

LA 44-895  
GAP:mjg  
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THOMAS C. DEVINE, Audio-Visual Coordinator, Pierce Jr. College, 6201 Winnetka, Woodland Hills, formerly Professor of Sociology there, advised on November 27, 1963, that he had talked to a friend of his in Texas over the week end, but it concerned another matter. He learned nothing during the call about the OSWALD-RUBY case. He said he had talked to NORMAN MOORE, Sergeant, Los Angeles Police Department, Highland Park Station, a personal friend of his, also during the week end, and learned from him that RUBY had been a member of the American Civil Liberties Union. DEVINE had previously heard on television that OSWALD had been in the American Civil Liberties Union and he later mentioned this connection to FUNK. They speculated that OSWALD and RUBY were probably in the same chapter in Dallas.

At this point in the interview with DEVINE, he telephonically contacted Sergeant MOORE. Following the conversation, DEVINE reported to the writer that he had misunderstood MOORE in their previous conversation. MOORE knew nothing whatever concerning RUBY being in the American Civil Liberties Union. MOORE had said "the killer" (meaning OSWALD) had been in the American Civil Liberties Union and DEVINE had assumed he meant RUBY. MOORE got the information that OSWALD was in the American Civil Liberties Union from television.

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COMMISSION EXHIBIT No. 2868—Continued

Form No. 100 (Revised)  
RECORDING SERVICE  
5-1-60

Commission Exhibit No. 2869

UNITED STATES SECRET SERVICE  
TREASURY DEPARTMENT

ORIGIN	OFFICE	FILE NO.	
Dallas	Dallas	CG-3-34,000	
TYPE OF CASE	STATUS	TITLE OR CAPTION	
Protective Research	Continued	Assassination of President Kennedy, Dallas, Texas	
INVESTIGATION MADE AT	PERIOD COVERED		
Dallas, Texas	December 5, 1963		
INVESTIGATION MADE BY			
SA Robert Stewart, SA Elmer H. Moore, and SA Gary Seale			
DETAILS			
<u>OSWALD</u>			
Jack Ruby reported to be a communist sympathizer.			
<u>DETAILS OF INVESTIGATION</u>			
Reference is made to previous reports.			
On December 5, 1963, SA Stewart, while at the Office of the Chief of the Intelligence Unit, Internal Revenue Service, Lynch Building, 1344 Pacific Avenue, Dallas, Texas, was introduced to Miss Pat Ostermiller who said she had information that Jack Ruby is a Communist.			
Pursuant to instructions, Special Agents Moore and Seale interviewed Miss Patricia A. Ostermiller, home address 4300 Mineral Avenue, Dallas, telephone LA 6-3078, at the Metropolitan and Postoffice Department, Room 110, Lynch Building. Miss Ostermiller reported that on December 4, 1963, while at work, she received a telephone call from an aunt, Mrs. Arabelle Thelan, in Oklahoma City. In the course of the conversation Mrs. Thelan said that she had heard from some female relative, possibly wife or sister of a man who at one time played in an orchestra at one of Ruby's night clubs, that Jack Ruby was a Communist sympathizer, in fact known to other musicians employed by Ruby. The man, name unknown to Miss Ostermiller, was supposed to have attended Southern Methodist University at one time. Miss Ostermiller stated she had no other information regarding Ruby but stated she was certain that if Mrs. Thelan were interviewed she could furnish additional information which would serve to identify the man. She said Mrs. Thelan is employed at the Information Desk of the City and Children's Hospital, 100 N. E. 10th Street, and lives at 707 N. E. 12th Street, Oklahoma City 4, Oklahoma.			
INVESTIGATOR	COPIES	REPORT MADE BY	DATE
Dallas	2	Elmer H. Moore	12-5-63
Oklahoma City	2	APPROVED Robert Stewart	DATE 12-5-63
		SPECIAL AGENT IN CHARGE	466

CONTINUE ON PLAIN PAPER

U. S. GOVERNMENT PRINTING OFFICE 16-41088-1

COMMISSION EXHIBIT No. 2869

OO-2-34,030  
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It may be of interest in evaluating this information that Miss Ostermuller regarded the following as highly suspicious. On November 23, 1963, while viewing the Presidential Motorcade from the third floor of a downtown Dallas parking building, she observed a young man, slender build, with blonde hair, carrying a transistor radio and a paper wrapped package. He chose a good vantage point, watched the parade without comment to others. He was alone and did not move from his position or put his package down during the entire time he was watching while others placed their coats and packages on nearby parked cars.

IDENTIFYING INFO

Oklahoma City is requested to identify and interview the man formerly employed as a musician by Ruby.

END:amr

466

Form No. 100 (Rev. 6-24-64)  
GSA GEN. REG. NO. 27

UNITED STATES SECRET SERVICE  
TREASURY DEPARTMENT

J.P.  
M.H.

COPY: Dallas 12-5-63 EAM OFFICE: Oklahoma City FILE NO. OO-2-34,030

TYPE OF CASE Protective Research	STATUS Continued	TITLE OR CAPTION Assassination of President Kennedy	
INVESTIGATION MADE AT Oklahoma City, Oklahoma	PERIOD COVERED December 13, 1963		
INVESTIGATION MADE BY SAIC Jack C. Nielsen			
DETAILS  SYNOPSIS: Informant interviewed regarding Jack Ruby's status as a communist. No information of value obtained.			
DETAILS OF INVESTIGATION  Reference December 5, 1963, Memorandum Report of SA Elmer W. Moore, Dallas.			
On December 13, 1963, I interviewed Mrs. Annabelle Phelan, white female; 58; 5-7; 160; dyed red hair; heavy build, at her home, 709 N.E. 12th Street, Oklahoma City. Mrs. Phelan was questioned regarding information she had supplied to Miss Pat Ostermuller regarding Jack Ruby's status as a communist as outlined in SA Moore's 12-5-63 M/R.			
Mrs. Phelan stated Miss Pat Ostermuller is her daughter and not her niece. Mrs. Phelan is an employee of the Children's Hospital in Oklahoma City, Oklahoma, and as such she frequently converses with nurses assigned to the hospital. Mrs. Phelan stated an adult male at the hospital was making some derogatory comments concerning Mrs. Kennedy after the President's assassination. Jack Ruby's assassination of Lee Harvey Oswald also came in this conversation and a nurse who had been to a nurse's convention at Ft. Worth, Texas, at the approximate time of the President's assassination, stated that it was a generally recognized fact in Dallas and Ft. Worth that Ruby was a communist. The nurse who made this statement stated she made this statement concerning Ruby from another nurse who was at the convention who is married to a musician and this musician allegedly was employed in one of Jack Ruby's night clubs while he was attending school. It was apparent Mrs. Phelan was passing on third or fourth handed information and was not possessed of any specific information but rather information gleaned from group discussions at the hospital. Mrs. Phelan stated she could not provide			
DISTRIBUTION Chief ✓ Oklahoma City Dallas	COPIES Orig & 2 2 cc 2 cc	REPORT MADE BY <i>Jack C. Nielsen</i> SPECIAL AGENT IN CHARGE  APPROVED  SPECIAL AGENT IN CHARGE	DATE 12-5-63  DATE 702

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CO-2-31,930  
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any information which would identify the alleged source of information.

DISPOSITION

Inquiry regarding this part of the investigation in Oklahoma City is being terminated.

JCH:jel

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COMMISSION EXHIBIT No. 2869—Continued

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OC 44-430  
DL 44-1639  
CES:vm

The following investigation was conducted by SA GLENN E. SILVEY:

At Oklahoma City, Oklahoma

On January 3, 1964, ANNABELLE PHELAN, 709 NE 12th Street, who is the Information and Discharge Clerk, Children's Hospital, Oklahoma City, Oklahoma, advised that on or about December 1, 1963, she and DOROTHY JONES, a nurse at Children's Hospital, were discussing various remarks made by parents and visitors of the patients in the hospital concerning the assassination of President KENNEDY and the subsequent killing of OSWALD. She advised during the conversation Miss JONES stated that JENELL HUBBARD, Chief Nurse at the hospital, had informed her that everyone in Dallas knew JACK RUBY was a Communist. This information allegedly came from a nurse attending a nurses' workshop in Fort Worth, Texas, at the time of the assassination. This nurse was allegedly married to a musician who formerly played at JACK RUBY's club.

PHELAN advised there was no further discussion of this remark and she could not identify the source of this allegation about RUBY's Communistic tendencies.

On January 4, 1964, Mrs. DONALD C. (JENELL) HUBBARD, 1600 Anderson Road, Head Nurse, Children's Hospital, advised she was in attendance at a workshop sponsored by the Texas League of Nursing at Fort Worth, Texas, during the latter part of November, 1963. She stated on the day RUBY shot OSWALD she and several of the other nurses at the workshop were discussing this incident at which time Mrs. ANN MARIE CARLSON, 2622 Madera Street, Dallas, Texas, who is employed as a nurse at the Timberlawn Sanatorium in Dallas, made the remark that her husband had formerly played in the band at JACK RUBY's club and had left this job because everyone knew JACK RUBY was "a real kook and a Communist."

Mrs. HUBBARD could furnish no additional information concerning RUBY or CARLSON and advised there was no additional discussion about the above-mentioned statement. She stated there were several other individuals in the room at the time however she could not identify these persons.

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COMMISSION EXHIBIT No. 2869—Continued

Date 1/9/641

CARL WILLIAM CARLSON, 2622 Medara, furnished the following information:

In 1959, CARLSON, a musician, moved to Dallas. In attempting to locate employment at Dallas, CARLSON made inquiry at the Sovereign Club. CARLSON does not recall if, at that time, he talked to JACK RUBY in seeking employment. CARLSON advised he does not know JACK RUBY personally. He has never frequented the Carousel Club and, except for the one time when he was seeking employment at the Sovereign Club, he has not frequented the Sovereign Club. CARLSON had no information pertaining to RUBY's political philosophies, nor had he any knowledge of RUBY's personal affairs or associates.

CARLSON stated he had heard from other musicians over the years that RUBY, because of his temperament, at times was difficult to work for. CARLSON stated he did not know LEE HARVEY OSWALD and he had no knowledge of any acquaintance between OSWALD and RUBY.

on 1/9/64 at Dallas, Texas File # DL 44-1639  
by Special Agent JAMES S. WEIR & JOSEPH G. PEGGS Date dictated 1/9/64  
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COMMISSION EXHIBIT No. 2869—Continued

Date 1/9/641

Mrs. CARL WILLIAM CARLSON, 2622 Madera, advised that she does not know JACK RUBY; she has never frequented the Sovereign Club or the Carousel Club.

Mrs. CARLSON advised she did not know LEE HARVEY OSWALD, and had no information or knowledge of any acquaintance between OSWALD and RUBY.

on 1/9/64 at Dallas, Texas File # DL 44-1639  
by Special Agents JOSEPH G. PEGGS & JAMES S. WEIR Date dictated 1/9/64  
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COMMISSION EXHIBIT No. 2869—Continued