twice. The first time was
when he pulled into Ferrie's service station
to get his car fixed. Shaw was the person
who was sitting in the compact car talking
with Ferrie. He remembers seeing him again
at the Nashville Street Wharf where he went
to see J.F.K. speak. He said he particularly
remembers this guy because he was apparently
a queer. It seems that instead of looking
at J.F.K. speak, Shaw kept turning around
and looking at all the young boys in the
crowd. He said that Shaw eventually struck
up a conversation with a young kid not too
far from him. It was perfectly obvious to
him that Shaw stared at his penis several
times. He said that Shaw eventually left
with a friend. He said that Shaw had on

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dark pants that day which fit very tightly and was the kind of pants that a lot of queers in the French Quarter wear. Shaw had on a corduroy type jacket which was black with white stripes. The third picture that Russo identified was that of Lee Harvey Oswald. When he looked at the picture he began shaking his head and said that he doesn't know if he should say what he's thinking. I told him to go on and tell me what was on his mind and that we would accept this in relationship to all the information we had and it may not be as wild as he thinks it is. He then said that the picture of Lee Harvey Oswald was the person that Ferrie had introduced to him as his roommate. He said the only thing that doesn't make him stand up and say that he is sure beyond the shadow of any doubt is the fact that the roommate was always so crutty and had a bushy beard. He then drew a beard on the picture of Oswald and said this was Ferrie's roommate. He suggested that I put a beard on Oswald and not say who it was and show the picture to

106

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RELEASED PER P.L. 108-626 (JFK ACT)
NARA
DATE 11/23/93

1 Kenny Carter, Landry, Kershenstine,
2 Peterson, and maybe a few of the people
3 in Ferrie's CAP unit who may have been
4 up to his apartment. Russo was sure that
5 they would say that that was Ferrie's
6 roommate. He also said that we might show
7 the picture to Robert Lemoyne, who lives
8 in the vicinity of Nicholls High School
9 as he was in contact with Ferrie around
10 that time. Russo said the more we talk
11 the more comes back to me and he said that
12 the name Leon really rings a bell. He also
13 said that if he were hypnotized he may have
14 total recall on names and places and dates.
15 He said that he had been hypnotized like
16 this before and it had helped him to recall
17 and that he would do it for us"-- I'm sorry,
18 I read that wrong -- I'll read that again --
19 " -- that he would be glad to do it for us.

20 "Russo told me that he now works at
21 the Equitable Insurance Company in Baton
22 Rouge, Phone Number 926-5300. He said that
23 the best time to reach him would be around
24 9:30 in the morning or 4:30 in the after-
25 noon Monday through Friday. He says that

107

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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on the weekends he usually leaves town mostly coming to New Orleans. I told him that we would be in touch with him." That completes the statement.
(Whereupon, a recess was taken.)

THE COURT:

Before you proceed, Mr. Alcock, I have two statements I wish to make.

No. 1, at the request of the news media, I would, at 3:00 o'clock take a five-minute recess.

No. 2, the State and the Defense have spoken to me several times concerning the question of whether we will or will not hold Court February 18th, tomorrow one week.

It has been pointed out to me by both State and the Defense of the great problems witnesses would have in transportation in the City, particularly those people coming in from out of town and at their suggestion, although I previously stated that I would work Mardi Gras Day, at their request we will not work Carnival Day and I am making that de-

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NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/93

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cision on the request of both State
and Defense.

You may proceed, Mr. Alcock.

BY MR. ALCOCK:

Q Now, Perry, did you follow me during the course
of that reading of your statement?

A Yes, sir.

Q Have you the statement with you now?

A Yes.

Q Referring to the statement, are there any
inaccuracies in the statement?

A Several.

NO HIATUS HERE.

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Q Would you tell me what the first one you have noted is?

A Page 1, paragraph 2 the sentence reads, part of it does, "He went to Landry's house to try to locate him and he was told at that time by Landry's mother that Ferrie had taken Landry out of the country." I'm not sure that is essentially what was said. This is essentially what was said, out of the country to Canada, Mexico, Cuba, but she didn't exactly know where and probably he was taking her son along with him and that is what she said.

Q Going down further do you note any other?

A Not offhand on page 1.

Q On the following page?

A On page 2 you have to go back up to page 1, "After the demonstration," it's right at the bottom, "after the demonstration Ferrie showed him and Landry five diplomas that he had and said that he had received his Ph.D in two of these subjects." Now these I don't recall him showing Landry that, it would have been repetitious and I am sure he showed them to Landry before

110

RELEASED PER P.L. 108-688 (JFK ACT)
NARA DATE 11/29/23

Reference copy, JFK Collection: HSCA (Rg 233)

1 and I don't think I said that to Sciambra
2 in Baton Rouge.

3 Q Any others?

4 A On the last paragraph of page 2 "Russo said
5 that one night he and Landry and Tim
6 Kirshenstine, who lives on 2061 Pelopidas,
7 phone number 943-8490 and possibly Niles
8 Peterson were in the Interlect," and I
9 don't think I called it the Interlect, I
10 think I said a bar and some sort of penny
11 arcade was next to it. Peterson, Landry,
12 and myself were there at that time. I
13 may have told Sciambra, I think it is
14 called the Interlect now.

15 Q Continue on.

16 A Where it says "He also said that Ferrie even-
17 tually confessed to him --"

18 MR. DYMOND:

19 Where is that?

20 THE WITNESS:

21 At the bottom of the paragraph -- "He
22 also said that Ferrie eventually
23 confessed to him that he used hypnosis
24 for sexual purposes. Ferrie never
25 said that.

111

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NARA DATE 11/28/93

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1 BY MR. ALCOCK:

2 Q Never did what?

3 A Used hypnosis for sexual purposes.

4 Q Did you tell Sciambra he did or did not?

5 A Probably I made a deduction to that effect but
6 I don't think I said it and said that
7 Ferrie said it.

8 Q On page 3 it says right towards the top of the
9 first paragraph: "He said that one day he
10 was driving his car on the Veterans High-
11 way and he noticed that he was starting
12 to get a flat tire." At that time, and
13 even to today, I am not sure of what the
14 trouble was, whether I was getting a flat
15 tire or a battery. I testified a few
16 moments ago I thought it was battery that
17 had discharged and I'm not sure whether it
18 was one or the other.

19 Q What about anything else?

20 A That flat tire?

21 Q About that service station.

22 A No, everything else is essentially about right
23 except that down towards the middle "he
24 said that he would have to get \$150.00 a
25 roll for the film." I don't think I said

112 3

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/13/93

Reference copy, JFK Collection: HSCA (Pg 233)

RELEASED PER P. L. 102-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

1 that and I don't know where the 150 came
2 out, that price.

3 Further on in the paragraph about
4 midway down: "Russo said he took this
5 film and sold it to someone who he be-
6 lieves eventually sold it to a seaman."
7 No, that is a misunderstanding that
8 Sciambra had. I took the film and a guy
9 asked me would I sell it to him and I did
10 and he also was a seaman in Baton Rouge.

11 Q Go ahead.

12 A Towards the bottom of that paragraph further
13 "He also admitted to Russo for the first
14 time that he was a homosexual and wanted
15 to know if Russo would be willing to
16 take the drug." Ferrie never admitted
17 that.

18 Q He never admitted what?

19 A That he was a homosexual.

20 Q Did you tell, or do you recall having told
21 Sciambra that?

22 A There was a lot of discussion along those lines
23 and probably it was a conclusion but who
24 said it, but Ferrie never said it and I
25 am sure of that.

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In the next paragraph "Russo said one day he and Kenny Carter, a colored boy who used to attend Loyola University and who he believes attends Louisiana State were in his apartment on Elysian Fields when Ferrie came in with two Cubans who were dressed in green fatigues. That was a deduction on my part as Kenny Carter used to play basketball for Xavier and as the time, probably around this time he was either going to Loyola or L.S.U. because he went to both.

There were several other friends and they had basketball teams and we merged and played games at Rosenwald Gymnasium and several others around town in competition. We used to play against Kenny Carter and I don't believe I said that Kenny Carter was there but that possibly he might remember some of these guys.

Q You find any other discrepancies?

A The essence of that next paragraph is confusing to me. We went into a discussion on Ferrie's opinions about Cuba --

MR. DYMOND:

114

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)



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What page is this?

THE WITNESS:

Page 4 and the paragraph begins with the part about Kenny Carter, you know on page 3, and where it begins, is that right?

BY MR. ADCOCK:

Q Yes.

A And the essence of that paragraph sort of sloughs over some of the things Ferrie said but some are crucial and it says there that I mentioned Batista, that Ferrie had mentioned Batista, but what I said was that Ferrie talked at great length, and I went into some of these details and probably this was confusing to him.

Ferrie talked at great length about Che Guevara of Cuba and Raoul Castro. Raoul he wasn't too hot about and this is what I told Sciambra and I said that Che Guevara though he was extremely powerful and he figured, and which is not included on here, but we went into a lot of detail of why and he figured that

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NARA DATE 11/23/93

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1 Guevara would probably be the next replace-
2 ment for Castro since Castro had served
3 some purpose and that Guevara would take
4 his place and I don't see Che Guevara's
5 name here at all.

6 Q Anything else?

7 A The next paragraph, same page 4 where it says

8 "Russo said that he did not see Ferrie
9 again until he went into his Louisiana
10 Avenue Parkway Apartment with Kenny Carter
11 looking for him." No, that is incorrect.

12 Q In what way?

13 A Essentially again I probably went with Kenny
14 Carter, I'm not sure of that but I'm al-
15 most sure that I told Sciambra that in
16 Baton Rouge that Kenny Carter was around
17 me in several capacities and I would not
18 say that was the next time I saw Ferrie
19 was when I went with Kenny Carter to
20 the Louisiana Avenue Parkway Apartment.

21 Q Perry, was Kenny Carter with you when you met
22 Ferrie's roommate?

23 A To my recollection there was nobody with me the
24 first time I met his roommate.

25 Q This would be incorrect?

117

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 NARA DATE 11/23/93

1 A Possibly the confusion is that Kenny Carter's
 2 name was mentioned parallel with all of
 3 this.

4 Q Go ahead.

5 A Toward the middle of the paragraph "Ferrie
 6 mentioned his name but he can't remember
 7 it right now. He said the roommate had
 8 sort of dirty blond hair and a husky
 9 bear which appeared to be a little darker
 10 than his hair." A couple of things are
 11 not exactly right. The dirty blond hair
 12 and husky beard, exactly what I said, but
 13 I did mention husky trying to pick the
 14 right word to represent his facial growth
 15 classification but his hair was not dirty
 16 blond but more brown or black and the
 17 husky beard --

18 Q In what respect would it be inaccurate, refer-
 19 ring to the husky beard, what respects
 20 would that be inaccurate?

21 A Well, when I talked with Sciambra I told him
 22 this guy had a growth of beard, call it a
 23 beard, and I didn't use the word husky.
 24 It was a growth of beard and he was dirty
 25 and probably at one time husky came in

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1 the conversation but it was possibly when
2 I was pulling for a name or some type of
3 adjective and to this day I haven't found
4 the right adjective to describe the beard.

5 Q Now, Perry, anything else?

6 A All right. Uh, it was the middle of that
7 paragraph on page 4, "He mentioned this
8 to Ferrie and Ferrie told him not to
9 worry about it because he was a funny guy
10 and he didn't talk to anybody, all he did
11 was sit down on the porch in the dark and
12 think and read books all the time."

13 No. When I first arrived, the first time
14 I ever saw the roommate he was on the
15 porch as I drove up rocking, and at that
16 time it was at night and he was rocking
17 on a rocking chair or sitting up there
18 and that to me is apparently a pensive
19 person. Ferrie did tell me he was not
20 very talkative, not very social and did
21 read a lot.

22 Q All right.

23 A "He also said that his roommate did not get
24 along with his Cuban friends." I said
25 to Sciambra that Oswald and I didn't get

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along and Oswald to me was a peculiar
bird 'cause he seemed to me to pick and
choose who he would get along with and
it wasn't just a blanket putting out all
Cubans because some people he'd get along
with and some people he didn't.'

Further on: 'Ferrie repeated that
these Cubans who were coming to his
apartment were jungle fighters and would
help liberate South America.' "

NO HIATUS HERE

119

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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This for sure, Sciambra will remember
this, --

MR. DYMOND:

We object to what the witness thinks
Mr. Sciambra will say.

THE WITNESS:

I went into an explanation at that time
telling him as to what I thought
constituted, that everything out of
the United States was South America
in the Western Hemisphere except
Canada which would have included
Nicaragua, or Guatemala or Panama
and I made this point to him in Baton
Rouge, that all of these were South
American countries to me although
they were technically not.

BY MR. ADCOCK:

Q Would Cuba be South America?

A Canada would be North America but Guatemala,
Panama and the rest would be South
America.

Q All right.

A "Russo said that he believes that Kerstenstine,
Kenny Carter and maybe Niles Peterson, and

120

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NARA DATE 12/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 Landry would know more about the roommate
2 and be able to recognize him. Russo said
3 that it would be hard for him to pinpoint
4 the time right now but that he knew that
5 this was in 1963 and he believes it was
6 somewhere between May and October.

7 The essence of the paragraph and the
8 bottom sentence is incorrect. The whole
9 episode of Ferrie's stuff was between May
10 and October, the end of school and the
11 beginning of school and essentially and
12 although this seems to give off the
13 impression that it was not that time,
14 this particular thing contained in that
15 paragraph, it is not so.

16 Then on page 5 where it says that
17 Ferrie also talked, and I told Sciambra
18 this in Baton Rouge, also talked about a
19 poisoning of a person that you wanted to
20 execute --

21 THE JUDGE:

22 What part of page 5?

23 THE WITNESS:

24 I'm trying to find the place but it is an
25 omission and it would be part of

1211

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/13

Reference copy, JFK Collection: HSCA (RG 233)

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page 5, about killing a President, and they were not talking about Kennedy but they were mentioning Eisenhower or Mateos of Mexico and another thing mentioned was the poisoning setup and if he knew food and chemicals, he would have to know food and chemicals as well that he knew he could do this because he did and there is an omission and whether he did bring it in here I don't know.

NO HIATUS HERE.

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/23

Reference copy, JFK Collection: HSCA (RG 233)

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The middle of the paragraph -- Russo said "that he remembered once going to the Nashville Street Wharf to hear JFK make a speech and he remembers that he saw a Secret Service man guarding the president every five or ten feet." That was a deduction that was made up in Baton Rouge and they were around there because of that car that came in there, they were around protecting him -- and -- "Russo knew these were Secret Service men or F.B.I. men because they were the only people not facing JFK when he was talking" -- and that again was a deduction and the only person that I saw that was not facing the President, and the only person I noticed because I was in the back, was the Defendant.

Q All right.

A Now this bottom part of this paragraph, talking about the perfect murders and talking about chemicals and Ferrie talking about chemicals that could be injected, and at that time he showed me a series of papers with carbon compounds on them and the

123

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

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different molecules and so forth and said that this chemical essentially could cause a blood clot, and then you see on the next page "that would result in extensive brain damage or blood clot and eventually death." This was not in relation to President Kennedy but this was in relation of a perfect murder and this was about the time I had entered law school and the last time I saw him and he brought it up 'cause I was reading a criminal case about a murder and he started talking about the perfect murder.

"Russo said that in September and October," and this is page 6 the top paragraph, "Russo said that in September and October of 1963 Ferrie got worse in his speeches about an assassination."

Again this is my word, "speeches," as I used that and Sciambra didn't -- he included that and maybe I didn't make a clear explanation of what I meant.

Ferrie wouldn't make speeches but he would monopolize the conversation and it was a one-way conversation the whole time

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/93

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and he'd sort of get on a soap box and start ranting about one thing or another.

"Russo said that he hasn't spoken with Ferrie since the assassination." That is not correct. I don't know how that got in there. That is at the end of the paragraph on page 6.

Q Page 6?

A "The first person he picked out was Arcacha Smith and he says that Arcacha looks very much like the Cuban in the pornographic film." The first person was not Arcacha Smith, the first person I picked was Dave, David Ferrie that was picked out in the photographs.

The middle of that paragraph "He then called his brother, Steve, over to look at Arcacha's picture and asked him if that face was familiar to him and his brother, Steve, said 'Yes, it looks like the guy in the film.'" The brother of course needs an explanation. As at that time, this time I was talking to Sciambra I was in Baton Rouge but prior to this I had lived in New Orleans and I don't want to use a

125

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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used expression but I used to go to Soul concerts, musicians and everybody was a soul brother, I don't know if that is good or bad.

Q I didn't understand.

A James Brown, Solomon Burke, stuff like that at the Auditorium and I considered everybody a soul brother.

Q Mr. Darby was not your brother?

A Perhaps we are related but not strictly as brother, no. Towards the middle of the paragraph the last picture identified was Clay Shaw. That name was not mentioned in Baton Rouge at all. He said I saw the man twice and this was strictly an error and I pointed that out to James Phalen and told him this was an error as I saw him three times, and I didn't say in Baton Rouge possibly four which would have been at the Republican Headquarters, I didn't mention that in Baton Rouge but I did say three times.

Where it says here that the first time was when I pulled in Ferrie's service station, this seems to me to indicate

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/13

Reference copy, JFK Collection: ESCA (RG 233)

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something earlier and I know that the first time I saw him was the Nashville Wharf and it is possible that I could have seen him in Republican Headquarters in the late 50's. I remember seeing him again at the Nashville Street Wharf when I was going to see J. F. Kennedy.

The continuity is wrong and I didn't see him at the station first and then go to the wharf, it is backwards. And I said down towards the middle two-thirds of the page that "Shaw had on a corduroy jacket." I told Sciambra it was a striped jacket and he offered a couple of things like corduroy and another style and I said probably corduroy but I don't know.

"The third picture that Russo identified was that of Lee Harvey Oswald." This leaves out quite a few other pictures of Emilios Santos, Arcacha Smith and I think he mentioned there a third picture but there were more than three, several more.

Towards the bottom again "He indicated the fact that the roommate was always so cruddy and had a bushy beard. The word

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NARA DATE 11/29/13

Reference copy, JFK Collection: ESCA (Pg 233)

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"cruddy," I didn't use that and I might have said dirty and looked like a beatnik.

On page 7 the top line, it starts on page 6 the bottom line "Robert Lemoyne who lives in the vicinity of Nichols High School because he was in contact with Ferry around that time," -- no, that is incorrect. It was around the time I left New Orleans and went to Baton Rouge, around that time. It is incorrect.

Right at the end of that paragraph he said I had been hypnotized like this before and that it "helped him to recall and that he would be glad to do it for us," I had stated, and the only two people that ever attempted seriously was one Ferrie and I doubt whether he accomplished anything and the other man was Irwin Moreau, and he said he did and I say he didn't and that I have never been hypnotized before and that is not correct.

Q Perry, you stated a moment ago that the name Clay Shaw was never mentioned by either yourself or Sciambra in Baton Rouge. What if any name did you give to the picture

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NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (Pg 233)

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NARA DATE 10/23/93

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of Shaw?

A When I picked the picture up I said I knew him, where I had known him at different places and I said his last name was Bertrand and I had to think about his first name and I think it was Clem as I think the way he was introduced and an argument ensued as to whether it was Clay or Clem and I said Clem, I am sure of it.

Q Perry, did you tell Sciambra about the meeting in Ferrie's apartment in mid-'63 between Ferrie, Oswald and the Defendant?

A At the end -- not at the end of the evening but one hour before he left I talked with Sciambra -- we were talking going over things and he took very few notes and it was a meeting and he was more interested in Dave Ferrie and the quotes about he knows the thing could be done and "We will kill him and it won't be long," but I did mention in the meeting to Sciambra on the 25th, I think it was, the Saturday --

Q Is that Perry the meeting you have related to court and jury today?

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A Essentially but not in every great detail and actually there wasn't but a couple of questions after that about it.

Q Did you tell, did you tell James Phalen when you spoke with him that you had mentioned this to Sciambra?

A I, the meeting lasted for three hours with Phalen in Baton Rouge right after the 20th of March, after the preliminary hearing, and I told him distinctly I had not mentioned the party to Sciambra in Baton Rouge and I told him that I called everything a meeting because I was involved with the Republicans to a great extent and I mentioned meeting and all of these guys got around and would be talking about shooting President Kennedy.

Q Perry, prior to your coming down to New Orleans speaking with members of the District Attorney's staff did you know the name or ever hear the name Clay Shaw?

A I never heard the name of Clay Shaw and not exactly when in that week, there was so much questioning and answers and after a couple of days in New Orleans and I

130

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 NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/23

131

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heard someone mention that was Clay
Shaw's picture.

Q Up until that time Perry, having picked this
picture out, who did you think the person
in it was?

A The same way I identified it in Baton Rouge,
Bertrand.

Q Clem?

A Clem Bertrand.

MR. ALCOCK:

I tender the witness.

NO HIATUS HERE.

Reference copy, JFK Collection: HSCA (RG 233)

CROSS-EXAMINATION

132

1
2 BY MR. DYMOND:

3 Q Mr. Russo, you are living at 5307 Elysian
4 fields, are you?

5 A Yes, sir.

6 Q How long have you been living there?

7 A Since December 11, 1968.

8 Q Where did you live prior to that?

9 A 4122 Prytania Street.

10 Q How long did you live there?

11 A Oh, since September of 1967, I mean, let's see,
12 September of '67, yes, that would be right.

13 Q Now, prior to September of '67, where did you
14 live?

15 A For six months, 619 North St. Patrick Street in
16 New Orleans.

17 Q What is your occupation now?

18 A I work with the Great Books of the Western World
19 as part of the Encyclopedía Britannica.

20 Q A book salesman?

21 A I work in sales and also in training.

22 Q Is it a fact that you were a cab driver up
23 until a short while ago?

24 A I was a cab driver part time along with the
25 insurance that I was working -- this was in

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NARA DATE 11/23/93

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1 '67, all the way until about the middle
 2 of '68, at times I worked cabs, on week-
 3 ends, also during the week sometimes.

4 Q Mr. Russo, are you sure this was Mr. Sciambra
 5 that you were talking about up in Baton
 6 Rouge?

7 A Andy Sciambra? Yes, he identified himself that
 8 way.

9 Q And you recognize him in the Court now?

10 A I do.

11 Q Now, you have pointed out in excess of 25 errors
 12 in Mr. Sciambra's memorandum of what he
 13 claims that you told him.

14 MR. ALCOCK:

15 I object at this time, that may be Mr.
 16 Dymond's account, I don't know if the
 17 Court made a count, but it might be
 18 injecting something that is really not
 19 in evidence, I personally did not count
 20 them. I don't know if Mr. Russo did
 21 or not.

22 MR. DYMOND:

23 We can count them here, sir.

24 THE COURT:

25 Can't you say there were a number of them,

RELEASED PER P.L. 108-686 (JFK ACT)
 NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/28/93

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because I can't comment on what Mr. Russo said, but you can say there were a number of corrections or whatever you want to call them.

MR. DYMOND:

Just a minute, I will get the exact figure. To be exact, you have pointed out 26 alleged errors.

MR. ALCOCK:

To be exact on each calculation, Mr. Dymond's arithmetic is in some question.

MR. DYMOND:

If we have seen fit to count them, if the State wants to dispute them, I want to know what their count is.

THE COURT:

Can't you say there are a number?

MR. DYMOND:

We know there were 26, sir.

THE COURT:

Mr. Alcock says they may be corrections and not admitted errors.

MR. DYMOND:

Suppose I say approximately 26.

MR. ALCOCK:

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RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Rc 233)

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Yes.

MR. DYMOND:

We will compromise.

BY MR. DYMOND:

Q You have pointed out approximately 26 errors in Mr. Sciambra's memorandum of what he contends that you told him. Now, is it your contention that Mr. Sciambra deliberately distorted what you told, or that he made this many mistakes as to what you told him?

MR. ALCOCK:

Objection, this man cannot obviously answer that question.

MR. DYMOND:

This witness is disputing a memorandum of what he purportedly said. I would like to know on what basis.

THE COURT:

The memorandum was not prepared for the witness.

MR. DYMOND:

If he claims it is wrong, I would like to know on what basis.

MR. ALCOCK:

He pointed out certain areas in the

1 transcript, something that has been
2 introduced into evidence and read to
3 the Jury, and surely he can't know
4 whether Mr. Sciambra deliberately
5 made mistakes in compilation of this
6 memorandum.

7 MR. DYMOND:

8 This witness has to know whether he clearly
9 told this statement to Mr. Sciambra,
10 if he clearly told it to him --

11 THE COURT:

12 Why don't you put that question to him?

13 BY MR. DYMOND:

14 Q Did you clearly give this statement to Mr.
15 Sciambra?

16 A We talked for about three hours, it would be
17 hard to say whether it was clear. There
18 was a lot of -- in other words, Sciambra,
19 in other words, to give you the physical
20 aspect of how it stood, Sciambra sat there
21 with a briefcase on his knees opened up and
22 he had a bunch of photographs there, and he
23 had a little pad, every once in a while he
24 would write a little note on there, and
25 most of the time he was holding the photo-

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NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 graphs, turned them all down, and pulled
 2 one out and said, "Do you know this guy,"
 3 and I would say yes, or I never seen it,
 4 or I would say, yes, I remember him from
 5 somewhere or something to that effect, and
 6 he didn't even copy that, I guess he did,
 7 but he didn't let me see any of the notes
 8 taken, and I was sitting next to him.

9 Q Be that as it may, you did your best to state it
 10 clearly to him, did you not?

11 A Oh, I would say depending on the questions, I
 12 don't know if it was my best.

13 Q You were not trying to conceal anything, were
 14 you?

15 A He was asking me a question, and sometimes he
 16 would be asking the next question while I
 17 was trying to answer this one, a big deal
 18 was Ferrie's philosophy, I thought that it
 19 was important, I had to talk an hour and a
 20 half to explain that, he would listen but
 21 it was not all that exciting to him.

22 Q You thought the big deal was Ferrie's philosophy,
 23 or was that his idea?

24 A That was my idea, I thought that that was the
 25 big deal.

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 NARA DATE 11/23/93

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1 Q You thought that was the important part of it?

2 A I thought that was the big deal as far as that

3 is why he wanted to question me immediately.

4 Q Now, you knew that President Kennedy had been

5 assassinated then, didn't you?

6 A When Sciambra talked to me?

7 Q That's right.

8 A Yes.

9 Q You say you had also heard at that time three

10 men planning to assassinate President

11 Kennedy, is that right?

12 A I don't understand that.

13 Q At that time you say that you had heard three

14 men plan to assassinate the President?

15 A No, I didn't make that at all clear to Mr.

16 Sciambra, I said there was a meeting up

17 there and a group of people were talking

18 about shooting Kennedy, and five minutes

19 before then I told him that Ferrie came

20 over with a couple of guys and said, "We

21 are going to kill Kennedy and it won't be

22 long."

23 Q I asked you whether or not you did not know at

24 that time that you had seen and heard three

25 people plan to assassinate president Kennedy.

RELEASED PER P.L. 108-686 (JFK ACT)
 NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

1 A I still don't understand the question.

2 Q When you were talking to Mr. Sciambra in --

3 A In Baton Rouge?

4 Q In Baton Rouge, did you not then know that you

5 had seen and heard three people plan to

6 assassinate President Kennedy?

7 A Well, I don't know if I had seen or heard three

8 people plan to assassinate Kennedy, I

9 heard a discussion about shooting Kennedy

10 as well as I had heard the discussion on

11 the street about killing Judge Perez or

12 killing Martin Luther King or killing some-

13 one else.

14 Q When you heard of this thing on Louisiana Avenue

15 parkway, you didn't take it seriously, or

16 what?

17 A It depended again -- I am trying to emphasize

18 that Ferrie's philosophy, you wouldn't know

19 whether or not to take him seriously or

20 not.

21 Q You knew at that time that a District Attorney

22 from the parish of Orleans was being

23 represented by Mr. Sciambra who was in-

24 vestigating the assassination of President

25 Kennedy, didn't you?

139

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

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1 A Yes, that is correct.

2 Q And you knew your story about the meeting on
3 Louisiana Avenue Parkway, didn't you?

4 A Yes, right.

5 Q And you knew that President Kennedy had been
6 assassinated, is that correct?

7 A President Kennedy had been assassinated, yes.

8 Q Knowing all of these things, you thought that
9 the philosophy of David Ferrie was the
10 big deal he wanted to talk to you about
11 and that you wanted to talk to him about.
12 Is that right?

13 A That is what I thought was most important.

14 Q David Ferrie was dead at that time, was he not?

15 A My recollection is that I saw his picture in the
16 paper, on television, one or the other, and
17 I saw his name first, David William or
18 Woodrow Ferrie, and I didn't look, they
19 didn't have an address, as I remember it,
20 and he was alive at that time, and then I
21 saw his picture that night or afternoon in
22 the news or on television, at that time I
23 decided to write the letter and just send
24 it to the District Attorney's Office, at
25 that time I think he was alive, but I am not

140

RELEASED PER P.L. 108-688 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-526 (JFK ACT)
 NARA DATE 11/23/93

1 real sure of exactly when he died.

2 Q The point is when you spoke to Mr. Sciambra,
 3 you knew Mr. Ferrie was dead, didn't you?

4 A When Mr. Sciambra talked to me on the 25th, yes,
 5 I did know it.

6 Q Now, when you first met David Ferrie, I under-
 7 stand he was living out in Kenner. Is that
 8 correct?

9 A Yes.

10 Q And according to my recollection of your direct
 11 testimony, you do not know the address he
 12 was living at there?

13 A No, sir.

14 Q Now, who first introduced you to David Ferrie?

15 A Al Landry.

16 Q Al Landry?

17 A Yes.

18 Q Is this the same Al Landry to whom you referred
 19 in your statement to Mr. Sciambra?

20 A Yes.

21 Q Is it the same Al Landry whom you said could
 22 give more detailed information about Ferrie's
 23 roommate?

24 A I said he could give more detailed information
 25 about Ferrie's friends and associates, yes,

Reference copy, JFK Collection: HSCA (RG 233)

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I did say that, on Page 4, towards the bottom.

Q You said that Landry could give more information about the roommate. Is that right?

A In line with this, in connection with -- I asked Mr. Sciambra to -- on Page 6, I asked Mr. Sciambra to take a picture, put a beard on Oswald and do not say who it is and show the picture to Kenny Carter, Landry, Kershenstine, and a few others, essentially the idea I came across, they might have seen this person before.

Q Now, when Ferrie was living out in Kenner, approximately how many times did you visit him out there?

A Once.

Q Only one time. Is that correct?

A Yes.

Q Is that the occasion upon which his mother was present?

A Yes.

Q And Al Landry was with you at that time. Is that right?

A I remember it, he brought me out there or drove in another car, there was some kind of a

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/28/93

Reference copy, JFK Collection: NSCA (RG 233)

1 meeting going on out there.

2 Q Now, in what year would you estimate that?

3 A I would say 1961 or '62.

4 Q '61 or '62. Would we be safe in saying late

5 '61 or early '62?

6 A I don't really know exactly, because there was

7 just -- I don't know exactly the date of

8 that, I told that to Sciambra in Baton

9 Rouge, I don't know the exact date of when

10 I did go out there.

11 Q Now, were you aware of the fact when Ferrie

12 moved from Kenner to Louisiana Avenue

13 Parkway?

14 A When he did move, no.

15 Q In other words, you did know he was going to

16 move when he did move. Is that right?

17 A No.

18 Q When did you first find out he was living on

19 Louisiana Avenue Parkway?

20 A He contacted me.

21 Q Now, --

22 A I don't recall, either bumping into him or per-

23 haps he called me, one or the other, be-

24 cause I had no reason -- I lived on

25 Elysian Fields with my father at that time.

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/23

1 Q Approximately how long after this call or chance 144
2 meeting did you visit Ferrie or Louisiana
3 Avenue Parkway?
4 A I am not sure, he came over to the house on a
5 couple of occasions, he might have just
6 come over initially, anyway, I am not sure
7 he called, but he came over to the house,
8 to my house, on several occasions before
9 I had occasion to go up to Louisiana Avenue.
10 Q Now, after the contact was made, after he had
11 moved to Louisiana Avenue Parkway, did you
12 commence seeing him with reasonable fre-
13 quency?
14 A Well, more or less, I saw him, yes.
15 Q Now, approximately when would you place this
16 date of your renewing these appointments
17 with him?
18 A Well, it was not -- you know, an acquaintance,
19 I don't know, really, I mean -- it could
20 have been late '62, early '63 that I first
21 went up there, I don't know exactly when
22 the first time was I went up there, but he
23 came over in the beginning more than I went
24 over to his place, I don't know exactly
25 when the first time was that I ever went up

Reference copy, JFK Collection: NSCA (RG 233)

145
 NARA
 RELEASED PER P.L. 102-686 (JFK ACT)
 DATE 11/23/93

1 there.

2 Q Now, did you and Ferrie become pretty good
 3 friends after this?

4 A He was a distant person, you could not be a
 5 good friend, that is the way I figured it,
 6 although a lot of people probably say
 7 different on that.

8 Q After you renewed the acquaintance, after he
 9 moved to Louisiana Avenue Parkway, can you
 10 tell us about how frequently you saw him?

11 A Well, on occasions, just averaging it out, maybe
 12 twice a week, I don't know, he might pass
 13 over to the house or I might pass up there,
 14 more likely than not these times were after
 15 April or May of 1963 than before because of
 16 exams and because of school, but during
 17 school he came, sometimes would come over,
 18 but just as an average during those five
 19 or six summer months, maybe twice a week.

20 Q Now, at one point there was a reciprocal open
 21 invitation given by you and Ferrie to come
 22 to each other's houses when you would want
 23 to.

24 A Well, yes, I told him, I said, "If ever you are
 25 in the neighborhood just drop in, if it is

Reference copy, JFK Collection: ESCA (RG 233)

late knock on the window and I will wake
up," and, well, always knew he kept late
hours.

146

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Q Well, would it be fair to say that each one of
you felt free to go to the other one's
house uninvited?

A Yes, sir.

NO HIATUS HERE.

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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1 Q To take with you whomever you pleased?
2 A Right.
3 Q Now, approximately how long did this relation-
4 ship continue?
5 A Well, during the Summer months of '63, and I
6 went back to school.
7 Q Now, what do you term the Summer months,
8 Mr. Russo?
9 A Well, school starts trailing off and you start
10 preparing for exams in early May, late
11 April, baseball starts around April, that
12 to me -- baseball is parallel with the
13 Summer.
14 Q Just so that we will both now what we are
15 talking about here, would you say the
16 Summer months are April through what?
17 A September.
18 Q April through September. Is that right?
19 A Yes, although September is a month of school.
20 Q Now, how old were you back in 1963?
21 A I guess about 22.
22 Q How old are you now?
23 A 27.
24 Q 27. How old was Ferrie at that time?
25 A I don't know.

147

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q Approximately how old was he?

2 A Just about 40.

3 Q About 40?

4 A Yes.

5 Q Now, you have testified that David Ferrie's
6 appearance varied from time to time, that
7 is sometimes his wig was combed, other
8 times it was mussed up; is that right?

9 A Well, sometimes it had spots, and other times
10 it didn't have spots, it seemed to be
11 combed a little bit, yes.

12 Q What do you mean by "having spots"?

13 A In other words there were places it would be
14 bald, you know, I didn't sit there and
15 stare at it, but you couldn't help but
16 notice, and sometimes it would not be bald,
17 it would be -- it would have been filled
18 up, and it would be -- if he would have
19 combed it.

20 Q Now, as a matter of fact, Ferrie had been the
21 victim of a disease which caused him to
22 lose all of his natural hair. Is that
23 correct?

24 MR. ALCOCK:

25 Object, that is something not in evidence.

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

149)

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THE COURT:

I think it is a fair question, if he knows.

MR. ALCOCK:

If he knows of his own knowledge.

THE WITNESS:

I didn't.

BY MR. DYMOND:

Q Did he have any natural hair on his head?

A I don't know.

Q You never did see him without a wig?

A No, sir.

Q Did he have any natural eyebrows?

A Natural eyebrows? ...

Q Yes.

A I don't know.

Q Did you ever see him without his false eyebrows?

A Well, I saw him with bushy eyebrows and I saw him with some that were not so -- you just could barely see them, I guess that might be the natural eyebrows, if he had them at all, that was probably them.

Q So it is your testimony that you have seen him with thin eyebrows. Is that correct?

Reference copy, JFK Collection: HSCA (RG 233)

1 A Slightly, right, slightly there. If it was
 2 real, I don't know.
 3 Q Would you term them unusually light eyebrows?
 4 A Oh, I don't know, unusually light, you could
 5 see them a little bit there.
 6 Q Well, were they as heavy as mine or not?
 7 A Lighter than yours.
 8 Q Lighter?
 9 A Yes.
 10 Q Approximately how many times in all would you
 11 say that you visited this apartment on
 12 Louisiana Avenue Parkway?
 13 A Oh, I don't know, 15 or 20, 25.
 14 Q Within a period of how long?
 15 A Four or five months, four or five months we
 16 are talking about.
 17 Q Now, during the month of September, 1963, how
 18 many times did you visit the apartment?
 19 A Four or five.
 20 Q Four or five?
 21 A Yes.
 22 Q Did you make any visits there early in the
 23 month of September?
 24 A I'm almost sure I did.
 25 Q If you recall, when did your school start that

RELEASED PER P.L. 102-536 (JFK ACT)
 NARA DATE 11/23/93

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year?

A When did school start?

Q Right.

A I think it was about the third week or about the middle of the third week of September.

Q Well, as I understand it, the frequency of your visits depended to some extent on whether you were occupied at school or not. Is that correct?

A Quite often, yes.

Q Therefore, would you say that you visited quite frequently in the first part of September before school started?

A Well, I visited more than I would have after school had started, but the first couple of weeks or school aren't very much, you know, you just go there and check in and check out and it is all over.

Q When would you say that your really serious school work started?

A About the third week, I mean, the first week of October, after a couple of weeks of orientation and stuff.

Q Now, you say that you went there three or four times during September. When was the

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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first time that you saw this person whom
you have described as a roommate?

A Oh, about the middle, a little bit before the
middle of the month.

Q A little before the middle of the month?

A Yes.

MR. DYMOND:

Your Honor, it is 3:00 o'clock, I think
you wanted to recess.

THE COURT:

I know you have more examination. You
may leave the stand and smoke. We
are going to take a five-minute
recess. Will you take the Jury
upstairs.

(Whereupon, a brief recess was
taken.)

THE COURT:

Is the Defendant and the State ready to
proceed?

MR. DYMOND:

Yes, Your Honor.

MR. ALCOCK:

Yes, sir.

THE COURT:

152

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/93

153

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Proceed, Mr. Dymond.

BY MR. DYMOND:

Q Now, Mr. Russo, getting to this meeting that you have testified as to having witnessed, is it a fact that prior to this time you had heard David Ferrie talking about killing or assassinating presidents in general?

A Right, yes.

Q And you say that at this meeting which you have described as having taken place on Louisiana Avenue Parkway, there was a great deal of general conversation about that, is that correct?

A At the meeting?

Q Yes.

A Yes, sir.

Q Did this start off as a general conversation about assassinating a president or the President, or how was it put?

A Oh, well, there was a record or something on the record, a record, on the radio and there -- it was in Spanish, Ferrie had some clipping with him -- I at that point, I'm not sure if it was about the killing

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-688 (JFK ACT)
 NARA DATE 11/23/93

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of Kennedy, there was a lot of anti-Kennedy sentiment and that was carried over with Ferrie from before, he was sort of anti-Kennedy.

Q But this sort of followed a pattern of what you had heard before from Ferrie. Is that correct?

A Right.

Q As a matter of fact, Mr. Russo, isn't it a fact that you did not really take this seriously what you heard up there on Louisiana Avenue Parkway?

A Initially you could not believe Ferrie and you could not not believe him, from the first encounter I had with him he was just prone to the spectacular.

Q I see. Did this not have all the characteristics of a bull session that you had related?

A Every characteristic of it.

Q It did?

A Yes.

Q Would it be possible that that is why you did not take it sufficiently seriously to accentuate it in any statement that you

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1 gave to Mr. Sciambra when he came to
2 Baton Rouge?

3 A Well, I don't know if that was one of the
4 reasons, everything was jammed into a
5 couple of hours up in Baton Rouge, and
6 most of it was looking at photographs,
7 when or where I had seen these people,
8 and he didn't go into great detail, I
9 did talk to some extent about the way
10 Ferrie felt about certain things, I
11 thought this was important.

12 Q But even at that time you still regarded what
13 you had witnessed as more or less a bull
14 session. Is that correct?

15 A At that time I really didn't have an opinion
16 because Ferrie's photograph had come
17 into the newspapers.

18 Q But actually you didn't have a contrary opinion
19 to that either, did you?

20 A Right.

21 Q In other words, you were on the fence as to
22 considering this meeting that you say
23 you witnessed as a bull session or some-
24 thing serious. Is that right?

25 A Essentially.

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

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Q Now, Mr. Russo, once again, returning to the meeting on Louisiana Avenue Parkway, did David Ferrie ever request that you leave the premises before they started talking about this?

A No. In other words, I was not there all of the time. There was a spiral staircase and I did walk down that to go to the street a couple of times. In the very beginning there were a couple of remarks as to why I was there, you know, things of that sort.

Q The record player was playing while this talk --

A No, that was at the very beginning the record player was playing or the radio. It could have been one or the other.

Q Did anyone there swear you to secrecy or threaten to do anything to you if you should tell about this meeting?

A No.

Q Never did. And actually, Mr. Russo, you left the premises that night not knowing whether it was just a bull session or what it was. Is that correct?

156

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

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1 A Right.

2 Q Now, Mr. Russo, in the memorandum, the Sciambra
3 memorandum as we will call it which has
4 been introduced as "State and Defense 20,"
5 Mr. Sciambra reported that when you made
6 the statement that whenever you came
7 around the roommate would leave, and my
8 notes do not indicate that you corrected
9 that statement.

10 A Where is that, I will --

11 Q It is on page 4, a little -- right about the
12 middle of the page.

13 A Let's see.

14 Q I will read that to you, if you wish, "He said
15 that the roommate never talked to anybody,
16 as soon as anyone would come into Ferrie's
17 apartment, the roommate would get up and
18 leave and go into another room by him-
19 self."

20 A Right, I see it.

21 Q Was there any reason for your not correcting
22 that in view of your testimony that the
23 roommate did stay in there during this
24 discussion?

25 A Well, it -- a little bit, a little bit was

157

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

1 not included there, one of the things was
2 that initially I probably told Sciambra
3 or whoever I was talking to in New Orleans
4 that following week that the roommate and
5 I did not essentially get along from the
6 initial encounter, and he did get up and
7 leave at that time, that first time that
8 I had ever seen him, and whether or not
9 he did this every time, he didn't do this
10 every time, only saw him three or four
11 times, three of those four times he did
12 leave and was not around.

13 Q Now, Mr. Russo, you have said that you were
14 on the fence as to whether you believed
15 if this was a bull session or something
16 serious.

17 A '67 you are talking about? In Baton Rouge you
18 are talking about?

19 Q That is correct, you still feel that way?

20 A Whether it was serious or not?

21 Q Yes.

22 MR. ALCOCK:

23 At this time, let me object to that
24 question, Mr. Russo's personal
25 feelings about it aren't really

RELEASED PER P.L. 102-636 (JFK ACT)
NARA DATE 11/23/93

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relevant, it would be the feelings
of the 14 men to my left whether or
not the conversation is serious.

THE COURT:

I sustain the objection.

BY MR. DYMOND:

Q Now, Mr. Rusoo, I understand that Mr. Sciambra
showed you several photographs when he
was in Baton Rouge, and that after he put
a beard on one of the photographs, you
identified that photograph as the room-
mate. Is that correct?

A Well, when he pulled out the photograph, you
are talking about the one of Oswald, when
he put out that one, when he pulled out
that one I said "That is his roommate"
and he said "That is Lee Harvey Oswald,
isn't it," and something was said to the
effect "What did you mean," all of that
sort of stuff, and I said, "Well, the
guy that I knew had a beard or whiskers,
and then he drew a little bit on it or
I drew something on it to get it
straight.

Q You say you didn't know whether you or he or

159

RELEASED PER P. L. 102-536 (JFK ACT)
NARA DATE 11/23/13

Reference copy, JFK Collection: HSCA (RG 233)

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both of you put the whiskers on him?

A I think both of us did.

Q What happened after that?

A Well, it was the -- it was erased, we did it real lightly in pencil and we erased it and we will do it over, it never did come to anything, he said "Could you come back to New Orleans Monday," and I said, "If you call the office."

Q So then you never did identify in Baton Rouge a photograph of Oswald as the roommate. Is that right?

A The first thing that came out of my mouth, I said, "That is his roommate," and he said "No, that is Lee Harvey Oswald," and we got into a tangent, and I said the guy I knew had whiskers on him and he asked me to come down on Monday, so probably technically I didn't identify him.

Q Did you ever tell Mr. Sciambra in Baton Rouge that the photograph was a representation of the person to whom you have referred as the roommate?

A Yes, that is the first thing that I said when he pulled the photograph out.

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/13

Reference copy, JFK Collection: ESCA (Rg 233)

1 Q You told him that was the roommate?
2 A That is Ferrie's roommate, and he said that is
3 Lee Harvey Oswald, and he didn't really
4 answer me when I gave him that, he started
5 asking me "Why did you say that" and I
6 said that is the guy I knew as Ferrie's
7 roommate and I said but the guy I knew had
8 whiskers on.
9 Q But you did identify the photograph as
10 Ferrie's roommate?
11 A Well, one of the photographs, yes.
12 Q In Baton Rouge?
13 A In Baton Rouge, right.
14 Q Now, do you recall the preliminary hearing in
15 which you testified in this case, do you
16 not?
17 A Right.
18 Q I have reference to page 211 of your testimony
19 at the preliminary hearing, which I will
20 read to you and ask whether your testimony
21 remains the same at the hearing after
22 hearing this. This is in answer to a
23 previous question, let me get the first
24 question on page 2 -- what is that, 210,
25 210, and you say the absence of three or

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/23

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four days growth of whiskers, you say, would make you unable to identify him, and the answer is "I do not know if it was three or four days, it just was not a beard, they drew a composite photograph and they had it on these things, it has been corroborated, so to speak," and the question "You say they drew a composite photograph," and the answer is, "In other words, they had it, it is not a beard, not a beard, it is something in between a beard and just whiskers," and the question is, "Are you telling us that a photograph was taken and they altered it and showed it to you and it was that altered photograph that caused you to be positive," and the answer is "No, sir, the first time they showed me the photograph, the man up there said would you mind looking at these photographs, and there was a bunch of them, and, you know, he just put one in front of me and said do you know this guy and I said no -- yes, or whatever the circumstances were, and he put the picture of -- -- at that time I said it was his roommate,

162

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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and he brings the picture of his room-
mate, puts the picture of the roommate in
front of me, and I said that I knew him,
he wanted to know who that was, and I
said that is the roommate, and then I
looked at it again, and then recognized
the eyes or something, and I said no, it
is not, I said that is Oswald, I don't
think it is the roommate -- he asked me
what the difference was and I said this
guy is clean, the picture they showed me
was very clean, had a white shirt on and
they just put whiskers on," and the
question is, "Who put the whiskers on,"
and the answer is "One of the artists of
the DA's staff," and the question is "Do
you know which one," and the answer is
"I can point him out," and the question is
"Do you see him in court at this time?"
and the answer is "Yes," and the question
"Will you point him out," answer "Yes."
It goes on, "Mr. Dymond: Let the record
show that the witness indicated Charles
Jano, examination by Mr. Dymond, question,
"What were the whiskers put on with, pen

163

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: ESCA (RG 233)

and ink or what," and the answer "It was
a pencil and they started in pencil and
they first asked me to do it in Baton
Rouge --"

MR. ALCOCK:

I object to any hearsay being read by
Counsel.

MR. DYMOND:

I am just reading from this man's
testimony.

THE COURT:

That record is not in evidence.

MR. DYMOND:

It is a contradictory statement, if The
Court please.

THE COURT:

The fact that a transcript of the prelimin-
ary hearing is in your possession for
purposes of attacking the credibili-
ty of the witness does not mean that
you could read hearsay.

MR. DYMOND:

I will skip the hearsay in here, but I
have direct statements by this man.

THE COURT:

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

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On contradictory statements, you will
have to abide by the rules.

NO HIATUS HERE.

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Reference copy, JFK Collection: HSCA (RG 233)

1 "Q What were those whiskers put on with,
2 pen and ink or what?

3 "A It was pencil, and they started in
4 pencil. At first they asked me to do it
5 in Baton Rouge. --

6 MR. ALCOCK:

7 Objection right there. Who is the "they"
8 that asked him in Baton Rouge? That
9 is hearsay.

10 MR. DYMOND:

11 If the Court please, this is a question
12 of this man merely explaining the
13 circumstances surrounding a prior
14 contradictory statement.

15 MR. ALCOCK:

16 That is no exception to the hearsay rule,
17 Your Honor. That is necessarily hear-
18 say.

19 THE COURT:

20 What they "asked me to do in Baton Rouge"?

21 MR. ALCOCK:

22 What "they" asked me to do? Who? They are
23 not subject to cross-examination. That
24 is hearsay.

25 MR. DYMOND:

1 I refer the Court to Article 295 of the
2 Code of Criminal Procedure, the last
3 paragraph of which reads as follows:
4 "The transcript of testimony given by a
5 person on a preliminary examination
6 may be used by any party in a subse-
7 quent judicial proceeding for the
8 purpose of impeaching or contradicting
9 the testimony of such person as a
10 witness."

11 That is 295, the last paragraph.

12 MR. ALCOCK:

13 I have no quarrel with that proposition of
14 law and no objection to Mr. Dymond
15 using this for impeachment purposes,
16 but I do have objection to his getting
17 hearsay in under the guise of impeach-
18 ment.

19 MR. DYMOND:

20 Your Honor, the article doesn't make any
21 exception, it says the transcript may
22 be used, it doesn't say a portion of
23 the transcript may be used.

24 MR. ALCOCK:

25 Mr. Dymond knows well if he is referring to

167

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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a witness who is not available, then
the transcript would be read. This is
not strictly under impeachment.

MR. DYMOND:

I don't know if this witness is available
at all. This is a police officer.

THE COURT:

Let me take a look at this, let me take a
look at this. I think you are re-
ferring to the third paragraph, is
that correct?

MR. DYMOND:

The last paragraph, yes.

MR. WILLIAM WEGMANN:

Read the comment, Judge, under (c).

THE COURT:

I will overrule the State's objection under
the authority of the third paragraph
of Article 295. You may proceed.

BY MR. DYMOND:

Q "Q What were these whiskers put on with,
pen and ink or what?

"A It was a pencil and they started in pencil.
At first they asked me to do it in Baton
Rouge if I could, but all I did was draw

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-626 (JFK ACT)
NARA DATE 12/28/93

1 straight lines and that did not fit. I
2 said that was not him so they -- somebody
3 that knew about art or something -- Mr.
4 Jano."

5 Do you deny having testified in that manner in
6 the preliminary hearing?

7 A No.

8 Q Now actually Mr. Jano did not put any whiskers
9 on that photograph until after you came to
10 New Orleans, did he?

11 A Right.

12 Q Is it not a fact then that you did not identify
13 a photograph as the roommate in Baton
14 Rouge, as you previously testified?

15 A Is it not a fact that I did not?

16 Q That is correct.

17 A I did identify a photograph in Baton Rouge.

18 Q Would you tell me here why you stated at the
19 preliminary hearing that you could not
20 identify, that you did not identify --

21 A If you will look at that one quote where you
22 said, "That is not him," would you read
23 that one little bit, "That is not him"?

24 Q I will read the whole answer for you.

25 A Just that little bit is all I need.

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-588 (JFK ACT)
NARA DATE 11/23/93

170

1 Q All right. "At first they asked me to, in
2 Baton Rouge, if I could, but all I did
3 was draw straight lines and that did not
4 fit. I said that was not him, so they had
5 somebody that knew something about art or
6 something --

7 A Mr. Jano. "That was not him," I used that on
8 several occasions, even in Baton Rouge I
9 used that expression I am almost sure, not
10 verbatim those words, and I used it in
11 New Orleans about three or four hours with
12 Mr. Jano. That picture he was drawing,
13 "This is not it either." He would go to
14 another -- this was not it either.
15 Essentially I said about the same thing,
16 but this doesn't bring up anything about
17 Baton Rouge.

18 Q And is that the only explanation that you have
19 for this?

20 A Isn't that the key, that you are saying that
21 was not him?

22 Q That is correct. The key is that I am asking
23 you whether you identified a photograph
24 of Lee Harvey Oswald as being a photograph
25 of the roommate while you were still in

Reference copy, JFK Collection: HSCA (RG 233)

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Baton Rouge.

A Absolutely.

Q And you have no other explanation as to why you made this statement in the preliminary hearing?

A I am saying essentially the same thing there, Mr. Dymond. I said that was not him, told that Mr. Jano three or four times.

Q Your testimony is after saying "It is not him," you got to a later picture and said, "That is him"?

A Right.

Q Then why did you refer to having to get somebody that knew something about art, Mr. Jano?

A Because Mr. Sciambra didn't know how to draw, and I tried and he tried, and I drew straight lines and I can't even -- I don't have good handwriting.

Q And Mr. Jano didn't touch the photograph until you got back in Baton Rouge?

A Mr. Jano -- that is right -- Monday.

Q Jano was not in Baton Rouge when Mr. Sciambra was talking to you, was he?

A No.

Q Well, are you denying then that you meant by this

RELEASED PER P.L. 102-628 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
 NARA DATE 11/29/13

172

1 testimony at the preliminary hearing that
 2 you did not identify the photograph until
 3 Mr. Jano put whiskers on it?

4 A Well, let me explain it this way: In Baton
 5 Rouge we never did resolve it in the sense
 6 of getting a correct photograph, in New
 7 Orleans the same thing, and even the final
 8 photograph, it was after a couple of hours.
 9 The final photograph that Mr. Jano did
 10 finally get wasn't perfect by any means,
 11 and I even told them that, but it was the
 12 best he had done. I was tired, but we went
 13 through seven or eight different editions,
 14 went through a book with beards in it, and
 15 I said, "No, that is not it," and "That is
 16 not it," and "That is not it," so some of
 17 the photographs that he did draw -- he was
 18 dark or he was light or he missed something
 19 or didn't have something, and I said, "That
 20 is not him either."

21 Q (Exhibiting photograph to witness) I show you a
 22 photograph which I have marked for identifi-
 23 cation "D-7," and I ask you whether that is
 24 the photograph that you ultimately identi-
 25 fied as being one of the roommate.

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 108-526 (JFK ACT)
NARA DATE 11/28/93

1 A Right.

2 (Whereupon, the document referred
3 to by Counsel was duly marked for
4 identification as "Exhibit D-7.")

5 BY MR. DYMOND:

6 Q Did you identify this in Baton Rouge or New
7 Orleans?

8 A That was in New Orleans.

9 Q This was in New Orleans. Now, you testified
10 that the photograph which you ultimately
11 did identify, which would be "D-7," was
12 still not a perfect likeness of the room-
13 mate. Is that correct?

14 A Right.

15 Q Would you point out the imperfections for the
16 benefit of the Jury? Mr. Russo, I think
17 it will be better, for the benefit of the
18 Jury, if you refer to the exhibit which has
19 been marked "State-19," which I think the
20 State will stipulate is a blowup of the
21 photograph marked for identification "D-7."

22 MR. ALCOCK:

23 If he is not 100 per cent sure --

24 A It appears to be.

25 BY MR. DYMOND:

Reference copy, JFK Collection: HSCA (RG 233)

1 Q -- and point out the imperfections that you
2 have referred to in your testimony, for
3 the Jury.

4 A Well, some of the darkness right here by the
5 nose, the nose column, a little bit under-
6 neath the nose, this is something that even
7 I can remember talking to Mr. Jano about
8 and telling him -- said it was kind of
9 dirty. He darkened up a little bit here,
10 up here, and things like that. It wasn't
11 curly here, this was not curly (indicating).
12 This I guess is all right more or less.

13 Q When you say "this was not curly," you mean the
14 beard?

15 A In other words, the lines we drew here, we tried
16 straight lines and that wasn't any good,
17 and he started these curly lines. Some of
18 it looks all right but some of it doesn't
19 look any good. All these curls along here
20 (indicating) aren't that good.

21 Q Would you say that this overemphasizes the amount
22 of beard that the roommate had, according to
23 your testimony?

24 A Just a little.

25 Q A little bit?

1 A Yes.

2 MR. DYMOND:

3 If the Court please, in connection with

4 the witness's testimony we would

5 like to offer, file and produce in

6 evidence the photograph marked for

7 identification "D-7."

8 THE COURT:

9 Is there any objection?

10 MR. ALCOCK:

11 No objection.

12 THE COURT:

13 Let it be received.

14 MR. DYMOND:

15 The preliminary hearing marking is scratched

16 out.

17 BY MR. DYMOND:

18 Q When you say that photograph slightly over-

19 accentuated the beard on that person -- is

20 that right?

21 A Right.

22 Q -- was this a dark beard or a light beard?

23 A Well, it wasn't really a beard, something in

24 between a beard and whiskers, I mean

25 something in between a beard and whiskers.

175

RELEASED PER P.L. 102-626 (JFK ACT)

NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Rg 233)

RELEASED PER P.L. 102-536 (JFK ACT)
NARA DATE 11/29/93

1 Q Well, would you say a four or five days growth
 2 of beard or what?
 3 A Three or four.
 4 Q Three or four days?
 5 A In other words, a guy hasn't shaved for three
 6 or four days.
 7 Q Did you ever stay overnight at Dave Ferrie's
 8 apartment when this roommate was there?
 9 A No.
 10 Q Never did?
 11 A No.
 12 Q Did you know of any occasion upon which the
 13 roommate stayed there overnight?
 14 A No.
 15 Q I take it then that your reason for calling him
 16 a roommate was that Dave Ferry told you he
 17 was a roommate, is that right?
 18 A Right.
 19 Q And you have nothing to substantiate that, is
 20 that correct?
 21 A No.
 22 Q Now getting back to the number of times in toto
 23 that you saw this roommate, what was the
 24 total number of times?
 25 A Four.

Reference copy, JFK Collection: ESCA (Rg 233)

1 Q Four times?

2 A (The witness nodded affirmatively.)

3 Q Approximately for how long did you see him on
4 the first occasion?

5 A A few minutes.

6 Q Approximately how many?

7 A Oh, maybe ten.

8 Q How about the second occasion?

9 A Well, I didn't look at him all the time, but
10 that was when I was up at Louisiana Avenue
11 and there was a group of people around. He
12 was there, too, so --

13 Q You say that was a matter of hours up there?

14 A Right.

15 Q How about the third time?

16 A Just a few.

17 Q About how many minutes?

18 A Five.

19 Q And the fourth time?

20 A Say about the same thing.

21 Q Where did you see him this fourth time?

22 A Up at Ferrie's place.

23 Q Up at Dave Ferrie's place?

24 A Right.

25 Q And is it my understanding that he was clean-

177

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

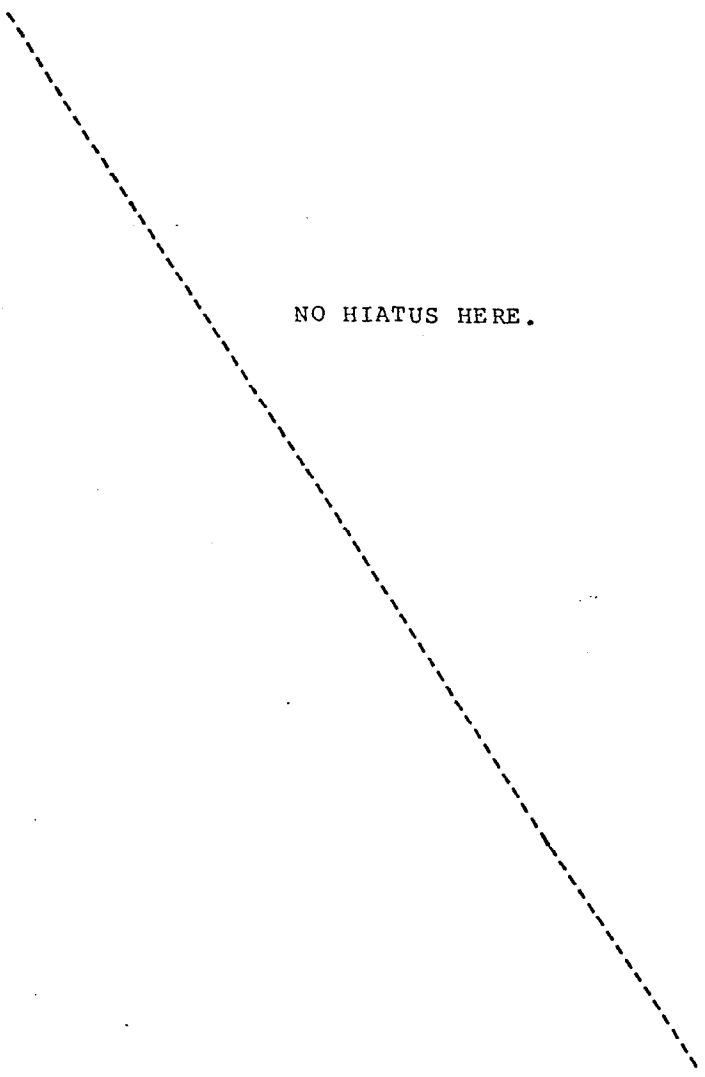
RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 12/29/23

178

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shaven at that time?

A Well, he was clean, you know, he had to be
clean-shaven, too. I saw him turn sideways,
didn't take much note. He was leaving town.
Well, he was just different that day, he
was clean.



NO HIATUS HERE.

Reference copy, JFK Collection: HSCA (RG 233)

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1 Q You didn't see any whiskers then, is that
2 right?

3 A No, I really didn't take note of the, no, I
4 didn't see them. He might have had it but
5 I don't think he did, you know, because
6 he turned sideways and he was talking --
7 he wasn't talking to me -- and he was
8 leaving, so I just left.

9 Q Now, Mr. Russo, when you wrote your letter
10 to the District Attorney's Office, had
11 you learned of the fact that Dave Ferrie
12 had died? Had you seen the announcement
13 in the paper?

14 A I'm not sure exactly. I was thinking about
15 that yesterday or the day before, and I
16 am not sure exactly if he had died or
17 was -- I saw his name, he was still alive,
18 but it was "David William" or "Woodrow
19 Ferrie," and then that evening I'm most
20 sure I caught his face on television, or
21 that afternoon. I don't think he was
22 dead at that time, but he might have
23 been, or it might have been the death
24 photo, or some photo.

25 Q Now, in this letter which you wrote to the

179

RELEASED PER P.L. 102-628 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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District Attorney's office -- I am speaking of the original letter that you wrote before having interviewed Mr. Sciambra -- did you make any mention of any conspiratorial meeting?

A No, sir.

Q Did you mention the word "Leon," the name "Leon Oswald"?

A No, sir.

Q Did you mention the name "Clém" or "Clay Betrand"?

A No, sir.

Q Did you mention the name Clay Shaw?

A No, sir.

Q Did you mention the name "Lee Harvey Oswald"?

A No.

Q I take it you did not mention the name "Oswald" in any form, is that correct?

A No.

Q Mr. Russo, did you happen to keep a copy of that letter?

A No.

Q Was it typed or handwritten?

A It was typed.

Q And was that directed to Mr. Jim Garrison,

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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District Attorney for the Parish of
Orleans?

A I probably put on there -- I probably put it
that way on the envelope, but all it said
I think was "To whom it may concern."

Q Do you remember the content of that letter?

A Almost.

Q Would you tell us what it was?

A Well, it says I will be -- says I live in
Baton Rouge and I at one time knew
Dave Ferrie. I heard him say that we
will kill the President, won't be long.
If you would like me to make a statement
I will be in New Orleans on the 25th --
that would have been Saturday -- on the
25th of February until the 26th if you
could please have someone at the
District Attorney's office at 6:00 p.m.
that evening.

Q Mr. Russo, as a matter of fact didn't that
letter merely say that you knew Dave
Ferrie and many of his friends?

A Yes.

Q And that you would be very glad to tell the
District Attorney what you knew about

RELEASED PER P.L. 102-626 (JFK ACT)
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Reference copy, JFK Collection: ESCA (RG 233)

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it?

A It said that.

Q And it did not go into any more detail than that, did it?

A It said, "We will kill him, it won't be long." I figured that was -- if they were interested I was sure they would be interested in that.

Q Did that letter mention the name of President John F. Kennedy?

A No, I don't think it did.

MR. DYMOND:

If The Court please, at this time we will call for the production of the original of that letter which was sent to the District Attorney's Office.

MR. ALCOCK:

Your Honor, the State would like to oblige. However, frankly, we have never found the letter.

THE COURT:

I beg your pardon?

MR. ALCOCK:

We don't know where the letter is. I

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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don't know of anybody in the District
Attorney's Office that ever received
the letter. I will, however, tonight
make a diligent effort to locate it,
but I think this was the same
situation we were confronted with at
the preliminary hearing. I don't
know, I know I have never personally
seen the letter and I don't know of
any member of our staff that has.

183

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/28/93

Reference copy, JFK Collection: ESCA (Rg 233)

NO HIATUS HERE

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

1 Q Mr. Russo, was this letter ever returned to
 2 you by the Postal Department?
 3 A No, sir.
 4 Q When the first representative of the District
 5 Attorney's Office contacted you, how was
 6 it done?
 7 A LSU was playing baseball that afternoon over at
 8 the field, and I went over to the baseball
 9 game and watched the baseball game. Mr.
 10 Sciambra showed up there, which I didn't
 11 know who he was, just came to the baseball
 12 game -- it was a practice game -- came to
 13 the game. I went home and he showed up
 14 afterwards.
 15 Q Now, when Mr. Sciambra contacted you, did he
 16 make any mention of their having received
 17 the letter from you?
 18 MR. ALCOCK:
 19 Objection, Your Honor. I think Mr. Sciambra
 20 -- anything Mr. Sciambra said at that
 21 time would be hearsay.
 22 MR. DYMOND:
 23 Your Honor, that isn't hearsay at all. Mr.
 24 Sciambra is here in Court. I am trying
 25 to find out from this witness whether

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/29/93

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Mr. Sciambra acknowledged receipt of the letter. Apparently the letter can't be found and we are inquiring into that.

THE COURT:

It is hearsay whether Mr. Sciambra is in Court or not. That doesn't circumvent the hearsay rule. He could tell you what he said but not what Sciambra told him. We have been ruling on that consistently.

MR. DYMOND:

If the Court please, I submit that this is certainly an exception to the hearsay rule where a statement made by one of the attorneys in the case to a witness is the issue before us. I don't think there is any question about it.

THE COURT:

Rephrase your question. Let's see if I understand it better.

BY MR. DYMOND:

Q When Mr. Sciambra first contacted you --

MR. ALCOCK:

If Your Honor please --

Reference copy, JFK Collection: HSCA (RG 233)

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THE COURT:

I will give you a chance to be heard before the end.

BY MR. DYMOND:

Q When Mr. Sciambra first contacted you, did he mention that the District Attorney's Office had received your letter and that it was in response to that letter that he was contacting you?

THE COURT:

All right. Mr. Alcock, what is your objection?

MR. ALCOCK:

My objection was, Your Honor, that it was hearsay. Of course, I do obviously acknowledge that Mr. Sciambra is in the Court. I might announce to the Court at this time that we will put Mr. Sciambra on the stand.

THE COURT:

I am going to overrule the objection anyway. I think he can say yes or no without going into details.

BY MR. DYMOND:

Q Would you answer the question, please.

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: NSCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/22/93

187

1 A No, he didn't mention the letter at all; I
2 asked him about it.
3 Q I see. Did he acknowledge having received the
4 letter or that it was received by the
5 District Attorney's Office?
6 A Well, he didn't say for the District Attorney's
7 Office, he said he hadn't received it.
8 Q Did he tell you what prompted him to come up to
9 Baton Rouge and see you?
10 A As I recollect, I think he said he saw me on
11 television.
12 Q Now, after you wrote this letter to the District
13 Attorney's Office, did you grant any tele-
14 vision or radio interviews?
15 A On the 24th, which was Friday -- I had stated
16 in the letter that I was going to New
17 Orleans on the 25th, which was Saturday,
18 because I generally twice a month went to
19 New Orleans for a weekend, but on the 24th
20 I changed my mind because of the baseball
21 game that Saturday, that pending baseball
22 game, and so I called the Baton Rouge De-
23 tective Bureau and told them essentially
24 about that, about the letter and about Dave
25 Ferrie, and he said -- I told him I wanted

Reference copy, JFK Collection: SSCA (RD 233)

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/23/93

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to -- would he take a statement, and he said send it to Garrison, or send it to the DA's office. He said, "Well, are you going to New Orleans soon?" I said, "Probably in a couple of weeks or maybe next week-end."

Q Now, Mr. Russo, is it not a fact that at this time, that is, the time that you have just referred to, you still considered this an inconsequential bull session, and that is the reason that you would not even pass up a baseball game to come down and talk to the District Attorney about it?

A Well, essentially your point -- I agree with the point. I didn't know at that time whether it was important or it wasn't.

Q Now, do you know a reporter by the name of Jim Kemp?

A From WDSU?

Q He was with --

A He is from WVUE now.

Q He was with WVUE, that is correct.

A He is with WVUE now, he was with WDSU.

Q That is correct.

A Right, yes.

Reference copy, JFK Collection: HSCA (RG 233)

1 Q Did you grant him a television interview?
2 A On Channel 9, Baton Rouge.
3 Q At any time in that television interview, did
4 you make any mention of a conspiracy meet-
5 ing?
6 A No.
7 Q At any time in that interview did you mention
8 the name Oswald?
9 A Oswald? No.
10 Q Did you mention the name Clay or Clem Bertrand?
11 A No.
12 Q Now, is it not a fact that the day after you
13 either wrote or mailed your letter to the
14 District Attorney's Office, that you
15 granted an interview to a Mr. Bill
16 Bankston, who at that time was, and still is,
17 a reporter for the Baton Rouge States Times?
18 A Well, I thought his name was Ray Bankston, but a
19 Mr. Bankston with the States Times, yes,
20 sir.
21 Q At any time during your interview with Mr.
22 Bankston, did you mention a conspiratorial
23 meeting?
24 A No, sir.
25 Q Did you mention any plan to assassinate President

189

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 Kennedy?

2 A With Mr. Bankston?

3 Q Right.

4 A No, sir.

5 Q Did you mention the name Oswald?

6 A No, sir.

7 Q Did you mention the name Clay or Clem Bertrand?

8 A No, sir.

9 Q Did you mention the name Clay Shaw?

10 A No.

11 Q Now I will read you what purports to be a direct
12 quote of what you told Mr. Bankston in
13 that interview, and I will ask you whether
14 you have any quarrel with the fact that
15 you did tell him this.

16 MR. ALCOCK:

17 May I see that, Your Honor, before Counsel
18 reads it?

19 MR. DYMOND:

20 Sure (exhibiting document to Counsel).

21 BY MR. DYMOND:

22 Q I repeat, Mr. Russo, I will read to you what
23 purports to be a direct quote of a statement
24 of yours to Mr. Bill Bankston, and ask you
25 whether you have any quarrel with the fact

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that this was said by you:

" 'I never heard of Oswald until on television after the assassination,' Russo said. He said, 'David W. Ferrie never mentioned Oswald's name.' "

Do you deny having said that to Mr. Bankston?

A Not the exact quote -- no, I don't deny -- in essence, yes, but not -- I don't know as far as exactly, no.

MR. ALCOCK:

Are we going to read another one?

MR. DYMOND:

I will show it to you first (exhibiting document to Counsel).

NO HIATUS HERE.

191

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/23/23

Reference copy, JFK Collection: HSCA (RG 233)

1 BY MR. DYMOND:

2 Q Mr. Russo, do you deny that you told to
3 Mr. Bankston that it was about a month
4 before the assassination of President
5 Kennedy that David Ferrie told you, "We
6 will get it him and it won't be long"?

7 A He said that several times, that was probably
8 one of them, right around --

9 Q That would be a month before the assassination?

10 A Not exactly, I wouldn't know even if I would
11 want to hold to that date, but he said
12 that on several occasions, that or one
13 or another offspring in the same essence.

14 Q But that is what you told Bankston, is that
15 correct?

16 A I am not going to argue you with you the
17 quote on it because I don't know the
18 exact words, but essentially that, prob-
19 ably, yes.

20 Q Now I will read to you supposedly your verbatim
21 description of the statement by Ferrie,
22 and ask you whether you deny having so
23 described it to Mr. Bankston:

24 "It was just a general conversation,"
25 Russo said."

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/29/93

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MR. ALCOCK:

Now, Your Honor, is he referring to the statement he just read or some other statement?

MR. DYMOND:

No, the statement that I just read.

MR. ALCOCK:

All right. Go ahead.

THE WITNESS:

What was just a general conversation?

BY MR. DYMOND:

Q The statement about David Ferrie, that "We will get him and it won't be long."

A Like I told you, he said that up at the Parkway -- I mean up at the apartment, he said that before, something of that essence, and it was a general conversation tone to it. He said that. He became quite obsessed during the Summer with Kennedy and he said it on a couple of occasions.

Q Did you describe Ferrie to Mr. Bankston as a "screwy but sharp in a brainy way person"?

A I don't know about those words, but I described him that way. He is a paradox,

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screwy but sharp. He was a paradox.

Q Now, what would you mean by "screwy but sharp"?

A In other words, the man claimed to speak eleven languages, and yet what was he doing for a living? When I knew him at Kenner I didn't know much about Eastern Airlines, if he was working for them or not. I heard that he was, but then between that and the next part of the Summer I don't think he had a job. He might have. In other words, he was a paradox of a personality. He wore quite often baggy dirty clothes, and he had a mind I thought very sharp, and when it came down -- if you are going to speak eleven languages and claim to have five degrees, it would seem that you would be doing something more than what you are doing right now. That was the logical question, although I never asked him that.

Q And would that be what prompted you to call him screwy?

A Well, he was prone toward the fantastic, yes, the whole thing perhaps -- "screwy," if I

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use that word it was a bad word, because he was prone toward the fantastic and you couldn't tell what the man could back up. The first instance that I had to meet him, I figured I knew everything there was to know about politics and I argued with him about something or other, because I was first or second year in school, and he quoted me book, chapter and verse of someone -- William James, or it could have been Hobbs or anybody else -- but that strong, and yet for what apparent purpose? None. He seemed to lack a purpose, or at least a purpose that I knew about.

Q Mr. Russo, do you mean to infer that Ferrie was a little on the crazy side, or not?

A Well, I always thought so.

Q You did think so?

A Yes.

NO HIATUS HERE

195

RELEASED PER P. L. 102-526 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

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Q Now, you have testified just a short while ago that you were on the fence as between believe that this was just a bull session and something serious, is that correct?

A In February of '67?

Q In February of '67.

A Right.

Q I will read to you a direct quote from this same article and ask you whether you have any quarrel as to whether you said it or not:

"Russo said he did not take any of Ferrie's statements seriously until he saw Ferrie's picture in connection with Garrison's probe."

Do you deny having said that?

A No. Well, a couple of other things need to be thrown in there, too. That essentially is correct, that I didn't take much of what he said seriously, I stated that in the preliminary hearing. You didn't know whether to believe the man or not to believe the man, so, in other words, I was indifferent, didn't make an opinion one way

196

RELEASED PER P.L. 108-686 (JFK ACT)

Reference copy, JFK collection: ESCA (RG 233)

1 or the other. So when it comes to this
2 stuff, all the fantastic things that he
3 had claimed in the past didn't ever occur
4 the way he said it occurred or said they
5 would occur or said that he had done them,
6 all this flying -- he had been in the Bay
7 of Pigs -- that is what he told me, he
8 told somebody else something different --
9 he was flying people out of Cuba and
10 flying them back into Cuba, he was train-
11 ing guys 17 or 18 years old with army caps
12 and wooden rifles to invade Cuba -- Anybody
13 that tells me that has got to be a little
14 -- is he training somebody? I don't know.
15 So you become indifferent to him, except
16 he had the ability to back up, mentally
17 at least, what he said.

18 Q Now, Mr. Russo, isn't it a fact that the conver-
19 sation that you say that you heard up there
20 at this party, as you have termed it, could
21 just have well been an inconsequential
22 bull session as any actual serious statement
23 about a conspiracy to kill Kennedy?

24 MR. ALCOCK:

25 Objection, Your Honor, on the ground that

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 12/28/93

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Mr. Dymond has injected the word
"conspiracy." This gentleman is not an
attorney at law and --

MR. DYMOND:

I will rephrase the question to take the
"conspiracy" out of it.

THE COURT:

All right.

BY MR. DYMOND:

Q Is it not a fact that the conversation you
heard up there could have just as well
have been an inconsequential bull session
as it could have been anything serious?

A Yes.

Q Your answer is yes, Mr. Russo?

A Yes, sir.

Q Isn't it also a fact, Mr. Russo, that you have
told people that very thing?

A That what?

Q That it could very well have been just a bull
session?

MR. ALCOCK:

Objection, Your Honor. Mr. Russo's
appreciation -- this question calls
for a conclusion or an opinion from a

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)

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nonexpert witness.

MR. DYMOND:

If The Court please, this man was there.

THE COURT:

I believe Mr. Dymond is asking him his impression as a citizen, as an ordinary human being and not as an attorney, and I think he should answer the question.

MR. ALCOCK:

Very well.

MR. DYMOND:

Would you please read the last question back?

(Whereupon, the question was read back as follows: Question: Isn't it also a fact, Mr. Russo, that you have told people that very thing? Answer: What? Question: That it could very well have been just a bull session?)

BY MR. DYMOND:

Q Haven't you, Mr. Russo?

A Right, yes.

MR. DYMOND:

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Your Honor, could we take a few minutes
break at this point?

THE COURT:

All right. It is ten and a half after
4:00. Take the jury upstairs and
we will take a five-minute recess.

(Whereupon, a brief recess was
taken.)

200

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

NO HIATUS HERE

1 AFTER THE RECESS:

2 MR. DYMOND:

3 Your Honor, I am exhibiting something to
4 the State now before I use it.

5 MR. ALCOCK:

6 Is there a date on it?

7 MR. WILLIAM WEGMANN:

8 It is February 24.

9 BY MR. DYMOND:

10 Q Now, Mr. Russo, after you granted the interview
11 to Mr. Bankston of the Baton Rouge States
12 Times, do you remember the names of the
13 other reporters, either radio, television
14 or newspaper, to whom you granted inter-
15 views in Baton Rouge?

16 A There was Jim Kemp, that was in Baton Rouge.

17 Q I see.

18 BY THE COURT:

19 Q What was the name?

20 A Kemp, K-e-m-p. This was a fellow from WAFB.

21 I am not sure of his name.

22 BY MR. DYMOND:

23 Q Was that radio or television?

24 A That is television, Channel 2, and there was a
25 fellow from Channel 4, Carrick.

201

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/13/93

Reference copy, JFK Collection: ESCA (Pg 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

202

1 Q Carrick?

2 A C-a-r-r-i-c-k -- I am not sure -- I think.

3 Q Go ahead. I am sorry.

4 A That was about it. I think there may be a
5 couple of others.

6 Q So that then would be a total of three in addi-
7 tion to Mr. Bankston. Is that correct?

8 A Right.

9 Q Would I be correct in saying that in none of
10 these three interviews did you mention a
11 conspiratorial meeting?

12 A No.

13 Q Would I be correct in saying that?

14 A Right.

15 Q I see. Would I be correct in saying that in
16 none of these three interviews that you
17 mentioned the name Oswald?

18 A No. Right.

19 Q You did not mention it?

20 A Right.

21 Q Would I be correct in saying that in none of
22 these three interviews did you mention the
23 name Clem or Clay Bertrand?

24 A Right.

25 Q Now, Mr. Russo, I am going to show you a type-

Reference copy, JFK Collection: HSCA (RG 233)

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written transcription of what purports
to be a recording of the interview which
you granted to Mr. Jim Kemp of Station
WAFB in Baton Rouge.

MR. DYMOND:

I have marked this exhibit for identifica-
tion "D-3."

(Whereupon, the document referred
to by Counsel was duly marked for
identification as "Exhibit D-2.")

BY MR. DYMOND:

Q (Exhibiting document to witness) Mr. Russo, I
will ask that you examine it and tell me
whether it appears to you to be a faithful
transcription of the interview which you
granted Mr. Kemp.

A You want me to read it all the way?

Q To yourself, yes.

THE COURT:

Read it to yourself.

(There was a brief pause in the
proceedings.)

THE WITNESS:

I am finished it.

BY MR. DYMOND:

203

RELEASED PER P. L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q Would you say, Mr. Russo, that that is a faith- 204

2 ful copy of the interview?

3 A Probably. I mean I can't be exactly sure in the
4 words.

5 Q You see nothing in here though that you would
6 quarrel with as having been said by you
7 to Mr. Kemp?

8 A No, not that I would quarrel with, no.

9 Q I see.

10 MR. DYMOND:

11 If the Court please, in connection with
12 the testimony of the witness we would
13 like to offer, file, and produce this
14 transcript in evidence, the same
15 having been marked for identification
16 "Exhibit D-8."

17 THE COURT:

18 Let me show you something, Mr. Dymond.

19 Article 403 states:

20 "Whenever the credibility of a witness is
21 to be impeached by proof of any state-
22 ment made by him contradictory to his
23 testimony, he must first be asked
24 whether he has made such statement and
25 his attention must be called to the

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 108-686 (JFK ACT)
 NARA DATE 12/23/23

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time, place and circumstance, and to the person to whom said statement was made, in order that the witness may have an opportunity of explaining that which is prima facie contradictory. If the witness does not distinctly admit making such statement, evidence that he did make it is admissible."

Here is a statement that more or less comes under the point. The rule of this article as to necessity for laying a foundation . . . whether the contradictions are offered to impeach the credibility of the witness or to show his malice to the accused. If the witness admits the contradictory statement, there can be no proof thereof offered though it be to show the falsity of the witness's explanation of why he made such statement."

(The above quotation transcribed without reference to the source.)

MR. DYMOND:

If the Court please, I have no quarrel with that.

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THE COURT:

The witness is here, has admitted making
the statement. Under the rule, since
he admits it, you can offer no proof
of it.

MR. DYMOND:

If the Court please, I have no quarrel with
that rule of law at all.

THE COURT:

If he admits it. If he denies it you can
offer proof, but if he admits it you
are estopped.

NO HIATUS HERE.

206

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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MR. DYMOND:

It is just a question of whether I go through this transcript, take each individual question and read it to him and ask whether he made it. I would be happy to do that.

THE COURT:

He has already admitted he made that statement. How can you ask the questions?

MR. DYMOND:

Your Honor, the Jury has no way of reading what statements he read.

THE COURT:

According to the Code, it is right to the question of credibility. He may be caught in a contradiction, but if he admits making it, you cannot offer the transcript.

MR. DYMOND:

I will ask him each statement.

THE COURT:

You have already given it to him to read.

MR. DYMOND:

If The Court please, I did that merely for

Reference copy, JFK Collection: ESCA (RG 233)

RELEASED PER P.L. 102-636 (JFK ACT)
NARA DATE 11/23/93

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him to familiarize himself with it.
We have to get the information to
the Jury.

THE COURT:

Let me hear from the State.

MR. ALCOCK:

Your Honor, I concede the dilemma

Mr. Dymond is in. If Perry Russo
has admitted making essentially the
statements made in there, the only
way Mr. Dymond could get it to the
Jury would either be to read it to
the Jury or to ask question by
question of the witness. I have no
objection.

THE COURT:

All right. You want to read the state-
ment?

MR. DYMOND:

I would like to read it to the Jury.

THE COURT:

What is it marked?

MR. DYMOND:

Defense No. 8.

THE COURT:

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

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You may read it if the State has no objection.

MR. DYMOND:

I take it The Court has accepted it in evidence?

THE COURT:

Any objection, Mr. Alcock?

MR. ALCOCK:

No.

THE COURT:

Let it be received.

NO HIATUS HERE

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (R# 233)

1 MR. DYMOND:

2 (Reading) INTERVIEW OF PERRY R. RUSSO by
3 JIM KEMP, taken in Station WAFB, Baton
4 Rouge, Louisiana.

5 BY MR. KEMP:

6 Q Mr. Russo, I wonder if you could tell us
7 how did you come to know David Ferrie and
8 how well did you know him?

9 A Well, I came to know Dave Ferrie back in
10 New Orleans through a friend of mine who
11 was at that time a member of the Civil
12 Air Patrol, and actually, what transpired
13 was the friend was having difficulty at
14 home, and after talking to his family,
15 the family blamed it on the guy, Dave
16 Ferrie, and they said that he was messing
17 up the boy's mind, he was making him
18 want to leave home, he was going to
19 alienate him away from the family. So I
20 said, 'Well,' I said, 'there was probably
21 nothing they could do,' because I had
22 played ball a long time and had been asso-
23 ciated with Al -- that's the boy -- for
24 some time, and what actually happened was
25 that I intervened and got on Al's side

RELEASED PER P.L. 102-58 (JFK ACT)
NARA DATE 11/27/93

Reference copy, JFK Collection: ESCA (Pg 233)

1 and began to talk him away from Dave
2 and finally he told Dave he didn't want
3 to see him, didn't want to have anything
4 to do with him. At that time, Dave made
5 a personal threat against my life.

6 Q Dave Ferry did?

7 A Right.

8 Q Did you ever hear Ferry make any threaten-
9 ing remarks about President Kennedy?

10 A Well, during the -- '63, that was an ex-
11 tensive period of time that I knew him, in
12 '62 and '63. Ferry was obsessed more or
13 less with the idea of Kennedy and what he
14 was doing to Cuba or to Castro, and what
15 Dave Ferry was -- actually, at any
16 instance coming over to the house. For
17 one thing, I lived on Elysian Fields in
18 New Orleans, and he would come over at
19 night, you know, uncalled, anything like
20 that, as was his habit. And we would
21 talk, and generally speaking, I was a
22 Republican. I was against Kennedy in
23 general, you know, for policies. And
24 that was the opening door and he could
25 elaborate on the issue, and quite fre-

RELEASED PER P.L. 102-584 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

quently, and this is especially during the summer, he talked in general terms, not specifically about Kennedy, about how easy it would be to assassinate a president of the United States because of the fact he was in public view so much and unprotected more or less and there was so many people and the availability of exit and the fact that he could drive a plane to get out of the country, and he used to just posingly -- jokingly pose the question that, you know, he and I could do it; you know, just in a joking way, he said it could be done. And that was all of the conversation during the summer.

17 Q Did he ever make any more specific threat,
18 like get him?

19 A Well, right. Now, in late September or
20 During October, the month right prior to
21 the Kennedy assassination in November,
22 Dave Ferrie had occasion to come over
23 to the house on several instances and I
24 went to his place, and just passing, and
25 he made specific references that, in

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 talking about Kennedy, he said, 'We
2 will get him and it won't be very long.'
3 Now, the last time I can remember him
4 saying that was sometime in October, but
5 he was obsessed with that idea.

6 Q Did he ever mention Lee Harvey Oswald's
7 name?

8 A No.

9 Q No conversation at all about --

0 A No. I had never heard of Oswald until
1 the television of the assassination.

2 Q Did Ferrie ever mention that he was
3 involved in any way with any Cuban exile
4 group or with any other Cuban group or
5 with Castro?

6 A Well, now, he never did mention he was
7 in cahoots with any Cuban exile group.
8 He talked in the vein that Castro was
9 getting a bum deal from the papers and
0 the press and the United States and from
1 the United States Government itself by
2 the economic sanctions or what have you,
3 but primarily what he was doing here, and
4 I had reference to the three Spanish-
5 speaking guys that I would say possibly

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

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could have been from Cuba, but I am not sure of that, but what he primarily was saying was that -- or what he was doing, in fact, was he had a group of Civil Air Patrol boys and they were eighteen, nineteen, twenty, somewhere around there, and they were practicing jungle warfare. Now, to me, that was, you know -- anybody -- everybody is entitled to their own kick, but he said that they were practicing so later on in their life the individual boys could help complete the liberation of the South American countries and make them freedom loving and democracies and the rest of the terms he used.

Q Was he the leader of this training group of jungle warfare?

A He was, right.

Q Did he ever mention Castro specifically? Did he ever say that he had ever met him?

A No, he -- the only thing -- reference he had to Castro was the fact that he said that Castro was not as bad as what we pictured him here in the United States

RELEASED PER P.L. 102-628 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

-6

1 and he was a good thing in Cuba, and he
2 had changed the Cuban economy, and al-
3 though they were in bad years now, that
4 someday they would be in good years be-
5 cause he was a good leader, more or less.

6 Q Did you ever talk to any of the asso-
7 ciates of Ferrie's other than the fellow
8 that you knew? Did you meet anybody else?

9 A He had a roommate on the street parallel
10 with Louisiana Avenue, which I don't know
11 the name of the street, which one it it.

12 MR. DYMOND:

13 That is a typographical error; it must be
14 it is.

15 (Reading)

16 It may be Louisiana Avenue Parkway. I
17 think it is Louisiana Avenue Parkway.
18 But anyway, he had a roommate there. I
19 talked to him on several occasions, but
20 he was just sterile as regards to
21 politics. It seemed to be. He'd talk
22 about everything else.

23 Now, he had three Spanish speaking friends
24 who didn't say anything in English, in
25 front of me, anyway, and they spoke in

RELEASED PER P.L. 102-526 (JFK ACT)
NARA NAME/23/23

Reference copy, JFK Collection: ESCA (RG 233)

1 Spanish. They were dressed in green
2 fatigues, battle fatigues, and one had
3 a beard.

4 Now, on one instance, he and two of his
5 friends, the Spanish-speaking fellows,
6 came over to the house, and another
7 instance, I went up to his house and
8 dropped in and he had a Spanish-speaking
9 fellow there in battle fatigue.

10 Q You mentioned that there was something
11 involving hypnotism with Ferrie, that he
12 had practiced it?

13 A Well, Ferrie had shown me that he had
14 received, I think, a doctorate of
15 Psychology, he had received a medical
16 degree that he could practice, and three
17 other degrees, which I don't recall at
18 this moment, and in his house, his
19 first house that I met him in, which was
20 out near the Kenner area or the Metairie
21 area, he had surgery equipment which was
22 kept very clean and things like that,
23 and I had occasion -- that he gave us a
24 demonstration in hypnotism at that time.
25 Now, later on in talking to Al, Al Landry,

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Al told me that Ferrie had used hypnotism
2 on the members of the Civil Air Patrol
3 when he was making aggressions -- sexual
4 aggressions on them.

5 Q Let me ask you another question. Have
6 you contacted the District Attorney, Jim
7 Garrison? Have you talked with him about
8 this?

9 A No. I wrote the District Attorney
10 Garrison a letter which was mailed
11 Thursday. They should have gotten it
12 Friday, and I expected a reply by
13 Monday or Tuesday.

14 Q You haven't heard from Garrison yet?

15 A No.

16 Q Do you believe in your own mind that
17 he might have had anything to do at all
18 with the assassination in any way?

19 A Well, see, that I don't know, and, you
20 know, it would be just speculation.
21 Dave Ferrie had the ability because of
22 a keen mind and normal ability, say, in
23 the sense of airplane driving. Now,
24 whether or not he would have used that
25 is another thing. Obviously, his level

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 of approach to the United States
2 politics, that he disagreed with Kennedy,
3 and to a real obsessive point of view.
4 Now, what he would have done because of
5 that, I don't know. It's only con-
6 jecture that -- what I understand, that
7 what the papers are saying and the news
8 report on television is that Garrison
9 and New Orleans claims that Ferrie was
10 allegedly the pilot that would have
11 driven the conspirator out of the
12 country. Ferrie made the same remark
13 that he could do that. This was during
14 the summer in talking generally about
15 assassinations of presidents and how it
16 could be done. Now, whether he would
17 have done that ultimately, I don't
18 know, or whether he did do anything.

19 Q Let me ask you one final question. Why
20 have you never said anything about this
21 before? Didn't it strike you that it
22 might have some connection?

23 A Well, when the assassination, of
24 course, caught me by surprise and caught
25 everyone else, I would guess, when it

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

finally was over and the Warren Report -- Warren Commission was set up and they intended to go and examine all of the details and made claims that it was going to do everything extensively, and I left it to the professional. And they were supposed to come out with the verdict. Then they came out with the verdict that Oswald was the only man. So I forgot it. Then Garrison began his probe and subsequently got in the newspapers in New Orleans. And then later on on television everywhere and in that probe, he said that there was a conspiracy and he could prove it. It still didn't ring a bell anywhere along the line. I just -- it was far from me that I would, you know, ever have met a person that would have been a conspirator to kill the President of the United States.

Thereafter, when Dave Ferrie died, the name, I still doubted if it was the same guy. I just thought it was another Dave Ferrie. But when I saw his picture in the paper, then I knew it was the same

RELEASED PER P.L. 102-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: HSCA (RG 233)

1 man and I had just as well say something
2 to someone. And I wrote the District
3 Attorney the next day, and he should
4 have gotten in Friday. Now, I saw the
5 pictures this week.

6 Q You haven't talked with any federal
7 agents or anybody from the Warren
8 Commission about this?

9 A No, no one has contacted me. Actually,
10 the first time I made a remark about this
11 was today and -- to anyone in public
12 was today, and I don't know --

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15 NO HIATUS HERE.
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RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 BY MR. DYMOND:

2 Q Now, as I understand your testimony, Mr. Russo,
3 you have no quarrel with the accuracy of
4 that transcript, do you, sir?

5 A No, not essentially.

6 Q I see.

7 A A couple of words, you know, one word makes a
8 difference in a transcript, you read it as
9 "policies," this is "politics," it should
10 have been "politics."

11 Q If I read any words which materially changed
12 it, I wish you would call it to my atten-
13 tion.

14 A Right off, that would be the only one.

15 Q I said "policies" instead --

16 A It should be "politics."

17 Q I see. Now, after you came to New Orleans,
8 which would be subsequent to your interview
9 with Mr. Sciambra, I don't know that you
0 could call this an interview, but were you
1 not approached in front of the Criminal
2 Courts Building here by John Korbell of
3 Channel 12 and Doug Ramsey of Channel 6
4 after which approach certain statements
5 were made by you were televised?

RELEASED PER P.L. 102-536 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 A I am not sure of the two men, but it occurred,
2 yes, it occurred to a lot of people.

3 Q This occurred on March 1, 1967?

4 A Yes, I was approached by several people, and I
5 don't know exactly their names for sure.

6 MR. DYMOND:

7 I will show you this document.

8 BY MR. DYMOND:

9 Q Mr. Russo, I show you a document which I have
10 marked for identification "D-9," purporting
11 to be a transcript of an interview with
12 Perry Russo by John Korbell of Channel 12
13 and Doug Ramsey of Channel 6 conducted in
14 front of the Criminal District Court
15 Building, 2700 Tulane Avenue, New Orleans,
16 on March 1, 1967, and I will ask you to
17 examine that and tell me whether you have
18 any quarrel as to its being a faithful
19 reproduction of the statements made by
20 you on that occasion.

21 A (Referring to document) There are a couple of
22 -- do you want me to point them out?

23 Q Yes, I wish you would.

24 A All right, this is Steve right here in it, Bea.

25 Q He is referring to Line 9, Page 1, would you

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: HSCA (RG 233)

1 change that now?

2 A Yes (marking document). There would also be
3 an explanation of this, but this is --
4 there would be an explanation on Line 21
5 to that answer of No, because that obviously
6 was not the answer to the question on
7 Line 20, it was an answer to a previous
8 question.

9 Q Do you feel you gave an explanation at that
10 time?

11 A Oh, no, I was just walking out of the building.

12 Q I will give you an opportunity to make that
13 explanation.

14 A That is about it.

15 Q That's it?

16 A Yes, sir.

17 MR. DYMOND:

18 If the Court please, I understand there is
19 no objection from the State, and con-
20 sequently I will offer, file, and
21 produce in evidence the document marked
22 for identification "D-9."

23 THE COURT:

24 Any objection?

25 MR. ALCOCK:

RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 No objection.

2 MR. DYMOND:

3 I will ask permission to read it to the
4 Jury.

5 MR. ALCOCK:

6 No objection.

7 THE COURT:

8 You may read it.

9 MR. DYMOND:

10 This is an interview with Perry R. Russo
11 by John Korbell, Channel 12, and Doug
12 Ramsey, Channel 6, conducted in front
13 of the Criminal District Courts Build-
14 ing, 2700 Tulane Avenue, New Orleans,
15 Louisiana, on March 1, 1967, an inter-
16 view of Perry R. Russo, March 1, 1967,
17 outside of the Criminal Courts Building
18 Tulane Avenue and Broad Street, New
19 Orleans, Louisiana, by John Korbell of
20 WVUE TV, and Doug Ramsey of Channel 12,
21 by Mr. Korbell, "Q What is your con-
22 nection with David Ferrie?

23 "A I just knew him at one time or another,
24 Steve, you got a cab?

25 "Q Down here in New Orleans?

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/28/93

Reference copy, JFK Collection: SSCA (RG 233)

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

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"A Yes, down here, nowhere in Baton Rouge, it was just all down in New Orleans.

"Q How long have you been down, how long were you down here in New Orleans before you went to Baton Rouge?

"A Oh, I lived here all my life, all the way up to '65, and actually --

"Q By Mr. Ramsey: Do you know Clay Shaw?

"A Clay Shaw, no, I don't, I don't know Clay Shaw.

"Q Would they have been questioning you and he at the same time together?

"A No, not together, no,"

and by Mr. Korbell,

"Q Has the District Attorney been questioning you himself?

"A I would ask you that of the District Attorney."

THE WITNESS:

I would ask you to ask that, that is another correction, if you will.

MR. DYMOND:

I will ask you to ask that of the District Attorney? That for the record, that

Reference copy, JFK Collection: ESCA (RG 233)

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correction is made on Line 3 of Page
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BY MR. DYMOND:

Q Continuing on,

"Q Will you be taking a lie detector
test?

"A I don't know of any provisions for a
lie detector test.

"Q But you will be back tonight or to-
morrow?

"A We have done some tests but it has
not been a lie detector test.

"Q What kind of tests?

"A Well, that would be their business to
tell you about it.

"Q Was that electronic?

"A No.

"Q Is it on printed form?

"A No.

"Q Were they cross-examining you, so to
speak?

"A You know you get into a real tedious
situation, no, they were just question-
ing us.

"Q Have you been shown any pictures?

RELEASED PER P.L. 102-526 (JFK ACT)
NARA DATE 12/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 "A NO."

2 MR. DYMOND:

3 That is the answer that Mr. Russo said he
4 wanted to explain, and I will give
5 him an opportunity to do so.

6 BY MR. DYMOND:

7 Q It goes on:

8 "Q Can you divulge who was involved in
9 the pictures?

10 "A No, I cannot tell you who was -- well,
11 obviously you know Ferrie would be one
12 of them, obviously, but, I mean, I am
13 not going to divulge who was in the
14 pictures, no."

15 Now, Mr. Russo, you asked that I give you an
16 opportunity to explain the answer to this
17 question which appears on this transcript
18 to be just a flat no. The question was
19 "Have you been shown any pictures."

20 A Right. I was leaving the Court Building on
21 Broad Street side of walking out, that is
22 actually an answer to the previous question,
23 just a repeat, I think, I was trying to get
24 a cab at that time, and, you know, there
25 were two guys, one on each side, you said

1 they represented two different stations,
2 they were asking questions and so naturally
3 in answer to the previous question, I don't
4 think I heard that question.

5 Q By that do you mean this was in answer to this
6 question, "Were they cross-examining you,
7 so to speak"?

8 A Right, but I tried to answer that, and which was
9 the answer, right, would you read the
10 answer, please, so I will know what the
11 answer was to that question, were they
12 trying to cross-examine me.

13 Q It says, "You know you get into a real tedious
14 situation, no, they were just questioning
15 us."

16 A And I said "No" again, didn't I?

17 Q Then you were --

18 A This, I did not hear that question.

19 Q Now, getting back to your testimony as to the
20 first time or times that you think that you
21 saw Mr. Shaw, you have testified that you
22 have an idea that you may have seen Mr.
23 Shaw at a Republican Headquarters. Is that
24 correct?

25 A Right.

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/19/93

1 Q When would that have been?
2 A Oh, that would have been '58 or '59, something
3 like that.
4 Q Now, the Headquarters to which you refer, where
5 was it located?
6 A Well, it was down from the Trade Mart a couple
7 of blocks, could have been on a side street
8 or might have been on Camp, my recollection
9 was it was on the corner, I think on Camp
10 Street, up a couple of blocks from the
11 Trade Mart.
12 Q Now, was it your testimony that if this was
13 Mr. Shaw that you saw on that occasion,
14 that he was wearing a hat?
15 A At that time, yes.
16 Q Now, is it not a fact that in your testimony you
17 are doubtful as to whether this was actually
18 Mr. Shaw that you saw on that occasion?
19 A Well, a man just walked in, might have been
20 there 30 seconds or a minute, looked around
21 at a couple of the buttons, a couple of --
22 maybe bumper stickers or leaflets and walked
23 out.
24 Q But you would not say positively that was Mr.
25 Shaw at that time?

Reference copy, JFK Collection: ESCA (RG 233)

1 A I would not want to do that, right.

2 Q Now, Mr. Russo, getting back to the interview
3 which you granted to Mr. Bankston, the
4 Baton Rouge States Times reporter in Baton
5 Rouge, he quotes you as having told him
6 that Ferrie said to you, "We will get him
7 and it won't be long." When were you tell-
8 ing him that Ferrie had made that statement
9 to you, when did Ferrie say that?

10 A I was not very specific about that, we talked
11 about 45 minutes at the States-Times Build-
12 ing, and, no, I was not very specific about
13 that at all, I don't remember.

14 Q Do you know now at what particular time you have
15 reference to when you were relating Ferrie's
16 having told that to you?

17 A I know Ferrie said it two or three times, and
18 he said something similar to that at the
19 party, he said it before, in previous dis-
20 cussions, you know, when he would start a
21 15 or 20-minute speech, about Kennedy, or
22 he said it I think as late as October, but I
23 am not real sure at that time.

24 Q Now, you have also testified that you saw Mr.
25 Shaw at the Nashville Street Wharf or

23

RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Nashville Avenue Wharf upon the occasion
2 of President Kennedy's visit here in New
3 Orleans. Now, with whom did you go to
4 the Nashville Wharf?
5 A As I remember, it was a friend of mine from
6 Loyola.
7 Q Do you remember his name?
8 A I think it was Al Saizan.
9 Q Have you spoken with Al Saizan about this
10 incident to determine whether or not it
11 was he who was with you?
12 A About the Nashville Wharf?
13 Q That is correct.
14 A I had an occasion to talk with him once, but I
15 didn't even ask him about that.
16 Q Is that since your coming here to New Orleans
17 after meeting with Mr. Sciambra that you
18 spoke with Al Saizan about this?
19 A Well, I spoke with him but not about this, but
20 it was since, yes, I would guess it was
21 the summer of '67.
22 Q I see. And it is my understanding that you
23 considered it peculiar that Mr. Shaw was
24 not watching the President up there on
25 Nashville Avenue?

1 A That is what caught my eye, yes.

2 Q Is there any particular reason why you were
3 watching Mr. Shaw rather than watching
4 the President up there?

5 A Well, I was behind him about ten feet, 15 feet,
6 maybe, behind him, I went in the back of
7 the shed, and I was standing behind him,
8 and that is the first thing -- he is very
9 impressing physically, that might have
10 been the thing, it was not a point of him
11 not looking at the President all of the
12 time, because then if I knew that all of
13 the time, then I would not have been looking
14 at the President all of the time either, but
15 all of the time that I looked towards him
16 he was not looking at the President.

17 Q Did you know that Mr. Shaw was on Mayor Schiro's
18 Committee to greet the President at that
19 time?

20 A No, I did not.

21 Q You did not know?

22 A No, sir.

23 Q Had you known that, would you have considered it
24 peculiar that he was not looking at the
25 President up on the wharf?

23

RELEASED PER P.L. 102-586 (JFK ACT)

NARA DATE 11/29/93

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1 A Well, I would have considered it peculiar that 233
2 he was not somewhere up there instead of
3 way back here.
4 Q Now, you said that you think Mr. Al Saizan
5 who went up there with you, how did you
6 get up to Nashville Avenue Wharf?
7 A I think we drove over as far as we could.
8 Q In whose car?
9 A I am not sure, I think it was mine.
10 Q Was anyone else with you besides Al Saizan?
11 A Well, I am not sure it was Al Saizan, but there
12 was only two of us, just a friend of mine
13 and myself.
14 Q Now, getting to the account which you have
15 given of the talk that you heard on
16 Louisiana Avenue Parkway, where had you
17 been earlier on that evening?
18 A Well, probably up at Tulane or Loyola, I am
19 inclined to believe it was Tulane, we used
20 to go up there and play basketball there,
21 Rosenwald's, sometimes Loyola if we could
22 get in, and it was probably either Tulane
23 or Loyola.
24 Q Now, are you able to tell me who was with you
25 that night, who was playing basketball

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 12/29/93

Reference copy, JFK Collection: HSCA (Rg 233)

1 with you?

2 A Well, I did the same thing, you know, every
3 week, I did about the same thing, played
4 basketball a lot, most of the people came
5 to my house, sometimes we had small parties
6 there, I went to political meetings, this
7 Charlton Lyons thing was during '63, and
8 I cannot be sure who was there with me
9 although probably playing basketball, I
10 would think Kenny Carl was playing basket-
11 ball.

12 Q Let me ask you this: Are you conjecturing that
13 you must have been playing basketball that
14 night or do you have specific recollection
15 that you had been up there playing basket-
16 ball?

17 A No, I don't have specific recollection of it,
18 but I was up in that neighborhood up at
19 the University for some reason or another,
20 and the only reason I went up there was for
21 studies, class, education side and also
22 the athletics side.

23 Q You were attending the University at that time?

24 A In '62 I was attending Loyola.

25 Q Now, how about '63?

234
RELEASED PER P.L. 108-628 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

1 A In '63 I was attending Loyola.

2 Q All right. So you would have had occasion to

3 be up in that neighborhood for things

4 other than playing basketball?

5 A Well, classes, yes, that would be other things.

6 Q Is there any particular reason that you say that

7 you were probably playing basketball on

8 this particular occasion?

9 A Well, because I just remember having tennis shoes

10 on or being dirty or sweaty or something

11 to that effect, you know, that I was not

12 clean, probably played basketball.

13 Q Did you attend many football games here in

14 New Orleans or not?

15 A I used to follow Tulane regularly, but after a

16 while I stopped.

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18 NO HIATUS HERE.

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RELEASED PER P.L. 108-686 (JFK ACT)

NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)



2-1

1 Q Did you used to get dressed up to go to foot-
2 ball games or did you just wear casual
3 attire?
4 A Casual attire.
5 Q Would you sometimes wear tennis shoes to these
6 games?
7 A No, not very likely.
8 Q You would not say definitely no, though, is
9 that right?
10 A I would not say definitely not.
11 Q Do you remember having attended the Tulane-
12 Miami football game in 1963 when
13 George Myra was the quarterback for
14 Miami?
15 A I am sure I attended it.
16 Q Do you remember having seen George Myra play
17 here?
18 A No.
19 Q You say you are sure you attended that one,
20 could you tell us with whom you attended?
21 A Well, again, you know, I am not sure of who I
22 was with, I was more a baseball enthusiast
23 and basketball enthusiast more than foot-
24 ball, although during that period of a
25 year with football, I would go to the

236

RELEASED PER P.L. 102-528 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 games, I was an avid Tulane follower.

2 Q You went to just about all of the local Tulane
3 games, would you not?

4 A Yes.

5 Q And you had no specific recollection --

6 A I am sure I went with Peterson, I probably
7 went with Moffett, probably -- some of
8 the friends of mine from Loyola.

9 Q By Moffett, do you mean Sandra Moffett?

10 A Yes.

11 Q Niles Peterson?

12 A Right.

13 Q He is also known as "Lefty?"

14 A Lefty, right. I am sure that perhaps Kenny
15 Carter came to a couple of games, Kenny
16 Wink went to games.

17 Q Now, Mr. Russo, you have told us about going
18 to this party. Can't you remember where
19 you left from to go to that party?

20 A Well, no, not really. I am just inclined to
21 say I was out playing basketball that
22 night but I am not real sure of that.
23 I did essentially about the same thing
24 every week, you know, and which night it
25 was for what, I am not sure.

237

RELEASED PER P.L. 108-686 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q Do you recall what night of the week this was?

2 A No.

3 Q Can you give us a specific date?

4 A No.

5 Q Do you know whether it was a week-end night

6 or a night during the week?

7 A No, I know school had not started.

8 Q School had not started?

9 A No, it would not have made much difference as

10 to the week-ends versus the week on

11 account of that.

12 Q Now, you testified that some people other than

13 yourself actually went into David Ferrie's

14 apartment that night. Is that correct,

15 with you?

16 A Well, on the preliminary examination back in

17 March, at that time I stated I was not

18 exactly sure who I went with, I was sure

19 I was with people. Of course you did

20 ask me to become a little clearer and

21 you were asking me to state the names,

22 but essentially I am not sure who I was

23 with, I am almost sure I was with people.

24 Q You can't say who you were with?

25 A No, I had the same associates every night, I

RELEASED PER P.L. 108-628 (JFK ACT)

NARA DATE 11/28/93

Reference copy, JFK Collection: ESCA (RG 233)

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can remember more of what I did or what instances, for example, on basketball games, if there was a fight or someone scored 35 points in a game, I remember that more than I remember who was with me.

Q Would you have had a girl with you if you were going up to play basketball?

A Surely.

Q You would?

A Absolutely.

Q Would you say you do not remember who actually went into David Ferrie's house with you. Is that right?

A No, I would not be willing to state exactly who went.

Q I am reading to you from your testimony during the preliminary hearing commencing at the top of page 152 of the transcript, "You cannot name one of them, can you," and the answer is "There were friends there, I could tell you who I associated with at the time, I am sure it was one of them. Question, Can you name one of the three or four people who went with you to the

RELEASED PER P.L. 102-586 (JFK ACT)
NARA
DATE 11/23/73

Reference copy, JFK Collection: HSCA (RG 233)

RELEASED PER P.L. 102-626 (JFK ACT)
NARA DATE 11/23/93

240

2-5

1 Oswald apartment, the party which you
2 testified to, I meant Ferrie's apartment
3 in mid-September of 1963, Answer,
4 Peterson was with me that night, I am
5 sure he came inside, I will not testify
6 for him, but I am sure he came inside.
7 Question, Did he go to the house with you
8 in the same vehicle? Answer, Well, we
9 had two or three cars, we were up playing
10 basketball at that school, there was just
11 a bunch of people, a bunch of guys and
12 girls, we had either finished studying or
13 what, I don't know, what particular
14 reason we were up there at school, I was
15 always up there late at night, every
16 night, and so I just drove back, and I
17 don't think I was in my own car because
18 I don't think I had a car at the time,
19 who stepped in with me I am sure Lefty
20 did."
21 Could you tell me why at this time
22 you cannot say who went inside the
23 party with you?
24 A Well --
25 Q Just one moment, please. Whereas at the time

Reference copy, JFK Collection: ESCA (RG 233)

1 of the preliminary hearing you stated
2 that you were sure that Lefty Peterson
3 had gone in with you?
4 A Well, if you will check back, you will check
5 back a couple of pages on a couple of
6 pages before that, I am going to para-
7 phrase you here, I am not sure what your
8 question was, after some questions
9 concerning who was there and who was not,
10 I said I would not be willing to say, you
11 say how in the world can you remember how
12 a person was dressed and you can't remem-
13 ber who you were with, and I said well,
14 -- and then you kept pushing, now, I
15 had given you those after you pushed, and
16 I am willing to state possibly those
17 people were there, but I am not going to
18 swear to them being there.
19 Q But you did say that at the time of the pre-
20 liminary hearing that you were sure
21 Lefty Peterson was there, you don't
22 quarrel with that?
23 A That is an abridgement of my first position
24 there, and I maintain the first
25 position now.

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associated with the same people, and probably it could have been either those two or several others that I associated with at that time, but as far as me remembering who was there, I more remember the people that I saw than the people that I was with because I associated with the same people every day.

Q So you would not be willing to definitely say now that Sandra Moffett and Niles Peterson went into the party with you?

A I said that only after you had forced me into that position, I said it.

Q I forced you to say these two people were definitely with you?

A If you will let me have that for one minute, I will show you the question I was talking about, it is in there somewhere, right here, sir, I could not find it exactly, from about right here, sir.

Q Did you find the part that you have reference to?

A Page 150, after the 15th, you say, is the question, and the answer is yes, and then would you call the 20th the latter

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RELEASED PER P.L. 102-586 (JFK ACT)
NARA DATE 11/29/93

Reference copy, JFK Collection: ESCA (RG 233)

1 Q I'm referring now to the second to last ques-
 2 tion on the bottom of page 152, "Question,
 3 You are sure Lefty was in the car with
 4 you," and the answer is "I am sure he
 5 stepped up with me, I don't know if he
 6 was in another car or not." "Question,
 7 Well, give us the names of all of the
 8 other people who went there in all of
 9 the cars that went with you." "Answer,
 10 I don't remember all of the cars that
 11 went with me, inside I would say Lefty
 12 Peterson was there and Sandra Moffett,
 13 and that is all I can say, say definitely,
 14 would be willing definitely to say was
 15 there."
 16 Now, will you tell us why back at
 17 the time of the preliminary hearing you
 18 were willing to say definitely that
 19 Sandra Moffett went into the party with
 20 you and you testify now that you do not
 21 know who went in?
 22 A On Direct, the preliminary hearing as well as
 23 Cross on the preliminary hearing you asked
 24 me several times who was there and I kept
 25 giving you the same answer that I said, I

RELEASED PER P.L. 108-628 (JFK ACT)
 NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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part of the month, answer it would probably be the middle also, you have testified as to having attended this party at Ferrie's apartment in mid-September of 1963, how did you get up there to the apartment, and the answer, I was -- that I was brought up, by home, one or the other of my friends, one of the other of your friends is the question, and the answer is yes, and you don't remember what friend brought you up there, and the answer -- at that period of time, many people were with me at that time, the question is Russo, you don't -- you did not have very much trouble testifying -- and it goes on, by Mr. Ward, I would like to make an objection, he is assuming a fact, and it is argumentative, and Judge Bagert sustained it, and it goes on can you explain why your memory -- and Mr. Ward says I object, Judge Bagert sustains it, improper question, you are testifying that you don't know who took you there, and the answer is I am testifying I was with a bunch of people, how many people, maybe

RELEASED PER P. L. 102-526 (JFK ACT)
NARA DATE 12/29/93

Reference copy, JFK Collection: HSCA (RG 233)

1 three others besides myself, and you can't
 2 name one of them, can you, and Mr. Ward
 3 says I object, he never asked that ques-
 4 tion before, and Judge Baggart says
 5 objection overruled, you cannot name one
 6 of them, can you, there were friends
 7 there, I can tell you who I associated
 8 with at the time, I am sure it was one
 9 of them, and that is the position that I
 10 took at the preliminary hearing.

11 Q And it was because of that line of questioning
 12 that you stated that you could definitely
 13 say that Sandra Moffett and Lefty
 14 Peterson went inside, is that right?

15 A Because of that line of questioning that I
 16 could definitely say what?

17 Q That Sandra Moffett and Niles "Lefty" Peterson
 18 went into the party with you.

19 A At that time it would be a probable guess that
 20 one of those two or both of these two
 21 would have been with me, I associated
 22 with them as well as quite a few other
 23 people.

24 Q You don't state a probable guess as a definite
 25 fact when you are testifying, do you,

245
 RELEASED PER P.L. 102-586 (JFK ACT)
 NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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sir?

A You asked me over and over and I gave you an answer over and over and you still want the same question answered, and I am trying.

MR. DYMOND:

Do you want me to go on to something else?

THE COURT:

It is 5:31. I think this is a good time to stop.

Let everybody have a seat.

Do not discuss your testimony with any other persons, but of course that does not prevent the District Attorney from speaking to you, you are a State witness, but no one else should call you up and ask you about your testimony.

Gentlemen, we are going to adjourn for the evening. I will ask the Sheriffs to step in who are in charge.

Do not discuss the case amongst yourselves or with anyone else until

246
NARA
RELEASED PER P.L. 108-686 (JFK ACT)
DATE 11/23/93

Reference copy, JFK Collection: ESCA (Pg 233)

F-2-12

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it is finally given to you for your
verdict.

Let everybody have a seat.

Take charge of the Jury,
Sheriff, and have them here tomorrow
morning for 9:00 o'clock.

RELEASED PER P.L. 102-558 (JFK ACT)
NARA DATE 11/23/93

Reference copy, JFK Collection: ESCA (RG 233)

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C E R T I F I C A T E

I, the undersigned, Helen R. Dietrich. do
hereby certify:

That the above and foregoing (247 pages of
typewritten matter) is a true and correct transcription
of the stenographic notes of the proceedings had herein,
the same having been taken down by Charles A. Neyrey,
Paul W. Williams, and the undersigned, and transcribed under
our supervision, on the day and date hereinbefore noted,
before the Criminal District Court, Parish of Orleans,
State of Louisiana. in the matter of State of Louisiana
vs. Clay L. Shaw, 198-059 1426(30) Section C on the
10th day of February, 1969. before the Honorable Edward
A. Haggerty, Jr., Judge, Section "C".

New Orleans, Louisiana, this 10th day of
February, 1969.

Helen R. Dietrich

2.
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NARA DATE 11/29/93

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