FEDERAL BUREAU OF INVESTIGATION

SUPREME COURT

PART 3 OF 14

FILE NUMBER : 62-27585

FILE DESCRIPTION

BUREAU FILE

SUBJECT Supreme Court

FILE NO. 62-92585 (Part 3)

Release 3

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: September 2, 1965

FROM : G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
Supreme Court Name Check Request

On August 30, 1965, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted] The Form 57 submitted indicates that this individual is applying for a position as "janitor."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

[redacted]
(4)

Form 57 stamped "No Derog Data" & returned to Supreme Court

EX-100
REC 1 62-87555-207
14 SEP 8 1965

69 SEP 10 1965

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
Belmont
Mohr
DeLoach
Casper
Callahan
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Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. DeLoach

DATE: 9-14-65

FROM : M. A. Jones

SUBJECT: YALE JEROME KAMISAR
LAW PROFESSOR
UNIVERSITY OF MICHIGAN

[redacted]

BACKGROUND:

The 9-11-65 issue of "The Washington Post" carried an article entitled "Judges Hear Critics of High Court" in which it was reported that former New York Police Commissioner Michael J. Murphy attacked the U. S. Supreme Court for hampering the administration of criminal justice at the 28th annual Judicial Conference of the Third Judicial Circuit of the United States. Captioned individual launched a vigorous attack on Murphy's statements. The Director has inquired, "What do we know of Yale Kamisar?"

INFORMATION IN BUFILES:

[redacted]

ENCLOSURE

ENCL. DeLoach

[redacted] (5)

62-[redacted]

NOT RECORDED
128 SEP 23 1965

11 SEP 23 1965

Continued next page

M. A. Jones to DeLoach memo
RE: YALE JEROME KAMISAR

[redacted]

b6, b7C

RECOMMENDATION:

For the Director's information.

[redacted]

0-19 (Rev. 12-14-64)

Judges Hear Critics of High Court

ATLANTIC CITY, N.J., Sept. 10 (UPI)—The U.S. Supreme Court was condemned and praised in a panel discussion yesterday while Chief Justice Earl Warren listened intently.

The occasion was the 28th annual Judicial Conference of the Third Judicial Circuit of the United States, covering New Jersey, Pennsylvania and Delaware.

Before a roomful of lawyers and judges, former New york Police Commissioner Michael J. Murphy attacked the High Court for hampering the administration of criminal justice while "vicious beasts" were loose on the streets. He was referring to the Supreme Court ruling in 1961 that extended to state courts the Federal rule that illegally seized evidence is inadmissible in criminal trials.

"We are forced to fight by rules while the criminals are permitted to gouge and bite," he declared.

"It has been our experience that if suspects are told of their rights they will not confess," he added.

Yale Kamisar, law professor at the University of Michigan and a leading authority on criminal law, rose to launch a vigorous attack on Murphy's statements. At times his remarks elicited laughter from the crowd, including Chief Justice Warren and Associate Justice William J. Brennan Jr.

Kamisar called Murphy's position "simplistic, narrow-minded and politically expedient."

"Fighting crime is a difficult, frustrating business," said Kamisar. "When you can't handle it, the easiest and most politically attractive device is to blame it on the courts. It's a lot more popular than raising taxes to increase the police force."

ENCLOSURE
62-27552
NOT RECORDED
128 SEP 23 1965

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Sullivan
Tavel
Trotter
Tele Room
Holmes
Gandy

What distance knows of Yale Kamisar?

The Washington Post and Times Herald
The Washington Daily News
The Evening Star
New York Herald Tribune
New York Journal-American
New York Daily News
New York Post
The New York Times
The Baltimore Sun
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World
Date

ENCLOSURE
11 SEP 23 1965

SEP 11 1965

ORIGINAL FILED IN

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

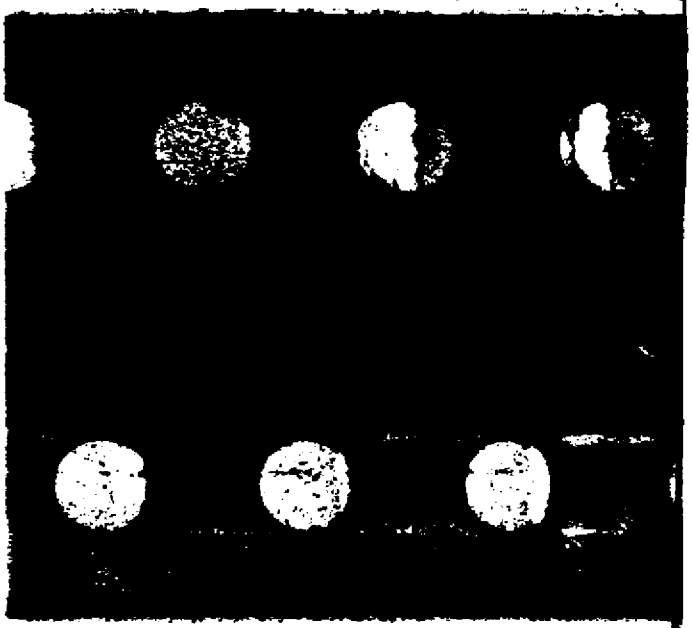
November 17, 1965

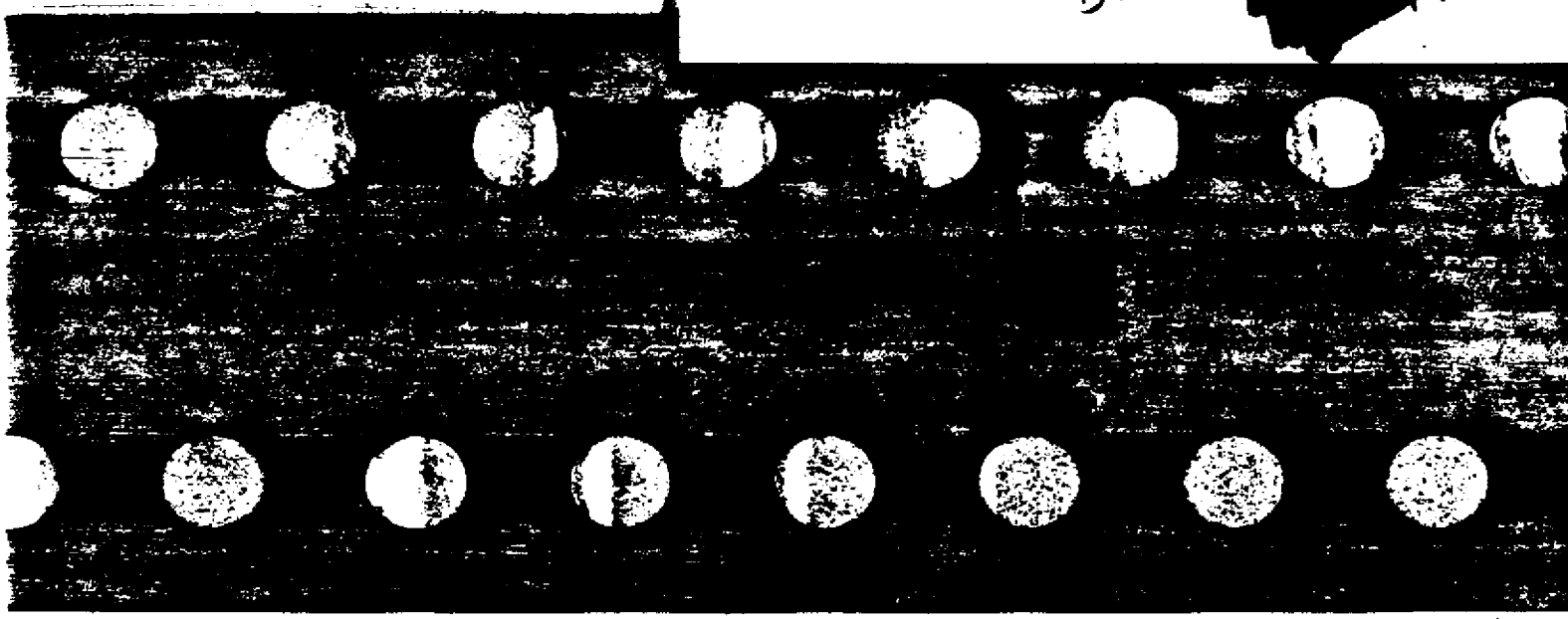
The attached copy of a letter addressed to the House of Representatives was sent the Director anonymously from Newark, New Jersey.

cb

MR. TOLSON
MR. BELMONT
MR. MOHR
MR. [illegible]
MR. CASPER
MR. CALLAHAN
MR. CONRAD
MR. FELT
MR. GALE
MR. ROSEN
MR. SULLIVAN
MR. TAVEL
MR. TROTTER
MR. JONES
TELE. ROOM
MISS HOLMES
MRS. METCALF
MISS GANDY

b6
b7C





[redacted]
Nov.16,1965

House of Representatives
Washington, D.C.

I am writing to every congressman in my state, not just my own district in hopes I can arouse a spark of honor, morality, patriotism and plain old-American guts. I believe all four are dying or have already died. I have read some literature lately by J.Edgar Hoover 1. America-Soviet Espionage Target #1 2. Communism and the knowledge to combat it. 3. The Faith of our Forefathers.

I am discouraged and disgusted and furious at the recent victory AGAIN, of the Communists due to another Supreme Court decision in their favor. Congress sits idly by and does nothing yet every member of congress will be enslaved like I will be, their daughters taken by the big Red army for the health of the men as was done in Germany. This makes no sense whatever-Treason is running rampant and the power to stop it is in congress. Prayers have been removed from our schools, the court has a 92% Pro Communist rating, now Gus Hall gloats on T.V. and in the news because his party does not have to register. We can expect more "Operations Abolition".The Supreme Court has usurped the powers invested in Congress by our dedicated, suffering forefathers but I accuse congress of lethargy, being paid for no representation and for vilifying their oaths of office. Our only hope of insured freedom and a needed turnabout lies in Congressional legislation I do not believe, as the John Birch Society does, that Mr. Warren should be impeached. I think he should be tarred and feathered and the others along with him as his guilt is shared by all. Hugo Black, in particular Now, this latest victory for the Reds is the last straw. It sickened my soul to see it, to know it happened and to see the Reds gloat. Patriots who are called extremists seem to be the only ones who care enough to watch the ramparts because Congress has certainly failed to do so.

I am asking for, pleading for and begging for an investigation of the Supreme Court, repeal of any laws necessary to impeach Mr. Warren as I can not personally tar and feather him.

REC 36 62-27585-207
EX-101

Sincerely,

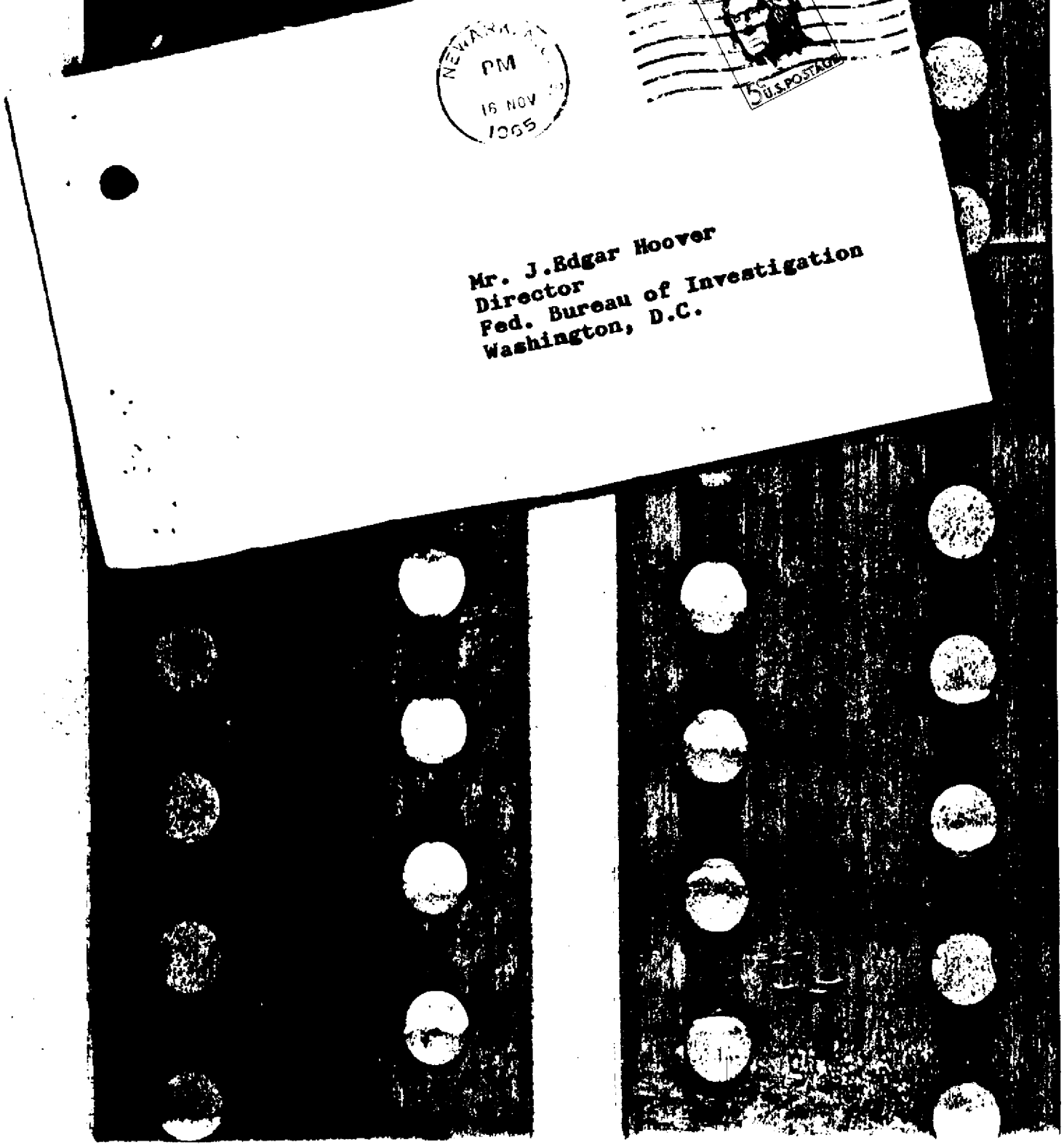
9 NOV 23 1965

CC: Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation

Mr. Hoover....I am taking the liberty of sending you acopy of the above as your organization is the only one left to trust. I did not send this my senators Williams and Case who are both socialists and couldnt car less.

60 NOV 23 1965

ANONYMOUS COMMUNICATIONS
KEEP ENVELOPE ATTACHED


PM
16 NOV
1965
5c U.S. POSTAGE
Mr. J.Edgar Hoover
Director
Fed. Bureau of Investigation
Washington, D.C.

[redacted]
Long Beach 2, Calif.

b6, b7C

November 16 1965

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. DeLoach
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Federal Bureau Of Investigation,
Washington, D.C.

Gentlemen:

I wish to report a co incident which to me may have other implications.

Over this past week end the Los Angeles Times carried a short article stating that," Bettina Aptecker, who was a prime mover in the Berkley uproar, has announced that she is a communist and has been one for a long time." This is the same person who, when asked by a reporter during the Berkley trouble just last fall said," I am a Marxist, if I said that I was a communist, I could be jailed under the Smith act".

This is the same girl who's Father is the head of the communist strategy organization in the east.

Now just 2 days after this admission of being a communist appeared in the Times, the Supreme Court, hands down a decision which throws out practically all the penalties of being a communist. And Gus Hall said that he will run candidates for office on the communist party banner.

It is my feeling that the communists have a plant in the organization of the Supreme Court, who tells them of the pending decisions, and how it affects the "party".

If so this is most dangerous, as he can plant information that the communists want planted, just a well as leaking information out.

I present this as a citizen who is worried about just where all this sort of thing is leading us.

Yours truly,

[redacted]

b6, b7C

EX-PROC. 33
NOV 17 1965

11 NOV 15 1965
CORRESPONDENCE

62-2752
NOT RECORDED
102 NOV 2[illegible] 1965

November 19, 1965

62-275857-

[redacted]

Long Beach 2, California

Dear [redacted]

Your letter of November 16th has been received.

I can assure you your interest in furnishing me your observations is appreciated.

Sincerely yours,

J. Edgar Hoover

NOTE: Correspondent is not identifiable in Bufiles.

[redacted]

MAILED 10
NOV 19 1965
COMM-FBI

Tolson
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Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10 5010-106
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Gale

FROM : T. J. McAndrews

DATE: December 7, 1965

SUBJECT: CARMINE TRAMUNTI, also known as, ET AL
INTERSTATE TRANSPORTATION IN
AID OF RACKETEERING - GAMBLING

In a ruling handed down December 6, 1965, the United States Supreme Court reversed the decisions of the District and Second Circuit Court of Appeals in a contempt of court conviction of Al Harris, who fronted for Tramunti, a leader in the Thomas Luchese "family" of La Cosa Nostra, in a huge dice game being operated nightly in the Miami, Florida area during early 1963. This game, which was described at the time as the largest ever to be held in Miami, reportedly operated on a nightly bank roll of $200,000.

During 1963 this case was brought before a Federal Grand Jury in the Southern District of New York and Harris was called to testify, particularly regarding certain telephone calls between New York and Florida in connection with the promotion of this game. Upon his refusal to testify, claiming protection under the Fifth Amendment, Harris was granted immunity under Section 409 (l) of the Federal Communications Act. Following Harris' continued refusal to testify under conditions of immunity, he was called before a District Judge in New York's Southern District, sworn as a witness, and the judge propounded the same questions which Harris again refused to answer. Harris was thereafter held in contempt and received a one-year sentence under Rule 42 (a), Federal Rules of Criminal Procedure. The Court of Appeals, Second Circuit, upheld the District Court's ruling.

The United States Supreme Court's majority opinion (5-4, with Justices Stewart, Clark, Harlan and White dissenting) deals primarily with a procedural issue, ruling that the handling of this matter under 42 (a), which the majority opinion holds is reserved for such matters as affronts of the dignity of the court, the quelling of disturbances, the handling of insolent tactics, all within the presence and hearing of the judge, was in error. The decision of the lower courts is reversed and this case is remanded for proceedings under Rule 42 (b), which in general prescribes the handling of all criminal contempts except those specified under 42 (a).

1 - Mr. Belmont
1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Sullivan
1 - Mr. Casper
1 - Mr. Gale
1 - [redacted]
1 - [redacted]

(10) Encs.

62-27585-

NOT RECORDED
128 JAN 7 1966

CONTINUED — OVER

Memorandum to Mr. Gale
Re: Carmine Tramunti, Et Al.

In reversing the case, the Court specifically quotes some of the provisions of 42 (b), which, in brief, calls for notice of hearing and that "the defendant is entitled to a trial by jury in any case in which an act of Congress so provides," and for the fixing of punishment upon a guilty verdict.

Of particular pertinence to the Bureau's work, however, is the majority's launching into an implied "fear of reprisal" doctrine. The Court's opinion observes that "what appears to be a brazen refusal to cooperate with the grand jury may indeed be a case of frightened silence. Refusal to answer may be due to fear - fear of reprisals on the witness or his family" - - - "We can imagine situations where the questions are so inconsequential to the grand jury but the fear of reprisal so great that only nominal punishment, if any, is indicated." This inclination on the Court's part could well have an effect on a number of our more important cases in the field of organized crime in which immunity is an issue, primarily our case against Chicago "Commission" member, Sam Giancana; our convictions of several members of the Thomas Luchese "family" in New York, and, for that matter, our general theory of prosecutive approach in which we are making valuable use of the immunity provisions in various statutes in our drive against organized crime.

With regard to the Giancana case, the Department has made a preliminary observation, in light of this reversal, that, while Giancana's contempt citation is a civil matter, on which the above-discussed decisi does not touch, the Court may in the future return a ruling adverse to the Government because of the introduction of the "fear of reprisal" doctrine. Concerning the convictions of Luchese's men in New York, whicl are scheduled for imminent review by the Supreme Court as a "package," the Department feels that in light of the Harris decision these convictions may well be in jeopardy.

OBSERVATIONS:

The liberal element of the Supreme Court has struck another blow against law enforcement and the drive against organized crime. We will, of course, push to have Harris tried before a jury for contempt however, it is not known how far the Supreme Court is going to carry the "fear of reprisal" doctrine which they dwelt on in the Harris case. It appears that the Court might well be adopting a doctrine which will permit La Cosa Nostra members and other racket figures to defy the immunity provisions in Federal statutes by claiming fear of reprisal

from La Cosa Nostra. If this is true, the Court may also reverse any convictions obtained by jury trial the same as they reversed this one.

ACTION:

We will urge immediate action to have Harris tried under the provisions of Rule 42 (b) and we will closely follow related decisions as they affect our work, particularly in the field of organized crime.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
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Wick
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: January 5, 1966

FROM : G. H. Scatterday

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Name Check

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

By letter received December 27, 1965, a name check request was received from Mr. John F. Davis, Clerk, Supreme Court of the United States, concerning [redacted] who was born [redacted] Mr. Davis' letter indicated [redacted] is an applicant for a position with the Supreme Court.

A check of Bureau files reveals no identifiable information concerning [redacted] and a name check of the Identification Division reveals no arrest record for her.

Memorandum from Mr. Nichols to Mr. Tolson dated 9/3/57 indicates the Director instructed that no action be taken concerning requests for name checks received from the Supreme Court until the matter has been presented to him and he has ruled on the request.

RECOMMENDATION:

That the attached letter be sent to Mr. Davis indicating that no investigation has been conducted concerning [redacted] and our files reveal no information identifiable with her.

Enclosure - Sent 1-5-66

REC-99 62-104585-409

[redacted] (4)

JAN 10 1966

53 JAN 14 1966

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

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Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: February 9, 1966

FROM : G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

On February 4, 1966, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted], born [redacted] The Form 57 submitted indicates that this individual is applying for a position as "messenger."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted], be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

REC- 80 62-27585-210

EX- 112 FEB 11 1966

[redacted]

(4)

69 FEB 14 1966

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5016-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2/23/66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 3347-3348. Congressman Cross, (R) Iowa, pointed out that "on file in the U. S. Supreme Court, ignored and gathering dust for nearly 4 years, is an official transcript that sets forth in detail the shocking story of a bitter feud among Federal judges in Oklahoma City, Okla." Mr. Cross sets forth information pertaining to this feud. He went on to state "As a citizen and a Member of Congress, I cannot sit idly by and watch while the respect and confidence in the Federal judiciary is undermined in Oklahoma or any other area of the Nation. And I submit that there are other areas that need attention. I urge in the strongest terms at my command that the proper committees of Congress launch an immediate investigation."

Original filed in:

62-27585-
NOT RECORDED
128 MAR 1 1966

NOT RECORDED
128 MAR 21 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 2/21/66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

67 MAR 8 1966

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
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Sullivan
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Trotter
Tele. Room
Holmes
Gandy

TO: Mr. DeLoach

DATE: March 1, 1966

1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Rosen
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]

FROM: A. Rosen

SUBJECT: JAMES RIDDLE HOFFA; ET AL.
OBSTRUCTION OF JUSTICE

b7C

On 2/25/66 information was furnished to our San Francisco Office by [redacted]

b7D

Recommended that the attached memorandum be sent to the Attorney General furnishing him this information and advising that no action with respect thereto will be taken in absence of a specific request. It is recommended further that the attached airtel be directed to our San Francisco Office advising of the action being taken in this matter

[redacted]

b7C
b7D

72-1459

[redacted]

62-27[illegible]

Enclosure
72-1459

CONTINUED - OVER

NOT RECORDED
128 MAR 7 1966

[redacted] (8) b7C

Memorandum to Mr. DeLoach
RE: JAMES RIDDLE HOFFA

RECOMMENDATIONS:

1. Our San Francisco Office forwarded a memorandum for dissemination [redacted] The General Investigative Division feels that neither the identity of [redacted] who received the information, nor that of [redacted], the person who made the remarks, should be concealed in furnishing the information to the Department. Attached for approval is a memorandum to the Attorney General with copies for the Deputy Attorney General and Assistant Attorney General Vinson furnishing them the information received and stating that no further action with respect thereto will be taken by this Bureau in absence of a specific request from the Department.

2. Also attached for approval is an airtel to our San Francisco Office advising that it was necessary to furnish the identity of [redacted] and [redacted] to the Department.

Send memo to Watson.

3/3/66 letter to Marvin Watson

~~72-1454~~
62-27585-

March 3, 1966

BY LIAISON
1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Rosen
1 - [redacted]
1 - [redacted]
1 - [redacted]
1 - [redacted]

Honorable Marvin Watson
Special Assistant to the President
The White House
Washington, D. C.

b7C

Dear Mr. Watson:

The following information, which was given to the San Francisco, California, Office of this Bureau, is being furnished as a matter of possible interest to the President. This information was made available by [redacted]

b7C
D

[redacted]

b7C
D

[redacted]

b7C
D

[redacted] (10)

NOTE: See memo Rosen to DeLoach, WAF:ba, 3/1/66, captioned "JAMES RIDDLE HOFFA; ET AL., OBSTRUCTION OF JUSTICE."

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Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

Delivered to Mildred Stegall on 3-3-66

Honorable Marvin Watson

The foregoing information has been furnished to the Attorney General with the advice that no further action with respect thereto will be taken by this Bureau in the absence of a specific request from the Department of Justice.

Sincerely yours,

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

25 March, 1966.

Mr. J, Edgar Hoover.
Washibgton, D . C.

Dear MR.Hoover:
I am sending you this information you already know about but I am wondering if any help can be given to police officers I am retired from the Los Angeles police Dept. you dont remember me MR.Hoover but about thirty years ago when I was riding motorcycle police escort there you came to Los Angeles. [redacted] was my captain and assigned me for your escort we went to Hollywood and around a few places we were over on Sunset Blvd. That was my greatest thrill being your escort Mr.Hoover, Thank you. [redacted]
To all of you I thank you.

THE COURT CAUSES ALL OUR TROUBLE

The President can reverse the trend to crime and addiction in this country by addressing his plea to the Supreme Court.

Let the Court reverse itself on Prayers, Dirty Books, Communists and other criminals and then watch America return to sanity and respectability.

The Court at the behest of the A.C.L.U. is behind all this unrest and confusion that curses this once blessed nation.

M. FITZPATRICK,
Queens Village.

b6, b7C [redacted]

REC-82 62-27585-31

APR 5 1966

EX-101

MAR 29 1966

EX-101

62-27585-211

March 31, 1966

[redacted]
Clarksville, Arkansas 72830

Dear [redacted]

I received your postal card of March 25th and want to thank you for remembering me so kindly.

It was thoughtful of you to make your views on problems confronting our Nation available to me, and I am enclosing literature which I trust will be of interest to you.

Sincerely yours,

J. Edgar Hoover

Enclosures (2)
1 - Little Rock - Enclosure
Faith of Free Men
3-66 LEB introduction

NOTE: Correspondent is not identifiable in Bufiles.

[redacted] (4)

MAILED 22
MAR 3 1 1966
COMM-FBI

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OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: May 4, 1966

FROM : G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

On April 29, 1966, a name check request was received from [redacted] Marshal, U.S. Supreme Court, on [redacted], born [redacted] The Form 57 submitted indicates that this individual is applying for a position as "Custodian."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U.S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

[redacted]

REC-4 62-27585-217

ST-105 14 MAY 9 1966

[redacted]

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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Tele. Room
Holmes
Gandy

TO : **Mr. Rosen**

DATE: **May 18, 1966**

FROM : **G. H. Scatterday**

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

On May 17, 1966, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted] born [redacted] The Form 57 submitted indicates that this individual is applying for a position as "charwoman."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

[redacted] (4)

REC 29

62-27585-213

[redacted] RECORDED

15 MAY 24 1966

5? JUN 1 1966

4:50 PM June 16, 1966

MEMORANDUM FOR MR. TOLSON
MR. DE LOACH
MR. WICK

Senator Robert C. Byrd of West Virginia called and said he was wondering if someone in the Bureau could prepare for him a little speech with reference to the Supreme Court ruling on Monday on police questioning of suspects.

I told the Senator I could get that done. I also told him there is a complication there which the Chief Justice tried to take care of in his opinion in that they are trying to claim there is no differentiation between the types of crime handled by the FBI and those of local authorities. I stated that, of course, is not entirely accurate because in Federal crimes, you generally have the case pretty well made before making an arrest and in local crimes you may have an affray or assault and the police officer has to make an arrest at once. I stated under the rulings we now have, a person has to be advised that he need not talk and can have a lawyer, et cetera, and therefore I think it will hit the local authorities harder than the Federal authorities, but I would get him up some notes on this.

Senator Byrd stated he would appreciate it as he would like to make a speech on the Senate floor hitting that ruling.

I spoke to Mr. Tolson about this matter and instructed that it be handled.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

62-77585-

NOT RECORDED
128 JUN 20 1966

6 JUN 17 1966

SENT FROM D. O.
TIME 5:40 PM
DATE 6/16/66
BY DEC

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

Enclosure (7)

67 JUN 22 1966

TELETYPE UNIT

ORIGINAL FILED IN

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: June 16, 1966

FROM : G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

On June 9, 1966, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted] born [redacted]

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

[redacted]

REC-40 62-27585-214

JUN 21 1966

342

69 JUN 29 1966

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
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Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: June 16, 1966

FROM : G. H. Scatterday

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

SUBJECT: [redacted]
SUPREME COURT NAME CHECK REQUEST

On June 15, 1966, a name check request was received from [redacted] Marshal, U. S. Supreme Court, on [redacted], born [redacted] The Form 57 submitted indicates that this individual is applying for a position as "police private."

A check of Bureau files reveals no identifiable derogatory information concerning [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the Form 57 on [redacted] be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

REC-30

JUN 21 1966

[redacted]
(4)

F381

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: JUNE 15, 1966

FROM : N. P. Callahan

SUBJECT: The Congressional Record

H.R. 89th Congress 1966

Pages 12433-12436. Congressman Devine, (R) Ohio, introduced a resolution (H. J. Res. 1165) proposing an amendment to the Constitution of the United States relating to the power of the Supreme Court to declare any provision of law unconstitutional. He commented on decisions of the Court for the past several years and stated This most recent decision is a further limitation in the area of police enforcement which commenced with the rendering of the Mallory decision in 1957. There seems to be a tendency by the Court in the interest of the lawbreakers and in disregard of the rights of the law-abiding. A copy of this resolution will be obtained.

REC- 24 62-27565-214

NOT RECORDED
145 JUN 23 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 54 JUL 11 1966 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

June 17, 1967

J. Edgar Hoover
Director, F.B.I.
Washington, D.C.

Dear Mr. Hoover,

I am writing in regards to the recent Supreme Court ruling of our state. I send along clippings from one of our local newspapers. I would like you to do all within your power to help us in this state to get these rulings reversed. Something is very badly wrong here with our law. There is a great increase in crime, yet instead of our laws being strengthened, they are weakened. Thus it is easier for the criminal to escape punishment and act again. There is no fear of law-enforcement officers, for his hands are tied. I am only a citizen, and a Christian mother trying to raise my children to respect the law. But, what about the children who will not be taught by thier parents, either will they learn by a lesson of law. They are learning they may be freed through some little tecnical letter of our precious Constitution. It is my children, and millions of others that will grow up under fear of the freed criminal unless YOU and I do something. We must prevent this kind of supreme power to change laws without a vote from the good people who must live under the fears of such rulings. Such a ruling was by the Supreme Court on the banning of Bible reading and prayer in our shools. This was pushed by a non-God-fearing woman who also defies the law. Yet the Supreme court changed the law for her and her kind. A poll now being taken shows only 2% are her kind. So the other 94% (as of now) live under the law set down by the small minority. We do not try to force man to accept God, but they must be forced to obey the law. We must do something to change these rulings. I close this letter with these words. What will you do to help us? Tell me what I may do.

Respectively yours,

[redacted]
Phoenix, Arizona 85040

62-27585-217

REC 98

JUN 21 1967

CORRESPONDENCE

EXP-PROC

32 JUN 21 1966

ENCLOSURES 6-23-67 b6, b7C

Phoenix Weather
Continued hot; possible thunderstorms this afternoon and evening. Today's high near 110. Yesterday's temperatures: high 112, low 72. Humidity: highest 40, lowest 8. Details, Page 12.

THE ARIZONA REPUBLIC

Today's Chuckle
Finding a way to live the simple life is today's most complicated job.

77th Year, No. 29 TELEPHONE: 271-8000 Phoenix, Arizona, Wednesday, June 15, 1966 ☒○ d Ten Cents

Local Reaction to Supreme Court:

RULING HANDCUFFS POLICE

Details Sought on Decision

By JACK CROWE

CONFESSIONS and admissions of guilt, traditionally regarded by prosecutors as essential to obtain convictions in 8 out of 10 criminal cases, may become extremely rare because of Monday's U.S. Supreme Court decision.

Based on newspaper accounts of the court's action, that was the view shared yesterday by Maricopa County Superior Court Presiding Judge Yale McFate, trial Judge Vincent A. Cordova and Maricopa County Attorney Robert K. Corbin.

In addition, Corbin voiced concern that the decision, if as sweeping as indicated, means that 40 per cent of 600 to 700 pending criminal cases in the county have been "jeopardized."

The high court's decision, which involved rulings on four criminal cases, including one from Phoenix, caused Cordova to postpone until 9:30 tomorrow start of the trial of four youths accused of the attempted murder Feb. 22 of city detective Dudley Gibson.

Cordova explained that since statements given to police by the defendants are involved, he wants to read a full transcript of the Supreme Court decision before proceeding with the trial.

He ruled as admissible in evidence, following a closed hearing Friday, statements given by defendants Ralph McGee, 19, Alfred Leo Smith, 20, and Stephen Bolden, 17. He held as inadmissible a statement obtained from Quentin Troy Thomas, 15.

HOWEVER, Cordova declared that those rulings are subject to possible change once he has read the high court opinion.

"It is a trial judge's duty to perform his functions in accordance with the law, notwithstanding how he might personally feel about it," said Cordova.

The U.S. Supreme Court opinion, which buttressed the Escobedo case decision of 1963, generally extends areas of protection against self-incriminating statements in criminal defendants being questioned in the police interrogation room. It involves four key points.

"If all of these points are true (as reported in the press), it would sound the death knell regarding the use of criminal confessions or admissions in criminal proceedings," observed Cordova.

"Without having read the Supreme Court opinion," added McFate, "and based on news-

(Continued on Page 10, Col. 4)

More About *Ruling on Confessions*

(Continued from Page 1)

paper accounts of the opinion, confessions for all practical purposes are out in all criminal prosecutions."

"If it says what the papers said, it's done away with confessions in criminal trial," declared Corbin.

"God help us," added Corbin. "God help the public. I sincerely mean this."

Corbin said an air mail request has been made to Washington for an official copy of the opinion. He said it is hoped it will arrive today.

The high court's decision is meant to provide firm guidelines to police, the judiciary and prosecutors on just what is legal in the question of self-incriminatory statements by criminal defendants.

IT IS common knowledge in legal circles that the court undertook the present decision in order to clarify confusion caused by the Escobedo decision. The decision gave the right to a suspect to demand and be represented by an attorney at interrogations.

Monday's decision contains these key legal points:

—"The prosecution may not use statements, whether exculpatory or inculpatory, stemming from custodial interrogation of the defendants unless it demonstrates the use of procedural safeguards effective to secure the privilege against self-incrimination."

—"PRIOR TO any questioning the person must be warned that he has the right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed."

—"The defendant may waive effectuation of these rights, provided the waiver is made voluntarily, knowingly and intelligently."

—"If, however, he indicates in any manner and at any stage of the process that he wishes to consult with an attorney before speaking there can be no questioning. Likewise, if the individual is alone and indicates in any manner that he does not wish to be interrogated, the police may not question him."

Phoenix Police Chief Paul Blubaum took a "wait and see" attitude toward the high court decision. He said the police department would await legal advice and then "make any adjustments in procedure as seems necessary."

COMMENTING on the second point, relative to a defendant's right to counsel in the police interrogation room, Cordova said:

"If the opinion holds that someone restrained of his liberty while being questioned by officers during the investigatory stage, and prior to being accused or charged, is entitled to court-appointed counsel at the expense of the state, then for all practical purposes, in any criminal prosecution, use as evidence of an admission or a confessios would be the rare exception and not the rule."

Decision Held Step Toward Confession Ban in Court

By HOWARD BOICE

THE U.S. SUPREME Court eventually will ban criminal confessions as courtroom evidence in *all* cases, Maricopa County public defender Vernon B. Croaff contended yesterday.

He said the high court's ruling Monday was "just a step toward this goal."

IN THE Monday decision, the court held confessions obtained by police cannot be used as evidence unless certain conditions are met.

These include advising a suspect that he has a right to consult an attorney, "either retained or appointed," and that he may not be questioned if "he indicates in any manner and at any stage of the process" that he does not wish to be interrogated.

The much-discussed high court decision overturned the conviction of Ernest Arthur Miranda, 26, of Phoenix, among others. He was sentenced to 20 to 30 years in prison for the 1963 kidnaping and rape of an 18-year-old Phoenix girl.

ROBERT K. Corbin, Maricopa County attorney, disclosed yesterday that Miranda will be returned to Phoenix and tried again on the charges.

Croaff pointed to a dissent by U. S. Supreme Court Justice Byron White in the Escobedo case to back his belief in the high court's direction.

In the 1964 Escobedo case, a landmark decision, the high court extended the right to counsel for a suspect to the police *interrogation* room.

White wrote: "The decision is thus another major step in the direction of the goal which the court seemingly has in mind — to bar from evidence all admission obtained from an individual suspected of a crime, whether involuntarily made or not."

CROAFF also asserted that the court was making the police "investigators instead of conmen."

But sheriff and police said it would make little difference in their handling of investigations.

(Continued on Page 19, Col. 1)

Police Complaint on Court Rule Minimized

Washington Post Service

WASHINGTON—The Supreme Court decision restricting use of suspects' confessions will not have the major impact on law enforcement some critics fear, Atty Gen. Nicholas Katzenbach said yesterday.

It will crimp some police practices, particularly the wholesale clearing of crime reports with a single arrest, but it in no way means police departments should "close up shop," Katzenbach said.

The attorney general defended the Monday ruling as representing the federal practice of two decades and said it would have virtually no effect in federal criminal cases.

The high court ruled that federal and state trial courts could not accept confessions from defendants who were interrogated without being advised of their rights to legal counsel and a warning of possible self-incrimination.

Some law enforcement officers charge the restrictions would impede prosecutions and accelerate an already rising crime rate.

He said the decision was not as sweeping as it was interpreted in some quarters. Statistically, few convictions result from confessions or interrogations, he added.

More About

Confession

(Continued from Page 1)

though it would make it much more difficult to get convictions.

Capt. R. W. Edmundson, chief of investigations of the Maricopa County sheriff's office, said:

"Our investigations won't change a bit. We have good investigators. This (decision) just makes it harder, that's all."

PHOENIX Police Chief Paul Blubaum said:

"Based on the information we have thus far, we don't anticipate that any major changes in our operation will be necessary. We have always been conscious of individual rights and have always attempted to follow established rules and procedures to insure their guarantee."

Croaff said he would meet within the next few days with the county manager and board of supervisors to discuss enlarging his staff in light of the ruling.

He anticipated that his office may have to provide attorneys on duty around the clock in police stations throughout the county.

"I AM NOT a believer in gloom or doom as many have expressed," in regard to the decision, Croaff said, adding:

"It is still a step away from what many legal authorities believe is the ultimate protection of the Constitution. In essence it places the police in the position of having to investigate cases more thoroughly and obtain confessions under more controlled circumstances."

Corbin, however, called the decision "a black day for law enforcement."

"WE MIGHT as well throw away the book on interrogation," he said. "And we won't be making as many arrests. The minute he (the suspect) indicates he wants an attorney, we have to stop right there and get him an attorney before we go any further."

Superior Court Judges Warren L. McCarthy and George M. Sterling disagreed with Corbin.

"This won't give a trained officer any problem at all," McCarthy said.

"It just makes crystal clear what we've believed the law to be all along, assuming news reports (of the decision) are correct," Sterling said

Defense Asks Dismissal of Charges in Ambush Shooting

By JACK CROWE

Spurred by Monday's U.S. Supreme Court decision, defense attorneys moved late yesterday to have charges dismissed against four youths accused of the ambush shooting Feb. 23 of a city detective.

The move for dismissal was based on an order entered by Judge Val A. Cordova yesterday afternoon in which he reversed a previous decision by himself and ruled inadmissible confessions given to police by three of the defendants.

Judge Cordova said he acted in line with Monday's U.S. Supreme Court decision which grants increased protection to defendants in criminal cases who make incriminating statements while being questioned by police.

MINUTES AFTER CORDOVA entered the ruling, defense attorneys filed a petition for a writ of habeas corpus. The action resulted in the scheduling of a hearing at 9:30 a.m. today before Judge Charles Sidham for a determination of the legality of charges of attempted murder pending against the quartet.

That hearing apparently will hold precedence over another order by Judge Cordova that the quartet should stand trial starting at 9:30 a.m. today for the gunshot wounding of detective Dudley Gibson. Gibson was stopped for a traffic light in his police car at the time.

Initially, defendants Ralph McGee, 19, Alfred Leo Smith, 20, Stephen Bolden, 17, and Quentin Troy Thomas, 15, were to have gone on trial Tuesday.

HOWEVER, JUDGE CORDOVA postponed the trial in order to determine how Monday's high court decision affected the case.

Following a closed pretrial hearing last Friday, Cordova ruled admissible in evidence statements given by McGee, Smith and Bolden. He held inadmissible, on ground that his rights as a juvenile had been violated, a statement obtained by police from Thomas.

Judge Cordova explained that his reversal on the admissibility of the statements of McGee, Smith and Bolden was based on the high court finding that suspects being quizzed by police must be advised that they have a right to a court-appointed lawyer during their interrogation.

THE JUDGE ALSO RULED that police violated Bolden's rights by questioning him after he had initially told them he had nothing to tell them. The high court ruling states defendants who make such an indication should not be questioned further.

Defense attorneys Howard Schwartz, Harry E. Craig, Sidney Block and John M. Levey declared in their petition for a writ of habeas corpus that the charges against the defendants are illegal since they were held for trial after a preliminary hearing in which the major evidence consisted of the statements.

"Without the evidence of said confessions, there was clearly insufficient evidence for a showing of probable cause (to stand trial)," the petition asserted.

and a soaring crime rate as a result of the Miranda case was an "emotional response rather than an intellectual and rational approach. There is actually very little change."

He said he doubted if the number of convictions would drop, despite the fears of the county attorney.

"There will be a short transition period, though," he added. McCarthy was Maricopa County attorney from 1949 to 1952.

SEE [illegible]

June 23, 1966

REC 98 62-27585-217

b6
b7C

[redacted]
Phoenix, Arizona 85040

Dear [redacted]

Your letter of June 17th, with enclosures, was received during Mr. Hoover's absence. You may be certain it will be brought to his attention upon his return. I know he would want me to thank you for furnishing him your observations and comments.

Sincerely yours,

Helen W. Gandy
Secretary

NOTE: Correspondent is not identifiable in Bufiles. In view of the tenor of her letter, it is felt a reply over Miss Gandy's signature is warranted.

b6
b7C
(3) [redacted]

MAILED 4
JUN 23 1966
COMM-FBI

JUN 23 3 09 PM '66
FBI

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Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

57 JUN 28 1966

SOUTHWEST Bank

KINGSHIGHWAY AT SOUTHWEST • ST. LOUIS, MO. 63110 • PH

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr.
Mr.
Mr
M

[redacted] b6 / b7C

July 12, 1966

Honorable Earl Warren, Chief Justice
U. S. Supreme Court
Washington, D. C.

Dear Sir:

I am enclosing copy of an editorial which appeared in the Neighborhood News published in St. Louis, Missouri, Thursday, June 23, 1966.

I realize that there is no chance of this decision being reversed but, as a citizen who spent four years as President of the St. Louis Board of Police Commissioners, I deem it my duty to inform you that, in my opinion, a great many innocent citizens will suffer as a result of the difficulties in obtaining evidence and convictions in the future.

It appears to me that more concern has been shown for the criminal element which in many cases are repeaters than for the vast majority of citizens who are entitled to protection.

Very truly yours,

[redacted]

b6 / b7C

REC-82

[redacted] EX-103 62-27585-218

CC: Mr. Hugo L. Black
Mr. Wm. O. Douglas
Mr. Tom C. Clark
Mr. John Marshall Harlan
Mr. Wm. J. Brennan, Jr.
Mr. Potter Stewart
Mr. Byron R. White
Mr. Abe Fortas

14 JUL 15 1966

[redacted]

ENCLOSURE

b6 / b7C

CORRESPONDENCE

57 JUL 21 1966

FEDERAL DEPOSIT INSURANCE CORPORATION

Editorial (Neighborhood News Thurs., [illegible] 23, 1966

Supreme Court Should Wake Up!!

The Supreme Court seems to have lost the use of good common sense in its ruling that all confessions to police are void if the police fail to warn a criminal suspect of his constitutional rights to counsel and to remain silent.

The Supreme Court has gone all out to protect the rights of the criminal, but what about the rights of the good, decent, law abiding citizen? We are constantly being told that we must do nothing to hurt or offend the rights of people for fear some innocent person might be harmed.

It is time we start thinking of the greater good of the majority of people. There may be a few cases of an innocent person being wronged, but these are rare in our opinion. But, at the rate the Supreme Court is going, it will be alomst impossible to convict anyone. Who is doing anything to protect the innocent people, the vast majority of our citizens?

The forgotten man seems to be the law abiding, the tax paying citizen, the person who is trying to do right by himself and his neighbors. He seems to have no rights. He seems to be getting less and less protection. He never seems to get much consideration, particularly from the Supreme Court and its ridiculous rulings.

Yes, the Supreme Court protects the scum of the earth. The Supreme Court feels that these individuals should be pampered and petted and their rights must get full consideration. The Supreme Court by its rulings seems to say that the three boys who killed Wechter J. Clark, the bus driver, in cold blood must have their rights protected. The police must warn these three punks of their constitutional rights to counsel and to remain silent. Yes, these no good hoods must be protected, but who took care of the rights of Wechter Clark as he drove his bus? Who will take care of his widow and the children left behind?

It seems to us that it would be most difficult for the Supreme Court to explain or to defend its ruling to Mrs. Clark or the children. These so called smart guys, the Supreme Court Judges, sit in their ivory tower and outthink themselves and do great damage to our country. They may be smart men, 100 times smarter than the writer of this editorial, but they are lacking in one great item . . . common sense. They seem to forget that the majority of citizens, the good citizens need some protection. They seem to forget that some of their recent rulings are making it much easier for the criminals to commit crimes.

The Supreme Court in its 5 to 4 decision held that upon the suspect's request, the police must:

Permit him to consult with his attorney.

Provide an attorney if he is too impoverished to hire one.

Permit the attorney to be present during the police interrogation.

Immediately stop all questioning if the suspect says he doesn't want to talk further or wants to talk to his lawyer.

The suspect can waive these rights but only after a clear and careful warning.

It is time that, we the people, become aroused and start doing something about Chief Justice Warren and some of his liberal cohorts before all law and order go down the drain. We feel that the great majority of American citizens are fed up with the Supreme Court's pampering and petting and protecting of the criminals in our country.

This latest decision is the last straw in a series of Supreme Court blunders that we feel has helped to protect the criminal and has caused an increase in the crime rate. Just for a change . . . let's start thinking about the good, decent people. It is time for the Supreme Court to wake up and use some common sense.

62-32585-218

ENCLOSURE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Mohr

DATE: 7/5/66

FROM : J. J. Casper

SUBJECT: SUPREME COURT'S REMARKS PRAISING FBI

In view of the attempt being made in some places to shake public confidence in the FBI at this time, it seems that we should have some way of calling public attention now and then to some of the praise that we get. Recently, highly favorable remarks about the FBI and its work have been made by members of the present Supreme Court. There are at least three examples, as follows:

(1) In Miranda v. Arizona, decided on June 13, 1966, the majority opinion, written by the Chief Justice, makes the following statement "Over the years the Federal Bureau of Investigation has compiled an exemplary record of effective law enforcement while advising any suspect or arrested person, at the outset of an interview, that he is not required to make a statement, that any statement may be used against him in court, that the individual may obtain the services of an attorney of his own choice and, more recently, that he has a right to free counsel if he is unable to pay. A letter received from the Solicitor General in response to a question from the Bench makes it clear that the present pattern of warnings and respect for the rights of the individual followed as a practice by the FBI is consistent with the procedure which we delineate today."

(2) Remarks made by Mr. Justice Clark contained in "Introduction to Symposium on Evidence and Criminal Procedures," Baylor Law Review, Summer and Fall, 1965, reported as follows: ". . .The rules which the Court has now held applicable to state procedures have been followed by Federal law enforcement officers for years, some for half a century. Yet the high percentage of convictions in Federal courts has not been lowered...it has improved during the last 30 - 40 years. This has most likely resulted from the

Enclosure
1 - Mr. Tolson
1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Casper

REC-27 62-27887-219
REC-25
EX-108
16 JUL 26 1966

CONTINUED - OVER

"ENCLOSURE ATTACHED"

training given Federal officers. The FBI has long carried on intensive programs for such purpose and other Federal agencies are now doing likewise... police and prosecutor training schools based on FBI curriculum should be established to apprise state officials of more advanced law enforcement techniques."

(3) On June 15, 1966, Mr. Justice Douglas made a speech to the International Footprint Association, Portland, Oregon, and sent a copy to the Bureau. At his request and with Bureau approval I had seen him previously and I gave him a copy of "Search of the Person" and a copy of "Due Process in Criminal Interrogation." In his speech he said, in describing the higher requirements recently laid on the police, "This has meant that it was necessary to re-educate many of the police. The FBI has lead the way, it has helped us realize that brain as well as brawn can solve crime... it is this positive approach to law enforcement, which the FBI and an increasing number of local authorities have shown, that will enable the police of the country to work and live under the Constitution of the United States and will afford all citizens, no matter how low their rank, a feeling of security."

We have left out a long paragraph in which Mr. Douglas described the accomplishments of the FBI National Academy. The full text of his remarks is attached.

RECOMMENDATION:

That all these current and highly commendable remarks from what is at least one of the best possible sources in this country be used to counter Bureau critics, if at all possible.

Supreme Court of the United States

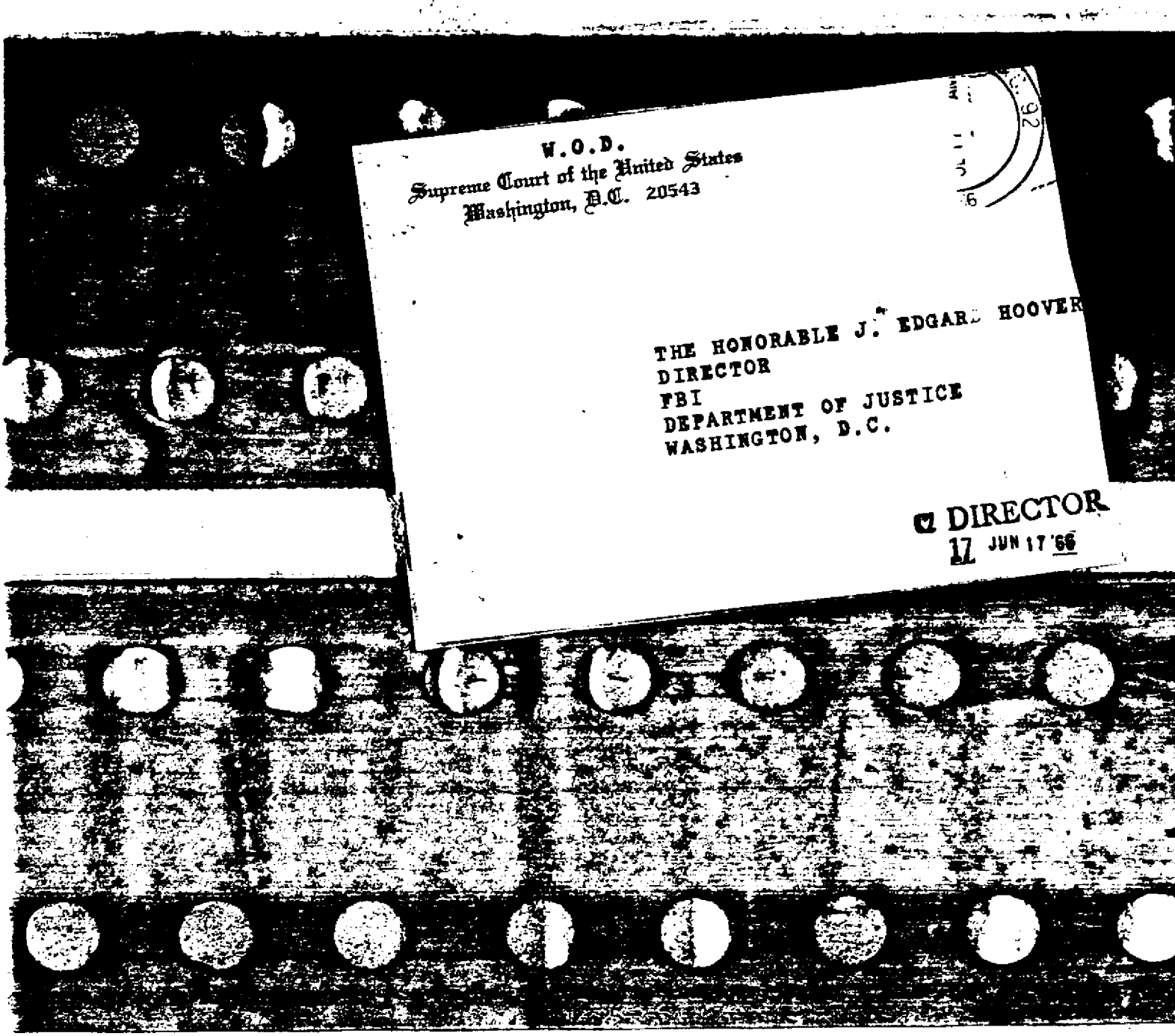
Memorandum

June 15, 1966

Justice Douglas thought you might like to have a copy of his speech being delivered tonight.

No ack req
we gave him
the material.

ENCLOSURE



W.O.D.
Supreme Court of the United States
Washington, D.C. 20543

THE HONORABLE J. EDGAR HOOVER
DIRECTOR
FBI
DEPARTMENT OF JUSTICE
WASHINGTON, D.C.

DIRECTOR
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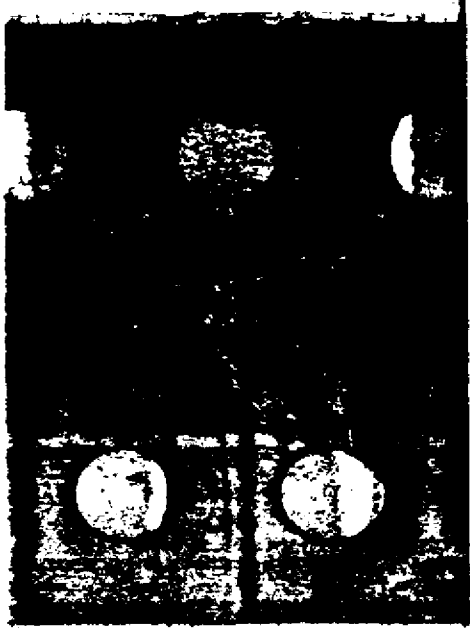
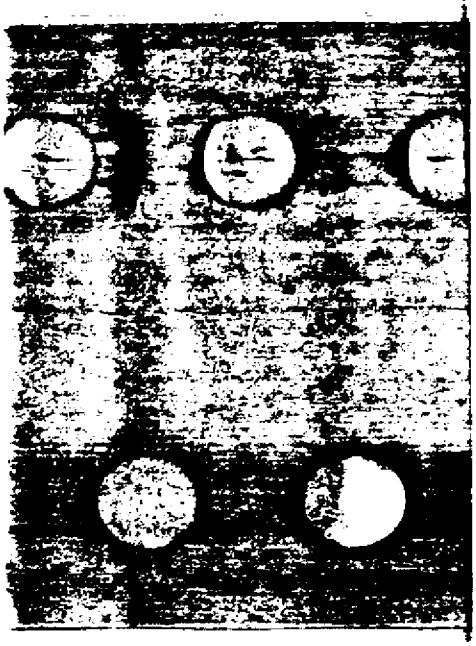




62-24585-219

ADDRESS

by

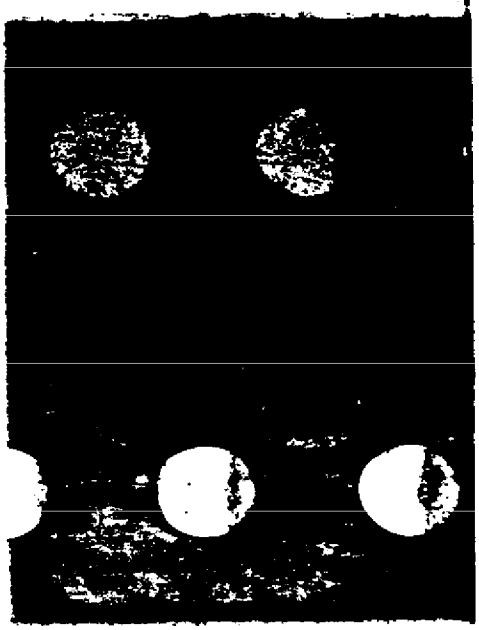
WILLIAM O. DOUGLAS

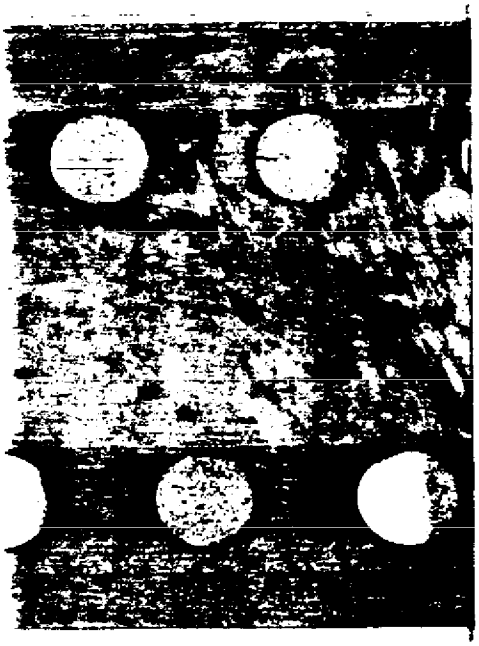
ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES

INTERNATIONAL FOOTPRINT ASSOCIATION

PORTLAND, OREGON

JUNE 15, 1966





INTERNATIONAL FOOTPRINT ASSOCIATION
PORTLAND, OREGON

The President of the California Bar Association, addressing himself to the difficulties law enforcement officers face, said:

"Many of the difficulties are due to an exaggerated respect for the individual as the isolated center of the universe. There is too much admiration for our traditional system and too little respect for the needs of society." [1]

That complaint is often heard. We are told that restrictive court decisions are "tying the hands" of the police and are "coddling" criminals at society's expense. Such complaints are not new. Indeed, the remarks which I have quoted are not of recent vintage. They were uttered by Curtis Lindley, President of the California Bar Association, in 1910. This verbal exchange between judges and law enforcement officers has been going on for some time.

It is not a war. In the long run, we all seek the same goals. We all want a society where pedestrians, homes, and places of business are safe, in which all citizens enjoy the full measure of their civil rights and liberties, and where those accused of law violation can expect and receive fair and equal justice.

Sometimes these goals conflict. If we abolished the Bill of Rights perhaps more criminals could be captured. But we Americans would not want to live in a society in which all rooms were "bugged," where the police could stop and search all persons at will,[2] where those suspected of crime were beaten and tortured unless they confessed.

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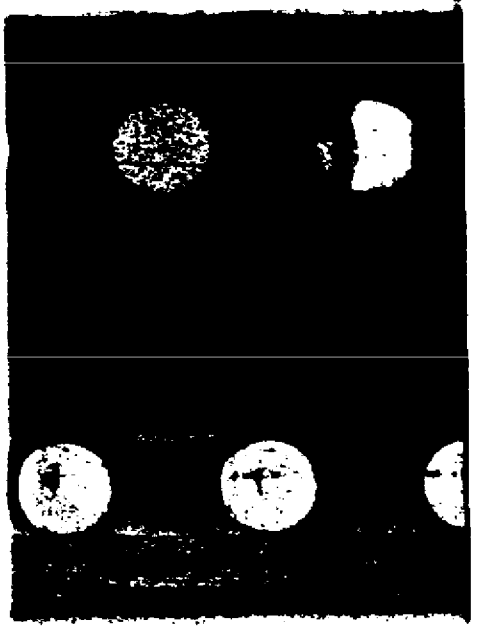
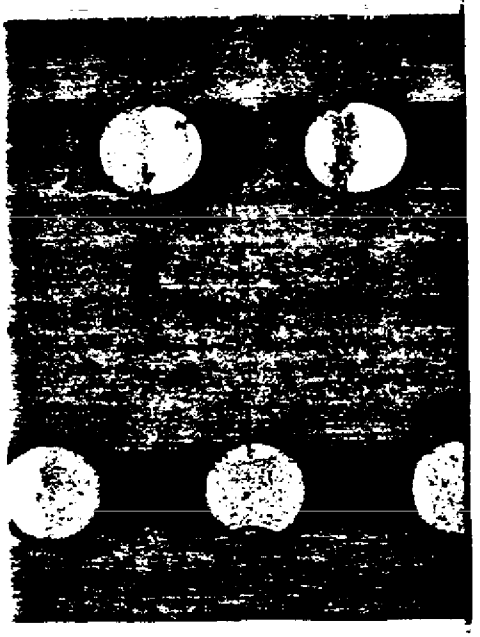
[1] 1 J. Crim. L. & Criminology 109 (July 1910).

[2] The Statute of Winchester, 13 Edw. 1 Stat. 2 (1285) provided: ". . . if any Stranger do pass by them, he shall be arrested until Morning; and if no Suspicion be found, he shall go quit; (7) and if they find Cause of Suspicion, they shall forthwith deliver him to the Sheriff, and the Sheriff may receive him without Damage, and shall keep him safely, until he be acquitted in due Manner."

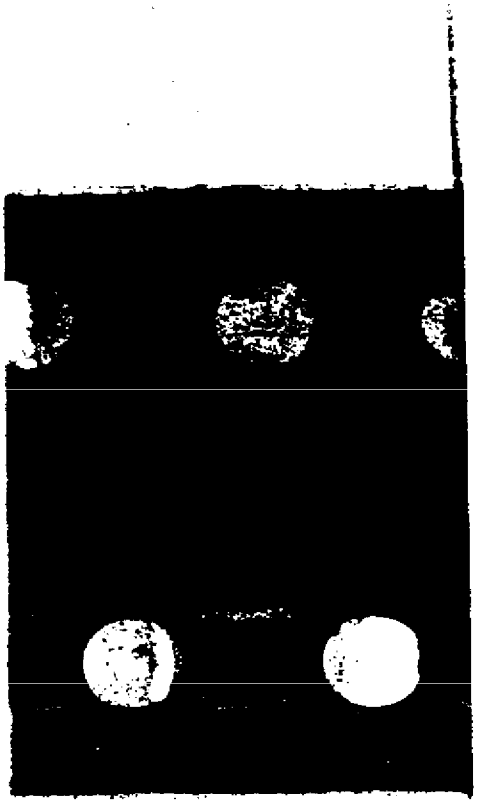


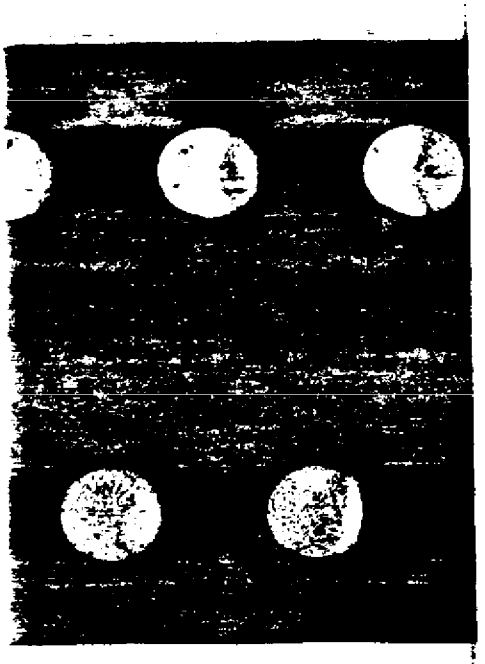


Our Constitution and our traditions establish the ground rules for the investigation and prosecution of criminal cases. Ours is an "accusatorial" system: the defendant is presumed to be innocent and the burden is on the prosecution to prove him guilty beyond a reasonable doubt. A fair public trial is guaranteed. So is the right to counsel and the right of confrontation and trial by jury. There is the privilege against self-incrimination, which among other things means that the defendant is not obligated to cooperate with his accusers in providing the evidence of his guilt. His confession may not be coerced no matter how subtle the tactics. At trial he cannot be compelled to testify and his failure to take the stand may not be held against him or even commented upon by the prosecution or the trial judge.

The police are restrained from unreasonable searches and seizures—a man's home being his castle; and, no matter how despicable the accused may be, if the police lawlessly invade the precincts that the Fourth Amendment makes sacrosanct, the evidence that is unlawfully obtained is inadmissible at the trial.

The Constitution, in other words, places obstacles in the path of police, prosecutors, juries, and judges. It purposefully makes criminal investigations and prosecutions difficult, not easy. The Fourth, Fifth, Sixth and Seventh Amendments make this abundantly clear. The theory reflects the attitude of our eighteenth century forebears. They wanted to take government off the backs of the people. Modern constitutions of the newly emerged nations talk in terms of things that government must do *for* the people. Ours talks in terms of things that government cannot do *to* the people. The Framers erected by design high fences around the homes and offices of the people and built a sanctuary for the individual, honoring and respecting his dignity and privacy no matter how unpopular or suspect he might be.





Other countries have different traditions. The civil law countries of Europe follow the "inquisitorial" practice—that is, the entire legal machinery revolves around an effort to develop all the facts of the case, with considerable emphasis upon interrogation and formal questioning of the prime suspect.

France provides an illustration of the inquisitorial system. In France, most investigations of crime are conducted by a *judge d'instruction*—a magistrate. He may require the assistance of the police, but they function at this stage under his direction. Interrogation of witnesses may be done by the police or by the magistrate himself. The purpose of this investigation is two-fold: (1) to determine whether there is any basis for further detention of the accused; and (2) to gather the fullest possible information regarding the crime. At the formal inquiry before the magistrate, the accused must be advised of his rights. He may have counsel. He may refuse to answer questions, although in practice few suspects do, for the refusal to cooperate is regarded with suspicion.[3] The magistrate holds his hearing, examines witnesses, and, usually, obtains a statement from the accused. He prepares a full report of the investigation and determines whether there is to be a trial.

The inquisitorial aspect of French criminal procedure carries over into the trial, which begins with the presiding judge's interrogation of the accused. The defendant is never placed under oath, thus avoiding putting him to the dilemma of a choice between perjury and self-incrimination.[4]

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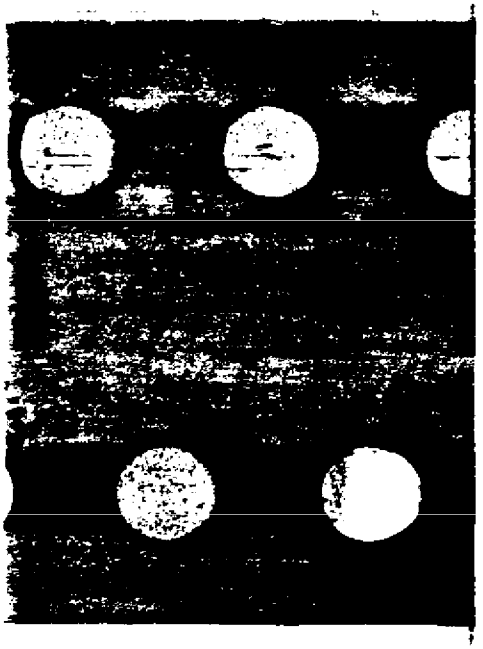
[3] Pieck, The Accused's Privilege Against Self-Incrimination in the Civil Law, 11 American Journal of Comp. L. 585, 598 (1962).

[4] *Id.*, at 586. On the French procedure generally, see Devlin, English & French Legal Methods: Crime, 4 Int. & Comp. L. Q. 376 (1955); Patey, Recent Reforms in French Criminal Law & Procedure, 9 Int. & Comp. L. Q. 383 (1960); Kock, Criminal Proceedings in France, 9 American Journal of Comp. Law 253 (1960); Freed, Aspects of French Criminal Procedure, 17 La. L. Rev. 730 (1957).

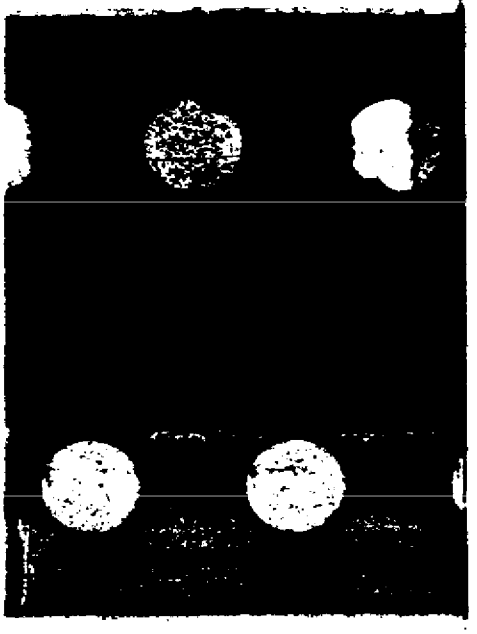


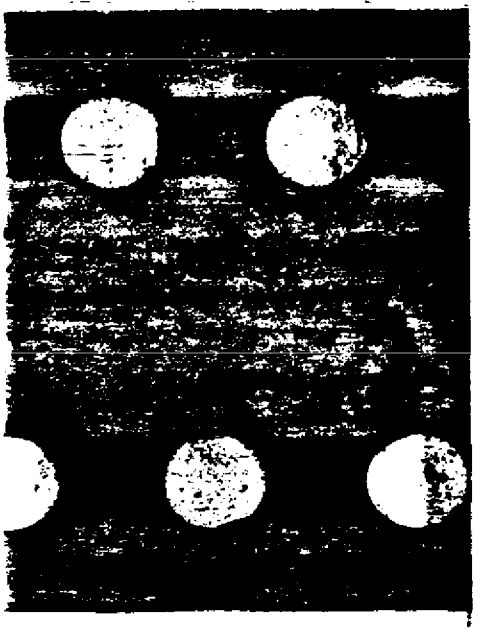
Trials in Russia are in the inquisitorial tradition. Police have vast powers prior to the trial stage. There is a provision in the Code of Criminal Procedure (Art. 20) that prohibits soliciting the accused's testimony "by force, threats, or any other illegal measures." But the power to hold prisoners *incommunicado* for long periods makes this guarantee quite meaningless. Prior to accusation, a person may be held *incommunicado* for 72 hours. Art. 122. That would be an unconstitutional procedure in this country since there is no sanction permitting "arrests for investigation," though occasionally our police practice it.[5] In Russia, once a criminal charge is made against a person, Art. 97 of the Code provides for confinement up to two months. But a state procurator may extend the time to three months; and the federal procurator up to six months and in some cases up to nine. These long periods of detention *incommunicado* are a policeman's heaven, for we all know that the end product is a confession.

Searches and seizures in Russia can be conducted only with the sanction of the procurator as provided in Art. 168. But "in instances not permitting delay a search may be conducted without the sanction of the procurator, but the procurator must be informed subsequently within one day of the search." *Ibid.* By Art. 169 witnesses must be present during the conduct of a seizure or search—the owner of the dwelling or an adult member of his family.

By Art. 128 "the help of the public to expose crimes and to search for the persons who have committed them" is demanded. Citizen participation in helping the police is indeed a part of the social compact in all countries. The difference comes when the citizen becomes the accused. Then the accused in this country no longer need

[5] See, *e. g.*, Report and Recommendations of the Commissioner's Committee on Police Arrests for Investigation (the Horsky Report), July 1962.





help the state. In Russia the state still retains the upper hand. That one difference marks the large gap between that system and ours which the Fourth, Fifth, Sixth and Seventh Amendments have created.

Of all the criminal trials I have seen in Russia, there was none that truly involved a searching probe of the issue of guilt or innocence. That issue had been resolved in the long period of confinement and in the intensive investigation. The trial was usually in fact a trial to determine what punishment was to be imposed.

Unlike France and Russia, Indian law makes it very difficult to obtain confessions from one suspected of crime. Section 24 of the Indian Evidence Act requires that confessions be excluded from evidence unless voluntarily made. That rule is cast in terms similar to the numerous American decisions holding a confession inadmissible when it is the product of coercion, unduly persistent interrogation, or other overreaching.

India's innovation comes in sections 25 and 26 of the Evidence Act. Section 25 renders inadmissible *all confessions made to a police officer.* And section 26 bars all confessions made to any person while the suspect is in police custody, unless the confession is given in the immediate presence of a Magistrate.[6]

These provisions were born of a distrust for the police and their treatment of those accused or suspected of crime. When Thomas B. Macaulay, one of the principal authors of the Indian Penal Code (which became law in 1860), went to India early last century, he found very harsh practices extant, including the use of red pepper

[6] Section 27 provides an exception to these sweeping rules: any portion of a confession which leads to the discovery of corroborating evidence is admissible. The theory appears to be that the danger against which Sections 25 and 26 were designed to guard—use of possibly unreliable confessions—is not present when the confession, or part of it, is verified by other evidence. Only that part of the confession which is verified is admissible. See Sakar's Law of Evidence 283–284 (11th ed. 1964).

in the eyes of suspects for the production of confessions. Shephen, in his History of Criminal Law in England, Vol. I, p. 442, mentions this practice:

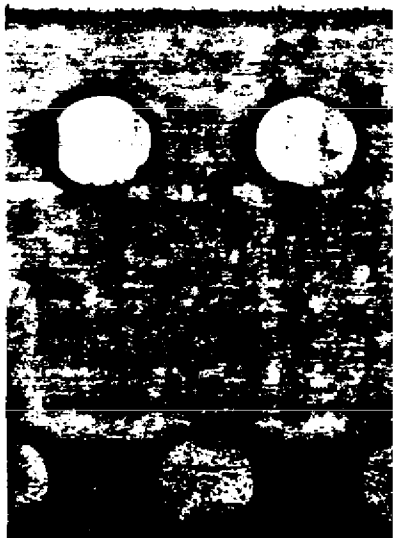
"During the discussions which took place on the Indian Code of Criminal Procedure in 1872 some observations were made on the reasons which occasionally lead native police officers to apply torture to prisoners. An experienced civil officer observed, 'There is a great deal of laziness in it. It is far pleasanter to sit comfortably in the shade rubbing red pepper into a poor devil's eyes than to go about in the sun hunting up evidence.' "

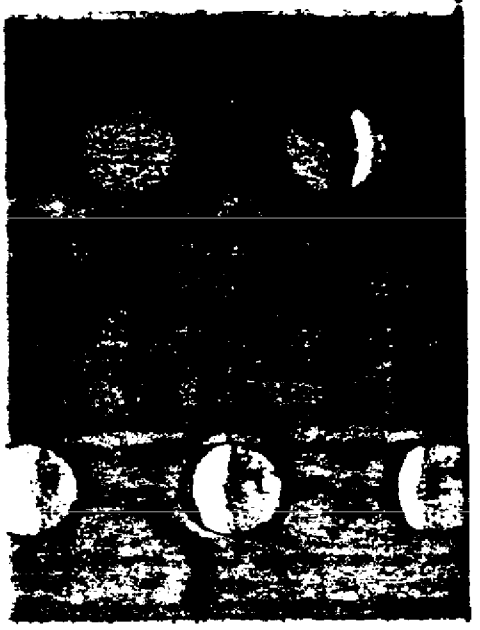
Sections 25 and 26, born out of those practices, bar all confessions which fall within their terms—whether or not "voluntary." They are *per se* rules reflecting bitter experience with the tactics of the Indian police under British rule. Recent proposals to change the Indian Evidence law have been rejected despite claims of improved police practices:

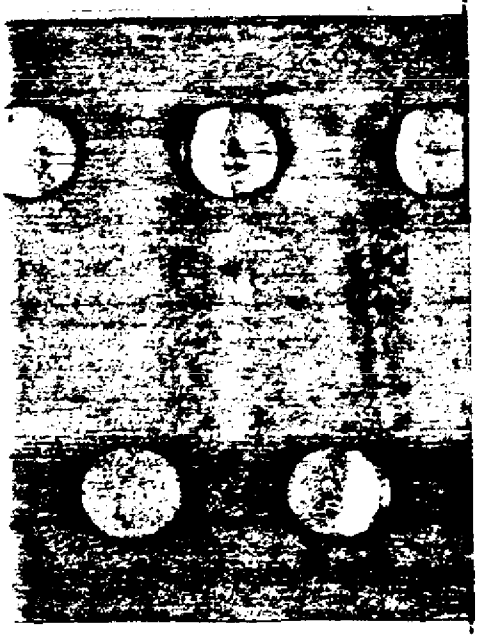
"*It must be conceded that in India, the police force* as a whole is not, even today regarded as a friend of the citizen. This is natural as the facts and circumstances of its creation . . . cannot be forgotten so soon. . . . In order that the citizen in this country should come to look upon the Indian policeman in the same manner [as the Englishman regards the English policeman] the police force in the country will have for many years to conform to the principles and practice which have governed the conduct of the British Police. Such a course of conduct alone can win for them the confidence and esteem of the public." [7]

In practice, these rules operate strictly. As stated, section 26 validates only confessions made in the presence of a magistrate. But the influence of section 25—which exclude all confessions made to a police officer—is great; the Indian courts require a period of "reflection" during which the accused must be isolated

[7] II Law Commission of India, Rep't No. 14, Reform of Judicial Administration 747 (1958).







from the police investigators before any confession may be recorded by the Magistrate. The purpose of this is to give him a chance to think the matter over, and to allow the influence of any police threats, promises, or coercion to be dissipated. As the Indian Supreme Court put it:

"There can be no doubt that, when an accused person is produced before the Magistrate by the investigating officer, it is of utmost importance that the mind of the accused person should be completely freed from any possibly influence of the police and the effective way of securing such freedom from fear to the accused person is to send him to jail custody and give him adequate time to consider whether he should make a confession at all. . . .

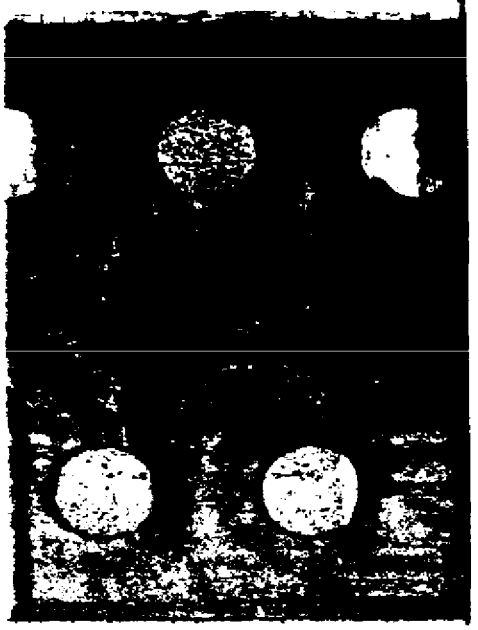
". . . [I]t would, we think, be reasonable to insist upon giving an accused person at least 24 hours to decide whether or not to make a confession. Where there may be reason to suspect that the accused has been persuaded or coerced to make a confession, even longer period may have to be given to him before his statement is recorded." [8]

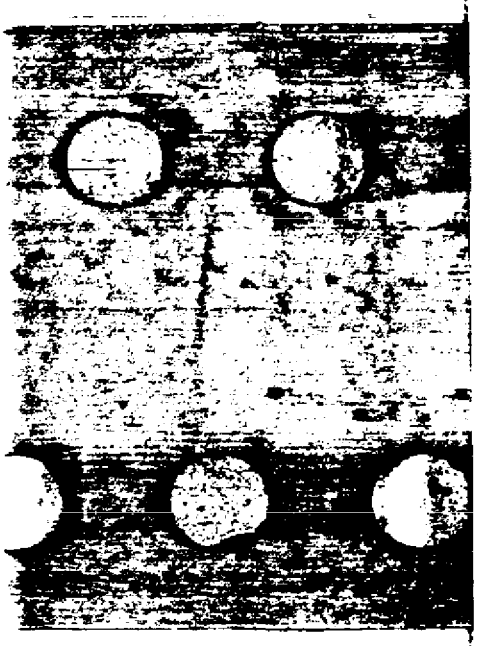
In that case, the accused was given only one-half hour for "reflection," apparently because he was "keen on making a confession straightaway." That, the court said, "should have put the learned Magistrate on his guard because it obviously bore traces of police pressure or inducement." In yet another case the accused confessed after having been given ten days to "reflect" by the magistrate. But he had passed those days in a cell supervised by some of those charged with investigating the crime, and thus the confession was held invalid.[9]

When our Constitution was adopted in 1787, and later when the Bill of Rights was added, it contained very

[8] *Sarwan Singh* v. *State of Punjab*. All India Rep. 1957 Sup. Ct. 637, 643–644.

[9] *Raja Khima* v. *State of Saurashtra*. All India Rep. 1956 Sup. Ct. 217.





few matters pertaining to the enforcement of state criminal law. There was, to be sure, in Article I, Section 9, a prohibition against Bills of Attainder and against *ex post facto* laws and the United States Supreme Court had occasion last century to deal with aspects of that problem. But apart from those restrictions, the states could design such criminal laws as they chose and enforce them in any manner they desired. Then came the Fourteenth Amendment with its Due Process Clause. Those who designed that Amendment did not define due process. But the great stream of cases that came to the Court over the decades presented the recurring question as to what provisions, if any, of the Bill of Rights were included in the Due Process Clause and thus made applicable to the states by reason of the Fourteenth Amendment.

While the Fourteenth Amendment was designed primarily to give political rights to Negroes, the first beneficiaries were not the Negroes but proprietary interests. In 1886 the Court held that "person" within the meaning of the Equal Protection Clause included the corporation;[10] and in 1889 the same was held as respects the Due Process Clause.[11]

Likewise the first provision of the Bill of Rights made applicable to the States by reason of the Fourteenth Amendment favored the proprietary interests. In 1897, the Court held that the Fourteenth Amendment forbade a state from taking private property for public use without the payment of just compensation,[12] just as the federal government would be required to do under the "just compensation" clause of the Fifth Amendment. Through the years, many such decisions have incorporated rights, secured against federal interference by the Bill of Rights, into the Fourteenth Amendment. The most recent of

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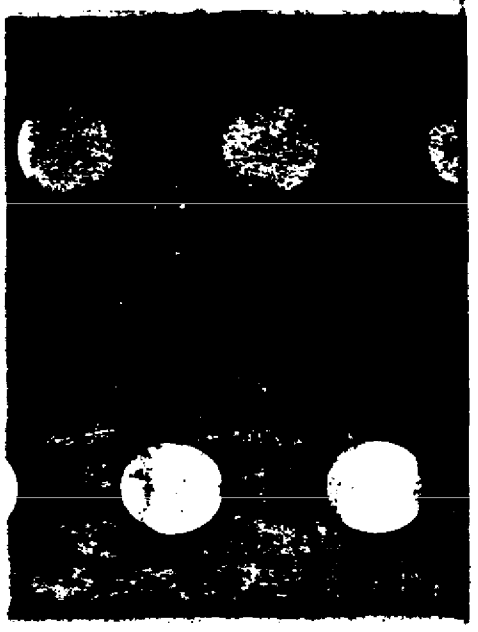
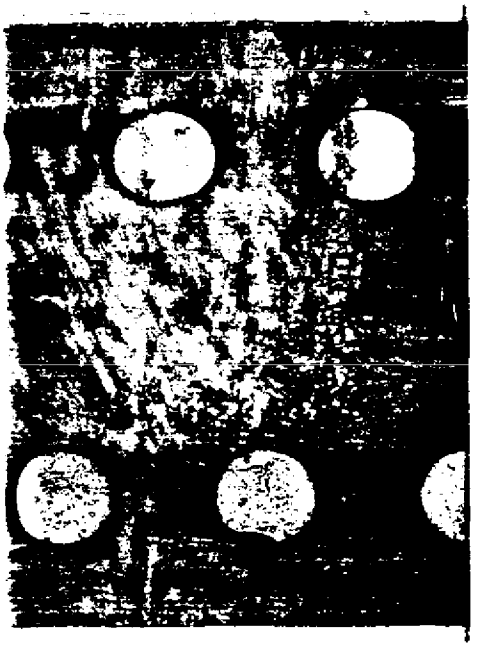
[10] *Santa Clara Co. v. Southern Pac. R. Co.*, 118 U. S. 394, 39.

[11] *Minneapolis Ry. Co. v. Beckwith*, 129 U. S. 26.

[12] *Chicago, B. & Q. R. Co. v. Chicago*, 166 U. S. 226.





these is *Pointer* v. *Texas*, 380 U. S. 400,[13] which holds that the right of an accused to confront the witnesses against him, assured by the Sixth Amendment, applies to the States through the Fourteenth. That case was decided in 1965, so the process has been a gradual but continuing one.

As a result of this selective process of incorporating the Bill of Rights into one or more of the clauses of the Fourteenth Amendment, most of the guarantees originally applicable only to the federal government have become applicable to the states. That is the reason why in this century, particularly, the Court decisions have in in the minds of many been an unsettling influence. What it has actually meant is that the standards for law enforcement have been raised. The reach of the constitutional protection of the citizen has been extended and the American concept of freedom, equality, and justice has, I think, been greatly enriched.

This has meant that it was necessary to re-educate many of the police. The FBI has led the way. It has helped us realize that brains as well as brawn can solve crime; that beatings, torture, detention *incommunicado*, breaking down the doors of homes and other like lawless action has no place in our society.

For 31 years it has had its National Academy where local law enforcement officers are trained. The course is for 12 weeks; and as of May 25, 1966, it had graduated 4,936. Of these 28 percent are executive heads of their respective agencies. The present academy capacity of 200 a year will soon be increased to 1,200. The FBI has extended other extensive help to municipal, county, and state law enforcement groups. Between 1961 and 1965 it held across the Nation 20,857 law enforcement schools attended by nearly 600,000 people. Training was provided at all levels and of all types. This instruction

[13] And see *Douglas* v. *Alabama*, 380 U. S. 415.

ranged from a few days to 10 weeks or more. In addition, it conducted many law enforcement conferences—1,126 in the last five years. These conferences were attended by nearly 100,000 people and nearly 40,000 agencies were involved.

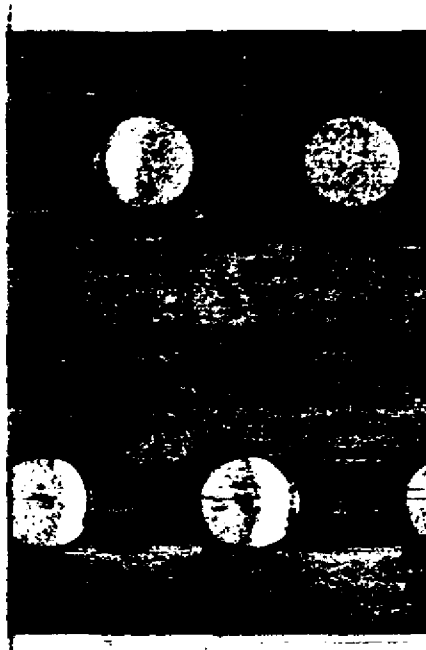
It is this positive approach to law enforcement, which the FBI and an increasing number of local authorities have shown, that will enable the police of the country to work and live under the Constitution of the United States and will afford all citizens, no matter how low their rank, a feeling of security.

Oregon has also been among the leaders in modern law enforcement techniques. So has Berkeley, California, where law enforcement officers have a salary range that not many elsewhere enjoy.

Berkeley has made an extensive effort to educate its policemen in legal procedures, not with the idea of "getting around" court decisions, but with the view of working within the rules of law. These efforts have paid rich dividends; an examination of Berkeley's criminal statistics shows that a very small percentage indeed of arrests results in exclusion of evidence illegally obtained.

All of us need re-education in the Bill of Rights. Students need exposure to it at an early age. Newspaper editors need to understand its history, for their editorials often show glaring deficiences in knowledge of the background and function of this American Magna Carta. Journalists are often so ignorant of the Bill of Rights that at press conferences their questions concerning court decisions are frequently unintelligible. The public is sometimes so unaware of the basic guarantees that they think the judicial decision turns on whether the judge is "soft" on criminals or made of sterner stuff.

Education in the Bill of Rights therefore is one of the great challenges of our time.



4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: July 13, 1966

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 15214-15218. Congressman Findley, (R) Illinois, spoke concerning the necessity for establishing procedures for the removal of unfit judges. He commented on the recent marriage of Supreme Court Justice William Douglas and stated "In my view, Justice Douglas' personal life points up a weakness in our judicial system. A means should be established under which the justices can be removed from the bench without the necessity of finding them guilty of treason, bribery, or other high crimes and misdemeanors." Mr. Findley went on to state "Any new procedure must be put together with great care. I myself would not want to initiate anything to upset our judicial system, in which independence is critically important. Whatever procedure is devised must minimize the possibility of frivolous removal or other forms of abuse of this procedure. - - - - Therefore, I would recommend that the House Judiciary Committee give serious consideration at an early date to this matter." Several other Congressmen also commented on this matter.

B

REC- 26

62-275-220

NOT RECORDED
145 JUL 27 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for [illegible] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

[redacted]
Norwood, Ohio 45212

July 22, 1966

The Hon. Lyndon B. Johnson
President of the United States
THE WHITE HOUSE
Washington 25, D.C.

Dear Mr. President:

We do not mean to pester you with letters, for your burden is heavy enough these days, and we believe you are doing your best under most trying circumstances, BUT we couldn't agree more with the attached article. We surely feel sorry for our fine FBI, under the able leadership of Mr. J. Edgar Hoover, and the Police Departments of our large cities! The trouble is not their fault! And they are doing a splendid job under most difficult circumstances!

It surely is a shame that something can't be done - or can it - about the rulings of our Supreme Court, invariably favoring the criminal and his rights, or the communists and their rights, - while no thought seems to be given the poor victim, and while crime is rising in our land until no decent citizen feels safe on the streets, parks, or even in his own home (many citizens in our city sleep in the hottest weather with doors and windows locked and bolted because of roving bands of vandals and criminals, whose rights are protected by law!) and while outlaws and criminals riot and act like jungle beasts! How long, how long, is it all going to be permitted? Is our America becoming a Congo! There it all followed a planned, revolutionary pattern; it would now seem to be the same here; and if such a revolutionary organization is known, it should be revealed to the American people, as Dr. Billy Graham suggested in the paper this week!

Many citizens do feel strongly about our Supreme Court and its rulings - favoring criminals and communists. We were surprised last summer, when riding the new expressway into Indianapolis, to see a huge signboard along the highway carrying just these three words : IMPEACH EARL WARREN! So others must be feeling the same way. And yet the Court goes right on with its godless decisions and criminal-favoring rulings. And the marital record of Justice Douglas is a disgrace for one in so high a position!

We do like Potter Stewart, and don't feel he goes along with much of this. We hope not!

REC-6 62-27585-221

Thank you for anything you and others who love America can do! We appreciate the fine record of our Ohio Senator, Frank J. Lausche!

May you have the LORD'S own wisdom as you try faithfully to lead this so great people!

16 JUL 28 1966

Sincerely,

[redacted]

CORRESPONDENCE

cc : Mr. J. Edgar Hoover
The Hon. Frank J. Lausche

Attachment

[redacted]

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b7C

ENCLOSURE

62-27585-66

The Cincinnati Enquirer
July 2, 1968

Washington

Question Crime Suspects, Says 'Cold Blood' Author

WASHINGTON [illegible] writer of a widely [illegible] book about a [illegible] murder, said [illegible] Supreme Court decisions on questioning of crime suspects [illegible] the helpless [illegible].

Referring to the arrest of [illegible] in Chicago [illegible]. The author of "In Cold Blood" told a Senate [illegible] subcommittee [illegible] that the police [illegible] of our major [illegible] to ask [illegible] a single [illegible] for fear that their [illegible] might be [illegible].

"This is almost like 'Alice in Wonderland' and I [illegible] it can only lead to situations in which the [illegible] are the helpless, the unwary, the innocent."

Mr. Capote's best selling book is an account of the murder of the four members of the Herbert Clutter family at Holcomb, Kans., in November, 1959, and of the [illegible] and capture of two young men subsequently hanged for the crime [illegible] Hickock and Perry Smith.

Alvin A. Dewey of the Kansas Bureau of Investigation, who directed the inquiry into the Clutter murder and helped obtain confessions from Hickock and Smith, was another witness before the subcommittee. It is looking into the impact of recent court decisions.

Truman Capote

Innocent are [illegible]

MR. DEWEY testified he does not believe the confessions could have been obtained if he and his fellow officers had been forced to operate under restrictions on the questioning of criminal suspects in recent High Court decisions.

Both he and Mr. Capote referred to a ruling that suspects not only be advised of their right to counsel, but that they be provided with counsel free of charge, if unable to afford a lawyer, and that counsel be permitted to sit in during police interrogation.

Mr. Capote said this means that "lawyers practically have to ride around in patrol cars." In the Clutter case, he testified, "any lawyer worth his salt would have advised the boys to say nothing. Had they said nothing, they would not have been brought to trial, much less convicted."

He testified that policemen have told him they rely on confessions for convictions of felons in about 70% of such cases.

"I have never met an innocent man who has confessed to a crime he did not commit," Mr. Capote said. "I have never met a murderer who would willingly confess to his crime with the protection of the Miranda decision (on confessions).

"While many in our society today are wailing about the right of the criminal suspect, why do they seem to totally ignore the rights of the victims and potential victims?"

Mr. Capote, who spent six years in research for the book, said he became a close friend and confidante of Hickock and Smith, and he is convinced that if they had been set free, they would have "killed again and followed a life of crime."

62-27585-221

July 27, 1966

REC-6 62-27585-221

[redacted]
Norwood, Ohio 45212

Dear [redacted]

I have received the copy of the letter dated July 22nd you and your friends sent President Johnson, together with its enclosure.

I want all of you to know that I appreciate your kind expression of confidence in the work being done by the FBI.

Enclosed are publications which I hope you find of interest.

Sincerely yours,

J. Edgar Hoover

MAILED 4
JUL 27 1966
COMM-FBI

Enclosures (2)
The Faith of Free Men
The FBI...Guardian of Civil Rights

NOTE: Although correspondent and her friends express condemnation of the present Supreme Court, in view of her praise of the Bureau, the above reply is deemed appropriate. We had one prior letter from [redacted] dated 12-1-64, at which time she thanked the Director for his statements regarding Dr. Martin Luther King. She expressed high praise of the Bureau at that time and sent Holiday Greetings. She was thanked by Bulet 12-10-64 (62-109811-4142). [redacted] and [redacted] who also signed attached letter are not identifiable in Bufiles.

(3) [redacted]

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

57 AUG 4 1966

REC'D-READING ROOM FBI

[redacted]
Norwood, Ohio 45212

July 26, 1966

Hon. J. Edgar Hoover, Dir.
Federal Bureau of Investigation
Washington 25, D.C.

Dear Mr. Hoover:

Last week, I wrote to the President, with copy to you, concerning the lawlessness and anarchy on our city streets until many of us women are afraid to venture out onto our streets at night - even to go to evening church, and much of it, many of us feel, can be laid at the feet of our Supreme Court. In fact, just last evening in our CINCINNATI POST-TIMES-STAR, a letter appeared in the Editor's Mailbox, and signed by six or seven employes of one of our large Cincinnati banks, the Fifth-Third, laying the blame for so much current lawlessness at the feet of THE WARREN COURT.

However, this letter is not over that, but I'm enclosing one of the most remarkable books, a true story and best seller, which I have read over and over again, and sent out to missionaries and Christian workers over the country and world--THE CROSS AND THE SWITCHBLADE. Perhaps you have read it; and, if so, just pass this copy on to someone who hasn't read it.

Inside the book I have included a photostat by the author of this book which is very timely, on dope addiction among the young people of this nation, and who is behind it all. Just thought you'd be interested.

God bless you in the great work you are doing under most difficult circumstances ... may He give you His own wisdom in all that you do!

Sincerely,

[redacted]

62-27505
NOT RECORDED
191 AUG 3 1966

Mr. Tolson
Mr. DeLoach
Mr. [illegible]
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

rec'd 7-27

67 JUN 29 1966

JUL 28 1966

FBI
RECEIVED DIRECTOR

CORRESPONDENCE

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Wick
Tele. Room
Holmes
Gandy

TO : Mr. Mohr

DATE: August 12, 1966

FROM : J. J. Casper

SUBJECT: REVIEW OF PUBLICATION ENTITLED "FROM ESCOBEDO TO MIRANDA - THE ANATOMY OF A SUPREME COURT DECISION" BY RICHARD J. MEDALIE (339 Pages) LERNER LAW BOOK CO., INC., 1966 WASHINGTON, D. C. MISCELLANEOUS

BACKGROUND

Washington Post article (8/7/66) captioned "Georgetown Professor Raps New Rules on Evidence" reported that Samuel Dash, Director, Institute of Criminal Law and Procedure, Georgetown University Law Center had criticized the Supreme Court for setting "almost arbitrary deadlines" and producing "ironic" and "discriminatory" results in its recent decision in Johnson v. New Jersey (6/20/66) holding that the Escobedo Opinion (6/22/64) and the Miranda Opinion (6/13/66) are to be applied only prospectively to trials begun after June 22, 1964, and June 13, 1966, respectively.

The Post article noted that Dash's criticism was found in his Foreword to a new Institute publication compiled by Richard J. Medalie, Deputy Director of the Institute, entitled "From Escobedo to Miranda - The Anatomy of a Supreme Court Decision".

Pursuant to the Director's comment on this Post article "Procure a copy", the publication was obtained and is attached. The following review was prepared by the Training Division.

6 AUG 19 1966

Enclosure

CAD:les

(3)

ENCLOSURE 267

57 AUG 23 1966

62-275-85-

NOT RECORDED

133 AUG 19 1966

REVIEW OF PUBLICATION

1. General Theme of Book

As the title of this book suggests its general theme is the development of the rules governing the admissibility of a confession of guilt made by a suspect or prisoner laid down by the Supreme Court of the United States in the cases of Escobedo v. Illinois and Miranda v. Arizona.

Briefly, Escobedo holds that a confession elicited by law enforcement officers from a person in custody after the officers fail to advise him of his absolute constitutional right to remain silent and refuse to honor his requests to consult with his retained lawyer is inadmissible against him at his trial because such police action deprives him of his Sixth Amendment right to the assistance of counsel.

Briefly, Miranda holds that a confession is inadmissible if it was obtained by law enforcement officers during in-custody interrogation where they fail to give the prisoner effective "warnings" as to his rights to silence and counsel because such custodial interrogation puts his privilege against self-incrimination, guaranteed by the Fifth Amendment, into jeopardy and its coercive effect must be dispelled by the warnings which are essential procedural safeguards for the proper exercise of his constitutional rights.

This publication attempts to trace the route of decision from Escobedo to Miranda by a review of various documents used during the appeals of five cases decided by the courts of four States and one Federal Court of Appeals involving questions left dangling by the Escobedo opinion. These so-called "Post-Escobedo Cases" are as follows: Vignera v. New York; California v. Stewart; Johnson v. New Jersey; Miranda v. Arizona; and Westover v. United States. With the exception of Johnson v. New Jersey, these cases were decided in the consolidated opinion of the Miranda Decision on June 13, 1966. The Johnson case was decided the following week, on June 20, 1966.

2. Foreword by Samuel Dash

The five-page Foreword by Samuel Dash consists of an explanation of the purpose of this publication and general observations on the Escobedo, Miranda and Johnson holdings. His criticism of the Court is confined to the following observations on the Johnson case in which the Court refused to apply the Miranda requirement on the necessity of the warning in a retroactive way:

"Some threads of this June 20 opinion (i. e. the Johnson opinion) can be found in the briefs and oral arguments of the State of New Jersey and the State of New York as amicus curiae. But the unique and almost arbitrary deadlines the Court announced for the application of its Miranda ruling is a creation of the Court's own making without the aid of anything counsel argued.

"The total effect of Johnson is a discriminatory array of remedies, of very differing degrees of effectiveness, for persons tried or convicted at different points of time. Those tried after Miranda may use the Miranda ruling. Those tried between Escobedo and Miranda may use the Escobedo ruling but not Miranda. Those tried before Escobedo may only use the earlier Supreme Court doctrine on voluntary confessions which requires no warning of rights by police, but treats the absence of a warning as one of the factors in the determination of whether the confession was voluntary made.

"It is ironic that for four people alone the Court applied Miranda retrospectively -- Miranda, himself, Vignera, Westover and Stewart."

In the course of describing the various documents used in the appeals of the Post-Escobedo Cases leading to the Miranda Opinion, Dash also wrote in his Foreword:

"Perhaps the most striking lesson to learn from these materials is the role an amicus brief can play in shaping a majority opinion, even without oral argument. Undoubtedly, the most effective presentation to the Court was the amicus brief of the American Civil Liberties Union. Although the full ACLU brief is not reproduced here, from the excerpts printed, it is clear that it presented a conceptual, legal and structural formulation that is practically identical to the majority opinion -- even as to use of language in various passages of the opinion. Also, it is from this brief and its appendix that the Court apparently draws its lengthy discussion of the contents of leading and popular police interrogation manuals. Both the ACLU brief and the Court explain that resort to the manuals is necessary because of the absence of information on what actually goes on in the privacy of police interrogation rooms. And both the Court and the ACLU brief point out that these manuals, shocking as they may seem, should be understood as presenting the enlightened and fair-minded police point of view."

Finally, Dash notes in his Foreword that"

"The Institute is pursuing a number of research projects aimed at developing empirical data on the functioning of the various steps of the criminal process. Of relevance to the Miranda decision is a study which started June 1, 1966, of the attitudes and responses of indigent defendants to police warnings as to their right to remain silent and the right to have a lawyer appointed and be present with them in the station house. This study is uniquely timed to observe at the outset the unfolding problems of implementing the Supreme Court guidelines."

3. Special Purpose of Publication

The special purpose of this publication is to "illuminate the appellate process" for practicing lawyers, the public and law teachers. The method employed by the Institute to achieve this purpose is through the reprinting in this publication of appeals materials such as the briefs filed by the lawyers for the petitioners, respondents and amici curiae and the transcripts of the oral arguments in the Supreme Court in the Post-Escobedo Cases.

The Institute of Criminal Law and Procedure is described as an institute which was "established as an integral part of the Georgetown University Law Center in October, 1965, for a five-year period, under a million-dollar grant from the Ford Foundation. A principal mission of the Institute will be to engage in systematic studies of the criminal law process from police investigation practices to appellate and other post-conviction procedures".

This particular publication is described as "Studies of the Criminal Process - No. 1".

4. Contents of Publication

There is nothing new and practically no original scholarly research or writing in the whole publication. Its 339 pages consist almost solely of reprints. For example, among these reprints are the following:

a) The full opinion of the Court in Escobedo (24 pages).

b) The full opinion of the Court in Miranda (111 pages).

c) The full opinion of the Court in Johnson (16 pages).

d) Briefs of Counsel, edited, in the five Post-Escobedo Cases (30 pages).

e) Oral arguments of counsel before the Court, also edited, in the Post-Escobedo Cases (109 pages).

The Post-Escobedo Cases shared the following salient features which formed the main basis for their appeal and on which the Court's opinion in Miranda turned:

a) Incommunicado, in-custody interrogation by law enforcement officers of prisoners in a so-called "police-dominated atmosphere".

b) Failure of the officers to give effective warnings to the prisoners on their constitutional rights.

The arguments of counsel for the criminal defendants in their briefs and oral remarks before the Court boil down to this:

That the warnings are essential to protect a prisoner's right to silence, based on the 5th Amendment; and to protect his right to counsel, based on the 6th Amendment; and, therefore, these warnings must be effectively given by the officers and knowingly and intelligently waived by the prisoner before any confession obtained may be deemed to be admissible.

The arguments of counsel for the prosecution boil down to this:

That the warnings are not essential; and the failure of law enforcement officers to give them is only one factor to be considered in the "totality of circumstances" surrounding the making of the confession by the prisoner in a judicial determination of whether the confession was made voluntarily and is the product of the prisoner's free will and choice.

In Miranda, of course, the Court held that the giving of the warnings is an absolute prerequisite to the admissibility of a confession obtained from a prisoner by law enforcement officers during in-custody interrogation.

5. Value of Publication

Because of the nature of the publication consisting as it does, of reprints, it is not an impressive legal work, particularly since almost half its contents consists of reprints of the decisions of the Supreme Court which are readily available. Whatever value it does possess lies in the facts that the great mass of raw material contained in the briefs of counsel and the oral arguments before the Court has been organized, arranged, edited and gathered within the covers of one book, thus making edited parts of this data conveniently accessible to the reader who has an academic interest in the historical background of an important Supreme Court opinion.

RECOMMENDATION

None . . . For information.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7-25-66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Pages 15940.- 15942. Senator Ervin, (D) North Carolina, introduced a resolution, S. J. Res. 179, proposing an amendment to the Constitution relating to the power of courts of the United States to review convictions in criminal actions. He placed in the Record a statement he made before the Subcommittee on Constitutional Amendments of the Judiciary Committee explaining in detail the purposes of this resolution. Mr. Ervin stated "When one reads some recent decisions of the nation's highest Court, and realizes that under them perpetrators of the foulest crimes are turned loose in society to repeat their crimes, he is tempted to exclaim: Enough has been done for those who murder, and rape and rob. It is time to do something for those who do not wish to be murdered or raped or robbed. It is for this purpose that I purpose my Constitutional Amendment." A copy of this resolution will be obtained.

Original filed in: 44-1731-9435

EX-110

REC 37 62-27585-222

NOT RECORDED

46 AUG 9 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-22-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

53 AUG 10 1966

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8-4-66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Original filed in:

Pages 17251-17254. Senator Byrd, (D) West Virginia, requested to have printed in the Record two articles from the June 20 issue of U. S. News & World Report entitled "In the 13th Year of the 'Warren Revolution'— How Supreme Court Is Changing United States" and "Some Criticisms of the Court. It is stated in the first article "Growth of crime: FBI reports show 2.75 million 'serious crimes' occurred in the United States last year, or a 58 per cent increase in the last seven years."

62-27585

NOT RECORDED
170 AUG 11 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

51 AUG 19 1966

must not search a person until probable cause for an arrest has been developed, our officers refrained from following this protective course lest evidence discovered be rejected by the court in a subsequent prosecution. Probable cause came with the shooting of the officers and too late to avoid this terrible tragedy."

VII.

THE SCHOOL PRAYER CASE

ON June 25, 1962 the Supreme Court decided a case entitled Engel vs. Vitale, generally known as the New York Prayer Case. This case originated in the State of New York from the Union Free School District #9 of New Hyde Park, New York. The school daily procedure was adopted on the recommendation of the State Board of Regents, a governmental agency created by the State Constitution to which the New York Legislature had granted broad supervisory, executive and legal power over the states public school system. The state officials composed the prayer which they recommended and published as part of their "Statement on moral and spiritual learning in the schools", saying, "We believe that this statement will be subscribed to by all men and women of good will and have called upon all of them to aid in giving life to our program."

The prayer in question reads "Almighty God we acknowledge our dependence upon Thee and we beg Your blessing upon us, our parents, our teachers and our country."

Shortly after the practice of reciting the Regent's Prayer was adopted by the School District the parents of ten pupils brought this action in a New York State Court, insisting that the use of this official prayer in the public schools was contrary to the beliefs, religion, or religious practices of both themselves and their children. Among other things these parents challenged the constitutionality of both the state law authorizing the School District to recommend prayer in the School District and the School District regulation ordering the recitation of this particular prayer on the ground that these actions of official governmental agencies violated that part of the First Amendment of the Federal Constitution which commands that "Congress shall make no law respecting the establishment of religion." The State Courts of New York upheld the Regents in the recitation of said prayer on the ground that the said prayer as a part of the daily procedure of the Public Schools did not *compel* any pupil to join in the prayer over his or his parents' objection.

The opinion of the Supreme Court reversing the State Court was written by Justice Black. It decided that the Regents had violated the First Amendment to the Constitution in that it was making a "law respecting an establishment of religion". In his

August 5, 1966

[redacted]
Sheboygan, Wisconsi

Mr. J. Edgar Hoover
U.S. Dept.Of Justice
Federal Bureau Of Investigation
Washington, D.C. 20535

61, 62

My Dear Mr. Hoover:

First I would like to take this oppertuntiy to thank you for the 6 booklets(99 facts About The F.B.I) which I've received in May. I've given 5 of these booklets to several of our detectives and one to our wonderful chief of police, Oakley Frank. The individual detectives and our chief have enjoyed the booklets very much. I do all I possibly can for our local polic police department, and have feught on their behalf for some years publicall in the newspapers, for these men are the guardians of peace in this country My recent letters published, have denounced the(RED) instigated Civilian Review Boards and I have lashed out very bitterly at these insane Supreme Court Rulings, which are one of the great contributing factors in tearing this great country down into shambles, which can not ever ever be rectified

I am 40 yrs. old, and I find it very hard to conceive that I would live to see this great nation openly plagued by the deadliest, most cruel, most inhuman element upon the face of this earth, which is a representativ of SATAN, Communism. I've read your GREAT BOOK entitled "Masters Of Decei This book should be Commended for a top award in this country. Every Ameri- can should and must read this factual writing, for this great book unveils Communism for what horrible thing it is. How can we expect Washington to do what is right, when they could never keep their own house in order???What good is the State Dept.? What good is the Sup. Court, who write up their q set of rules for this country? What good is a president who knuckles under for the Communists? What good is Katzenbach, when he is in with the rest the CLAN? He is NOT an individualist thinker-he is a puppet! When dictato Martin King makes demands, those demands are orders, and our Washington of- ficials fear this dictator and obey his audacious whims. WHY? This is som thing you nor I shall learn in our lifetime. Too much is swept under the ru

When William Parker, the Chief of Police of Los Angeles had died, I have learned of his passing a week later, as the local papers here had not mentioned of this fine man's death. A friend of mine who subscribes to a ca holic Newspaper "The Wanderer" has called me up and has told me Chief Parke is dead. I was shocked, and I cried because William Parker was an indispens ble man, a good man! I have a letter from him that I shall keep for all tim My heart went out to that man, when he had to fight the EVIL forces in the Watts area. That good man was dragged through the mud by Satans elements ar their supporters, the Communists in this country. I've sat down and have wr tten Chief Parker a comforting letter during his trialing time, to let him know that there are many GOOD people at his side. We, who oppose Communism MUST STAND TOGETHER, even though SOCIALISM=COMMUNISM has their foot in Amer ca's door.

What a SIN, to see the transformation of a good democracy, into a st by-step of MOSCOW Rulership.

ENCLOSURE

REC-51 62-27585-223

16 AUG 11 1966

NML Ack 8-10-66

8/11 ENCE

The Communist Party has become so bold since the U.S.Supreme Court has rul in the REDS favor. The Communist Party has ever held a Rally in New York celebrating our pro-communist Supreme Court decisions. What can I or any o cognizant American think? We can only judge men by their actions!

I am catholic and I have been a democrat Mr. Hoover, until I began wa ing up. When I've realized little by little what has been transpiring and through the nightmare of REALITY--knowing right and wrong, I knew I had to take the right stand according to the dictates of my CONSCIENCE. I cannot esteem those that support the enemy. I cannot support a State Dept. which very questionable. Our Country is a good country-but the men in charge are destroying it bit by bit.

You, Mr. Hoover, are a rose among thorns there in Washington,D.C. Men of you OUTSTANDING CHARACTER are priceless--and I would say before anyone, that my greatest regret is, that you were not in the position Lyndon Johns is in. In other words, you should be our President, because you are that which is GOOD. You are the MOST HONORABLE, HONEST AND SINCERE GOOD MAN IN WASHINGTON. Your soul and heart and pure. Your department is the only department in Washington without blemish.

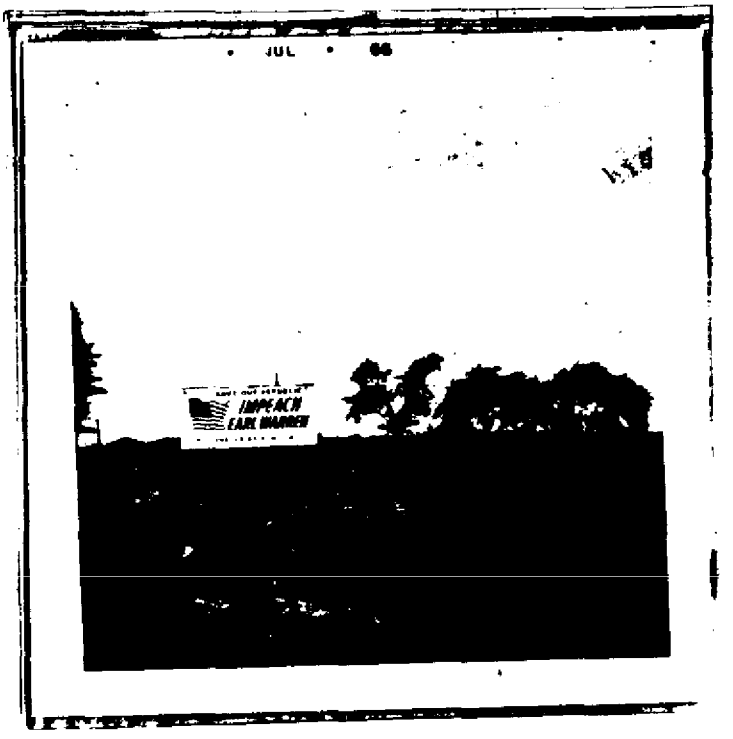
May God Forever Bless and Protect You! May HE forever watch over you fine and outstanding men.

b6, b7C

Very Sincerely Yours,

[redacted]

May I order 25 more booklets "99 Facts About the F.B.I.? I would like to give them to officers of our Sheboygan Police Dept. that would like to have a booklet. I shall be very happy to reimburse whatever charges to cover cost and mailing.



(Note on back of picture)

I've snapped the picture of this bill-board sign, which is erected on highway 141, south of the Sheboygan City limits.

Bill-boards like this should be erected along all highways thru'-out our country.

For Mr. Hoover.

62-87572-

ENCLOSURE

August 10, 1966

REC-51 62-27585-223

b6
b7C

[redacted] aka [redacted]
Sheboygan, Wisconsin 53081 B. APPROX. 1926

Dear [redacted]

Your letter of August 5th, with enclosure, was received during Mr. Hoover's absence from the city.

You may be assured your communication will be brought to his attention upon his return. I know he will appreciate your very complimentary remarks concerning his book, "Masters of Deceit," and the other kind sentiments you expressed regarding him.

I am taking the liberty of sending you the booklets you requested, and they will be sent under separate cover. There is no charge for any publications disseminated by the FBI.

MAILED 11
AUG 10 1966
COMM-FBI

Sincerely yours,

Helen W. Gandy
Secretary

b7C

1 - [redacted] - Room 4724 (Sent direct)
USC Material:
25 copies of "99 Facts About the FBI"

NOTE: Bufiles disclose prior outgoing to correspondent 5-6-66, at which time she was furnished six copies of the booklet, "99 Facts About the FBI." In view of her comments regarding various officials of the administration, it is believed this is an appropriate reply to her

(4) [redacted] b6 b7C

Return to [redacted] Room 4724

Tolson
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Conrad
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Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

FBI - READING ROOM
AUG 10 2 51 PM '66

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7/22/66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Pages A3962-A3963. Senator Thurmond, (R) South Carolina, extended his remarks to include an editorial from the Augusta (Georgia) Chronicle of July 22, 1966, entitled "Are The Police Handcuffed?" The editorial comments on recent Supreme Court rulings on police questioning. Mr. Thurmond stated This excellent editorial clearly sets forth some important questions which all Americans, and particularly Members of the Congress, should consider carefully.

+

REC-91

62-2751-5-224

NOT RECORDED
191 AUG 23 1966

1416

In the original of a memorandum captioned and dated as above, the Congressional Record for was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Tolson

DATE: August 16, 1966

FROM : W. M. Felt

SUBJECT: AMERICAN BAR ASSOCIATION
89TH ANNUAL MEETING, MONTREAL, CANADA
RESOLUTION BY CHIEF JUSTICES, JUDICIAL CONFERENCE
CRIMINAL LAW MATTERS

Inspector H. L. Edwards who represented the Bureau at the recent American Bar Association Annual Meeting in Montreal has made available the attached copy of a resolution presented by Pennsylvania Supreme Court Chief Justice John C. Bell, Jr., to the Chief Justices at their Judicial Conference in Montreal, Canada, 8/1-6/66. The Conference of Chief Justices meets immediately prior to the Annual Meeting of the American Bar Association and represents the Chief Justices of all of the states.

Chief Justice John C. Bell, Jr., has the reputation of being very strongly pro-law enforcement and has spoken out in the past against some of the "bleeding hearts" and the decisions of the U. S. Supreme Court which have tended to favor the criminal. The resolution refers to the appalling and brutal crime wave which is increasing six times faster than population; cites the recent publicized Miranda decision, and points out a number of specific areas in which the criminal accused of crime has long enjoyed adequate protection at the expense of society. The resolution indicates the Miranda decision is unsupported by the language or spirit of the Constitution or prior precedents and that it will greatly jeopardize the security and welfare of the law abiding public. It concludes that since the "scales of Justice have been overly weighted in favor of criminals and of persons suspected or accused of crime," the U. S. Supreme Court is urged to reconsider and substantially modify the rules and tests laid down in Miranda and "permit the introduction into evidence of confessions which were not coerced but were voluntarily, knowingly and intelligently made by a defendant or by any person suspected or accused of a crime." It was further resolved that a copy of the resolution be sent to the Chief Justice and all the Justices of the U. S. Supreme Court.

This resolution is one of several examples of the grave concern expressed in Montreal over recent trends of U. S. Supreme Court decisions in the field of criminal law.

ACTION: Information.

Enclosure ENCLOSURE

1 - Mr. Casper
1 - Mr. Rosen
1 - Mr. Wick
1 - Mr. Mohr
1 - Mr. DeLoach

62-27585-
NOT RECORDED
133 SEP 7 1966

57 SEP 14 1966

HLE:mbk
(7)

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8-23-66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pat

Pages 19154-19156. Congressman Hosmer, (R) California, placed in the Record an article written by William L. Roper entitled More Unsolved Murders which was published in the August 1966 issue of the California Highway Patrolman, the official publication of the California Association of Highway Patrolmen. Mr. Hosmer pointed out that the article deals with the roadblocks to law enforcement imposed by recent U. S. Supreme Court decisions. The article states "Pointing out that rehabilitation was a factor that needed attention, Justice White said that FBI statistics show that of the 192,839 offenders processed in 1963 and 1964, 76 percent had prior arrest or charge records."

62-22378-
NOT RECORDED
SEP 6 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-23-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

SEP 9 1966

CE 6-2333

Susquehanna Civic Association

2226 N. FAIRHILL STREET PHILADELPHIA, PA. 19133 2034 N.

PRESIDENT Sidney S. Rice, Sr.

1st VICE PRESIDENT Carlos Quinones

2nd VICE PRESIDENT Philomena Shewchuk

CORRESPON Betty Manso

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

F.B.I. Director
J.Edgar Hoover
Washington D.C.
September 2,1966

Dear Mr. Hoover:

First to say that you are to be congratulated on the fine job you have done for these many years and I am sure that the majority of the American people appreciate this.

I must disagree however with you on a statement I have read and which I have before me in this Morning's Philadelphia Inquirer dated 9/2/66.

" The following is quoted:"There has been much wailing and gnashing of teeth in some law enforcement circles lately."

I have no doubt about this but you must remember that the majority of clean living and law abiding Citizens have put up a big fuss about this very thing.

The Criminal has twice the protection that any law abiding Citizen has.

Were one of these rapists to attach a daughter of yours or a close friend or family of yours perhaps there would be a different tune sung by yourself.

I am first of all an American Citizen and would do my part to protect my country,and I am an adopted Son of Philadelphia of which I am proud to a point.

The United States Supreme Court HAS and I repeat HAS tied the hands of our good law enforcement officers and every good American knows this and has complained about this.

I think first of all that members of our Highest court should be voted on as Congressmen etc. and not put in office by any President and in this way when we see that they are catering to a minority group we voting Americans can oust them in our elections.

Every country which has turned their back on Almighty God has fallen and Mr. Hoover I say this as a Christian and not as or in any other way and with NO other meaning,but we are falling faster than many may believe.

Only yesterday a Citizen was denied his right to be at a hearing in behalf of his son who had been accused of a wrong because the Magistrate who sat in on this case decides whether he will start at eight-thirty or nine o'clock.

Now this Citizen ~~had his~~ son arrested at three o' clock A.M. and was told to appear at nine o'clock A.M. his employer allowed him to go to the hearing in plenty of time but when he arrived the hearing was over and he and his wife the boy's Mother and Father learned that the boy was held in $2,000 (Two Thousand dollars)bail for further hearing on September 5,1966.

Now do you call this fairness by a court? I DO NOT. The color of any man's skin or where he was born matters not to me. Wrong is wrong and is not respective of color,creed or origin.

So as far as I am concerned I wish for you to know that as far as

CORRESPONDENC

CE 6 - 2333

GA 6 - 3531

Susquehanna Civic Association

2226 N. FAIRHILL STREET PHILADELPHIA, PA. 19133 2034 N. 4th STREET

PRESIDENT Sidney S. Rice, Sr.
1st VICE PRESIDENT Carlos Quinones
2nd VICE PRESIDENT Philomena Shewchuk
CORRESPONDING SECRETARY Betty Manson

(2) Letter Continues.

am concerned the majority of Philadelphia Citizens are PROUD of our Police force.

Surely there are good and bad in every endeavor and this does not exclude police, judges, firemen and/or any citizen.

This letter is not written to condemn but it is written to say that I personally feel that you are wrong when you feel that policeand or others have been complaining too much.

I would not have a job as a policeman in any city for any amoun of money because they are not respected as they should be and I have personally witnessed several times that they had to stand by and answe complaints and were unable to satisfy complainants because the U.S. Supreme Court had "Tied thier hands."

May God bless you and continue to give to you the health and strength that you need for your own type of work which I realize isn't an easy task either.

Be assured that I have not written this in bitterness, but I do believe in stating when something is wrong in my mind.

Sincerely Yours

[redacted]

66,672

September 12, 1966

62-27585-225

[redacted]
Susquehanna Civic Association
2226 North Fairhill Street
Philadelphia, Pennsylvania 19133

Dear [redacted]

Your letter of September 2nd was received as Mr. Hoover was preparing to leave the city. He asked me to thank you for the kind sentiments and generous comments you expressed regarding his work.

Mr. Hoover wanted me to send the enclosed material to you.

Sincerely yours,

Helen W. Gandy
Secretary

Enclosures (2)
Primacy in Parole and Probation
Spare the Rod...and Spoil the Criminal

1 - Philadelphia - Enclosure

NOTE: Correspondent is not identifiable in Bufiles and our files contain no record of the Susquehanna Civic Association.

[redacted]

MAILED 11
SEP 12 1966
COMM-FBI

REC'D-READING ROOM
SEP 12 3 16 PM '66

59 SEP 20 1966

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-2-66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Pages 20734-20736. Congressman Randall, (D) Missouri, spoke concerning the present and potential effect of the Escobedo and Miranda decisions. He described a recent attack by an unknown assailant on a member of his staff as she was walking to her home on Capitol Hill. He said "I find this incident leaves me no alternative but to speak out concerning some recent U. S. Supreme Court decisions that render our police department ineffective or even impotent in their law enforcement activities." He also stated "The Escobedo and Miranda cases apply against the States and thus have nationwide application. It is my sincere, solemn, and at the same time dismal prediction, that statistics for the increase in crime 1 year from now will show the disappointing, yes even sickening results of the Miranda decision that was handed down by the U. S. Supreme Court on June 16, 1966."

Original filed in:

REC- 62 62-27525-206

NOT RECORDED

46 SEP 20 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 9-15-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 9-15-66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Page 21645. Senator Long, (D) Missouri, pointed out that recent Supreme Court decisions interpreting the rights of the individual in criminal cases have created considerable controversy throughout the United States. In connection with this matter he included the Director's message which appeared in the September 1966 issue of the FBI Law Enforcement Bulletin. Mr. Long also included an editorial from the September 6, 1966, Washington Post entitled Gnashing of Teeth dealing with Mr. Hoover's message.

REC- 67 62-27585-227

NOT RECORDED

16 SEP 23 1966

In the original of a memorandum captioned and dated as above, the Congressional Record for 9-14-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that copies of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62-27585-227 SEP 23 1966

5-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 10/21/66

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 26301-26302. Senator Stennis, (D) Mississippi, spoke concerning the increase in crime and recent Supreme Court decisions. He stated "Of course, I do not mean to say that court decisions cause crime, but when the courts strain to find new reasons for returning the agents of crime to the streets, when they vie with each other in imposing new restraints on the police, the courts contribute to the creation of conditions which encourage the commission of crimes. - - - - When Congress convenes in January this entire problem should be the first order of business, with a view toward restoring the balance between liberty and order which is being dangerously weighted in favor of the lawless element that is devouring our society."

62-27585-

NOT RECORDED
128 NOV 9 1966

327

In the original of a memorandum captioned and dated as above, the Congressional Record for 10-20-66 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

53 NOV 15 1966

Original filed in: 62-27585-2998

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Rosen

DATE: December 1, 1966

1 - Mr. Rosen
1 - Name Check
1 - [redacted]

FROM : G. H. Scatterday

SUBJECT: SUPREME COURT NAME CHECK REQUESTS

On November 29, 1966, requests for name checks on ten individuals were received from [redacted], Marshal, U. S. Supreme Court. The forms submitted indicated these individuals were applying for positions as guards, policemen, or charwomen.

A check of Bureau files reveals no derogatory information concerning any of the ten individuals, namely,

Born: [redacted]

Born: [redacted]

Born: [redacted]

Born: [redacted]

Born: [redacted]

Born: [redacted]

Born: [redacted]

REC 20 62-273 85-228

DEC 6 1966

61 DEC 8 1966

Supreme Court Name Check Requests

[redacted]

Born: [redacted]

Born: [redacted]

Born: [redacted]

Memorandum from Mr. Nichols to Mr. Tolson dated September 3, 1957, reveals that the Director has instructed that no action be taken concerning requests received from the Supreme Court until the matter has been presented to him and he personally rules on the request.

RECOMMENDATION:

That the forms on listed individuals be stamped "no derog data" and returned to the U. S. Supreme Court. If approved, this memorandum should be returned to the Name Check Section for handling.

[redacted]

[redacted]

Jan. 4, 1967

Dear Sir: SUPREME COURT

Would you please explain to me what the Supreme court is trying to do? How do they expect you + all the other law enforcement officers to do your jobs.

The only thing they worry about is the right of the criminal, the ordinary law abiding guy in the street continues to get it in the neck. I wanted to join your CORRESPONDENCE organization, but unfortunately for me I never received enough education

ack 1-10-67 BG H: fef ITC 1-6-67

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

37 EXP. PROC.

JAN 6 1967

REC 1 62-27585-229

4 JAN 11 1967

to qualify. I just wanted you to know that you have my utmost respect as one of the finest men in the world. You also have my sympathy with some of them meat-headed decisions.

Sincerely.

b6
b7C

[redacted]

Pottstown, Penna. 19464

TRUE COPY

Jan. 4, 1967

Dear Sir:

Would you please explain to me what the Supreme Court is trying to do? How do they expect you & all the other law enforcement officers to do your jobs.

The only thing they worry about is the right of the criminal, the ordinary law abiding guy in the street continues to get it in the neck. I wanted to join your organization, but unfortunately for me I never received enough education to qualify. I just wanted you to know that you have my utmost respect as one of the finest men in the world. You also have my sympathy with some of them meat headed decisions.

b6,
b7C

Sincerely,

[redacted]

Pottstown, Penna. 19464

1 TC 1-6-67
fdt

mmd
2f

1-12-67

January 10, 1967

REC 1 62-27585-229

b6,
b7C

[redacted]
Pottstown, Pennsylvania 19464

Dear [redacted]

I have received your letter of January 4th and want you to know your favorable comments and expression of confidence in my work are appreciated.

Sincerely yours,

J. Edgar Hoover

MAILED 2
JAN 10 1967
COMM-FBI

NOTE: Bufiles contain no record of correspondent.

[redacted] (3)

b6, b7C

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DeLoach
Mohr
Wick
Casper
Callahan
Conrad
Felt
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Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

MAIL ROOM ☐ TELETYPE UNIT ☐

OPTIONAL FORM NO. 10 5010-106
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

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Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Gale

DATE: 1/20/67

FROM : W. V. Cleveland

SUBJECT: H.R. 146
A BILL TO ESTABLISH QUALIFICATIONS FOR APPOINTMENT TO THE SUPREME COURT OF THE UNITED STATES AND TO OTHER FEDERAL JUDGESHIPS

[redacted]

66,67C

H.R. 146 (copy attached) was introduced in the House of Representatives on 1-10-67 by Thomas G. Abernethy (Dem.) from Mississippi and referred to the Committee on the Judiciary.

If enacted into a law, this bill would provide that no individual would be appointed as a member of the Supreme Court of the United States unless he had had at least five years service as a U. S. Judge or judge of the highest court of a State.

The bill further provides that no person would be appointed U. S. Judge if at any time within the five-year period preceding his appointment he held any of the following offices:

1. Vice President of the United States;
2. Senator or Representative in Congress;
3. Head of the executive departments of the Federal Government (including the military departments); Deputy Secretary, Under Secretary, or Assistant Secretary of any such department; or Deputy Postmaster General, Assistant to the Attorney General, or Solicitor General of the United States;
4. Director of the Bureau of the Budget, Comptroller General of the United States, Administrator of General Services, Federal Mediation and Conciliation Director, or Director of Foreign Operations Administration;
5. Member of the Atomic Energy Commission, Civil Aeronautics Board, United States Civil Service Commission, Federal Communications Commission, Federal Power Commission, Federal Trade Commission,

"ENCLOSURE ATTACHED"
ENCLOSURE

Enc.

1 - Mr. DeLoach
1 - Mr. Wick
1 - Mr. Casper
1 - Administrative Review Unit
1 - Mr. Gale
1 - Mr. Cleveland

62-77685-230

REC 45 ETT-IS

NO JAN 25 1967

CONTINUED - OVER

61 JA [redacted] (8)

Interstate Commerce Commission, National Labor Relations Board, Securities and Exchange Commission, or the United States Tariff Commission; or

6. Governor, Lieutenant Governor, or head of any executive department of any State or Territory.

OBSERVATION: This appears to be an effort to take the appointment of Federal judges to some extent out of the field of politics and political patronage as well as preventing appointments of lame duck members of Congress. The Bureau should not inject itself into this proposed legislation.

ACTION: For information.

90TH CONGRESS
1ST SESSION

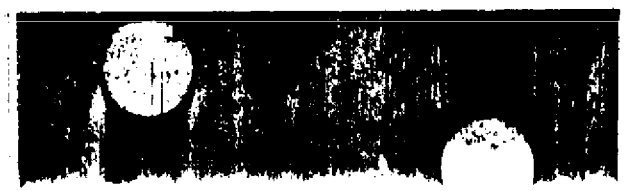
H. R. 146

A BILL

To amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within five years after leaving such offices.

By Mr. ABERNETHY

JANUARY 10, 1967
Referred to the Committee on the Judiciary



90TH CONGRESS
1ST SESSION

H. R. 146

1967

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1967

Mr. ABERNETHY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 28 of the United States Code to establish certain qualifications for persons appointed to the Supreme Court and to provide that persons who have held certain Federal and State offices shall be ineligible for appointment to any Federal judgeship within five years after leaving such offices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1 of title 28, United States Code, is amended by adding at the end thereof a new paragraph as follows:

"From and after the date of enactment of this paragraph no person shall be appointed to the office of Chief Justice of the United States or to the office of Associate Justice of

the Supreme Court unless, at the time of the appointment, he shall have had at least five years of judicial service. For the purpose of this paragraph, 'judicial service' means service as a justice of the United States, a judge of a court of appeals or district court, or a justice or judge of the highest court of a State."

(b) The heading of section 1 of title 28, United States Code, is amended to read as follows:

"§ 1. Number of justices; quorum; qualifications"

(c) The analysis of chapter 1 of title 28, United States Code, is amended by striking out

"1. Number of justices; quorum."

and inserting in lieu thereof

"1. Number of justices; quorum; qualifications."

SEC. 2. (a) Chapter 21 of title 28 of the United States Code is amended by adding at the end thereof the following new section:

"§ 461. Ineligibility of certain individuals for appointment as justices or judges

"No individual shall be appointed as a justice or judge of the United States if at any time within the five-year period ending on the date of his appointment he has held any of the following offices:

"(1) Vice President of the United States;

"(2) Senator or Representative in Congress;

"(3) Head of the executive departments of the Federal Government (including the military departments); Deputy Secretary, Under Secretary, or Assistant Secretary of any such department; or Deputy Postmaster General, Assistant to the Attorney General, or Solicitor General of the United States;

"(4) Director of the Bureau of the Budget, Comptroller General of the United States, Administrator of General Services, Federal Mediation and Conciliation Director, or Director of Foreign Operations Administration;

"(5) Member of the Atomic Energy Commission, Civil Aeronautics Board, United States Civil Service Commission, Federal Communications Commission, Federal Power Commission, Federal Trade Commission, Interstate Commerce Commission, National Labor Relations Board, Securities and Exchange Commission, or the United States Tariff Commission; or

"(6) Governor, Lieutenant Governor, or head of any executive department of any State or Territory."

(b) The analysis of chapter 21 of title 28 of the United States Code is amended by adding at the end thereof the following new item:

"461. Ineligibility of certain individuals for appointment as justices or judges."

4-572 (Rev. 7-18-
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 2 2 1 7

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H866-H867. Congressman Wyman, (R) New Hampshire, spoke concerning decisions by the Supreme Court. He stated Our Constitution says legislation shall be by the Congress, not by the courts. Yet when a determined few on our highest Court legislate judicially by repeatedly rewriting the Constitution to their personal taste, there is no appeal under our system except to Congress. - - - - The American people are at long last becoming awakened to the true danger to them from this judicial license. Congress is aroused. So is the organized bar. - - - - Some answer must be found short of the laborious process of constitutional amendment, for the Nation can ill afford a continuation of such encouragements to Communists, criminals, and perverts. Let us hope that the Judiciary Committees of this Congress will recognize the urgency of this problem. He included an article from the Washington Star of January 31st entitled High Court a Liberal Place Back In Business written by James J. Kilpatrick.

In the original of a memorandum captioned and dated as above, the Congressional Record for 2 2 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

2 2 1 7

NOT RECORDED

184 FEB 25 1967

62 FEB 25 1967

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

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Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Wick

DATE: 3/1/67

FROM : M. A. Jones

SUBJECT: RADIO BROADCAST
FULTON LEWIS III
6:30 P.M., 3/1/67

In his broadcast this evening over Radio Station WGMS, Lewis stated that the Director's Message in the current issue of the FBI Law Enforcement Bulletin "took issue" with the findings of President Johnson's crime commission insofar as social ills being the primary cause of crime.

Lewis proceeded to quote extensively from the Director's Message, touching on the problems of unwarranted judicial leniency, the necessity for crime deterrents and the advantages of swift and realistic punishment for criminal offenders. Mr. Lewis said that "whether he intended to or not, Hoover pointed up a major weakness" in the President's crime proposals by stressing that today there was not sufficient emphasis on deterrents to crime.

Lewis went on to state that the President had completely failed to mention current court decisions which have so greatly impeded the efforts of law enforcement. He said that FBI statistics noted a shockingly high number of criminal repeaters whose activities represented a great risk to the public and police officers.

Lewis went on to say that if the President is sincere in his desire to combat crime, he will have the opportunity when naming a replacement for Supreme Court Justice Tom Clark. He opined that the new Justice should be aware of the rights of the public, should be a conservative like Justice Clark and should not be another Abe Fortas, "who gives comfort to the liberals." Lewis was highly critical of Supreme Court decisions in all areas, including crime, subversion and "prayers in public schools." He concluded stating that the Supreme Court has acted as a legislative arm of the Government and has infringed on states rights constantly.

62-27585-

NOT RECORDED
102 MAR 9 1967

12 MAR 7 1967

CRIME RESEARCH

RECOMMENDATION:

For information.

1 - Mr. Wick
1 - Mr. DeLoach
[redacted] (5)

[redacted]

March 6, 1967

The President of the United States of America
Washington, D. C.

Mr. President:

Do I understand correctly that a recent Supreme Court decision "ruled unconstitutional a New York law that made membership in the Communist Party sufficient grounds for dismissing--or for not hiring--any public employee"? If so, this would render the State of New York powerless to dismiss teachers or other public servants who are Communists and would open the way to those who would destroy our government and our freedom to continue their subversive activities unmolested and without restraint.

If the reason for our war in Viet Nam is, in part, to contain Communism, how incongruous can we be?

Mr. President, in view of other recent decisions by the highest court in the land, it would seem to me that the time has come for a re-evaluation of the standards of conduct, character, moral integrity, and national loyalty of those who are appointed to the Supreme Court and lesser courts in our land.

You are to be commended for your decision to defeat poverty and demolish crime. But, wouldn't preventive measures applied in our Supreme Court and other courts be a long stride in that direction?

Lust, rape, perversion result from minds that feed on pornographic materials. When these are made easily available, even in our news media (see Time magazine, March 3, 1967, page 76 and following) what teenage youth or adult would not be tempted? This sort of thing is thrust at the general public constantly on television, the screen, and legitimate magazines, to say nothing of the flood of vulgarity of which Playboy is only one. How can minds be continually bombarded with lewd sex, violence, social pressure to consume alcoholic beverage, and questionable examples of conduct and citizenship by people in responsible positions and not succumb? Certainly in these are the seeds for crime.

REC-21 62-31585-231

Noak-copy

I pray God [redacted] will ask Him for the courage He will supply to let freedom under law, not license, guide us as "one nation under God". The time for action is long overdue.

Very sincerely yours,

[redacted]

SITKA, ALASKA

[redacted]

cc: Senator Ernest Gruening
cc: Senator Robert Bartlett
cc: Representative Howard Pollock
cc: J. Edgar Hoover
cc: Governor Walter J. Hickel
cc: File

61 67C

4-572 (Rev. 7-16
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 3-10-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page H2429. Congressman Saylor, (R) Pennsylvania, submitted a joint resolution (H. J. Res. 418) to provide for a constitutional amendment to permit Congress, by a two-thirds vote of each house, to override a decision of the Supreme Court. He commented on recent decisions of the Supreme Court and stated "when one branch of a government of the people, by the people, and for the people insists upon following a course that is repugnant and intolerable to most of the people, it becomes the responsibility of those elected by the people to reappraise and to readjust."

62-127577-77
ENCLOSURE

62-27585-

NOT RECORDED
199 MAR 16 19

In the original of a memorandum captioned and dated as above, the Congressional Record for 2-4-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4-572 (Rev. 7-18
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 3-17-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H2850-H2863. Congressman Ashbrook, (R) Ohio, included in the Record various Supreme Court decisions relating to "Communists and Subversives." He remarked: "- - - as the following listing of Supreme Court cases will show, friends of the Soviet Union have been making news in the courts in the United States as early as 1919. Today, the friends of the U. S. S. R. are still creating havoc in our courts as evidenced by the recent U. S. Supreme Court decision striking down the Feinberg law in New York State which permitted firing a teacher for being a member of the Communist Party. - - - - This listing of Supreme Court affecting Communists and subversives provides a valuable background for appraising the issue." Of the list of Supreme Court decisions listed by Mr. Ashbrook, the following contain references to the FBI: Marzani v. U. S. (1948); U. S. v. Coplon (1952); Gold v. U. S. (1957); Jencks v. U. S. (1957); Lightfoot v. U. S. (1957); and Killian v. U. S. (1961)

62-27575-

NOT RECORDED
87 MAR 31 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 3-16-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4-572 (Rev. 7-18-
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
3010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 3-21-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Pages A1408-A1409. Congressman Wyman, (R) New Hampshire, extended his remarks concerning recent decisions by the Supreme Court and pointed out "Congress has a responsibility to act, insofar as it can, to clarify, codify, and straighten out the gaps in our laws against crime that have resulted from these high court decisions." He included an editorial from the Washington Star of March 12, 1967, entitled "The Problem—Unequal Justice Under Law."

REC-9 62-275-85-232

NOT RECORDED

46 MAR 31 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 3-21-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

APR 11 1967

4-572 (Rev. 7-1
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 4-6-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H3568-H3570. Congressman Ashbrook, (R) Ohio, spoke concerning recent decisions of the Supreme Court. He made reference to the decision of Keyishian against the Board of Regents of the University of the State of New York case. This involved the New York Feinberg law in which teachers who were members of the Communist Party could be removed from their positions because of such membership. Also involved was section 3021 of the education law which authorizes the removal of superintendents, teachers, - - - - for the utterance of any treasonable or seditious word or words. This section was also struck down by the January decision." Mr. Ashbrook advised that it is understandable that this decision has been viewed with alarm by those familiar with the Communist Party and its history of deceit and violence. He went on to state for instance, J. Edgar Hoover, Director of the FBI, and the man most knowledgeable concerning the Communist threat, stated before a House Appropriations Subcommittee in February 1966: 'The Communist Party, U.S.A. constitutes a grave security threat to our Nation, not only because of its subversive historical background, - - - - but also because of the particular nature of the party itself--an organization controlled and directed by Moscow whose ultimate goal is to overthrow our form of government.' He requested to have printed in the Record an article written by the national commander of the American Legion, John E. Davis, entitled The Supreme Court and the Feinberg Law which appeared in the March 1967 issue of the American Legion magazine. He also included the dissenting opinion of the four Supreme Court Justices.

62-27585-
NOT RECORDED
139 APR 17 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 4-5-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

65-[illegible] F93

[redacted]
Summit, New Jersey
April 13, 1967

[redacted]

President Johnson
Washington, D.C.

Dear Sir:

I find the following opinions quite prevalent my friends:

WAR ON CRIME

Within the United States this is one of our most important problem. Yet, the Supreme Court is not willing to give the proper authorities the tools necessary to meet the situation. This is a repulsive condition in the eyes of most of the public, I believe.

I continually hear stories of how the police are no longer willing to do what the one time thought was right and, instead now "would rather switch than fight!" The public is not afraid of a Police State as this could be rectified should we ever veer in that direction. We are now more afraid of gangster rule than police rule. As the gangsters continue to be more affluent, they can readily take over the police, and thus become even stronger in the Government.

We believe that wire tapping should be readily permitted by at least the Federal Government as they best see fit to combat that which is wrong. Should it mean that some harmless private conversations be overheard, we are willing to accept it as a small price to pay for battle. This is now a way of life.

How can the Supreme Court be made to understand the will of the people and weigh this against the damage that is being done?

ADAM POWELL

The only way we would like to see him seated would be in a Federal Jail!!!!!

Sincerely yours,

[redacted]

cc: Senator C.P.Case
H.A.Williams
Congresswoman F.P.Dwyer
Senator R. Kennedy
Supreme Court Justice Warren
F.B.I. Director J.E Hoover

REC 46 62-27585-233

ST-118

59 APR 25 1967

19 APR 18 1967

CORRESPONDENCE

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 4-24-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court

Pages 35678-35681. Senator Ervin, (D) North Carolina, advised that "In a very thoughtful statement on the Supreme Court, Mr. J. Nathaniel Hamrick, a North Carolina attorney, has related certain weaknesses of the Court which are causing many Americans distress, particularly the method of selecting a new Justice. Mr. Hamrick's concern is that some means should be devised to insure that only the best qualified people serve on the Court rather than continuing the present method which often results in appointments for political purposes and not for judicial excellence. - - - - Mr. Hamrick's article is excellent, and his suggestions are provocative; I recommend it to the senate with the hope that it will generate thought and creative dialog on this important problem." The article entitled The Court is set forth in the Record.

62-27582-
NOT RECORDED
128 MAY 3 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 4-21-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62 MAY 10 1967 226

[redacted]
Upper Marlboro, Md., 20870
May 10, 1967

The Honorable [redacted] J. [redacted] EDGAR HOOVER
Director of Federal Bureau of Investigation,
Washington, D.C.

My dear Mr. Hoover:

A short time ago you released a letter concerning Morality, integrity law, order, crime and other disrespects of our great heritage which leaves us teetering on the very ledge of survival. I read your letter with breathless interest and I am taking this oppertunity to personally thank and laud you for for your boldness in bringing to the people of America the facts that underlie the social problems with which we are confronted and with which you are very familiar behind your many years of experience.

It is my earnest hope that more persons in upper positions would dare to openly express themselves with regard to the despicable crime in which America finds itsself. You have done a great service for our country in running down criminals but many of them thru legal tricks are soon free again.

I think, Mr. Hoover, the Supreme Court has proven to be the best friend the criminal has and he is omnivorously feeding on the loose decisions the other courts are forced to make in view of certain rulings the higher make, many of which have a major question mark behind them as far as the publis is concerned.

No better phrase could ever be used than what you say about persecuting officers of the law particularly when he is doing his duty, while the criminal many times goes free. The criminal should be sent to jail where he belongs and the officers should be commended and told to go and round up more of the desperate kind.

Your letter was read in the Upper Marlboro, Md., Gazette. Please at your convenience write more letters of the kind.

Thanking you again, I am,

Very truly yours,

[redacted]
Retired

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

EXP. PROC.
MAY 12 1967

62-27555-234
REC-71
16
MAY 12 1967

CORRESPONDENCE

REC-71 62-27585-234

May 15, 1967

[redacted]

Upper Marlboro, Maryland 20870

Dear Mr. Timmons:

I have received your letter of May 10th and want to thank you for your thoughtfulness in writing.

It is a pleasure to know you found my remarks to be of interest and I am glad to know you share my views on the decline of morality and the increasing incidence of crime in our country. Your support is appreciated.

Sincerely yours,

J. Edgar Hoover

MAILED 6
MAY 15 1967
COMM-FBI

NOTE: Correspondent is not identifiable in Bufiles.

[redacted] (3)

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Tolson
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Conrad
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Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

5 6 MAY 22 1967

TELETYPE UNIT

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

UNITED STATES GOVERNMENT

Memorandum

TO	DIRECTOR, FBI	DATE:	6/9/67
FROM	SAC, SPRINGFIELD (94-0)		
SUBJECT:	PROPOSED SUPREME COURT CHANGES RESEARCH MATTERS		

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Wick
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Enclosed for the Bureau is a clipping from the evening edition of the "Illinois State Register" on 5/11/67, outlining Supreme Court changes proposed by JOHN P. ROGGE, a Texas attorney. Also enclosed is a copy of the proposal by ROGGE for a U. S. Appellate Court by Constitutional Amendment.

This information is being furnished the Bureau in light of the fact that American Legion, Post 32, Springfield, Ill., has endorsed this proposal and is planning to present it for national approval at an upcoming American Legion National Convention.

4 ENCLOSURE

2 - Bureau (Enc. 2)
1 - Springfield (94-0)
[redacted]
(3)

62-27-15-23

JUN 14 1967

CRIME RESEARCH

62 JUN 19 1967

EX-PROC

UNREC COPY AND COPY OF ENCLOSED IN

FD-350 (Rev. 7-16-63)

(Mount Clipping in Space Below)

WOULD RELIEVE 'OVERWORKED' SUPREME COURT

U.S. Appellate Court Proposed By Texas Lawyer

By Patrick Coburn

A plan to channel all appellate responsibilities from the U.S. Supreme Court to a new U.S. Appellate Court has been advanced by attorney John P. Rogge, a former Illinoisan who now practices law in Texas.

Rogge outlined his plan to a public forum Wednesday night presented by the American Legion Post 32.

At the present time the Supreme Court is "overworked," according to Rogge. In addition to acting as a trial court for cases involving states or domestic cases where foreign powers are parties, the Supreme Court is the final appeal from the lower courts.

Under the plan as proposed by Rogge in the form of a constitutional amendment, the U.S. Appellate Court would be established and would act as the highest court in appeal matters.

Rogge said the unique feature of the court would be the manner of appointment of the justices and the length of their terms. The Supreme Court justices are appointed by the President and approved by the Senate. The appointments are for life, and there is no compulsory retirement age.

The proposed court would have justices appointed by the U.S. senators and representatives from each of the 10 circuits which make up the present U.S. Court of Appeals.

Each justice would have to have at least five years experience as a member of the court of last resort (in Illinois, the Illinois Supreme Court) in the state which he represents.

For example, justices from the Seventh Circuit (Illinois, Indiana, and Wisconsin) would be chosen at a convention of all members of Congress representing the states in the circuit. Each U.S. representative (a total of 45) would have one vote and the six U.S. senators would share a like number of votes among themselves.

The Appellate justices would serve a term set by law, and they would be required to retire at a certain age. Rogge has suggested a five-year term and retirement at age 75. The court would choose its own chief justice.

Rogge said that because the population varies greatly among the 10 circuits, a sliding scale for the number of appointments from the circuits would have to be established.

The two smallest circuits would appoint one justice each; the six medium - sized circuits would have two appointments; and the two larger circuits would appoint three justices. The number of appointments allotted to each circuit would hinge upon any congressional reapportionment following national census.

Rogge said his plan, a brainchild of his and a few other attorneys, has only been in the polished stage for about three months. The plan has already won support of a national farm association, civic groups and a veterans' organization.

XEROX JUN 13 1967

(Indicate page, name of newspaper, city and state.)

Page # 13

Illinois State Register

Springfield, Illinoi

Date: 5/11/67
Edition: Evening
Author: Patrick Coburn
Editor: Edward Armstron
Title:

U.S. Appellate Court
Character:
or
Classification:
Submitting Office: SI

☐ Being Investigated

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
MAY 24 1967
FBI — SPRINGFIELD

62-75015 — ENCLOSURE

WHEREAS in the 1966 National Convention, The American Legion renewed its demand for correcting the Supreme Court in a well prepared resolution No. 44 stating that the Supreme Court "has usurped the role of the Congress, the Executive branch and the sovereingty of the several states . . . ", and

WHEREAS it resolves ("That if a constitutional amendment is deemed necessary to reassert the supremacy of Congress in legislative matters, then let such amendment be submitted to the states for ratification, couched in terms that cannot be misconstrued or ignored." (See page 47 Summary of Proceedings, 1966 National Convention), and

WHEREAS in a hard-striking article in the March issue of American Legion Magazine, styled "The Supreme Court and the Feinberg Law" National Commander John E. Davis points out the evil being done by the Supreme Court's recent decision knocking out New York's Feinberg Law, which permitted firing a teacher in the public schools for being a member of the Communist party; and Commander Davis pointing out that the Supreme Court's ruling ". . . now stands as a license for the Communists to step-up their fifty-year efforts to infiltrate American public education", urges ". . . that Congress must do something about this or surrender to the Court its powers and duties to protect the country. A bipartisan effort of the best ligal and constitutional minds should devise new law without delay -- a Constitutional amendment if need be." and

WHEREAS the attached proposal for an amendment to the Constitution of the United States would set up a United States Appellate Court which, because of its powers and the provisions for appointment, tenure and qualifications of its judges, we believe would improve the appellate process in the federal courts and would correct many of the complaints on the subject by Commander Davis and other national leaders,

NOW, THEREFORE, Be It Resolved by THE AMERICAN LEGION, Post 32, Springfield, Illinois, in regular meeting, May 12, 1967 as follows:

1. We endorse the attached draft of the proposed U. S. Appellate Court Amendment and recommend the American Legion support it as the "Commander John E. Davis Amendment".

2. We ask that this resolution and the proposed amendment be passed on to our intermediate conventions and that they be acted on by our Department and National conventions.

3. On the concurrence of the Commander of 21st District we ask that copies of this resolution and the attached draft of the proposed amendment be sent to the Department of California, New Mexico, Indiana and Ohio whose resolutions along with Resolution No. 548 from the Department of Illinois were combined to make Resolution No. 44; and we ask that the Departments send them on to the Post or other source of the Department resolution and we invite correspondence with such Posts and others interested in the subject so that a concerted effort may be made to present and support this or a similar proposal to our National convention.

4. We ask that where this amendment is adopted, either at National or Department level, that a special Legislative officer be appointed in the National, or Department or Post or other subdivision in the American Legion to promote the proposal for the respective area. To serve under the regular Legislative Representative.

XEROX
JUL 15 1967

A Proposal for a United States Appellate Court
(By Constitutional Amendment)

The general dissatisfaction with the U.S. Supreme Court's decisions in the last 15 years has prompted many proposals in the Congress and elsewhere, looking toward a remedy. Because the Supreme Court's decisions complained of have been in cases which were appealed from the lower courts it has been suggested that the remedy can be had by Congress taking from the Supreme Court it's power to hear such appeals, either in all cases or in casing involving specific issues. The Congress has taken such action in the past and can do so again. However, by abolishing the Supreme Court's appellate jurisdiction without vesting it elsewhere a conflict would soon develope in the decisions of the lower courts even where based on similar facts so that this remedy while settling one problem would create another.

There have also been several proposals submitted to the Congress for amendments to the Constitution each to care for some specific complaint against the Supreme Court, some would reverse the prayer decisions, others would restore to the States the power to re-apportion in the State and still others would free our local law enforcement agencies from the obstructi ons confronting them in many of the Supreme Courts decisions. To correct the problem by this approach would mean a flood of constitutional amendments now and with the prospect of others to be required later as the Supreme Court's might require.

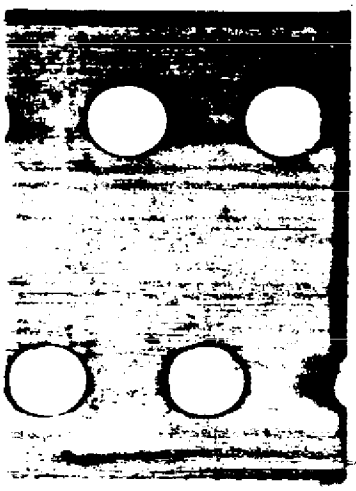
In stead of this piece-meal correction a constitutional amendment has been proposed to set up a United States Appellate Court to hear all appeals which are now being heard by the Supreme Court. A draft of the proposed amendment is hereto attached. It is thought that the basic provisions in the proposal with reference to qualifications of the members of the court, their tenure in office for years and not for life, compulsory retirement at a specified age, the manner of their appointment, that these provisions would make reasonably certain a court dedicated to constitutional government and with a proper respect for precedents. It could be expected that such a court would avoid decisions which would require relief by further constitutional amendments.

Our proposal would have the States name the members to the Court and for that purpose they would be grouped as in the ten Circuits of the United States Courts of Appeals. These Circuits vary considerably in population and and as to the membership in the Congress, Senators and Representatives, from the various Circuits. This latter, the membership in the Congress, would seem to be a fair measure of the relative sizes, population-wise, in the various Circuits and so it has been used in the attached draft as a basis to determine the number of judges to be appointed from each Circuit. The States in each Circuit and their total membership in the Congress, Senators and Representatives, are as follows:

First Circuit, Maine, Massachusetts, New Hampshire, Rhode Island, 26 members;
Second Circuit, Connecticut, New York, Vermont, 54 members;
Third Circuit, Delaware, New Jersey, Pennsylvania, 49 members;
Fourth Circuit, Maryland, North Carolina, South Carolina, Virginia and West Virginia, 50 members
Fifth Circuit, Alabama, Florida, Georgia, Lousiana, Mississippi and Texas, 78 members;
Sixth Circuit, Kentucky, Michigan, Ohio, Tennessee, 67 members;
Seventh Circuit, Illinois, Indiana, Wisconsin, 51 members;
Eighth Circuit, Arkansas, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, 50 members;
Ninth Circuit, Arizona, California, Idaho, Montana, Nevada, Oregon, Washington, Alaska, Hawaii, 78 members;
Tenth Circuit, Colorado, Kansas, New Mexico, Oklahoma, Utah, Wyoming, 32 members.

The formula used in the draft proposal would give to each Circuit with 20 members or less in the Congress, one appointment to the Court; and for each 25 additional members in the Congress above the basic 20, the Circuit would be entitled to one more appointment on the Court; based on this formula the First and Tenth Circuits would each be entitled to one appointment on the Court; the Second, Third, Fourth, Sixth, Seventh and Eighth Circuits, would each be entitled to two appointments on the Court and the Fifth and Ninth Circuits would each be entitled to three members on the Court. These figures could possibly change with each decennial census; under the present congressional apportionment the Court would have twenty members.

The States within a Circuit in making any appointments to the Court would act through their delegations in the Congress, Senators and Representatives, each acting ex officio and exercising his own discretion. When assembled to make such appointments each Representative present would have one vote and all of the Senators present collectively would have as many votes as the Representatives present and this total vote would be shared and voted by such Senators equally and in fractions.



Appointments to the Court would be made from active members of the courts of last resort in civil cases of the States within the Circuit provided they have had at least five years service on that court, appointments would be for five years and with eligibility for re-appointment. Retirement would be compulsory at age 75 years with full salary for life. Some of these are details which could be varied without materially changing the proposal.

It will be noticed that this amendment would leave with the Supreme Court the powers vested in it by the Constitution they being powers not related to the appellate jurisdiction; it will be noticed, too, that it does not take from the Senate it's voice in the appointing process as would have been the case with certain other proposals offered on this general subject.

The proposal advanced here is of very recent origin, - within the present year. It has not yet been widely circulated. It has had some organized support and has not been rejected where-ever submitted for formal approval.
It's sponsors consider it has merit to warrant the attention and the support of the Congress. For that purpose it ought to be presented there by joint resolution so that early hearings can be had. With that in mind, suggestions on the proposal and on developing support for it will be appreciated.

John P. Rogge

John P. Rogge,

4007 Bellaire Blvd.,
Houston, Texas 77025

A PROPOSAL FOR A UNITED STATES APPELLATE COURT

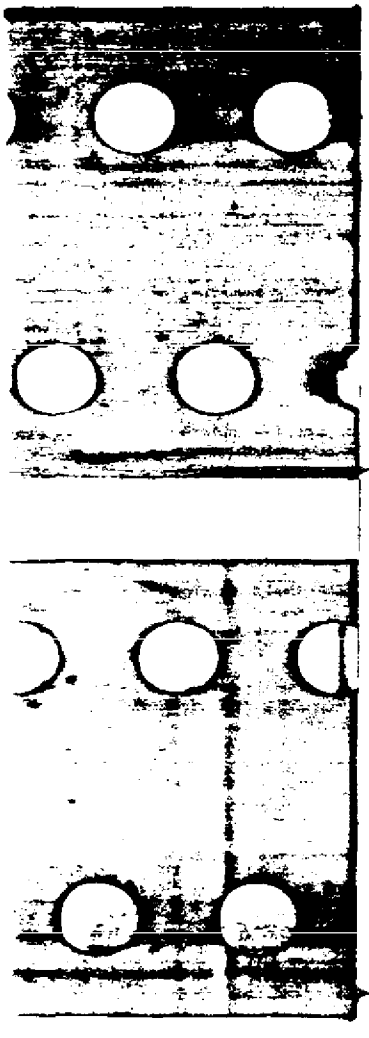
BY CONSTITUTIONAL AMENDMENT

1. There is hereby established the United States Appellate Court and it shall have exclusive appellate jurisdiction over all of the courts which have been, and which may be, established by the Congress and in all matters coming up from the State courts. Such appellate jurisdiction shall extend to both law and fact and to all cases to which the judicial power of the United States extends or shall hereafter extend; except that the powers of the Supreme Court in those cases in which it has original jurisdiction under Article III of the Constitution as amended by Article XI of the amendments to the Constitution shall not be impaired by this amendment.

2. The States shall appoint the members of the Court and for that purpose they shall be grouped as in the Circuits of the United States Courts of Appeals as constituted at the time of submission of this amendment for ratification. They shall make such appointments through their members in the Congress acting ex officio as delegates and each exercising his own discretion. In a delegation convened to make such appointments each Representative present shall have one vote and the Senators present shall collectively have a total vote equal that of all such Representatives and shall have equal allotments of such total votes in units and fractions. Appointment shall be by majority vote. In case of a tie vote that voting delegate with the longest total service in the Congress, as among the delegates voting, shall have one more vote to break the tie.

3. The States in each Circuit shall collectively be entitled to appoint one member to the Court and for each 25 members in the Congress to which the States in each Circuit shall collectively be entitled, over and above the basic 20 members, such such States shall collectively be entitled to appoint one more member to the Court.

4. Upon this amendment becoming effective the appointing delegates shall convene at the seat of the government and in their respective delegations and shall make appointments to the Court. Delegations from the First and Ninth Circuits shall make appointments for one year; those from the Second and Sixth Circuits, for two years; those from the Third and Eighth Circuits, for three years; those from the Fourth and Seventh Circuits, for four years and those from the Fifth and Tenth Circuits, as well



as all appointing delegations acting thereafter, shall make appointments for five years; except that appointments to vacancies occurring other than by expiration of a term shall be for the remainder of the term.

5. Appointments shall be made from active members of the State courts of last resort in civil cases of the States in the respective Circuit who shall be under 75 years of age and who shall have had not less than 5 years of service on such State Court. Tenure shall be subject to good behavior and retirement shall be compulsory at 75 years of age with full salary for life. Congress shall fix the compensation for members of the Court which shall not be less than that of the Justices of the United States Courts of Appeals. Members shall be eligible for re-appointment at the expiration of each term.

6. Upon this amendment becoming effective the delegations having made appointments to the Court shall forthwith certify the same to the President of the Senate and to the Speaker of the House and the appointees so certified shall present themselves at the seat of the government on the 30th day after such effective date and having qualified on oath or affirmation shall at once take office as Justices of the Court; they shall choose one of their number as Chief Justice and the Court shall then enter upon its duties. Other appointees, upon such certification and qualification, shall be entitled to their seats on the Court.

7. Appointment to Chief Justice shall be for a term of five years or until expiration of the appointee's term on the Court if it occurs first. The Chief Justice shall be eligible for re-appointment at the expiration of each term.

8. A vacant seat on the court shall be filled by the States which appointed the next preceding incumbent in the seat so vacated. For that purpose the appointing delegation shall convene at the seat of government if Congress is in session; otherwise they shall convene at the Capitol of the most populous State in the respective Circuit.

9. To the extent of any conflict between the provisions of this amendment and any provisions in the Constitution of the United States and earlier amendments thereto, this amendment shall control.

10. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

11. This amendment shall take effect thirty days after its ratification.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-14-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Original filed in: 66-11731-3180

Pages H7156-H7157. Congressman Pucinski, (D) Illinois, spoke concerning a recent Supreme Court decision upholding the injunction of the Birmingham, Alabama, city court against demonstrations on Good Friday and Easter Sunday in 1963 pointing out that it is welcome and exceedingly timely and may well become the Magna Carta for restoring peace to America's streets and sidewalks. He stated This Nation is fed up with lawlessness; fed up with individuals—regardless of race—who will not take their grievances to the courts, where they belong. We are fed up with so-called spokesmen who endlessly harangue about their rights whether they be clad in the robes of black power advocate, the white sheets of the Ku Klux Klan, or the brown shirts of the American Nazi Party. - - - - I hope courts will not hesitate, in the light of the Supreme Court decision to enjoin those who would take the law into their own hand and then hold them in contempt if they flout the injunction. This is the road to restoring peace in our Republic.

In the original of a memorandum captioned and dated as above, the Congressional Record for 6 13 67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62-27585.

NOT RECORDED
19 JUN 27 1967

55 JUL 5 1967
F-392

4-572 (Rev. 7-18-[illegible])
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-27-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages E7993-E8013. Congressman Cunningham, (R) Nebraska, spoke concerning the usurpation of legislative power by the Supreme Court. He stated that "At my request, an attorney has prepared 'A Critical Appraisal of the Recent Exercise of Judicial Review by the Supreme Court.' This excellent document is a scholarly and detailed presentation tending to prove that the framers of the Constitution did not contemplate the establishment of a judiciary having the power to invalidate, by declaring unconstitutional, duly enacted laws passed by the U.S. Congress." Mr. Cunningham included the text of this document with his remarks.

62-27585-

NOT RECORDED
170 JUL 10 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

62
56 JUL 18 1967

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 6-28-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page E5046. Congressman Dorn, (D) South Carolina, spoke concerning a bill he introduced (H.R. 11176) providing qualifications for appointment to the Supreme Court of the United States. He stated "there has been much negative criticism of the U.S. Supreme Court in recent years. - - - - The Court is advocating an economic and political philosophy which threatens the foundation upon which our American democracy has flourished and grown. Law enforcement officials throughout the Nation are hampered in their duty to uphold the law and protect practical law abiding citizens by recent decisions. Too much emphasis is being placed on the concept that the criminal must be protected from society rather than protecting society from the criminals. - - - - The time is long overdue for Congress to take positive action. Congress can and must require qualifications for appointment to the Supreme Court." A copy of this bill will be obtained.

62-27585-

Original filed in: 66-17321-2106

In the original of a memorandum captioned and dated as above, the Congressional Record for 6-27-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

JUL 19 1967

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: June 21, 1967

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page H7552. Congressman Erlenborn, (R) Illinois, introduced a bill (H. R. 11907) to amend title 28, United States Code, to provide that the Supreme Court may not in any case hold any provision of law invalid under the Constitution of the United States unless at least six Justices of the Court concur in that holding. He stated "Others have introduced constitutional amendments to effect this change. After consulting with eminent legislative authority, however, I decided that the intention could be carried out by an act of Congress." A copy of this bill will be obtained.

Original filed in: 66-17171-

REC 6 62-97585-436

ST-106

NOT RECORDED

In the original of a memorandum captioned and dated as above, the Congressional Record for June 20 1967 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7-20-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages H9045-H9051. Congressman Ashbrook, (R) Ohio, advised that the very able James J. Kilpatrick has come up with a discussion of the recent term of the Supreme Court which lays many of the decisions open for inspection and provides ample pros and cons to their effects and accompanying minority and majority views. Mr. Kilpatrick's article entitled "Term's End" which appeared in the July 25, 1967, issue of National Review is set forth in the Record. The comments on the Z. T. Osborn, Jr., v. U. S. (one of the Hoffa cases) and U. S. v. Billy Joe Wade cases contain references to the FBI.

REC-34 62-37585-237

NOT RECORDED
87 AUG 2 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-19-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

56AUG7 1967

26

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
3010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7-27-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page A5776. Congressman Denney, (R) Nebraska, extended his remarks regarding the increase in crime. He pointed out that the reasons for the increase are several but the basic cause is that many people have lost respect for the law. He stated "It is my belief that recent U. S. Supreme Court decisions have so entangled law enforcement authorities in so-called criminal rights that there has been a terrible neglection of the public's right of protection. - - - - Also, Attorney General Ramsey Clark, inexperienced at law enforcement, refuses to allow the use of electronic surveillance equipment. It is my firm belief, as a former FBI agent, that these devices, with the proper safeguards for civil liberties, can be invaluable in the fight against crime. (Robert V. Denney was employed with the Bureau as an Agent from 8-6-41 to 8-31-42.)

62-27585-
NOT RECORDED
176 AUG 10 1967

Original filed in: 77-87121

In the original of a memorandum captioned and dated as above, the Congressional Record for 7-26-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 8-23-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Supreme Court 1967

Page A6032. Congressman Ashbrook, (R) Ohio, pointed out that recently the Conference of Chief Justices met in Honolulu with justices from 45 States attending. As was to be expected, they were very much concerned with the rising crime rate and the recent series of riots throughout the United States. The chief justices of the highest State courts in the Nation passed a resolution on this issue of which the U. S. Supreme Court should take notice. The resolution entitled Rising Crime and the Courts—State Justices Take a Stand was published in the August 28 issue of U. S. News & World Report. Mr. Ashbrook inserted this item in the Record.

REC 30 62-27585-238

108

NOT RECORDED

In the original of a memorandum captioned and dated as above, the Congressional Record for 8-23-67 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27

5010-106

UNITED STATES GOVERNMENT

Memorandum

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

TO : Mr. Bishop

DATE: September 1, 1967

FROM : [redacted]

SUBJECT: THE CONGRESSIONAL RECORD
AUGUST 30, 1967

Reference is made to Mr. Callahan's memorandum to the Director dated 8-31-67 (attached) wherein Senator Ervin (Democrat - North Carolina) referred to a "Reader's Digest" article by Eugene H. Methvin "Is the Supreme Court Really Supreme?" In quoting from the article Senator Ervin points out that, according to FBI statistics, since the 1966 ruling the rate of police solutions of reported crimes has dropped by almost 10 percent. The Director inquired, "Is this correct? H."

The Congressional Record is inaccurate as to the year. The article in "Reader's Digest" by Eugene Methvin, who is friendly to the Bureau, states that the solution rate has dropped almost 10 percent since 1961, the year of the Mapp versus Ohio decision which required local law enforcement to follow Federal procedure. There is enclosed a copy of a [redacted] to Mr. Wick memorandum dated 3-16-67 captioned "Attorney General's Testimony, House Judiciary Committee, March 16, 1967," which sets forth the figures to which Methvin had reference in his article. It is noted this memorandum reflects a total drop of 9.2 percent since 1961. Marked copy of "Reader's Digest" attached; specific quotation on page 82.

ACTION:

For information.

62-225585-39
NOT RECORDED
191 OCT 16 1967

EX-108

Enclosures

~~1 - Mr. Tolson~~
1 - Mr. DeLoach
1 - Mr. Mohr
1 - Mr. Bishop
1 - Mr. Callahan

[redacted]

(7)

70 OCT 23 1967

4-572 (Rev. 7-18-62)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 5/3/67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages S12475-S12549. The Senate debated and confirmed the nomination of Thurgood Marshall to be an Associate Justice of the Supreme Court. Senator Ervin, (D) North Carolina, spoke in opposition to this nomination. He requested to have printed in the Record several documents revealing that Supreme Court Justices, judges of Federal courts inferior to the Supreme Court, State judges, lawyers and journalists have charged that during recent years a majority of the Supreme Court has repeatedly rendered decisions incompatible with the language and the history of the Constitution. This material contained an article from the July 1967 issue of the Reader's Digest entitled "Is the Supreme Court Really Supreme?" written by Eugene E. Methvin. This article states "There is mounting evidence that the Court's massive federalization of criminal justice has grievously crippled law enforcement. FBI statistics show that, since the 1966 ruling, the rate at which police are solving reported crimes--a rate which had held steady for years, has dropped by almost ten percent." Mr. Ervin also included several court decisions and various other articles and editorials with his remarks.

EX-104

REC-64 62-27555-21

191 OCT 16 1967

1124

In the original of a memorandum captioned and dated as above, the Congressional Record for was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that a portion of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

4 OCT 19 1967

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 12-1[illegible]-67

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Page H16631. Congressman Bennett, (D) Florida, spoke regarding the decision handed down by the Supreme Court in the case of the United States against Robel. He stated "I was dismayed to hear that the Court has declared an important section of the Subversive Activities Control Act unconstitutional. The Court now tells us that we cannot make it unlawful for any member of a Communist organization to engage in any employment in any defense facility. The Court feels that we have violated freedom of association by so trying to curb sabotage and spying in our defense facilities." He went on to state "The Court admits the objectives of the Communists are unlawful, but it declares that just because one belongs to an organization which conspires against the Government of the United States does not mean that he agrees with its unlawful aims. This is what the Court says is guilt by association. I disagr[illegible] Mr. Bennett advised that he has been in contact with the Department of Defense regarding what needs to be done to provide adequate protection for defense establishments in view of this decision. He stated "I hope my colleagues will join me in drafting and passing legislation by the early part of next year to fill the vacuum left by this decision. I will shortly have a bill in this area in which I would welcome cosponsors in the House."

62-27[illegible]

NOT RECORDED
199 DEC 22 1967

[illegible]
199 DEC [illegible] 1967

In the original of a memorandum captioned and dated as above, the Congressional Record for [illegible] was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that [illegible] copy of the original memorandum may be clipped, mounted, and placed in appropriate Bufile case or subject matter files.

54 JAN 4 1968

TRUE COPY b6, b7C

From the desk of [redacted]

12-12-67

Dear Mr Hoover

I am thankful for God fearing men like you. I know how busy you are, but can you give me an opinion on an editorial like this.

The best in the world to you, and may God bless you

/s/ [redacted] b7C

[redacted]

Glendale 7, California

b6, b7C

REC 39 62-27585-24

DEC 20 1967

4 ENCLOSURE

ENCLOSURE ATTACHED

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

From the desk of

[redacted]

12-12-67

Dear Mr. Hoover

I am thankful for God fearing men like you. I know how busy you are, but can you give me an opinion on an editorial like this.

The best in the World to you, and may God bless you

[redacted]

[redacted]

GLENDALE 7, CALIFORNIA 91207

~~3 ENCLOSURE~~

[redacted]

Supreme Court Out of Bounds

In a classic dissent to a U. S. Supreme Court decision mandating reapportionment, two of its justices called the ruling "Draconian and without precedent in the Constitution."

Others, from layman to expert, look at the recent arrogation of powers constitutionally reserved to the legislative, executive or states by the court and ask if the highest judicial authority itself is not unconstitutional.

The problem is hardly overstated by these two examples. If the present trend of Supreme Court power assumption, which is copied by lower courts, is not checked the constitutionally - guaranteed separation of powers will disappear.

And in the interim, the law-abiding, God-fearing citizen who has been the stalwart in the growth of our nation may have to look for a bomb shelter to find the safety under law he has earned.

There are no words in the Constitution giving the Supreme Court the right to overrule Congress or the administration. Article III, however, does give Congress the right to regulate the Supreme Court. It is a congressional power that should be exercised vigorously.

Because of court decisions, confessed, hardened criminals are walking the streets as free men. Rulings on search and seizure, questioning, confessions, legal representation and other procedures have tied the hands of the police. The crime rate is soaring as a result.

School children cannot say prayers in classes without fear of legal reprisal as result of court decisions. School administrators are forced to hire avowed Communists and cannot control seditious on-campus activity because of legal restrictions. For all practical purposes internal security has been hamstrung through the court's decisions on laws controlling Communists.

Article IV of the Constitution guarantees each state the right to a republican form of government. The Supreme Court's "one man, one vote" ruling makes this a mockery.

In California the Legislature was forced into an expensive, futile session because the state Supreme Court, on the basis of the higher ruling, mandated congressional district boundary changes between the bicentennial census.

The courts have overruled Californians' desires on housing amendments. They have stipulated how the medical welfare program should be cut. They have even stayed executions before any precedent is set in the case before the bar.

Contrary to the exalted opinion of Charles Evans Hughes, the Supreme Court is not the sole arbiter of the Constitution. This would put it above the Constitution itself, eliminate government by the people, and make separation of powers semantics.

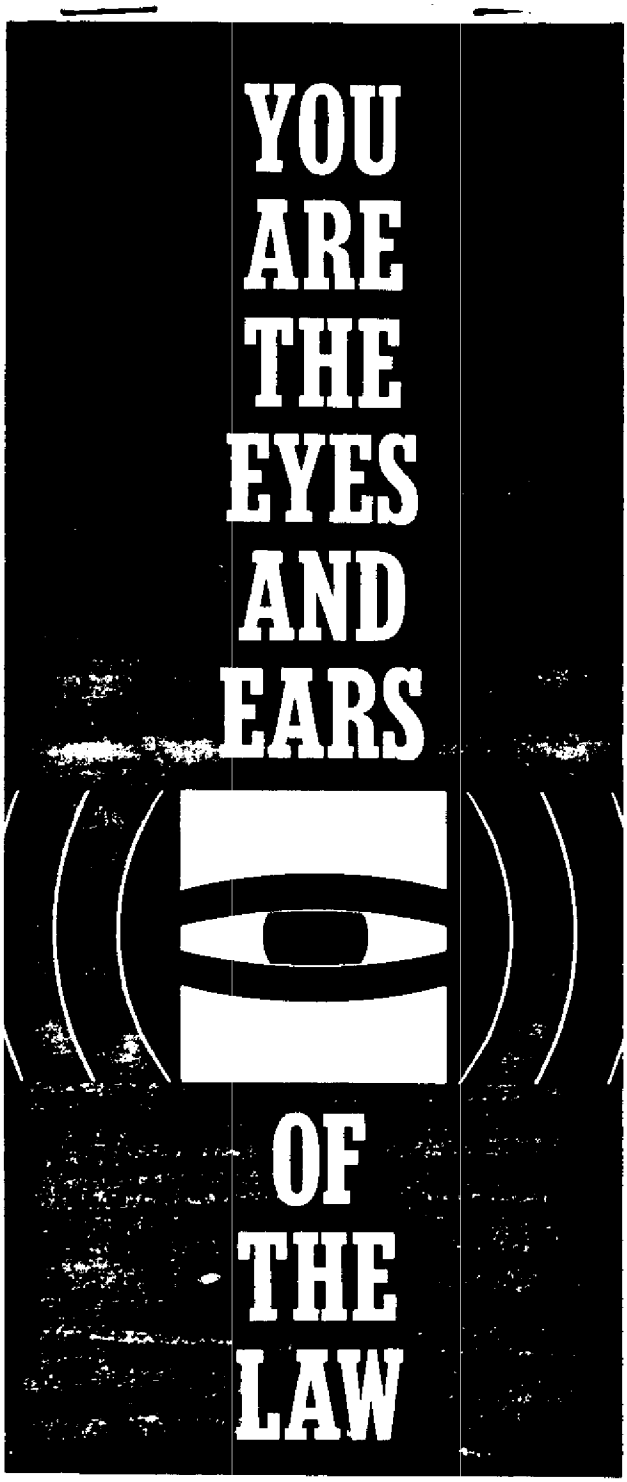
As the dissenting justices said, the Supreme Court has arrogated Draconian powers to itself. Time has been wasting for Congress to reverse the trend and restore the balance if the republican form of government on the national level is to survive.

GLENDALE
News-Press
EDITORIALS - OPINIONS - FEATURES
DECEMBER 5, 1967
CARROLL W. PARCHER
Publisher and Editor

ENCLOSURE

'That's What I Call 'Judge Power'!'

ENCLOSURE


YOU
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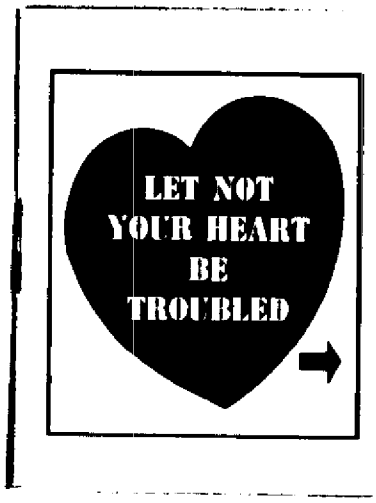
LET NOT
YOUR HEART
BE
TROUBLED

December 18, 1967

REC 39

62-27585-241

[redacted]

Glendale, California 91207

Dear [redacted]

Your communication of December 12th, with enclosures, has been received and I want to thank you for your kind comment.

In response to your request, as the head of a Federal investigative agency I do not feel it would be proper for me to comment as you desire. I trust you will understand.

Sincerely yours,

J. Edgar Hoover

MAILED 20
DEC 18 1967
COMM-FBI

NOTE: Bufiles reflect prior correspondence with [redacted] latest outgoing 5/27/65, thanking him for an editorial cartoon which appeared in the "Glendale News" on 5/15/65 which was favorable of the Director.

Tolson
DeLoach
Mohr
Bishop
Casper
Callahan
Conrad
Felt
Gale
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

62 DEC 27 1967

MAIL ROOM ☐ TELETYPE UNIT ☐

4-750 (Rev. 4-17-85)

XXXXXX
XXXXXX
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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

_____ Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☐ Deleted under exemption(s) _____ with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld for the following reason(s):

_____

_____

☒ For your information: This serial was previously released to you regarding another matter - [illegible], released on 3/3/87.

☒ The following number is to be used for reference regarding these pages:
62-27585-242

XXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
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XXXXXX
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FBI/DOJ

December 19, 1967

1-1 - REC 26 62-27585-242

EX 104

[redacted]
Chicago, Illinois 60630

b6, b7C

Dear [redacted]

I have received your letter of December 12th and want to thank you for the high regard in which you hold my administration of this Bureau.

I appreciate the interest which prompted you to write and I share your concern for the welfare of our Nation. Perhaps the most effective way to bring about an end to the menace of a spiraling crime rate and its attendant problems is to make one's position on these matters known to one's elected representatives, on all levels. They are interested in their constituency, and the means to curb crime are within the province of the legislative bodies.

I am enclosing some material further setting forth my views along these lines which I hope you will find to be of interest.

Sincerely yours,
J. Edgar Hoover

MAILED 3
1967
M-FBI

Enclosures (2)
The Challenge of Leadership
The American Experiment and the Future

NOTE: Correspondent is not identifiable in Bufiles.

[redacted] (3) b6, b7C

53 JAN 2 1968

MAIL ROOM ☐ TELETYPE UNIT ☐

4-572 (Rev. 7-18-63)
OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

TO : The Director

DATE: 7-18-68

FROM : N. P. Callahan

SUBJECT: The Congressional Record

Pages 21746-21749. Senator Morse (D) Oregon, urged prompt Senate action on the two nominees for the Supreme Court (Justice Fortas and Judge Thornberry). He included in the Record the text of a telegram signed by 450 deans and professors of the "finest law schools in the Nation," recommending that Senate approve these two nominations. He also included a letter from the Liberty Lobby opposing the confirmation of Abe Fortas as Chief Justice.

Pages 21771-21750 Senator Pastore, (D) Rhode Island, indicated the Senate should proceed without unnecessary delay in the matter of Presidential appointments to the Supreme Court and included in the Record numerous newspaper articles relating to these appointments.

62-27585-

11 24 1968

Original filed in: 62-

In the original of this memorandum captioned and dated as above, the Congressional Record for 7-19-68 was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.

56 AUG 5 1968

62-27585-243
CHANGED TO
62-116178-X1

SEP 4 1974

BC/LAC