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Desi Arnaz Arrested on Drunk Charge

Desi Arnaz, 42, television producer, 1000 Roxbury Dr., Beverly Hills, was arrested in Hollywood early yesterday on a drunk charge and was released an hour later after he posted \$21 bail. When interrogated by Lt. R. A. Jackson, he denied drinking.

There was some difficulty in taking him in charge. He was stopped by vice squad officers staked out on another matter and he refused to recognize them as police. Soon, a unit in a police car was called up.

At the station, the TV producer was asked if he wanted to make a call. He told the officers he wanted to phone J. Edgar Hoover and former sheriff Eugene Biscailuz. He was ordered to appear in Division 58 of Municipal Court at 9 a.m. today.

LOS ANGELES TIMES
DATE SEP 20 1959

LOS ANGELES, CALIF.
EDITOR NICK B. Williams
LOS ANGELES FIELD DIVISION

ENCLOSURE

94-52549-7

Desi Faces Court in Drunk Case

TV Tycoon Desi Arnaz will be arraigned in Lincoln Heights Municipal Court today to explain the impromptu street scene vice squad officers say he staged in Hollywood early yesterday.

The 42-year-old actor-producer was booked at Hollywood division on a common drunk complaint after an argument with the plainclothesmen who reported they saw him weaving down Vista st. in red sweater and gray slacks.

According to Lt. R. A. Jackson, night watch commander at the Hollywood station, the officers were denounced by the TV executive in offensive language when they offered him assistance.

Two uniformed officers called to the scene by Desi's chauffeur, parked nearby, convinced Arnaz the plainclothesmen were also policemen and he accompanied them to the station where he was released in \$21 cash bail after spending a half hour in a cell.

Jackson said at one point in the squabble with the vice investigators, Arnaz shouted "I got friends who can identify me—get me Gene Biscailuz and J. Edgar Hoover."

LOS ANGELES EXAMINER
DATE SEP 20 1950

LOS ANGELES, CALIF.
EDITOR WARDEN Woolard
LOS ANGELES FIELD DIVISION

CRIMDEL
LA-94-558

ENCLOSURE 94-52549-7

Desilu Productions Inc.

780 NORTH GOWER STREET • HOLLYWOOD 38 • CALIFORNIA
HOLLYWOOD 9-5911

- Mr. Tolson
- Mr. Belmont
- Mr. DeLoach
- Mr. McGuire
- Mr. Mohr
- Mr. Parsons
- Mr. Rosen
- Mr. Tamm
- Mr. Trotter
- Mr. W.C. Sullivan
- Tele. Room
- Mr. Holloman
- Miss Gandy

DESI ARNAZ
PRESIDENT

October 3, 1959

John
W.C.S.

Dear Edgar,

Enclosed under the same cover is a final script of a show entitled "LEPKE," which will be shown on the Westinghouse-Desilu Playhouse.

Needless to say, we have made every effort to be authentic in our depiction of the Lepke surrender. Also, to portray the law enforcement agencies involved with the proper degree of dignity.

We particularly hope that we have used your name in a manner which is acceptable to you and will be most grateful for any suggestions or criticisms you would like to make.

Unfortunately, due to the exigencies of television, this is a belated submission since the show begins photography on Friday, October 16. We do hope that you like the script and that you will convey your reactions to us as soon as possible.

Sincerely,

Desi Arnaz

Mr. J. Edgar Hoover
Federal Bureau of Investigation
United States Department of Justice
Washington 25, D. C.

Desi (Arnaz)

REC-42

94-52549-8

OCT 8 1959

EX 104

alc
ack 10-7-59 JRH
pass to [unclear] 10-7-59 JRH

8/10/59

October 7, 1959

REC-42

94-52549-8

EX 104

Mr. Desi Arnaz
President
Desilu Productions, Inc.
780 North Tower Street
Hollywood 38, California

Dear Desi:

Thank you so much for your thoughtful letter of October 3, 1959, enclosing the final script of your forthcoming production "Lepke."

This is indeed an interesting and forceful script, and I feel certain it will receive an excellent reception.

Best regards to Lucy and you,

Sincerely,

EDGAR

NOTE: See Jones to DeLoach memo dated 10-7-59, captioned "'Lepke' Desilu Playhouse Television Show."

REC'D-READING ROOM
FBI

JRH:td
(4)

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

OCT 13 1959

OCT 13 1959
FBI
COMM-FBI

FBI
RECEIVED-DIRECTOR

MAILED 10
OCT - 7 1959
COMM-FBI

53 OCT 13 1959
MAIL ROOM TELETYPE UNIT

Just

BEST COPY AVAILABLE

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. DeLoach

DATE: October 7, 1959

FROM : M. A. Jones

SUBJECT: "LEPKE" *calif.*
DESILU PLAYHOUSE TELEVISION SHOW

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

BACKGROUND:

By letter of October 3, 1959, Desi Arnaz, President of Desilu Productions, Inc., sent the Director a copy of the script for "Lepke," a Desilu Playhouse television feature which his company plans to begin photographing on October 16, 1959. *calif.*

Arnaz expresses the hope that the Director will like the script and will convey his reaction to Arnaz.

REVIEW OF SCRIPT:

The script of "Lepke" was written by Adrian Spies *calif.* **BC**

The script prominently features Walter Winchell who acts as narrator. The last days of Lepke's freedom are portrayed and show the brutal manner in which he directed "Murder Incorporated." Lepke's contempt for other people's lives is strikingly conveyed through scenes showing gangland murders ordered by him. His cruelty toward not only his enemies but his own associates is depicted and his desertion by his criminal associates transmits the moral tone that crime does not pay.

The Director is mentioned on 14 of the script's 87 pages and each reference is favorable and respectful. The story relates that the Director is agreeable to the suggestion that Walter Winchell act as go-between in the Lepke surrender but that no strings are attached and no promises are made that Lepke will receive a light Federal sentence and not be turned over to the State of New York. The person of the Director is shown only as a shadow in the car waiting for Lepke to arrive. No words are spoken by the Director according to the script. *cc*

OBSERVATIONS:

The script is an interesting forceful one and treats the Director and the FBI most favorably.

ENCLOSURE
RECOMMENDATION: ENCL BEHIND FILE

REC-42

94-

52549-9

OCT 8 1959

The attached letter be sent Desi Arnaz thanking him for bringing this interesting script to the Director's attention.

Enclosures **JRH:td (3)**

BEST COPY AVAILABLE

61

October 16, 1959

PLAIN TEXT

TELETYPE

URGENT

TO SAC, LOS ANGELES

FROM DIRECTOR FBI

Desilu

"THE UNTOUCHABLES," DESILU TELEVISION SERIES, RESEARCH

(CRIME RECORDS). THE BUREAU HAS LEARNED THAT NEXT THURSDAY'S PROGRAM ON CAPTIONED SERIES WILL DEAL WITH MA BARKER AND HER GANG. IMMEDIATELY CONTACT DESILU AND ASCERTAIN IF FBI TO BE DEPICTED WITH BARKER CASE. IF SO, BUREAU DOES NOT APPRECIATE DESILU'S DEPICTING US WITHOUT CONSULTATION OR PERMISSION. IF BUREAU NOT DEPICTED IN THIS CASE AND CREDIT GIVEN TREASURY DEPARTMENT, PROGRAM WILL BE HISTORICALLY INACCURATE AND GIVE WRONG IMPRESSION TO VIEWERS REGARDING AGENCY RESPONSIBLE FOR BREAKING UP BARKER GANG. THIS MATTER SHOULD BE GIVEN EXPEDITIOUS ATTENTION AND BUREAU PROMPTLY ADVISED.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

52 OCT 22 1959

OCT 16 1959

1 - Mr. Jones

2 1/2
TELETYPE

NOTE: See DeLoach to Tolson memo dated 10/16/59 captioned "The Untouchables, Television Program Produced by Desilu." JTM:cag

- Tolson
- Belmont
- DeLoach (5)
- McGuire
- Mohr
- Parsons
- Rosen
- Tamm
- Trotter
- W.C. Sullivan
- Tele. Room
- Holloman
- Gandy

JTM:cag

OCT 16 1 00 PM '59

REC-23

94-52549-210

FBI

OCT 19 1959

INITIALED
DIRECTOR'S OFFICE

MAIL ROOM TELETYPE UNIT

BEST COPY AVAILABLE

Jim

DECODED COPY

- Mr. Tolson ✓
- Mr. Belmont ✓
- Mr. DeLoach ✓
- Mr. McGuire ✓
- Mr. Mohr ✓
- Mr. Parsons ✓
- Mr. Rosen ✓
- Mr. Tamm ✓
- Mr. Trotter ✓
- Mr. W.C. Sullivan ✓
- Tele. Room ✓
- Mr. Holloman ✓
- Miss Gandy ✓

Radio

Teletype

URGENT 10-15-59

TO DIRECTOR

Desi ARNIZ

FROM SAC LITTLE ROCK

151823

ap

ATTENTION CRIME RECORDS. TV PROGRAM ~~QUOTE~~ "THE UNTOUCHABLES" ~~UNQUOTE~~ INFORMATION CONCERNING. ~~REDACTED~~

~~REDACTED~~ TELEPHONICALLY ADVISED THAT THE TV PROGRAM ~~QUOTE~~ "THE UNTOUCHABLES" ~~UNQUOTE~~ WILL RUN IN LITTLE ROCK AT 8:30 PM, OCTOBER 22, 1959, AT WHICH TIME IT WILL DEAL WITH MA BARKER AND THE BARKER GANG. ~~REDACTED~~ DESIRED, 1 - DID THE BARKERS OPERATE IN ARKANSAS, AND 2 - ANY INFORMATION AVAILABLE ON AN INCIDENT IN ARKANSAS IN WHICH THEY MAY HAVE BEEN INVOLVED. ~~REDACTED~~

~~REDACTED~~ LITTLE ROCK INDICES ARE NEGATIVE WITH REGARD TO THE PROGRAM AND FAIL TO REFLECT ANY DATA RELATIVE TO THE BARKERS' ACTIVITY IN THIS STATE.

~~REDACTED~~ HAS HAD ~~GOOD~~ RELATIONS WITH THIS OFFICE AND THEREFORE THE BUREAU IS REQUESTED TO ADVISE WHETHER INFORMATION DESIRED BY ~~REDACTED~~ IS AVAILABLE THAT MIGHT BE FURNISHED TO ~~REDACTED~~

RECEIVED: 2:59 PM RADIO

4:18 PM CODING UNIT HLB

52549

OCT 20 1959

MR. DELOACH

*Deloach Tolson
10-16-59
and to Little Rock
O.C. Lamm
10-14-59
155-1111*

EX 104

CRIME REC

8

3

October 16, 1959

CODE

RADIOGRAM

DEFERRED

TO SAC LITTLE ROCK

FROM DIRECTOR FBI

94-52549-11

EX 104

TV PROGRAM "THE UNTOUCHABLES." REURRAD OCTOBER ONE FIVE LAST. REFER TO PORTIONS OF "THE FBI STORY" BOOK DEALING WITH BARKER-KARPIS ACTIVITIES. KARPIS HID OUT IN HOT SPRINGS.

NR. 167811
ENC. hlb
CK. mn
APPROVED BY BOH
TYPED BY

1 - Mr. Jones

NOTE: See DeLoach to Tolson memorandum captioned "The Untouchables," Television Program Produced by Desilu." JTM:cag

JTM:cag
(5)

FBI RECEIVED OCT 20 1959
OCT 16 5 02 PM '59
CODING UNIT

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

OCT 16 1 04 PM '59
INITIALED
DIRECTOR'S OFFICE
MAIL ROOM TELETYPE UNIT

RADIO

OCT 16 1959

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

2:53 PM per [signature]

BEST COPY AVAILABLE

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: October 21, 1959

FROM : C. D. DeLoach

SUBJECT: ~~"THE UNTOUCHABLES"~~ - back

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

In connection with our recent experience with Desilu Productions, it is felt that the attached letter to SAC Burke in Los Angeles would be most appropriate at this time. This letter points out to Burke the need for maintaining an extremely close watch over motion picture and television productions in his area in order that the Bureau can be immediately apprised of any activities which are undertaken to depict the Bureau in a television series.

RECOMMENDATION:

It is recommended that the attached letter be sent SAC Burke.

*sent
10-21-59*

1 - Mr. Jones

JTM:geg
(3)

15 15 15

REC-21

94-52549-12

EX-133

12 OCT 22 1959

296
58 OCT 28 1959

CRIME REC.

7

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. DeLoach

DATE: October 23, 1959

FROM : M. A. Jones

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU PRODUCTIONS

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Re previous memoranda of same caption.

Thursday evening, October 22, 1959, over Television Station WMAL (Channel 7), 9:30 - 10:30 p. m., the Desilu Series, "The Untouchables," produced "Ma Barker and Her Boys." This program, as previously noted, features Elliott Ness (played by Robert Stack), the deceased Treasury Enforcement Agent, as leading a group of Federal, state and local law enforcement officers in the investigation and machine gun--hand grenade filled apprehension of Ma Barker (played by Claire Trevor) in a Florida cabin. The bulk of the program depicts the criminal activities of Ma Barker and her sons, Doc, Fred, Lloyd and Herman, along with how she aids them in their criminal careers.

Ness and his associates were generally referred to as Federal Agents although on one occasion he is described by Ma Barker as a "G-Man", and on another occasion Ness mentioned an "FBI fugitive fly sheet." The impression is clearly conveyed that Ness is an FBI Agent.

Ma Barker and her sons are mainly portrayed in an unsympathetic manner and law enforcement is treated fairly. Ma is shown, however, shot and apparently killed by raiding Federal Agents as she sits in a parlor chair listening to a phonograph record of the hymn, "Rock of Ages."

Walter Winchell contributed considerable narration to this production, describing apprehending Federal Agents as "Elliott Ness' raiding party."

A brief disclaimer was voiced at the very end of the program after the commercial and preview of the next show. (The next production will deal with Mafia murders.) The disclaimer pointed out that while the FBI was not portrayed in this production, the FBI had a principal responsibility in the Barker case and was responsible for the investigation and solution of this case.

- 1 - Mr. Tolson
- 1 - Mr. DeLoach
- 1 - Mr. M. A. Jones

EX-109 REC-19 24-52549-13

11 OCT 27 1959 (Continued next page)

JRH:mlw (8)

52 NOV 4 1959

CRIME REC. SECTION

Jones to DeLoach memo

The Crime Research Section will continue to monitor this series to determine if any future misrepresentations of Bureau cases are perpetrated.

RECOMMENDATION:

None. For information.

✓
I saw J & K was bad.
We must find some way
to prevent J & K cases from
being used thru such
subterfuges as in this
instance. This is a fraud
upon the public.

*
Bulet, see L.A. 10/10/74
Summary memo, 10/10/74
D

FEDERAL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 20 1959

TELETYPE

URGENT 10-20-59 4-13 PM NB

TO DIRECTOR, FBI

FROM SAC, LOS ANGELES 2 P

DESILU PLAYHOUSE

Mr. Tolson	_____
Mr. Belmont	_____
Mr. DeLoach	_____
Mr. McGuire	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. W.C. Sullivan	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

~~QUOTE~~ "THE UNTOUCHABLES" ~~UNQUOTE~~, DESILU TELEVISION SERIES.

RESEARCH CRIME RECORDS. IN CONFERENCE TODAY WITH DESI ARNAZ,

B6 [REDACTED] AND [REDACTED] I WAS ADVISED THAT THE FUTURE STORIES CONCERNING FBI CASES ARE OUT. THE ONLY PROBLEM CONCERNS THE ONE STORY ON MA BARKER TO BE TELEVISED NIGHT OF OCTOBER TWENTY-TWO THE FILMS FOR WHICH HAVE BEEN SHIPPED AFTER REMOVAL OF FBI MENTION. DESI ADVISED THIS WORK DONE BY KEEPING THEIR LAB OPEN MAJOR PORTION OF NIGHT OCTOBER SEVENTEEN. AS PER TEL CALLS DESI TO ASST. DIRECTOR DE LOACH THE DISCLAIMER BEING PRODUCED ON FILM TODAY AND CAN REACH BROADCASTER DATE OF SHOWING. TIME ELEMENT WILL PERMIT PART OF DISCLAIMER AS FOLLOWS ~~QUOTE~~ "DESILU PRODUCTIONS WISHES TO POINT OUT THAT THE FBI ALTHOUGH NOT BEING FEATURED IN TONIGHT-S PROGRAM, HAD THE PRINCIPAL JURISDICTIONAL RESPONSIBILITY OF THE BARKER CASE AND WAS RESPONSIBLE FOR THE HANDLING AND EVENTUAL SOLUTION OF IT." ~~UNQUOTE~~. ARNAZ ISSUING BLANKET IN-

STRUCTIONS TO ALL PRODUCERS THAT ANY TIME FBI OR MR. HOOVER TO BE MENTIONED IN ANY LIGHT, CONTACT BE MADE WITH LOS ANGELES OFFICE SO SAME MAY BE PROPERLY PRESENTED. HE STATED EMPHATICALLY UNDER NO CIRCUMSTANCES DOES HE WANT TO DAMAGE IN THE LEAST THE

END PAGE ONE

MR. DELOACH

60 NOV 13 1959

EX 100 REC-8 94-525-49-14
 10-21-59
 CRIME RECORDS
 TOLSON
 10-21-59
 202

FRIENDSHIP HE ENJOYS WITH MR. HOOVER. MEETING ON FACE LEFT NO
INDICATION OF ILL WILL WHATSOEVER.

END ACK PLS

8-18 PM OK FBI WXXX WA JG

0

DEC 10 8 20 AM '52

RECEIVED TELETYPE UNIT

cc - Mr. DeLoach

Desilu Productions Inc.

780 NORTH GOWER STREET • HOLLYWOOD 38 • CALIFORNIA
HOLLYWOOD 9-5911

Mr. Tolson	✓
Mr. Belmont	✓
Mr. DeLoach	✓
Mr. McGuire	✓
Mr. Mohr	✓
Mr. Parsons	✓
Mr. Rosen	✓
Mr. Tamm	✓
Mr. Trotter	✓
Mr. W.C. Sullivan	✓
Tele. Room	✓
Mr. Holloman	✓
Miss Gandy	✓
M. A. Jones	✓



October 20, 1959

Mr. J. Edgar Hoover, Director,
Federal Bureau of Investigation
Washington, D. C.

app 3-1

Dear Edgar:

Thank you very much for the kind note of October 14th and the enclosed article, "Communist Illusion and Democratic Reality". I have read it with a great deal of interest and, as is always the case after reading some of your writings and utterances, I find myself approaching this most serious question better armed with information and knowledge and better equipped with a basic reasonable approach which must be accepted before the final solution to these problems can prevail.

I was also quite disturbed last week to find that there was a situation here at Desilu which had inadvertently come about, which caused some concern on the part of the Bureau representatives. We have had one meeting so far and are planning another meeting for 11:30 today which I am sure will eliminate any cause for concern on the part of your great organization. Webb Burke, the new S.A.C. of the Los Angeles office, is coming out to meet with Desi and I am sure that all the differences will be ironed out very quickly and to the satisfaction of all concerned.

It is shocking to many of us to see some of the formerly well known and active Communists coming back into circulation in the picture industry and also to watch the behavior of certain producers in apparently trying to promote the foreign cause as they did some years ago.

As you know, from time to time I am asked to appear at public functions and address large groups and I never miss an opportunity to touch on this particular aspect of American life and point out some of the dangers and problems which beset us now and will destroy us in the future if the usual complacent attitude of the general public prevails. It is an unfortunate thing to realize that from time to time we have to use the shock treatment to scare our public out of their general apathy and into a condition that makes them pay just the ordinary amount of attention to the benefits of this great system of government which we all enjoy.

*one (Apex comes)
ack 10/22/59
JTM*

OCT 22 11 20 AM '59

REC-94-52549-15

REC'D
EX-133

18 NOV 2 1959

CRIME/REC

Please convey my best regards to Clyde and the rest of my friends in the Bureau and I hope that I may have the chance of seeing you in person some time in the near future.

Most sincerely,

B6



GM:ej

P. S. Desi sends his

P. S. Desi sends his very best regards.

m.

REC-91 94-52549-15 October 27, 1959

EX-106

[Handwritten initials]

Desilu Productions, Inc.
780 North Gower Street
Hollywood 38, California

Dear **[Redacted]**

I have received your letter of October 20 and was pleased to learn of your reaction to "Communist Illusion and Democratic Reality." It is my hope that this treatise will have its desired effect in preventing the development of lethargy in the ranks of people of influence.

The situation which developed in connection with "The Untouchables" program dealing with the Barker brood did cause me considerable concern. It is my firm belief that if cases which we handled are portrayed in any media, the FBI should get due credit. Unfortunately, conditions are such at this time that we cannot enter into television and thus we are unable to render the necessary assistance and advice required to accurately depict our efforts. Needless to say, I am pleased that you and Desi have met with Special Agent in Charge Burke regarding this matter and, if any future problems of this general nature arise, I am sure you will contact either Mr. Burke or me.

I noted your comments about the revitalization of communists in the motion picture industry. This is

Oct 27 2 06 PM '59
REC'D-READING ROOM
FBI

MAILED 80
OCT 27 1959
COMM-FBI

1 - Los Angeles
1 - Mr. Jones

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

NOTE: "The Untouchables" TV program of 10/22/59 concerned the Barker gang. This case handled strictly by FBI and Dept Treasury as indicated in program. Protest made to Desi and a disclaimer was inserted at end of program. Desilu promised that future programs which had been scheduled and dealt with FBI cases would be canceled.

MAIL ROOM
JTM: [Redacted] NOV 9 1959

BEST COPY AVAILABLE

something which worries me very much. I sincerely hope that straight-thinking, responsible executives like you and so many others in the industry will form a solid front in opposition to this infiltration of the tremendously influential and opinion-forming motion picture and television industries.

Clyde joins me in sending our very best wishes.

Sincerely,

EDGAR

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: October 19, 1959

FROM : C. D. DeLoach

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU

- Tolson _____
- Belmont _____
- DeLoach _____
- McGuire _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Holloman _____
- Gandy _____

I called Desi Arnaz this afternoon relative to the captioned matter. He was told flatly that although we appreciated his friendship and cooperation in the past, the Director wanted him to positively understand that we would refuse to allow usurpation of the FBI cases or perversion of FBI history as [redacted] of "The Untouchables," had planned. I told Arnaz that the Director was certain he did not want Desilu Productions to be a party of fraudulent presentations. It was mentioned that "The Untouchables" would certainly be placed in that category if Desilu Productions carried out their planning as indicated.

The point was specifically made that the name of the FBI was not to be used in any manner whatsoever. He was also told that there was another subject that we wished to discuss, that being the absolute necessity of a disclaimer at the beginning and end of Thursday night's program regarding Ma Barker. He agreed to this without any equivocation.

Mr. Arnaz stated he desired to express his appreciation to the Director for the courteous way in which the FBI had handled this matter. He mentioned he was shocked when he discovered that [redacted] had invaded the FBI's cases. He stated he would appreciate the Director being advised that he (Arnaz) and Lucy, his wife, had been so busy handling their own television program that little time had been left to supervise "The Untouchables." He stated for this reason he had no inkling of [redacted] actions until SAC Burke called upon him Friday, 10-16-59.

Mr. Arnaz indicated that under no circumstances would he tolerate or allow invasion of the FBI's cases. He mentioned that instructions would be issued immediately to have [redacted] change his entire planning. He stated no names, similar to the ones in FBI cases, would be used, neither would the same set of facts be used under any circumstances. He advised that the cases they would use would be completely fictionalized and would not be patterned after the FBI's cases. He added that he was to have lunch on Tuesday, 10-20-59, with SAC Burke and that he would repeat the above promises to Burke.

- 1 - Mr. Tolson
- 1 - Mr. Jones

CDD:sak
(4)

*memo to Tolson
10-21-59
CDD*

REC-15 94-53547-16

EX-133

10 NOV 4 1959 CONTINUED NEXT PAGE

CRIME [redacted]
[redacted]

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: October 21, 1959

FROM : C. D. DELOACH

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU

[Handwritten signature/initials]

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Desi Arnaz called from Los Angeles, California, 3:30 PM, October 20. He stated that SAC Burke of our Los Angeles Office was with him. Arnaz then read me a memorandum which he had just dictated and which specifically instructed all units of Desilu Productions that the FBI's name was not to be used under any circumstances at any time without first notifying him of the intentions of such usage and then obtaining complete clearance from either the Los Angeles FBI Office or FBI Headquarters in Washington. The memorandum also included that the unit supervising "The Untouchables" was under no circumstances whatsoever to use any cases which rightfully belong to FBI history or in which the FBI has participated.

Mr. Arnaz asked me to assure the Director that he sincerely regretted this incident and that it was simply a matter of him not keeping in personal touch with all units of Desilu Productions.

Arnaz stated that the Thursday night show, October 22, concerning Ma Barker unfortunately cannot be cancelled; however, all TV stations are being requested by Desilu Productions to put this disclaimer in at the end of the show. "Desilu Productions wishes to point out that the FBI, although not being featured in tonight's program, had the principal jurisdictional responsibility of the Barker case and is solely responsible for the handling and eventual solution of this case." I told Mr. Arnaz that I felt certain the Director would have no objections to this phraseology. (It closely follows ours with the exception that it does not mention Elliot Ness by name and the fact that he had nothing to do with the Barker case.)

BC [Redacted] next came on the phone and also extended apologies. He stated that he was certainly glad the matter had been worked out to the satisfaction of the FBI and that he would bend over backwards not to displease the Director.

ENCLOSURE

The Ma Barker program Thursday night will be monitored. I have instructed SAC Burke to follow this matter most closely to make certain there is no slip-up in the instructions issued by Arnaz in connection with future programs of "The Untouchables."

- 1 - Mr. Tolson
- 1 - Mr. Jones
- CDD:ejp (4)

EX-133

REC-15

NOV 4 1959

CRIME REC.

94-32549-10

[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: October 17, 1959

FROM : C. D. DELOACH *CD*

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU

Tolson	<input checked="" type="checkbox"/>
Belmont	<input checked="" type="checkbox"/>
DeLoach	<input checked="" type="checkbox"/>
McGuire	<input type="checkbox"/>
Mohr	<input type="checkbox"/>
Parsons	<input type="checkbox"/>
Rosen	<input type="checkbox"/>
Tamm	<input type="checkbox"/>
Trotter	<input type="checkbox"/>
W.C. Sullivan	<input type="checkbox"/>
Tele. Room	<input type="checkbox"/>
Holloman	<input type="checkbox"/>
Gandy	<input type="checkbox"/>

In December, 1958, Desi Arnaz advised you by telegram that Desilu contemplated dramatizing the book "The Untouchables" by the late Elliot Ness. He asked permission to use, in dramatic reference, the name of the FBI in the story but not in the title. By letter dated January 5, 1959, the Director advised Arnaz that "The Untouchables" describes the activities of prohibition investigators and not of Special Agents of the FBI. The Director's letter pointed out the undesirability of using the name of the FBI in the dramatization. We have been approached three times since then by Arnaz or Desilu Productions to use the FBI's name in a TV series. These requests were turned down. By letter dated October 7, 1959, we gave Arnaz permission to use the Director's name in a playhouse feature entitled "Lepke," inasmuch as this is an excellent program which will be narrated by Walter Winchell.

In 1958, Desilu Productions produced the above-mentioned spectacular called "The Untouchables." It was presented in a two-part program, had very high ratings, and this year is back as a regular one-hour series based on the same format of Elliot Ness and the Treasury Department vs. the beer barons and hoodlums of the 1920s and 1930s.

The first program of "The Untouchables" was monitored by us on October 15, 1959. It dealt with the struggle for power by Al Capone's old associates in taking over the gang following Capone's imprisonment. The FBI was in no way mentioned.

On October 15, 1959, we received a radiogram from the Little Rock Office advising that the October 22, 1959, program of "The Untouchables" will deal specifically with Ma Barker and her gang. [redacted] in Little Rock had requested the SAC for any data concerning activities which the Barkers might have carried on in Arkansas. Little Rock advised that a preview of this program gave brief glimpses of the growth, development and demise of the Barker gang. There was a scene showing Elliot Ness, the old prohibition agent who was formerly a police officer in Cleveland, Ohio, firing from behind a tree and killing Ma Barker in a cabin in Florida.

Enclosures (2)
1 - Mr. Tolson
1 - Mr. Jones
CDD:ejp (4)

Enclosures handled separately
Di

REC-15

ENCLOSURE

94-52549-16

10 NOV 6 1959

CRIME

N
10-19-59

B6

DeLoach to Tolson
10-19-59

Memo DeLoach to Tolson

10-17-59

My memorandum to you dated October 16, 1959, reflected that if "The Untouchables" dealt with the Barker case October 22, 1959, it must necessarily deal with the FBI in order to be historically accurate in that we were the primary Federal Agency involved in handling this case. We have had no prior information from Desilu or any other source that "The Untouchables" would start involving the FBI as would appear to be the case in this instance. It was, therefore, recommended, approval given by the Director, to have the SAC, Los Angeles contact Desilu and ascertain if the FBI is to be depicted in the scheduled program of October 22, 1959, and, if so, why Desilu did not have the courtesy to contact us regarding this matter. The SAC was told that if the FBI is not to be depicted in "The Untouchables," dealing with the Barkers, then the program would necessarily be historically inaccurate and give the public the impression that the Treasury Department handled this major case.

SAC Burke, Los Angeles, called me at home at 10PM, Friday night, October 16. (The attached teletype is in confirmation of this call.) SAC Burke and a Special Agent, upon receipt of our instructions, as mentioned above, contacted Desilu Productions. [redacted] of "The Untouchables" admitted that their scheduled October 22, 1959, program would be entitled "Ma Barke and her Boys." He further admitted that the FBI was mentioned in the opening narration which is to be done by Walter Winchell. The FBI is to be mentioned in this manner--"On January 16, 1935, there took place one of the most incredible episodes in the annals of American crime...It began at 7 o'clock on a warm, sunny Florida morning. In a combined operation, Elliot Ness and his special agents joined with the FBI, state troopers and local police in a surprise visit to a quiet resort colony near the town of Oklawaha...What followed made front page headlines all over the world...." [redacted] told Burke the program does not identify Elliot Ness and his special agents as being connected with the Treasury Department but refers to them only as Federal Agents. [redacted] admitted that most people will probably consider Ness and his agents as FBI Agents. BC

SAC Burke told [redacted] that the opening narration differentiates between Ness, his agents, and the FBI. He told [redacted] that the script was completely unfactual and credits other agencies with work done by the FBI. SAC Burke added it is bad enough to do something like this and worse to have the FBI in the supporting role. [redacted] told SAC Burke that he realizes he has made a terrible error and that he would remove the words "the FBI" from the opening narration. He stated that in this manner the Federal Agents would not be identified in any manner other than the audience's recollection from the original programs in 1958 which identified these men as Treasury Agents.

10-17-59

[redacted] admitted to SAC Burke that he had asked [redacted] who is known to you and the Director and who is [redacted] Desilu, to clear his handling of this story with the FBI. [redacted] stated that since ^{he} had heard nothing to the contrary from [redacted] he assumed that sanction had been obtained. *copy*

[redacted]

SAC Burke questioned [redacted] about the possibility of not showing the Ma Barker case. [redacted] told him that the American Broadcasting Company TV network had purchased "The Untouchables" for one year and that the Ma Barker case had been widely publicized for showing next Thursday, October 22, 1959. [redacted] stated that considering contractual arrangements, he doubted if any substitution could be made. SAC Burke questioned [redacted] as to the programs in the future. [redacted] had intended doing the John Dillinger, Dutch Schultz, Pretty Boy Floyd and Baby Face Nelson stories. SAC Burke then stated that the FBI was most unhappy with his usage of the Ma Barker case and that certainly the FBI would not tolerate further invasion by depiction of these cases.

SAC Burke next held a conference with [redacted] and Desi Arnaz. Arnaz admitted that he had not followed "The Untouchables" personally and that he now realizes "a terrible goof" has been made. Arnaz stated his personal esteem for the Director was such that he would do nothing intentionally to hurt the FBI. He claimed that he desires to make whatever amends possible. Arnaz stated he was willing to have the announcer at the end of the Ma Barker program, October 22, state "we would like to thank the FBI for allowing "The Untouchables" to portray the part played by the FBI in the real Ma Barker case." SAC Burke told Arnaz that such a statement would indicate FBI sanction. Arnaz then stated that he would have any statement made, or omissions made, according to the desires of the FBI.

SAC Burke brought up the subject of future programs, i. e., John Dillinger, Baby Face Nelson, etc. Arnaz told SAC Burke that specific FBI stories

Memo DeLoach to Tolson

10-17-59

will not be treated and that fictionalized stories would be substituted if the FBI desires. Arnaz then stated he was of the opinion that Elliot Ness joined the FBI after the Capone case. (This, of course, is not true.) Arnaz asked SAC Burke if in future programs could Elliot Ness and his men be established as FBI Agents. SAC Burke then told Arnaz this would have to be a decision made in Washington. SAC Burke made arrangements with Arnaz for another conference on Tuesday, October 20, 1959.

Absolutely no. Upon leaving ██████████ told SAC Burke that depiction of Federal Agents on the "Ma Barker case" would be favorable to any agency. He offered a screening of this program to allow criticism; however, at the same time pointed out that the time element would preclude much change in his program. He stated that the script was available if the FBI so desired to have it. *de*

I instructed SAC Burke to send in a summary teletype and told him to take no further action until he heard from us.

OBSERVATIONS:

The above-mentioned cases are in the public domain. Desilu Productions, however, has highly advertised these programs as being absolutely factual. To the contrary, this is a false statement which misleads the public.

Desilu Productions, despite the overtures of friendship, is apparently attempting to take advantage of the prominence of "The FBI Story." (Above cases with the exception of the Dutch Schultz case used therein.) These programs are absolutely false in that Ness and his agents had nothing to do with these cases.

The forthcoming program regarding Ma Barker (scheduled for Thursday, October 22, 1959,) of course, cannot be cancelled at this date. It is strongly believed, however, that we should insist on a disclaimer at the beginning and at the end of this program. Something of this nature could be logically stated. "Desilu Productions wishes to point out that the FBI, although not being featured in tonight's program, had the principle jurisdictional responsibility of the Barker case and is solely responsible for the handling and eventual solution of this case. Elliot Ness and the Treasury Agents featured in tonight's episode had nothing whatsoever to do with this case."

Memo DeLoach To Tolson

10-17-59

It is believed that Arnaz will allow the above disclaimer, or one similar to this. We should not under any circumstances permit a disclaimer which would indicate sanction of this program.

In so far as the remaining programs are concerned (Dillinger, Baby Face Nelson, etc.) it is recommended that Desi Arnaz be pointedly advised that we must insist that such programs not be shown. He should be told that the changing of names of principal subjects, the usage of disclaimers, are of little or no substance. It should be emphatically mentioned that use of these cases depicting solution by Elliot Ness and his agents represents shoddy representation of the facts and of our past relationship with Desilu Productions.

RECOMMENDATIONS:

(1) It is recommended that I be allowed to call Desi Arnaz and discuss the above-mentioned steps, advising primarily that if Desilu Productions persist in using such material, we will deeply resent this perversion of FBI history. If Arnaz offers to compromise by using the FBI's name, he will be told that we will not allow this under any circumstances.

Handled 10/19
I report Arnaz told me flatly refused to allow FBI in his fraudulent presentation & certainly he & his productions would not want

(2) That we confidentially mention this matter to [redacted]

[redacted]

OK
10/19
copy
B6
A
C

10-17-59

RECOMMENDATIONS (Continued):

(3) You or the Director may desire to advise Walter Winchell inasmuch as he is scheduled to narrate the Ma Barker program, has narrated other programs, and is undoubtedly scheduled to narrate programs in the future.

no.
X

NY
(4) If no satisfaction is obtained from Arnaz and Desilu Productions, we should give consideration to confidentially advising ██████████ American Broadcasting Company Network, regarding this matter ██████████ should be told that the ABC TV network is being placed in the untenable position of showing so-called "factual programs," when, in fact, the programs are absolutely false and misleading. He should be advised that we feel certain that he would not want this stigma against the ABC Network, particularly when the public is raising a hue and cry at this time against other networks for falseness (quiz programs). *ble*

D
Do it as an official protest to ABC. I see no reason for pulling our punches.
X

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: October 16, 1959

FROM : C. D. DeLoach

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

BACKGROUND:

Last television season Desilu Productions produced a two-part spectacular called "The Untouchables," starring Robert Stack. This program concerned the activities of Elliot Ness, a deceased Treasury Enforcement Agent, and his efforts in breaking up the Al Capone gang in Chicago. This two-part program had very high ratings and this year it is back as a regular one-hour series based on the same format of Elliot Ness and the Treasury Department vs. the beer barons of the 1920's and 1930's.

CURRENT DEVELOPMENTS:

The first program of this series was seen in Washington last night and dealt with the struggle for power by Capone's old associates in taking over the gang following Capone's imprisonment. The FBI was in no way mentioned. Last night we received a radiogram from Little Rock stating that next Thursday's "The Untouchables" program will deal with Ma Barker and her gang. The reason for the radiogram was that the television station in Little Rock carrying this program wanted to give it some local promotion and asked the SAC for any data concerning activities which the Barkers might have carried on in Arkansas. The brief preview of next week's program on "The Untouchables" series gave brief glimpses of the growth, development and demise of the Barker gang and there was a scene showing Elliot Ness firing from behind a tree and killing Ma Barker in a cabin in Florida. It is obvious that the Bureau will be involved in this program.

The important consideration here is that if "The Untouchables" will deal with the Barker case next week, it must necessarily deal with the FBI in order to be historically accurate in that we were the primary Federal agency involved in handling this case. We had no prior knowledge from Desilu or any other source that "The Untouchables" would start involving the FBI as would appear to be the case in this instance.

Enclosures

2 sub
10-16-59

X-133

1 - Mr. Jones

(See recommendations next page)

JTM:cag
(3)

CRIME

REC-15
94-52549-16

10 NOV 4 1959

REC'D
[Handwritten signature]

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *AM 3/2/59*

DATE: October 30, 1959

FROM : W. C. Sullivan *WCSB*

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU PRODUCTIONS

Tolson	_____
Belmont	_____
DeLoach	_____
McGuire	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Reference is made to the attached memoranda of Mr. DeLoach to Mr. Tolson, dated October 16, 17, 19, 21, 1959, and captioned as above.

FBI Cases Invaded

The above-referenced memoranda all refer to usurpation of FBI cases or perversion of FBI history by the executive producer of the television series, "The Untouchables." Particularly was this noted to be the case in the October 22, 1959, presentation of the shooting of Ma Barker by agents of the Treasury Department.

False Advertising

Inasmuch as these memoranda all stress the fact that Eliot Ness, the protagonist of the series, was never a member of the FBI, I thought you would be interested in the attached page from the current issue of the TV Guide (page A-81) which describes "The Untouchables" as "the true story of FBI man Eliot Ness' savage war on the notorious mobsters Al Capone left behind." Next week's edition of the TV Guide has been observed to carry the same advertisement.

RECOMMENDATIONS:

1. For the information of the Director.
2. That this memorandum be forwarded to Mr. DeLoach for any action he may desire to take with respect to the unauthorized and inaccurate use of the name FBI.

7

ENCLOSURE
Enclosures

- WCS*
JEM:bea (5)
- 1 - Section tickler
 - 1 - John E. McHale, Jr.
 - 1 - Mr. Belmont
 - 1 - Mr. Tolson

58 NOV 13 1959

REC-15
EX-112
24-52549-*Monahan*
OCT 30 10 NOV 4 1959
CRIME REC-15
MEMO TO MR. TOLSON
11/3/59

OCTOBER 29
Evening

THURSDAY

the Monitor, a revolutionary design of naval architecture, outclassed wooden ships of the time.

8:00 **2 9** **BETTY HUTTON—Comedy**
"Who Killed Vaudeville?" A hard-luck performer begs Goldie to help him find a theater engagement which will put him back on his feet.

Cast

Goldie _____ Betty Hutton
Teddy Adams _____ Jules Munshin
Nicky Strickland _____ Richard Miles

4 8 11 **BAT MASTERSON**
"Shakedown at St. Joe." Bat stops at St. Joseph, Mo., to see Dora Miller, an old girl friend, who's appearing as a singer at the local opera house.

Cast

Bat Masterson _____ Gene Barry
Dora Miller _____ Joan O'Brien
Jason Medford _____ Bruce Gordon

5 **NIGHT COURT—Drama**
Tonight's cases involve: an opium pipe; vagrancy; a masher; a restaurant fraud; narcotics; and a hipster.

7 13 **DONNA REED—Comedy**
"The Neighborly Gesture." Donna taunts Alex, claiming that he is jealous of their son Jeff's admiration for a new neighbor.

Cast

Donna Stone _____ Donna Reed
Jeff _____ Paul Petersen
Dr. Alex Stone _____ Carl Betz

8:30 **2 9** **JOHNNY RINGO—Western**
Johnny Ringo is perplexed by a request from Jess Meade, an old friend. Meade asks Ringo to put him in jail.

Cast

Johnny Ringo _____ Don Durant
Cully _____ Mark Goddard
Jess Meade _____ Richard Devon

4 8 11 **STACCATO—Mystery**
"Evil." Johnny Staccato learns from his friend Barney that Barney's sister has given all her money to a mission-house.

Cast

Johnny Staccato _____ John Cassavetes
Waldo _____ Eduardo Ciannelli
Barney _____ Robert Carricart

This series is reviewed on page 26.

NEW KIND OF SERIES!



Beginning the true story of FBI man Eliot Ness' savage war on the notorious mobsters Al Capone and his friends!

Robert Stack in **the UNTOUCHABLES**

9:30-10:30 THURSDAYS CH. 7

TV GUIDE

A-81

94-52549 16
ENCLOSURE

Office Memorandum • UNITED STATES GOVERNMENT

34

TO : Mr. DeLoach

DATE: October 30, 1959

FROM : M. A. Jones

SUBJECT: "THE UNTOUCHABLES"
TELEVISION PROGRAM
PRODUCED BY DESILU PRODUCTIONS
10-29-59 PRODUCTION

Tolson	_____
Belmont	_____
Mohr	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Captioned program featured Thursday evening, October 29, 1959, over WMAL-TV, a fictionalized account of George "Bugs" Moran whose gang, you will recall, was eradicated by the Al Capone mob in the St. Valentine's Day massacre.

Last night's episode depicted efforts by Moran, who was played by Lloyd Nolan, to muscle in on legitimate labor unions.

"The Untouchables," the special unit headed by Elliott Ness, remained on the fringes of the activity portrayed in last night's production until shortly before the conclusion of the program when Ness's assistant asked a businessman if his trucks were engaged in interstate commerce, and learning they were, stated that's all that's needed for the Elliott Ness group to move against Moran. A gunfire-filled raid then followed against Moran's hideout.

During the entire performance, which appeared generally listless, the Elliott Ness group members frequently described themselves as "Federal Agents." Never was the Bureau or the FBI specifically mentioned.

At the outset of the program, a brief announcement stated that the story originally announced has been postponed until a later date. Walter Winchell was once again the narrator.

The Crime Research Section will continue to monitor this series to fully protect the FBI's interests.

RECOMMENDATION:

For information.

- 1 - Mr. Tolson
- 1 - Mr. DeLoach
- 1 - Mr. M. A. Jones

58 NOV 27 1959

JRH:mbb
(7)

REC-4 94-52549-17

NOV 6 1959

CRIME REC.

This program is doing the FBI no good.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

OCT 17 1959

TELETYPE

Mr. Tolson	_____
Mr. Belmont	_____
Mr. DeLoach	_____
Mr. McGuire	_____
Mr. Mohr	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. W.C.Sullivan	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

URGENT 10-17-59 9-47AM DS

TO DIRECTOR, FBI

FROM SAC LOS ANGELES & P

QUOTE THE UNTOUCHABLES, QUOTE DESILU TELEVISION SERIES, RESEARCH / CRIME RECORDS/. REBUTEL, OCTOBER SIXTEEN, LAST. [REDACTED] **BC**

[REDACTED] UNTOUCHABLES, QUOTE CONFIRMED OCTOBER SIXTEEN LAST THAT NEXT THURSDAYS PROGRAM ON CAPTIONED SERIES ENTITLED QUOTE MA BARKER AND HER BOYS QUOTE STATED FBI MENTIONED IN SCRIPT IN OPENING NARRATION, WHICH IS DONE BY WALTER WINCHELL, IN FOLLOWING MANNER. QUOTE ON JANUARY SIXTEEN, ONE NINE THREE FIVE, THERE TOOK PLACE ONE OF THE MOST INCREDIBLE EPISODES IN THE ANNALS OF AMERICAN CRIME... IT BEGAN AT SEVEN O-CLOCK ON A WARM, SUNNY FLORIDA MORNING. IN A COMBINED OPERATION, ELIOT NESS AND HIS SPECIAL AGENTS JOINED WITH THE FBI, STATE TROOPERS AND LOCAL POLICE IN A SURPRISE VISIT TO A QUIET RESORT COLONY NEAR THE TOWN OF OKLAWAHA... WHAT FOLLOWED MADE FRONTPAGE HEADLINES ALL OVER THE WORLD... QUOTE. STATED HE DOES NOT IDENTIFY ELIOT NESS AND HIS SPECIAL AGENTS AS BEING CONNECTED WITH TREASURY DEPARTMENT BUT REFERS TO THEM ONLY AS FEDERAL AGENTS THROUGHOUT SCRIPT. STATED MOST PEOPLE WILL PROBABLY CONSIDER NESS AND HIS AGENTS AS FBI AGENTS. IT WAS POINTED OUT THAT THE OPENING NARRATION DIFFERENT ^{NOTES} BETWEEN NESS

END PAGE 10 1959 R. DELOACH

143

EX-105

REC-96

94-52549-18

CRIMINAL RECORDS

PAGE TWO

b6
HIS AGENTS, AND FBI. IT WAS POINTED OUT THAT HIS SCRIPT COMPLETELY UNFACTUAL AND CREDITS OTHER AGENCIES WITH WORK DONE BY FBI. FURTHER POINTED OUT THAT IT IS BAD ENOUGH TO DO THIS AND WORSE TO HAVE FBI IN SUPPORTING ROLE. [REDACTED] REALIZED TERRIBLE ERROR MADE AND STATED THAT HE WOULD REMOVE THE WORDS QUOTE THE FBI QUOTE FROM OPENING NARRATION. IN THIS MANNER THE FEDERAL AGENTS, NOT IDENTIFIED IN ANY MANNER OTHER THAN AUDIENCES RECOLLECTION FROM ORIGINAL TWO HOUR PROGRAM ON QUOTE THE UNTOUCHABLES QUOTE. [REDACTED] CLAIMED HE HAD ASKED [REDACTED] DESILU, TO CLEAR HIS HANDLING OF STORY WITH BUREAU. CLAIMED SINCE HE HEARD NOTHING TO THE CONTRARY FROM [REDACTED] ASSUMED SANCTION OBTAINED. [REDACTED]

COR LINE 1 WD 7 SHUD BE "POINTED"

END PAGE TWO

PAGE THREE

QUESTIONED ABOUT POSSIBILITY OF NOT SHOWING THIS SEGMENT OF SERIES. HE ADVISED ABC HAD PURCHASED THE SERIES FOR ONE YEAR AND THIS STORY WIDELY PUBLICIZED FOR SHOWING NEXT THURSDAY. STATES CONSIDERING CONTRACTUAL ARRANGEMENTS, DOUBTS IF ANY SUBSTITUTION COULD BE MADE. ██████████ WHEN QUESTIONED AS TO PLANS FOR SERIES IN FUTURE, ADVISED HE HAD INTENDED DOING THE JOHN DILLINGER, DUTCH SCHULTZ, PRETTY BOY FLOYD, AND BABY FACE NELSON STORIES. ██████████ WAS TOLD THAT BUREAU WAS MOST UNHAPPY WITH IDEA OF SHOWING THE MA BARKER STORY AND THAT BUREAU CERTAINLY WOULD NOT TOLERATE FURTHER INVASION BY DEPICTION OF STORIES MENTIONED. CONFERENCE HELD WITH ██████████ AND DESI ARNAZ ON ENTIRE MATTER. ARNAZ ADVISED THAT HE HAD NOT FOLLOWED PRODUCTION PERSONALLY AND REALIZES TERRIBLE QUOTE GOOF QUOTE MADE. SAID HIS PERSONAL ESTEEM FOR DIRECTOR SUCH THAT HE WOULD DO NOTHING INTENTIONALLY TO HURT FBI AND DESIRES TO MAKE WHATEVER AMENDS POSSIBLE. STATED THAT HE WOULD HAVE ANNOUNCER AT END OF NEXT PROGRAM STATE SOMETHING TO EFFECT QUOTE WE WOULD LIKE TO THANK THE FEDERAL BUREAU OF INVESTIGATION FOR ALLOWING THE UNTOUCHABLES TO PORTRAY THE PART PLAYED BY THE FBI IN THE REAL MA BARKER CASE. QUOTE. WHEN POINTED OUT THIS WOULD INDICATE BUREAU SANCTION. ARNAZ SAID THAT THEY WOULD MAKE ANY STATEMENT OR OMIT SAME ACCORDING TO BUREAU DESIRES.

END PAGE THREE

86

PAGE FOUR

WHEN FUTURE STORIES FOR QUOTE UNTOUCHABLES QUOTE DISCUSSED, ARNAZ STATED SPECIFIC FBI STORIES WILL NOT BE TREATED, AND FICTIONALIZED STORIES SUBSTITUTED IF BUREAU DESIRES. ARNAZ STATED HE WAS OF THE OPINION ELIOT NESS JOINED FBI AFTER CAPONE CASE. ASKED IF IN FUTURE QUOTE UNTOUCHABLES QUOTE STORIES, NESS AND HIS MEN COULD BE ESTABLISHED AS BEING FBI AGENTS. WAS ADVISED THAT THIS WOULD HAVE TO BE BUREAU DECISION AND ARRANGEMENTS MADE FOR ANOTHER CONFERENCE RE FUTURE THIS SERIES FOR TUESDAY, NEXT [REDACTED] ADVISES THAT DEPICTION OF FEDERAL AGENTS ON QUOTE MA BARKER STORY QUOTE FAVORABLE TO ANY AGENCY. OFFERED SCREENING OF THIS SEGMENT FOR CRITICISM. HOWEVER, POINTED OUT THAT THE TIME ELEMENT PRECLUDES MUCH CHANGE IN STORY. SCRIPT AVAILABLE FOR BUREAU IF DESIRED. BUREAU INSTRUCTIONS REQUESTED. B6

END ACK PLS

A2-00 PM OK FBI WA NM

T

0011 5 02 64 20

RECEIVED TELETYPE UNIT