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Bibliographic Cover Sheet

Title **FBI File 92-HQ-4957 Serial #17: Myron Julian Deckelbaum aka, AR**

Date 1963-03-14

Abstract On January 23, 1963, SA (redacted) Internal Revenue Service (IRS), New Orleans, Louisiana, advised that on January 22, 1963, (redacted), a former employee of Southern Bell in New Orleans, concluded his testimony on both direct and cross examination. On cross examination, (redacted) admitted for the first time that he actually listened in on legitimate telephone calls being made to and from defendant (redacted) Baton Rouge, Louisiana, and utilized information he heard during these telephone conversations to place bets on various race horses. After this admission was made by (redacted) Defense Attorney Guy B. Johnson again made oral motion that Government's evidence be suppressed because (redacted) illegally monitored legitimate telephone calls being made and received by one of the defendants. US District Judge Herbert W. Christenberry denied Johnson's motion.

Keywords Myron Julian Deckelbaum; gambling; Southern Bell; IRS

Source FBI via FOIA

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FEDERAL BUREAU OF INVESTIGATION

Reporting Office CINCINNATI	Office of Origin CINCINNATI	Date 3/14/63	Investigative Period 12/12/62 - 3/8/63
TITLE OF CASE MYRON JULIAN DECKELBAUM, Aka.		Report made by SA 	Typed By: gb
CHARACTER OF CASE AR		b6 b7C	
Synopsis:			

REFERENCES :

Report of SA Cincinnati, 1/3/63.
 New Orleans letter to Cincinnati, 1/28/63 (Inter-office).
 Cincinnati airtel to Bureau and New Orleans, 2/13/63,
 captioned BENJAMIN LASSOFF, Aka., AR.
 Louisville letter to Cincinnati, 2/28/63 (Inter-office).

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LEADS :

LOUISVILLE OFFICE

AT COVINGTON, KENTUCKY

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1. Will recontact for any further information he may receive regarding the subject.

Approved <i>[Signature]</i>	Special Agent in Charge	Do not write in spaces below		
Copies made: 3 - Bureau (92-4957) 1 - USA, Cincinnati, Ohio 2 - Louisville (92-268) 2 - New Orleans (92-307) 5 - Cincinnati (3 - 92-324) (1 - 92-103) (1 - 166-23)		92-4957-17	MAR 18 1963	REG-27

1-153
Criminal Div Dept 3/25/63

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[Handwritten Stamp]
STAT. SECT.

54 MAR 29 1963

CI 92-324

2. Will maintain contacts with informants regarding the activities of subject.

NEW ORLEANS OFFICE

AT NEW ORLEANS, LOUISIANA

1. Will cover leads previously set out in Cincinnati airtel, 2/13/63, captioned BENJAMIN LASSOFF, Aka., AR.

2. Will follow and report prosecutive action against subject in USDC, at New Orleans.

CINCINNATI OFFICE

AT CINCINNATI, OHIO

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1. Will maintain contact with informants to keep abreast of subject's current activities [redacted] and [redacted]

2. Will check docket of U. S. District Court for status of IRS case against subject for judgment of \$300,193.46.

3. Will obtain most recent [redacted]

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[redacted] - number [redacted] listed

[redacted] and number [redacted] listed to [redacted] same address.

ADMINISTRATIVE

Dates in investigative period of this report overlap those in referenced report since the information was not received from auxiliary office until 1/30/63.

Subject DECKELBAUM is brother-in-law of BENJAMIN LASSOFF, subject of case BENJAMIN LASSOFF, Aka., AR., CI file 92-103, and of ROBERT LASSOFF, of case entitled ROBERT LASSOFF, Aka., DEAR-GAMBLING, CI file 166-23. Information developed on subject DECKELBAUM in connection with investigations of his brothers-in-law, BENJAMIN and ROBERT LASSOFF, should also be submitted for instant file, CI 92-324.

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INFORMANTS

On 1/25/63, [] advised SA [] that he had nothing to report on subject.

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On 2/1/63, [] advised SA [] that he had nothing to report on subject.

On 2/13/63 [] identity known to Bureau, related to SA [] the following information:

On 2/11/63, [] learned from a friend who returned on 2/10/63, from a vacation in New Orleans with ROBERT LASSOFF, 7147 Eastlawn, Cincinnati, Ohio, and MYRON DECKELBAUM, 1868 Larchwood Place, Cincinnati, Ohio, all currently being tried in IRS Fraud by Wire case in New Orleans, that they frequent the Fair Grounds Race Track, New Orleans, during recesses in their trial. One of the defendants, who is sick and who is not currently being tried, resides in a motel or hotel in New Orleans. He operates a horsebook from the motel or hotel.

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[] may be characterized as an individual who is familiar with gamblers and gambling activity in the Southern Ohio - Northern Kentucky areas.

On 2/20/63, [] advised SA [] that insofar as the informant could determine subject DECKELBAUM was not engaged in any activity in Newport, Kentucky.

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On 2/27/63, [] advised SA [] that he understood that DECKELBAUM along with LASSOFFS have been in New Orleans for a considerable time due to the trial

CI 92-324

there in progress in which they are defendants. The informant advised that he had heard that [redacted] at the [redacted] now was operating a [redacted] on the second floor at [redacted] Covington, Kentucky, and that it was possible that subject and the LASSOFF brothers could have some connection with this operation.

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Cover Page

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Cincinnati, Ohio

Report of: SA [REDACTED]

Office: CINCINNATI

Date: 3/14/63

Field Office File No.: 92-324

Bureau File No.: 92-4957

Title: MYRON JULIAN DECKELBAUM

Character: ANTI-RACKETEERING

Synopsis: Subject currently being tried in Fraud-By-Wire case with other defendants in USDC, New Orleans, La. On 2/21/63 trial continued to 2/27/63. In Civil Action, tax case in USDC, Cincinnati, Ohio, docket check reflects last entry of 11/26/62 when motion for separate trial overruled. In Tax case on appeal in U.S. Court of Appeals for Sixth Circuit from Louisville, Ohio, docket check shows entry of 2/12/63, certified copy of order dismissing appeal issued to USDC Clerk.

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CI 92-324

DETAILS :

RE: FRAUD BY WIRE CASE IN U. S. DISTRICT COURT,
NEW ORLEANS, LOUISIANA

NO 82-287/jas

At New Orleans

With regard to the prosecution of MYRON JULIAN DECKELBAUM, [REDACTED] ALFRED MONES, [REDACTED] and five other defendants in U. S. District Court, New Orleans, for Fraud by Wire and Conspiracy to Defraud the United States, the following information is set forth:

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Mr. EDWARD MOLENOF, Special Assistant to the Attorney General, who was scheduled to try this case, advised SA [REDACTED] on December 12, 1962, that he expected trial of the case to begin on December 13. He said he expected the case to continue for from eight to ten weeks after trial began. He stated that defendant [REDACTED] had been placed in a New Orleans hospital on the night of December 11, 1962, and his doctor claimed [REDACTED] had a serious heart condition and could not stand trial at this time. Mr. MOLENOF said [REDACTED] would be examined by Government physicians and if he actually had a heart condition, the Government would probably ask for a severance so that the trial of the rest of the defendants would not be further delayed.

On December 18, 1962, SA [REDACTED] Internal Revenue Service, advised SA [REDACTED] on December 17, 1962, Federal Judge HERBERT W. CHRISTENBERRY, who is scheduled to try the case, reset the trial date to January 3, 1963. On a motion from the Government, Judge CHRISTENBERRY severed defendant [REDACTED] from the case because of [REDACTED] heart condition.

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On December 28, 1962, Departmental Attorney [REDACTED] advised SA [REDACTED] that Mr. MOLENOF, the Government's Chief Trial Attorney, had become ill [REDACTED] and would have to have an operation. [REDACTED] said in view of this, he planned to request the court to postpone the trial of the defendants until January 21, 1963.

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On January 16, 1963, SA [redacted] Internal Revenue Service, advised SA [redacted] that due to the fact that Mr. MOLENOF is recuperating from an operation to remove gallstones, the Department had named Departmental Attorney J. FRANK CUNNINGHAM as the Chief Trial Attorney in this matter and the case was scheduled to go to trial January 21, 1963.

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On January 21, 1963, SA [redacted] advised SA [redacted] that trial of defendants got under way on that date. [redacted] said this trial is expected to continue for ten to twelve weeks. He said all of the defendants, nine in number, are in court daily during the trial.

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On the dates indicated the following information was received from the New Orleans Office:

On January 23, 1963, SA [redacted] Internal Revenue Service (IRS), New Orleans, Louisiana, advised that on January 22, 1963, [redacted], a former employee of Southern Bell Telephone and Telegraph Company (SBT & T) in New Orleans, concluded his testimony on both direct and cross examination. On cross examination, [redacted] admitted for the first time that he actually listened in on legitimate telephone calls being made to and from defendant [redacted] Baton Rouge, Louisiana, and utilized information he heard during these telephone conversations to place bets on various race horses. After this admission was made by [redacted] Defense Attorney GUY B. JOHNSON again made oral motion that Government's evidence be suppressed because [redacted] illegally monitored legitimate telephone calls being made and received by one of the defendants. U. S. District Judge HERBERT W. CHRISTENBERRY denied JOHNSON's motion.

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[redacted] said the only other witness who appeared on the stand on January 22, 1963, was [redacted] another former employee of SBT & T Company, who was dismissed for "putting up" long distance telephone calls for defendants. [redacted] under direct examination, told how he had placed telephone calls for certain defendants for which they were not charged by the telephone company. Judge CHRISTENBERRY recessed court for the day prior to the completion of [redacted] direct testimony.

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On January 25, 1963, SA [redacted] IRS, advised that the only witnesses testifying on January 23, and January 24, 1963 were [redacted] and [redacted] both of whom were formerly employees of the telephone company who were dismissed by the telephone company in 1958 for having placed free long distance telephone calls for the defendants in this case. [redacted] stated that [redacted] described how he made these telephone calls and identified the defendants for whom he had placed these illegal calls.

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On January 29, 1963, SA [redacted] IRS, advised that [redacted] was on the witness stand through January 25, 1963; that on Monday, January 28, 1963, [redacted] another discharged former telephone company employee, testified during the morning that he placed free long distance telephone calls for some of the defendants; and that Chief Trial Attorney J. FRANK CUNNINGHAM requested a recess in the trial on January 28, 1963, to hold conferences with witness [redacted] of Winnipeg, Canada, a former employee of the Manitoba Telephone Company, who also placed some free long distance telephone calls for the defendants.

On January 31, 1963, SA [redacted] IRS, advised that early on this date counsel for defense requested a continuance in the trial until February 4, 1963, in order that they could study testimony of [redacted] for purposes of cross-examining him, this motion being granted by Judge CHRISTENBERRY. [redacted] said that originally the Government's Chief Attorney J. FRANK CUNNINGHAM, had requested a recess on January 28, 1963, but changed his mind and there was no recess. [redacted] further advised that on January 29, 1963, former heavyweight boxing champion ROCKY MARCIANO appeared as a Government witness during the afternoon, testifying that he was acquainted with defendant [redacted] and had talked to him on the telephone several times. MARCIANO specifically recalled one time, about 1957, when he was in a New York hotel and a friend of his was talking long distance to [redacted] that [redacted] just wanted to say "Hello" to him. [redacted] stated that following MARCIANO's testimony, the Government put [redacted] of Winnipeg, Canada, on the stand, [redacted] testifying on January 29, 1963 and January 30, 1963, that he had placed free long distance telephone calls for some of the defendants.

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On February 5, 1963, SA [redacted] IRS, advised that the defense attorneys began cross examination of [redacted] SA PERRY subsequently advised that after witness [redacted] finished his testimony, his wife, [redacted] was placed on the stand and testified that between 1955 and 1959 payments were received monthly by [redacted] from gamblers for whom [redacted] was making free, illegal long distance calls; that on February 7, 1963, the government attempted to introduce in evidence a

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photostat copy of an address book seized from Defendant [redacted] when he was arrested by IRS Agents in New York, June 27, 1961. The purpose of the introduction of this address book was to read into the testimony the names of some of the defendants who were listed in [redacted] address book. The Defense objected to the introduction of this address book under the "best evidence" rule. On February 11, 1963, the trial was recessed after counsel for the Defense introduced a new motion to suppress the government's evidence. The Defense's motion was made after Defense Counsel took a deposition from witness BADGER on February 9, 1963. On February 12, 1963, Federal Judge CHRISTENBERRY refused to admit in evidence the photostat copy of the address book seized from defendant [redacted] but has not ruled on the Defense's new motion to suppress evidence.

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On February 18, 1963, SA [redacted] IRS, New Orleans, advised that various employees of SBT & T testified on February 13 and February 14, 1963, and that on February 14, 1963, Judge CHRISTENBERRY recessed the trial until Monday, February 18, 1963.

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On March 2, 1963, information was received from the New Orleans Office that [redacted] IRS, New Orleans, stated that on February 18, 1963, the Government introduced certified copies of Federal Tax Returns prepared by defendants DECKELBAUM and ROBERT LASSOFF, to link these returns with certain telephone company receipts to establish that the defendants had knowledge of the 10 per cent Federal Excise Tax on long distance telephone calls.

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On February 19, 1963, [redacted] a Division Plant Supervisor of SBT & T, was on the stand all day, testifying about the monitoring of long distance telephone calls placed by telephone company employees for defendants as early as 1957.

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On February 20, 1963, IRS Agent [redacted] was called to the stand and testified under direct and cross examination.

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According to [redacted] on February 21, 1963, Judge CHRISTENBERRY heard arguments on two new motions filed by defendants' counsel. These motions were to suppress the Government's evidence and to strike from the record testimony of two of the Government's major witnesses. At the conclusion of the arguments on these motions on February 21, 1963, Judge CHRISTENBERRY denied the motions. Judge CHRISTENBERRY continued the trial to February 27, 1963. b6 b7c

The following investigation was conducted by SA [redacted] b6 b7c

AT CINCINNATI, OHIO

RE: TAX CASE IN U. S. DISTRICT COURT, CINCINNATI

On February 6, 1963, a check of the docket in Civil Action #5144 reflected the following pertinent entries in Internal Revenue case against subject for \$300,193.46:

U. S. vs. BENJAMIN LASSOFF, ROBERT LASSOFF, MYRON DECKELBAUM.

Basis of Action: Recovery of Unpaid Wagering Taxes, under Section 1340, Title 18, U. S. Code.

Amounts Sought: BENJAMIN LASSOFF - \$292,847.62
ROBERT LASSOFF - 300,139.46
MYRON DECKELBAUM - 300,264.46, plus interest and costs.

Jury Trial claimed by each of the 3 defendants on November 1, 1962.

Attorneys for U. S. - JOSEPH P. KINNEARY, USA, and THOMAS A. LUKEN, 1st AUSA.

Attorneys for Defendants - LUCIEN A. STRAUSS, STRAUSS, TROY and RUEHLMAN, 14th floor, Fountain Square Building.

Filings and Proceedings (pertinent entries):

9/7/62 Complaint filed

9/7/62 Summons issued to U. S. Marshal.

9/25/62 U. S. Marshal's return on Summons - personal service on each defendant.

9/28/62 Entry enlarging time in which to plead to 10/15/62.

10/12/62 Entry enlarging time in which to plead to 11/1/62.

10/30/62 Answer of MYRON DECKLEBAUM to complaint filed together with notice to opposing counsel.

10/30/62 (Answer for other two defendants and a cross complaint filed by Defendant BENJAMIN LASSOFF).

10/30/62 Motion of Defendant MYRON DECKELBAUM for separate trial filed with notice to opposing counsel.

10/30/62 (Similar motions by other two defendants).

11/1/62 Notice of Hearing of above motion on 11/26/62 filed by Defense Counsel.

11/1/62 Demand for jury trial filed by Defendant MYRON DECKELBAUM

11/1/62 (Similar separate demands by other two defendants)

11/19/62 Reply to counterclaim filed by Plaintiff.

11/19/62 Plaintiff's memorandum in opposition to defendants' motion for separate trials filed.

11/26/62 Hearing on Defendants' motions for separate trial - motions argued - motions overruled - entries to come.

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On March 8, 1963 a check of the docket by SA [redacted] reflected no additional entries.

RE: TAX CASE ON APPEAL FROM LOUISVILLE, KENTUCKY

On February 12, 1963 and March 5, 1963, IC [redacted] checked the General Docket of the U. S. Court of Appeals for the Sixth Circuit. The following entries were reflected in Case 15112 titled MYRON DECKELBAUM and [redacted] plaintiffs-appellants, versus WILLIAM G. GRAY, et al (tax):

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2/2/63	Motion of appellant to dismiss appeal.
2/11/63	Order dismissing appeal pursuant to motion of appellant [redacted]
2/12/63	Certified copy of order dismissing appeal issued to the Clerk of the District Court.