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U.S. House of Representatives, Washington, D. C.
Select Committee on Assassinations March 16, 1977

TESTIMONY OF:

Santos Trafficante, Jr., PAGE
(Accompanied by Henry Gonzalez,
Esquire.) 7
The Committee met, pursuant to notice, at 10:32 a.m., in Room 2167, Rayburn House Office Building, the Honorable Louis Stokes (Chairman of the Committee) presiding. Present: Representatives Stokes (presiding), Preyer, Fauntroy, Burke, Dodd, Ford, Fithian, Edgar, Devine, Anderson, McKinney, and Thone.

Also Present: Richard A. Sprague, Chief Counsel and Staff Director; Ms. Rebecca Martin, Clerk of the Committee, and Mr. Tanenbaum.

The Chairman. The Committee will come to order.

At this time we will ask the witness if he will rise and be sworn.

Will you raise your right hand?

Do you swear or affirm that the testimony you will give before the Select Committee on Assassinations shall be the truth, the whole truth, and nothing but the truth, as you shall answer unto God?
Mr. Trafficante. Yes, sir, I do.

The Chairman. You do. Thank you, you may be seated.

Sir, would you please identify yourself for the record.

Mr. Gonzalez. Mr. Chairman, at this time I would like to identify myself. My name is Henry Gonzalez. I am an attorney at law in Tampa and Miami with offices at 620 Madison, Tampa, Florida, in Suite 1922; 1 Biscayne Tower, Miami, Florida.

The gentleman to my right is Mr. Santos Trafficante, Jr., and he is here pursuant to the authorized subpoenas, subpoenas that were served on him last Friday.

At this time, Mr. Chairman, I would like to invoke the provisions of Rule 6.3(2) relative to the taking of photographs, etc., as provided for in your rules, and on behalf of that witness I so request.

[Pause]

The Chairman. Under the provisions of the Rules of the Select Committee, Rule 6, and specifically subsection 6.3 which provides that no witness served with a subpoena by the committee shall be required, against his or her will, to be photographed at any hearing, or to give evidence or testimony while the broadcasting of that hearing by radio or television is being conducted. At the request of any witness who does not wish to be subjected to radio, television or still photography coverage, all lenses shall be covered, and all microphones used for coverage turned off.
The request of counsel is hereby granted.

Mr. Gonzalez. Thank you, sir.

The Chairman. All news media will cease at this point to do any photographing of any type, and you will in accordance with this provision, cut off all microphones and cease any photography whatsoever.

We will have to provide about ten minutes for the removal of this equipment before we can proceed.

[ A brief recess was taken ]

The Chairman. I have been assured that all equipment is off, and at this point we will proceed with the hearing.

Mr. Gonzalez. Mr. Chairman, I would like to make one further comment.

Mr. Trafficante was served with two subpoenas, one to appear personally, and the other, a subpoena duces tecum for production of certain records. I want to advise the committee that none of the requested documents does Mr. Trafficante have, and there is no production at all pursuant to that subpoena, and I just want to advise the committee to that fact, sir.

The Chairman. All right, thank you very much, counsel. I will direct at this point that counsel and the witness be provided with a copy of the rules of this committee.

Mr. Gonzalez. Thank you.

The Chairman. At this time we will ask that the clerk
read the two subpoenas which have been previously referred to, which were issued by this Committee on March 16, 1977, and which were subsequently served upon Mr. Trafficante.

By authority of the House of Representatives of the Congress of the United States of America, to Richard A. Sprague or any assistant designated by him, you are hereby commanded to summon Santos Trafficante, Jr., Tampa, Florida, to be and appear before the Select Committee on Assassinations of the House of Representatives of the United States, of which the Honorable Louis Stokes is Chairman, in their chamber in the City of Washington on March 16, 1977, at the hour of 10 o'clock a.m., then and there to testify touching matters of inquiry committed to said Committee, and he is not to depart without leave of said Committee. Herein fail not and make return of this summons. Witness my hand and the seal of the House of Representatives of the United States at the City of Washington this 9th day of March, 1977.

Chairman.

The Chairman. All right, you may proceed to read the other one.
of the House of Representatives of the United States, of which
the Honorable Louis Stokes is Chairman, and to bring with you
any and all notes, materials, documents, receipts, vouchers,
memoranda, correspondence from January 1958 to December 1964
relating to attempts to assassinate Fidel Castro, relating
to attempts to assassinate or the assassination of President
John F. Kennedy, relating to the groups and organizations known
as Alpha 66, International Anti-Communist Brigade, Nonanke
Group, and the Cuban Revolutionary Council, and relating to
release from prison in Havana, Cuba, in their chamber in the
City of Washington on March 16, 1977 at the hour of 10 o'clock, then and there to testify touching matters of inquiry
committed to said Committee, and he is not to depart without
leave of said Committee. Herein fail not, and make return of
this summons. Witness my hand and the seal of the House of
Representatives of the United States at the City of Washington
this 9th day of March, 1977.

Louis Stokes, Chairman.

The Chairman. Thank you.

Does counsel for the witness have any further motions at
this time?

Mr. Gonzalez. No further motions at this time, Mr. Chair-
man.

The Chairman. Thank you, Mr. Gonzalez.

At this time, then, we will ask Mr. Richard Sprague,
Chief Counsel for the Committee, to propound questions to the
Mr. Sprague. Mr. Trafficante, have you at any time been an employee, a contract employee, or in any manner been in the service of the Central Intelligence Agency, or any other agency of the Federal Government of the United States?
Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the 1st, 4th, 5th, 14th Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. González. Mr. Chairman, he is at this time upon advice of counsel exercising the rights under 5th pursuant to those provisions of the Constitution of the United States.

The Chairman. Counsel may proceed.

Mr. Sprague. Mr. Trafficante, did you know John Rosselli?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the 1st, 4th, 5th, 14th Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. González. Mr. Chairman, likewise, as previously announced, upon representation and advice of counsel, Mr. Trafficante shall maintain his constitutional rights to answer that question to refuse to answer that question.
The Chairman. Counsel for the Committee may proceed.

Mr. Sprague. Mr. Trafficante, did you know Sam Giancana?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Mr. Chairman, for the sake of brevity, I do make the same representations previously made and with the same directions.

The Chairman. Counsel may proceed.

Mr. Sprague. Mr. Trafficante, do you know Robert Maheu?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Counsel for the witness is directing, pursuant to the representations made by myself previously.

The Chairman. Counsel for the Committee may proceed.

Mr. Sprague. Mr. Trafficante, prior to November 22, 1963,
Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Same directive by counsel for the witness.

The Chairman. Counsel for the Committee may proceed.

Mr. Sprague. Mr. Trafficante, prior to November 22, 1963, did you advise other people of the assassination of President Kennedy?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. The same directive by counsel for the witness, Your Honor—Mr. Chairman.

The Chairman. Counsel for the Committee may proceed.
Mr. Sprague. Mr. Trafficante, prior to November 22, 1963, did you know Jack Ruby?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Same directive pursuant to the request of counsel for the witness.

The Chairman. Counsel for the Committee may proceed.

Mr. Sprague. Mr. Trafficante, have you ever met with representatives of the Central Intelligence Agency to discuss the assassination of various world leaders, including Fidel Castro?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Upon the directive of counsel for the witness, the same remarks previously made would apply to that
question also.

Mr. Sprague. Mr. Trafficante, is any agency of the United States Government giving you any immunity with regard to any plans to assassinate any world leaders?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. At this time, Counsel for the witness also has the same directive as previously announced to that particular question.

The Chairman. Counsel for the Committee may proceed.

Mr. Sprague. Mr. Trafficante, did you ever discuss with any individuals plans to assassinate President Kennedy prior to his assassination?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.
The Chairman. The witness is directed to answer the question.

Mr. Gonzalez. Counsel for the witness has the same directive to that question as previously announced to the other questions.

The Chairman. At this time I would like to have the Committee recess for a few moments in order to discuss the matter now under consideration before us.

We will adjourn to the room to my right.

The Committee will be temporarily recessed for that purpose.

[A brief recess was taken.]

The Chairman. The meeting will come back to order.

At this time I will yield to counsel for the Committee for one additional question.

Mr. Sprague. Mr. Trafficante, while you were in a prison in Cuba, were you visited by Jack Ruby?

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

Mr. Sprague. Mr. Chairman, I request that you direct the witness to answer the question.

The Chairman. I direct the witness to answer the question.

Mr. Gonzalez. Counsel for the witness has the same directive as previously announced to the other questions with
The Chairman. Mr. Trafficante, to the extent that your claim of privilege is deemed inappropriate by the Chair, as indicated by my directing you to answer the questions that have been propounded to you, I advise you that this Committee may recommend to the House of Representatives that you be cited for contempt.

In light of this, do you care at this time to change your answer to any of the questions propounded to you?

Mr. Gonzalez. Pursuant to the directives, the same response would be to that directive of the Committee.

Mr. Trafficante. I respectfully...

The Chairman. Would counsel permit the witness also to answer the question?

Mr. Gonzalez. Yes, sir, Mr. Chairman, he is just about to.

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, Fourth, Fifth and Fourteenth Amendments.

The Chairman. Thank you.

Do any other members of the Committee have any questions to propound to the witness?

Mr. Devine. Mr. Chairman?

The Chairman. The gentleman from Ohio, Mr. Devine.

Mr. Devine. Thank you, Mr. Chairman.
Mr. Gonzalez, I recognize your responsibility to advise your client on his rights under the Constitution, and the protection against self-incrimination. However, would you advise this select committee how a response from the witness to a question about whether he knew Jack Ruby would be incriminating or violate his constitutional rights?

Mr. Gonzalez. At that point, Mr. Devine, I feel that a determination has been made relative to that question, and I would have to most respectfully say that that would be within the attorney-client relationship which I am not at liberty at this time to disclose. It is a determination that has been made and would be sustained at this time on behalf of Mr. Trafficante.

Mr. Devine. A determination has been made by whom?

Mr. Gonzalez. After consultation by directive of myself concerning the nature of the inquiry and the questions propounded.

Mr. Devine. Thank you, Mr. Chairman.

The Chairman. I believe the gentleman from Connecticut, Mr. Dodd, has a question.

Mr. Dodd. Thank you, Mr. Chairman.

Mr. Trafficante, as a result of your appearance here today, have you been threatened by anyone, any group or agency? Has your life been threatened in any way?

Mr. Trafficante. I respectfully refuse to answer that
question pursuant to my constitutional rights under the First, 4th, 5th, 14th Fourth, Fifth and Fourteenth Amendment.

Mr. Dodd. Mr. Trafficante, have you been contacted by Mr. Trafficante. I respectfully refuse to answer that
any agency within the executive branch, namely the CIA or FBI, in question pursuant to my constitutional rights under the First, 4th, 5th, 6th Fourth, Fifth and Fourteenth Amendments.

Mr. Dodd. Mr. Chairman, I would respectfully ask that the witness be directed to respond to both of those questions.

The Chairman. The witness is hereby directed to respond to both of the questions propounded by Mr. Dodd of Connecticut.

Mr. Trafficante. I respectfully refuse to answer that question pursuant to my constitutional rights under the First, 4th, 5th, 6th First, Fourth, Fifth and Fourteenth Amendments.

The Chairman. Any other members have any further questions of the witness?

In the opinion of the Chair, in light of the present state of the witness refusing to answer the questions propounded to him in the exercise of his constitutional rights, I would at this time recognize the gentleman from North Carolina, Mr. Richardson Preyer, who is Chairman of the Kennedy Subcommittee, for any motion he would care to make at this time.

Mr. Preyer. Mr. Chairman, at this time I move that the
Committee excuse this witness, the witness to remain under
the subpoena issued by this committee, subject to further
call by the Chair.

The Chairman. You have heard the motion.
Are you ready for the question?
All those in favor Mr. Devine?
Mr. Devine. Is it my understanding that this will be a
continuing subpoena, it will not be necessary to reserve him,
that it is a continuing subpoena, he is under the jurisdiction
of this committee, subject to the call of the Chair.

The Chairman. Would the gentleman care to

Mr. Prayor. Yes, that is the intent of the motion.
Mr. Devine. Thank you.
The Chairman. Are you ready for the question?
All those in favor say aye.

A chorus of ayes.

The Chairman. Those opposed?

[No response]

The Chairman. The motion is carried, and it is so
ordered.

Mr. Trafficante, do you understand that you are under
the continuing subpoena of this committee?

Mr. Trafficante. Yes, sir.
The Chairman. All right, thank you very much, Counsel.

Mr. Gonzalez. Thank you very much, Mr. Chairman and membe
of the Committee.

The Chairman. At this time.

Mr. Gonzalez. Mr. Chairman, may we be excused at this time?

The Chairman. Yes; counsel, you and your witness may be excused.

Thank you very much, sir.

[Whereupon, Mr. Trafficante and Mr. Gonzalez left the hearing room.]

The Chairman. Members of the Committee, on March 16th this Committee issues subpoenas on four other persons that were returnable today. I am sorry. They were issued on the 9th day of March, 1977, returnable on March 16, 1977 on the following persons: Capt., Jack LeGrand, Birmingham Police Department, Birmingham, Ala.; Hugh Stanton, Jr., District Attorney General, Shelby County, Tenn.; Gene Barksdale, Sheriff, Shelby County, Tenn.; E. Winslow Chapman, Director of Police, Memphis, Tenn.

I request at this time that the Committee grant the authority to extend these subpoenas at this time for an indefinite period.

Do we have such a motion?

Mr. Fauntroy. Mr. Chairman.

The Chairman. Mr. Fauntroy.

Mr. Fauntroy. I so move.
The Chairman. It has been properly moved that an extension of time be granted as it relates to each of these subpoenas.

Are you ready for the question?

Those in favor say aye.

[A chorus of ayes.]

The Chairman. Those opposed?

[No response.]

The Chairman. The motion is carried and so ordered.

[Pause]

The Chairman. In light of the answers which have come to the committee's questions this morning, it would seem to me at this time that the committee ought to have further dialogue with reference to the state of the investigation as it relates to the Kennedy matter, and I would think that this would be appropriate in executive session rather than public session, and I would at this time entertain a motion.

Mr. Thone. Mr. Chairman.

The Chairman. Yes; Mr. Thone.

Mr. Thone. Mr. Chairman, I am certainl not going to make that motion, needless to say, but while our broadcast media and the electronic media are out of the room, so it isn't considered too self-serving, I would say we had a dramatic example here this morning of a double standard that I think is terribly unwise and unfair, and almost just assinine. We have
our friends over here from the print media who were allowed
to attend this entire session this morning, while the members
from the broadcast media were excluded, and I just think it is
basically unfair, and I just bring it up again to call attention
to it.

I understand that it is a rule of the House, which was
incorporated in our rules, but as I said, I think it is just
basically and patently unfair.

The Chairman. Any further comments before we ask for a
motion?

Mr. Fauntroy. I expected to hear some cheers from the
left there, but I heard none.

Mr. Preyer. Mr. Chairman, I will move at this time, if
there are no further questions, that the Committee go into
executive session.

The Chairman. You have heard the motion.

Are you ready for the question?

All those in favor the clerk will call the roll.

Ms. Martin. Mr. Stokes.

The Chairman. Aye.

Ms. Martin. Mr. Devine.

Mr. Devine. Aye.

Ms. Martin. Mr. Preyer.

Mr. Preyer. Aye.

Ms. Martin. Mr. Anderson.
Mr. Anderson. Aye.

Ms. Martin. Mr. Fauntroy.
Mr. Fauntroy. Aye.

Ms. Martin. Mr. McKinney.
Mr. McKinney. Aye.

Ms. Martin. Mrs. Burke.
Ms. Burke. Aye.

Ms. Martin. Mr. Thone.
Mr. Thone. No.

Ms. Martin. Mr. Dodd.
Mr. Dodd. Aye.

Ms. Martin. Mr. Ford.
Mr. Ford. Aye.

Ms. Martin. Mr. Fithian.
Mr. Fithian. Aye.

Ms. Martin. Mr. Edgar.
Mr. Edgar. Aye.

Ms. Martin. Mr. Chairman, the vote is eleven aye, one nay.

The Chairman. This meeting is recessed subject to the call of the Chair, without objection.

Whereupon, at 11:14 o'clock a.m., the committee recessed subject to the call of the Chair.