

Dear Richard,

2/16/91

All the MURKIN records in the FBI list with your note of the 11th were part of what kicking and screaming the FBI disgorged over the earlier three or four years of more than the decade my C.A. 75-1996 was in court, at least twice and probably more to the appeals court, where a copyright precedent ~~was~~ was set by Lesar and me. I expect the student, whose name, address and SS number are in an envelope I asked her to mail when she left a short while ago, to be back tomorrow afternoon and I'll have her give you the FBI's file numbers on those files but work her way through the many other related files of varying sizes and add them. I have them all in one place so it will not be too time-consuming.

Reminder to me, relevance of copyright case, vs Time-Life, *L.D.J.*

The most important of the related files I recall are on the sanitation strike in support of which King was there and on an unorganized group of young and immature blacks who were much less radical than they pretended, who were kind of lost, and who took the abominable name after a TV show I'd never heard of, The Invaders.

My friend Jerry McKnight is getting related files on the Poor Peoples Campaign, to the FBI, POCAM. He is writing a book on it. <sup>u</sup>Never wrote a book before, college places most of his artfiles and I think it will be a good book. He has quite a few pages but I do not know the number. *Phoned him. Thinks about 10,000. HQ + Washing in field offices.*

87 on the list, Stanley Levison, are King-related. They were released to David Garrow. He'd been foreclosed on the King wiretaps by the schmatta pretending to be a judge, Lewis, in DC, and I showed Dave how he could use the back door. One of the MURKIN records not strictly speaking Murkin because it had a different purpose but actually MURKIN because it included all the MURKIN records held by all field offices that it took close to six months of extra litigating for me to get in 1996. Publicity about the King assassination, appropriately enough for the FBI, all bullshit, got a lot of attention so the DJ had to investigate itself in investigating its FBI. The job was given to the component with the Orwellian title, its Office of Professional Responsibility. Actually, DJ's in-house whitewashing service. So, the FBI told all the offices to give it the lists and extent of all their holdings on King, SCLC, King's closest friends, etc. Now you know what helped Dave get his Pulitzer by getting those files. Not that he mentioned it in his book. Or even on a copy, as he did with his earlier King book.

What is hidden in the total FBIHQ 21,774, I think included in the total, is something the FBI did not want known and was not known, that it used to (they discontinued it with me) summarize on duplicate cards every <sup>3x5</sup> HQ record. <sup>MAIN-FILE</sup> Called abstracts. I have about 6,000+ on HQ Murkin alone. One set in chron order, the other by serial number.

The OPR MURKIN records fill several file cabinets. When I was not well Jim Lesar filed for them in his own name. He has all that were disclosed, I have many, not all.

I think it is not likely that you'll get an accurate notion of all the crap and junk in MURKIN from the Malcolm X files because they were generated for differing purposes. When the FBI is in a case like MURKIN of the JFK assassination it devotes most of its energy and paper to building statistics and it uses those impressive statistics to ~~claim~~ <sup>claim</sup>, in the cliché David may have seen, that it "left no stone unturned." Only the biggest ones it stayed away from. I believe this will be true of the Malcolm X files only when they went seriously for nonsense. I think the rest will represent what they wanted.

I have in mind using the significant MURKIN records as the last part of the book. There they will have context and by the time the reader gets to them the reader will be better able to understand them and their real meaning.

As I told you, I have in mind the making of a record for history from which can come the book. This is why I decided on the Personal Statement that probably duplicates a fair amount of what is in the Prologue. I want to begin by giving the reader and history a notion of what the real FBI is in such cases and how the ~~held~~ <sup>media</sup> and the critics served the nation in those times of great stress and ever since.

The personal part that I'd drafted is part of doing the same thing about the courts, the system of justice and how it works. Or doesn't.

There is something I think I did not go into when you were ~~in~~ here and I'd rather have you not talk loosely about it. But first the difference I see between the JFK and the King assassination cases and the FBI. In King there is a live defendant. Not a nice guy and his own kind of racist, not at all virulent or vocal, but he was framed and he lives. He has used all his legal options to the Supreme Court and lost. He has but one legal remedy now, new evidence. And I alone have that, unless someone manages to steal some of it. They can't steal all. (Do the two of you want to form a criminal-law partnership?) This is what the new part will lead to and do, exculpate Ray. Which means blow the assassination case itself wide open. And you can imagine what that means in real life and to a book and what can be done with a book.

You've seen that where we lives reflects no fear or paranoia. But this can be risky and thus I want no unnecessary advertising. Including of any evidence I mention. One was involved in the copyright case and I now have the pictures, but not the right to use them. Only one interests me and if they want too much money I have the same thing from a different source, <sup>via service</sup> a source that no longer has it but <sup>to</sup> from whom I'd have to pay its standard charge for a newspaper or magazine using it. In and of itself it is not definitive but it is graphic. The window through which Ray supposedly shot King wasn't open enough, and this is only part of that story and not the most important exculpatory evidence. Time-Life had the rights to those pictures rapidly and never used them. <sup>only Schmidt,</sup> I have the FBI's reports on his quitting the assignment on which he was there and flying to New York <sup>to sell them.</sup>

This is one of the things I had in mind, informing you more, when I said I hoped you'd be able to return before too long.

My own investigation exculpated Ray, even only the part we used at the evidentiary hearings, to which I return. I developed my own and solid proof that he was not even at the scene of the crime when it happened. With a remarkably bit of confirmation, unintentionally from the prosecutor himself when he was blabbing in self-justification and improperly. I don't remember how much of that I have written. But I have now the FBI's confirmation of my investigation and it proves that the crime was not committed the way it said but was the way I figured out. Used only some in the hearing.

I'm a bit tired so I hope I am clear enough.

But for the moment, assume I'm not exaggerating, even though I'm not a lawyer, and tell me what you think of such a book, what it can mean, what it can do in every way.

In my own mind, and one of the reasons I want to keep a file copy of every FBI record I use, I think this can be a book on which a separate volume of appendix can be ~~safe~~ successful. Maybe there has been one, but I don't remember any.

Helen and to a degree I have been looking for the transcripts of those evidentiary hearings. They are included in the rudimentary card index I have but are not there. I've had her checking all the files cabinets in which they could be and where they might by error be. (By the way, I also have the Memphis police pictures.) If we can't find them I'll have to get Jim Mesar to xerox his set and pay for that. Two weeks of transcripts!

I have a letter in the mail to the young man who did Reasonable Doubt, of which I told you. Before he went to Los Angeles he was interested in the subject. He borrowed some things and I think returned them. But I've asked him if he had them and if so where he put them when he returned them. I've <sup>now</sup> afraid I may have a living purloined letter situation.

There are so many incredibly important little things I can't remember them all and could not include them all in an outline. An FBI informer was involved in Ray's hegira at a crucial time.

I'll tell you also how I have the prosecutor confirming what <sup>is</sup> ~~is~~ not important in the other evidence exculpating Ray because I have it in other and solid form. But when I was Ray's investigator I did not trust prepared questions on the fear that he'd catch on and be other than forthright or honest. So we just chatted. At great length. And I have it all on ~~my~~ tape. He told me what he did the evening of the crime, where he went and why and when and why he returned and what he saw when he got back, the barricades. No picture of them ever appeared in the papers. Then the DA starts a public-speaking career on the subject before the case is to be tried, as it ~~was~~ <sup>is</sup> was. I ~~can~~ mean even to the truckers' convention. And all the ~~meetings~~ of the state bar's regional and its state meeting. An ultra-reactionary lawyer was at one with a tape recorder and the DA's description of the fact that there were barricades, what they were like and where they were, confirms Ray's. If this is worthwhile they are many tapes to be isolated and listened to. The <sup>made</sup> ~~one~~ by <sub>1</sub>

lawyer is sui generis but I could not take all those notes and I could not identify the contents of the Ray tapes. I planned to listen to them before trial that never was. One reason is that after I learned more little things might mean something.

By the way, an ex-New York lawyer who practises in England now, Bill Lepper, came to see me saying he was representing Ray. He was, somehow. But what he did not tell me he told someone to whom I referred him for a record I could not find and to whom I'd sent a copy- he was then working on a book. Maybe even a documentary. But from the things that interested him he was in left field.

Stop and think for a minute what just one aspect of what I'm telling you means: I can walk Ray from the FBI's own files. In the case of the black messiah. That, too, would be a good commercial title, wouldn't it? Or subtitle.

And it was exactly what one aging and dead broke and in debt man figured out and investigated and proved. Which reminds me, I have some of the FBI's key witness, interviewed and ignored by it, on tape.

I did all of this after Frame-Up was out and from the public domain it showed there was no case against Ray.

As I read your letter, you have in mind a sort-of reversal of what I have in mind but I think it would not be nearly as meaningful or effective.

I'll try to take a nap and then will read and correct this. But while most nights I've been able to stay asleep longer, lately I can't get a real nap in before I'm awake and for the past week, for the first time I can remember except very rarely and then at time of great stress, I've had trouble falling asleep. What I've done for some time to get my mind off what it has been on when I get to bed isn't working now, in part because the hearing in my better ear is deteriorating.

At night I can usually get decent reception on WCBS, your all-news station, or one owned by yours I can't get, WINS, Philadelphia's KYW. No matter how inconsequential the news it does take my mind long enough for me to get to sleep in no time. I've been using a pillow speaker. When it went bad and I got another I can't hear it and I can't get any other than the Radio Shack one that used to work and the new one like it doesn't. I don't even hear the phone with my hearing aids out. If it is entirely my ears, that came on rapidly and not so I'd notice it with the aids in when I'm awake and active.

To introduce one more thing before I nap so you can better understand how unusual it is for me to even think of a first-person book.

After the open-heart surgery, when my activity was even more restricted, I started reminiscing with friends, one of whom is the Sol in the copy of the letter mailed to you today. He is a retired lawyer who lives in Brooklyn. We became friends when we both worked for the Senate Civil Liberties Committee. He was an investigator-lawyer and I was an investigator switched to editor after I did the first lawyer's job, prepared the "briefs" as we called them, the case in the form of questions for the Senators to ask on one side of a file

DJ

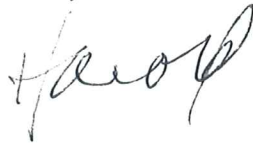
and the documentation on the other. He was later, after a ~~VA~~ career, assistant general counsel of the ADL. Another is a rabbi who was a school-~~and~~ college-mate and another one of the developers of nylon, both very close friends of my youth. Also on some that related to assassinations work to two history-professors' friends, locally McKnight and at Wisconsin a fellow named <sup>David</sup> Wrone. They are all off the top of the head, roughs only partially corrected, and I ~~did~~ not even kept copies. And they all <sup>found</sup> ~~find~~ them interesting. Joe the chemist who was the youngest man on the crew that developed nylon and a refugee from the post-World War I pogroms, liked them so much he wants me to write ~~memoirs~~ memoirs. He even offered to pay the costs, including publishing. But I didn't and wouldn't. Only I did start keeping copies for archival value that some might have. What a stack! and then I learn from Sol that he liked them so much he'd kept those of which I had no copies.

I tell you to let you see that it is not ego that makes me believe this has to be, really, a first-person book. There are many reasons. For me some, for the book some. I do have other purposes. As I told you I'm putting on paper what I expect to be edited out to make and leave a record. While as a record it may never be really used, unless it is recorded, it can't be.

Not exactly the same, but if and when you read my first book, when you finish try to recall whether you detected much ellipsis in it, things I believed but could not honestly say, for example. I had a Queens lawyer write me one<sup>c</sup> and tell me that he'd read it ~~in~~ 10 <sup>e</sup> times and got more out of it with each reading.

2/18 As happens not infrequently I get diverted, as you'll see, and forget. If I had something else in mind, it is not there now.

Best,



O. Patterson File

CRD King Assassination Index (CA 75-1996)

Memphis F.O. 88-10052 Ray's Escape

Documents from FBI

Serial 1300-1533

Serial 1166

Serials 4976 & 4800

FBI - King Vol. 7

Ray's - personal - waiver

FBI : Ray, Lesar, Battle

Washington F.O. Invaders

FBI HQ records re: Wm. Bradford Huie & Gerald Frank

CTIA FBI 62-112697 33 serials 177 pgs.

Fensterwald 77-44206, 47-55264, 105-44852

Fensterwald 66-8160

FBI: (CTIA ~~62-112697~~ 62-112697, 62-587, 62-38958)

Bud Fensterwald 77-506

Jerry Ray - PA/FBI excerpts of Meredonia Bank Robbing

John Ray

Abstracts 44-38861, Sections 1-91, Serials 1-6237

Lesar, Memphis Sanitation Workers Strike, James Earl Ray - Abstract

Judge W. Preston Battle, Comm. to Investigate Assassinations -  
Invaders - Abstracts

Headquarters 44-38861 Serials 1-6237 Sections 1-91  
Atlanta 44-2386  
Atlanta 157-3094  
Baltimore 44-669  
Birmingham 44-1740  
Chicago 44-1114  
Aux. office of Chicago 44-1639  
Los Angeles 44-1574  
New Orleans 157-10673  
Savannah 44-1768 Serials 275, 277-A, 308  
St. Louis 44-775  
Washington 44-703  
Memphis 157-1092  
FBI - Invaders 157-8460  
(HQ)  
HQ Sanitation Workers Strike 157-9146  
(FBI)  
Memphis 44-1987  
King "Long Ticker" Files  
Lab Ticker Pages  
King Hoover's Official & Confidential File  
King - Personal - Attachment A & B to FBI Letter (10/16/78)  
King - McCullough Attachments A-C

OPR KING

OPR King Vol I. HQ 44-38861

OPR King Vol II. Memphis 44-1987 + 100-405 (Security)  
(Minkin)

Vol III Atlanta FO (Minkin & Security) 44-2386

Vol. IV Cirm., Minkin, MLK Security, CPUSA, - Neg. Ques  
Comin Fil - SCLC; ~~Ed~~ ~~See~~ ~~Severson's~~ Sec.,  
CPUSA - Cointel pro, CPUSA - Counterint.

Vol V. Minkin, MLK, Security, Cominfil - SCLC Cirm  
Stanley Severson, CPUSA - Neg. Ques

Vol. VI. Martin Luther King 100-106670

Vol. VII. Bu 100-392452 Severson's Files

Vol. VIII. New York City F.O.

Vol. IX HQ 100-442529 Cirm.

Vol. X. CPUSA - FBI 100-3-116

Vol. ~~XI~~ Misc. (Security) (Minkin)

Vol. XII HQ 100-438794 Cominfil - SCLC

~~Vol. XIII Memphis Office Rept~~  
Appendix A - C

Attorney General/Deputy Attorney General files  
(King records (CA 81-0023))

King Photos

CA 75-1996 (Some documents from this Civil Rights case)