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OGC 69-0552

26 March 1969

MEMORANDUM FOR THE RECORD

SUBJECT: (Thomas L. Roberts)

1. On 25 March 1969, a meeting took place in Mr. Warner's office attended by Messrs. Milligan and Heinonen of CCS/(LP)GLOBE, Mr. Jack Geaslin, Chief, European Division/France, Mr. Warner and the undersigned, to discuss the ramifications of (Thomas L. Roberts') assignment to Paris.

2. Mr. Warner began the meeting by giving Mr. Geaslin a chronology covering (a) (Roberts') relationship with Itkin, (b) Itkin's relationship with CIA, (c) Itkin's relationship with the FBI, (d) Itkin's indictment in the New York State court, (e) Itkin's potential use as a witness for the prosecution in the federal court against organized criminals, and (f) the Itkin involvement with F. Lee Bailey and the possible publicity attendant thereto.

3. It was then explained that following a meeting with Messrs. Hogan, Morgenthau, Kossack and Houston, it was agreed that Itkin would plead guilty to two misdemeanors in the New York State court and receive a suspended sentence. In return, the State of New York would withdraw its motion to remand Itkin for trial currently pending in the United States District Court for the Southern District of New York. These maneuvers would result in Itkin's being available for use as a Government witness in future cases and his credibility not being subject to attack by the future defendants based on his New York State trial. Mr. Warner further explained that this latest development would appear to have taken the heat off and removed the need for involving CIA and possibly exposing (Roberts) affiliation to CIA. It was further explained that there had been indications that Morgenthau's office and the FBI were attempting to inflate Itkin's past affiliations with CIA in an attempt to demonstrate his dedication and to remove the aspect of criminal intent. It had also been

5/DI

assumed that, if Itkin were to be tried in the state court, F. Lee Bailey would not hesitate to use any available methods to embarrass the United States Government in such a way as to influence the decision of the jury and also generate public interest to assist in the future sales of Itkin's book.

4. Mr. Warner then explained the elements of concern which required the debriefing of Roberts in Frankfurt in mid-February, resulting in the conclusion that Roberts was leveling with his Agency contacts on his relationships with Itkin. Roberts stated categorically that he had never discussed his association with CIA with Itkin and, to Roberts' knowledge, Itkin was not aware of Roberts' CIA employment. Further discussion evolved around people who are knowledgeable of Roberts' relationship to CIA. These include (a) members of the U.S. Attorney's office, (b) members of the New York County District Attorney's office, (c) the New York FBI office, and (d) we must assume that Itkin himself is aware of Roberts' CIA affiliation. It was concluded that although the number of knowledgeable persons appears large, the circumstances as they exist today, i.e., that Itkin will not be brought to trial in the New York State court, seem to have removed any forum or need for divulging this information by any of the above. The residual problem of Barnard Collier's publishing his long feature article on Itkin was raised, and there is no way of estimating whether Collier is aware of Roberts' CIA affiliation.

5. Mr. Geaslin asked the question of whether we felt there was any subversive connection with any of the people related to the case which could report on Roberts' CIA affiliation to Communist Party elements in France. It was concluded that on that particular question Mr. Rocca of the CI Staff would be in the best position to evaluate that aspect, and his counsel should be sought on that matter.

6. Mr. Milligan raised the question as to the type of cover to be used by Roberts on his Paris assignment, and it was agreed between him and Mr. Geaslin that the suitability of cover had to be reassessed at this time.

7. Mr. Warner suggested that the participation of OGC in this case as it relates to Roberts appears to be concluded, although

11/17

it was suggested that Mr. Geaslin maintain a tickler to recontact OGC at least every six months to ascertain whether the New York problems were still in a status quo or were in fact heating up again. It was agreed that OGC would attempt to determine if in fact the suggested steps of Itkin's guilty plea and the removal of the State motion to remand had taken place.

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cc: CCS/LPGLOBE
C/E/F
C/CI/R&A
D/Security

OGC:JKG:bt
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Orig. - (Roberts, Thomas Lee) subj file
1 - JKG signer
1 - Chrono