

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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HAROLD WEISBERG, :
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Plaintiff, :
:
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v. :
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Civil Action No. 75-1996
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U. S. DEPARTMENT OF JUSTICE, :
:
:

Defendant :
:
:
.....

SECOND AFFIDAVIT OF JAMES HIRAM LESAR

I, James Hiram Lesar, being first duly sworn, depose as follows:

1. I am attorney for Harold Weisberg, plaintiff in the above-entitled action.

2. I have been attorney for James Earl Ray since 1970. Although Ray recently filed a motion with the Sixth Circuit asking that I be relieved of the obligation to represent him further, and I concurred in that request on grounds of extreme financial hardship, the Sixth Circuit has refused to grant Ray's motion. As of today I remain his attorney.

3. Since 1970 I have done in excess of 5,000 hours of work on the James Earl Ray case. I have received no fee for this work. During this same period I have done an equivalent amount of pro bono work on several Freedom of Information lawsuits which I have handled for Harold Weisberg.

local police framed him. The framing of Ray was followed by a cover-up by federal, state, and local officials which continues to this day.

5. When the truth of the assassination of Dr. King and the handling of the James Earl Ray case is finally publicly known, as I am sure it one day will be, there will be a full-blown scandal. The closest analogy is to the Dreyfus affair in France. Our basic institutions will be seriously discredited, both at home and abroad. The Federal Bureau of Investigation, the judiciary, the legal profession in general, all will be severely damaged.

6. This damage can only be minimized if the courts fulfill their role in seeing that justice is done. Thus far the courts have failed to do this, despite overwhelming evidence that Ray did not plead guilty voluntarily, did not receive the effective assistance of counsel, and could not have committed the crime as alleged.

7. This case represents the attempt of a private citizen to obtain evidence which can be used to demonstrate, in court and elsewhere, that grave wrongs have been committed by those sworn to uphold the law.

8. Mr. Weisberg, the private citizen seeking this information, has spent far more time studying the King assassination than have I. His work is largely responsible for obtaining James Earl Ray his federal habeas corpus evidentiary hearing. Recently, information which he supplied a reporter has led to important revelations about FBI penetration of "The Invaders", an organization of young black radicals whose acts of violence resulted in Dr. King's return to Memphis where he was assassinated (See attached clip-

knowledgeable authority on the assassination of Dr. King and President Kennedy.

9. Mr. Weisberg is 63 years old. He has serious health problems. Last October he was hospitalized with phlebitis. The vein in one leg has disintegrated. The grim reality is that he could die at any moment from this condition. The longer it takes to obtain the documents he seeks in this suit, the more likely it is that he will die without having had the opportunity to study them and give his expert evaluation. This would in turn deprive the courts and the public of information vitally needed in order to reach an informed opinion on a matter of grave national importance.

10. Moreover, Mr. Weisberg earns his livelihood as an author. He is currently working on a second book on the assassination of Dr. King and the James Earl Ray case. The government documents sought in this suit are urgently needed in order for him to complete his manuscript.

11. The Department of Justice is, in my judgment, deliberately engaging in a policy of stonewalling Mr. Weisberg's request for information about the assassination of Dr. King. Every effort is being made to create false, obfuscatory, and diversionary issues which grind up the limited resources of time, money, and energy which Mr. Weisberg and I can expend. This parallels the policy which the Department has engaged in in other Freedom of Information cases which Mr. Weisberg has filed.

12. A typical example of this is the phone call which I received from Special Agent Parle Thomas Blake of the Federal Bureau of Investigation's Legal Counsel Division on May 26, 1976. Agent

coming, and aboveboard. He had a new spectrographic report not previously disclosed to us. It dealt with shoe polish on a handkerchief. Did I want it? Did I want to come down to FBI Headquarters and pick it up? Or could he perhaps sent a messenger out to deliver it to me?

13. I told him to mail it to me. A copy of it is attached hereto. The most important part of it, the "results of examination", is entirely masked. A letter from FBI Director Kelley to me dated May 28, 1976, a copy of which is attached hereto, explains that the results of these examinations were excised on grounds that they are "materials related solely to the internal rules and practices of the FBI" and are "investigatory records compiled for law enforcement purposes, the disclosure of which would constitute an unwarranted invasion of the personal privacy of another person."

14. Nothing could be more preposterous than these claims. It is quite obvious that they are invoked simply to harrass Mr. Weisberg and to further obstruct the settlement of this case.

15. The dishonesty and non-responsiveness of the government's affidavits and responses to interrogatories in Freedom of Information Act lawsuits adds to the burden which the plaintiff faces. Unless false, evasive, or misrepresentative statements are corrected, the record is corrupted and the court's judgment may be affected. Yet refuting the government's affidavit often takes a considerable amount of time and effort.

16. One item of Mr. Weisberg's information request, the one for "all photographs or sketches of any suspects in the assassina-

laid down in Deputy Attorney General Harold Tyler's letter to me of December 1, 1975, FBI Special Agent Thomas L. Wiseman has twice sworn under oath that the only suspect in the assassination of Dr. King was James Earl Ray. This is false. In fact, on May 25, 1975, Agent Wiseman himself delivered to me photographs of sketches of suspects in the King assassination which included some that are clearly not of James Earl Ray.

17. Mr. Weisberg and I both have knowledge of other photographs and sketches of King assassination suspects which have not yet been provided us. In addition, Department of Justice and FBI files contain information on other King assassination suspects. Attached hereto are two letters which I have obtained from a non-governmental source. The first is a letter from Mr. Seymour Gelber, then Assistant Attorney General of Florida, to United States Attorney General Ramsey Clark. Dated April 9, 1968, Mr. Gelber's letter specifically identifies two suspects in the King assassination and notes that this information had previously been given to the FBI. The April 16, 1968, reply from Mr. Stephen Pollak of the Civil Rights Division notes that this information was agains turned over to the FBI by them. Thus, the Department of Justice's own correspondence refutes the claims of Deputy Attorney General Tyler and Special Agent Wiseman that there were never any suspects other than James Earl Ray.

18. Any claim that the Department of Justice cannot spare manpower to comply with Mr. Weisberg's information request is disproven by the information in the attached story from the Washington Post of June 16, 1976, which states that five Justice Department attorneys will spend about three weeks going over the King assassi-

Memphis Press-Scimitar of June 15, 1976, also attached hereto, adds that ten persons are now assigned to the re-investigation" of the King assassination by the Office of Professional Responsibility, and "more will be added as needed." This article further states that the first seven weeks of the probe were spent poring over FBI files in the Washington headquarters and Washington field office, and that the files in all 59 FBI field offices will ultimately be checked. This makes it patently clear that neither money nor manpower is lacking to search the FBI's files on the assassination of Dr. King. The search is already being conducted. Its scope and duration make it clear that this is a matter of top priority. In light of this, the obvious explanation for the obstinate refusal of the Department to make these documents available to plaintiff is cover-up.



JAMES HIRAM LESAR

WASHINGTON, D. C.

Before me this 30th day of June, 1976, deponent James Hiram Lesar has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires on 2/14, 1979



NOTARY PUBLIC IN AND FOR
THE DISTRICT OF COLUMBIA

Attachment

C.A. 75-1996

NEWSDAY, SUNDAY, FEBRUARY 1, 1976

FBI Tied To King's Return To Memphis

By Les Payne

(C) 1976 Newsday, Inc.

The FBI continues to turn up in unexplained circumstances surrounding the assassination of Martin Luther King.

Newsday has learned that FBI informants actively participated in the rioting in Memphis in 1968 which drew the Rev. Dr. King back to the city where he was killed.

Several FBI informants and at least one undercover agent for the Memphis Police Department were among the most active members of a young, violence-prone black group which openly opposed King's peaceful march supporting the city's sanitation workers.

According to some witnesses, the 100-member group called the Invaders led the March 28 riots which attempted to discredit King's efforts. Following the riot, in which one youth was killed, scores injured and 238 arrested, King vowed that he would return to prove that he still could lead a nonviolent demonstration.

"Dr. King would never have returned to Memphis if the violence had not happened," said the Rev. Jesse Jackson, who was one of King's aides in the Southern Christian Leadership Conference. "We never intended to get bogged down in Memphis."

The Invaders created major disruptions among local blacks supporting King, according to his aides. They criticized King for his nonviolent approach and urged local blacks to "burn, baby, burn." On April 4, the day King was killed, the groups met with him and his staff and threatened renewed violence unless they were given \$750,000 to redevelop their community. "They just got louder and louder," one aide who was at the meeting recalled.

"We told them we didn't have access to that kind of money. We had to put

of the group's violent confrontations. Police and FBI officials were regularly provided with detailed information about the group's plans, activities and meetings. "They knew everything that went on at Invaders' meetings," one source said. "It was as if they had a tape recorder there." The undercover Memphis policeman who joined the Invaders was at the scene of the violence on the day of the riot, several sources said. He is reportedly still a member of the Memphis force.

"Weston [not the real name of the undercover police agent] was very vocal, very active," said a former leader of the Invaders who has talked to the policeman since he was discovered to be a member of the force. "He had a 7.62 Russian automatic rifle and he was armed every time we were armed. He was always suggesting actions that we should take; I never saw him physically attack anyone. But he was one of the most provocative members of the Invaders."

The Invaders, who wore jackets with their names printed on the backs, were organized in late 1967. The youths were led mainly by college students at nearby Memphis State and LeMoyné Colleges. The Invaders denounced the nonviolent strategy, but offered protection for King and his staff members. "They, like other blacks in the country, were naturally frustrated by the slow pace of change," said the Rev. Hoseah Williams, Atlanta SCLC director. "We usually put them to work as parade marshals or security guards. They would never have hurt Dr. King. But those who infiltrated our groups, and we could never identify them, tried to exploit the youngsters' frustrations and neglect and turn them against us."

The FBI and Memphis police verified recently that they had informants among the Invaders in 1968. However,

FBI Linked to 1968 Riot in

—Continued from Page 7

wouldn't be surprised if we had informers in the group. I'm sure there was adequate coverage of the Invaders."

It is reliably reported that the bureau and Memphis police shared intelligence about the Invaders.

In addition to being involved with the March 28 violence, the Memphis police undercover agent was providing security for King at the Lorraine Motel on the day he was assassinated, according to knowledgeable sources. The officer was a member of the Invaders' four-man security force that had agreed to provide protection for King while he was in Memphis.

There have been a series of disclosures recently concerning covert FBI activities against King. This has led to a Department of Justice investigation. The inquiry started after the Senate Intelligence Committee discovered an FBI memorandum, dated March 28, 1969, which detailed a plan to portray King as a hypocrite for staying at a white-owned motel—the Rivermont Holiday Inn—where he fled after the violence erupted. The Justice Department investigated to see if the memo had anything to do with King's return to the black-owned Lorraine Motel, where he was killed. They found no evidence linking the FBI to a plot to have King return to the Lorraine motel. However, *Newsday* has learned that the Invaders heatedly discussed King's stay at the white motel among themselves—some threatening violence over the issue.

A source at the Justice Department told *Newsday* that the FBI memo was part of then FBI Director J. Edgar Hoover's Counter-Intelligence Program (Cointelpro) against "Black Nationalist-Hate Groups." The plan, outlined in

an FBI Domestic Intelligence Division memo, was put into effect March 4, one month before King was killed. It was designed to "prevent the rise of a 'messiah' who could unify . . . the militant black nationalist movement." An overall goal of Hoover's plan was to "discredit" black leaders and their movement among both blacks and whites.

The violence at Memphis, perhaps more than anything else, began to erode King's credibility among moderate blacks. King and his group were preparing to lead a nonviolent "Poor Peoples' March" on Washington later that month. After the Memphis riots some national black leaders attacked King for the violence. On the day before he was killed, NAACP leader Roy Wilkins attacked King in a story printed in the *Memphis Press-Scimitar*. Wilkins said he doubted that King could keep the Washington march nonviolent: "If a maverick of the rear ranks of the march decides to throw a brick through a window, there's nothing Dr. King up front can do to stop it."

Jensen, who was in charge of the FBI in Memphis, said that the "ultimate decisions [for Cointelpro] were made in Washington D.C. and then they came to the field office." He denied that his office ever received the hotel memo. "I have no recollection of a memorandum dated March 28," he said. "If it was an intra-office memo I wouldn't have seen it anyway. It would have come to us as general instructions."

The Senate Intelligence Committee said that it uncovered no evidence that the FBI was implicated in King's murder or any cover-up. The committee chairman, Frank Church (D-Idaho), has reportedly called for a federal special prosecutor to investigate the assas-

sination to resolve "many unanswered questions," including whether the bureau "vendetta" against King was related to his murder in Memphis.

Some of King's staff members over the years, have charged that the Invaders were responsible for the riots which indirectly led, they say, to King's death in Memphis.

"The violence was definitely responsible for Martin's being in Memphis on April 4th," said Cong. Andrew Young (D-Ga.). "The Invaders themselves have taken responsibility for the violence. Now if the FBI was involved with the Invader, then it would bear looking into."

FBI officials deny any involvement in King's death. "The FBI did an excellent job in the investigation," Jensen said. "There are still a lot of theories, but no new evidence. . . ."

However, former FBI agent Arthur Murtagh said that Hoover's relentless surveillance of King influenced the way individual agents approached the murder. For a time Murtagh directed the bureau's intelligence unit in Atlanta which tapped the civil rights leader's telephones and bugged his rooms. "The bureau under Hoover believed that King was a foreign Communist agent," he said. "He was the enemy. In this sort of atmosphere, the bureau's investigating King's murder was like the CIA investigating the assassination of a Russian premier."

Murtagh said that some agents were "ecstatic" after King was shot. "When King was shot, an agent I knew in Atlanta went on a 30-minute high. We were in the bureau's parking lot when the news came and this fellow kept saying, 'They got Zorro [King's code name] . . . they got Zorrow. They finally got that son of a bitch.'"

Cop Was Removed Before King Slay

By Les Payne

Copyright 1976, Newsday Inc.

Hours before the Rev. Martin Luther King Jr. was killed in Memphis in 1968, the city's top law-enforcement official, in the presence of men he identified as federal agents, removed one of two detectives assigned to watch the civil rights leader from his post. Authorities said the removal was part of an emergency plan to protect the detective's life.

Ed Redditt, the detective who was removed from his post, had prepared a contingency plan to enable the police department to apprehend an assassin should an attempt be made on King's life while he was at the Lorraine Motel in Memphis. The plan, which was never implemented, involved the sealing off of a four-block area around the motel.

Police did not assign a replacement for Redditt. But they did leave the detective's partner on duty.

From interviews and published stories, Newsday has learned that Redditt and his partner, both members of the Memphis police intelligence unit, watched King and his staffers at the Lorraine through binoculars from the fire station across the street. The two-man unit earlier had provided security for King and his party, and they continued to keep the police department informed of their movements and their visitors. Redditt and his partner, W. B. Richmond, who are both black, had withdrawn from what would have been their normal position with the King party because their presence, following recent riots in Memphis, had angered young local blacks.

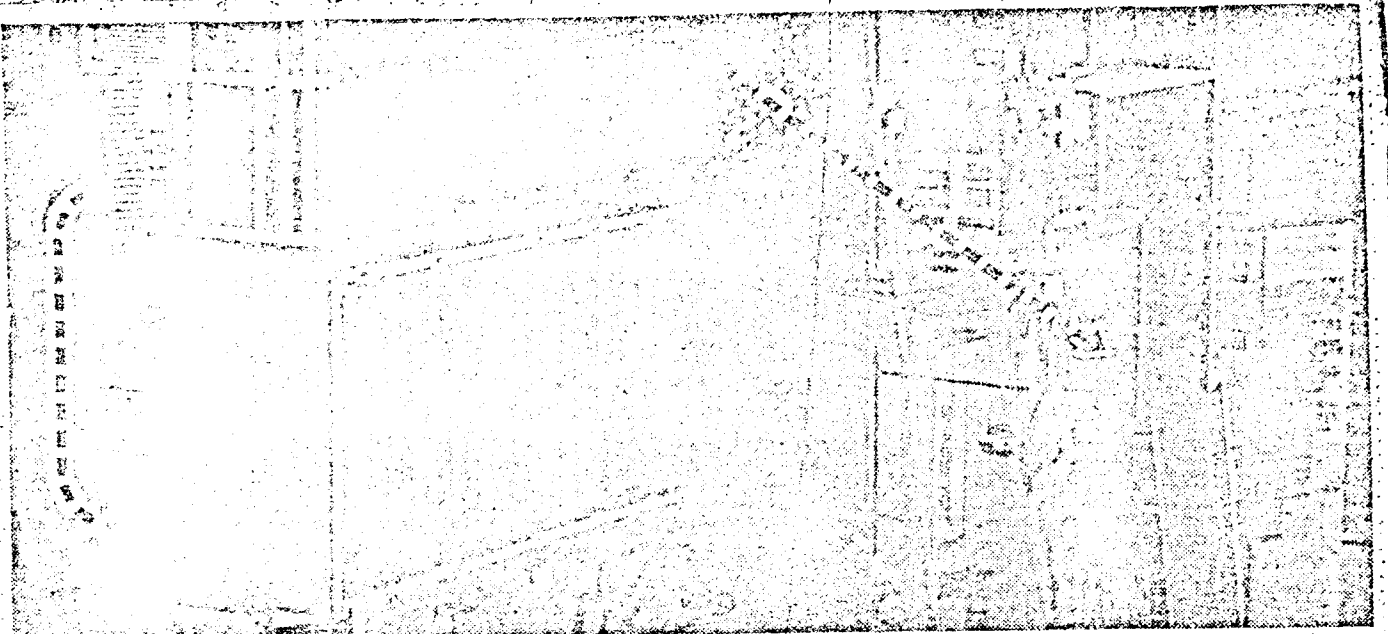
The police were particularly concerned about a violence-prone black group called the Invaders, who, though they were friendly with the nonviolent King and his associates, had led an outbreak of violence and looting a week earlier. Newsday recently disclosed that some of the leaders of the Invaders were FBI informants and had touched off the violence that was directly responsible for King's return to Memphis the day before his assassination.

On April 4, the day King was shot, four armed members of the Invaders, who had been providing se-

curity for King and his staff in the motel were seen leaving the motel reasons—just before 6 PM, minutes shot. Although King himself never Invaders stand guard, some of his presence. One of the Invaders was an undercover Memphis police provided information for the police a

After Redditt was removed from at a meeting in police headquarters cret Service had learned of a "cover Redditt protested, saying that he v his post, but the city's then-publi Frank Holloman, insisted on the o route home with a police guard, R car radio that King had been shot b Three days later, the round-the ing Redditt was removed and he turn to work. The police departm any further explanation of the "ce About a week before King was FBI informers had told the Mem ment that Redditt had shown a King's cause by encouraging workers—who were being supporte olent marches—to stay away fr partner on the King surveillance t more loyal to the department, sou ner remained at his post and rep at King through binoculars when t ens was shot.

The entire Redditt affair is an curious circumstances surrounding and hours prior to his assassination. Recent disclosures that the FIVE surveillance of King have pre ermental inquiries. The Senate I too said its investigation uncover implicated the FBI in King's mu However, the committee chairman, Idaho), has called for a federal s



An aerial view of the assassination scene

AP Photo

Cop Was Removed Before King De-

—Continued from Page 7

investigate the assassination to resolve "many unanswered questions," including whether a bureau "vendetta" against King was related to his murder. The Department of Justice is reviewing the FBI's file on King and will soon make recommendations to Attorney General Edward Levi.

Redditt and the officials identified by Newsday's sources as having been present at the April 4 meeting at which Redditt was told of the "contract" on his life have refused to discuss the meeting.

Holloman acknowledged the report of a threat. "I did receive a report that there was a threat on Officer Redditt's life. Where it came from, I can't say."

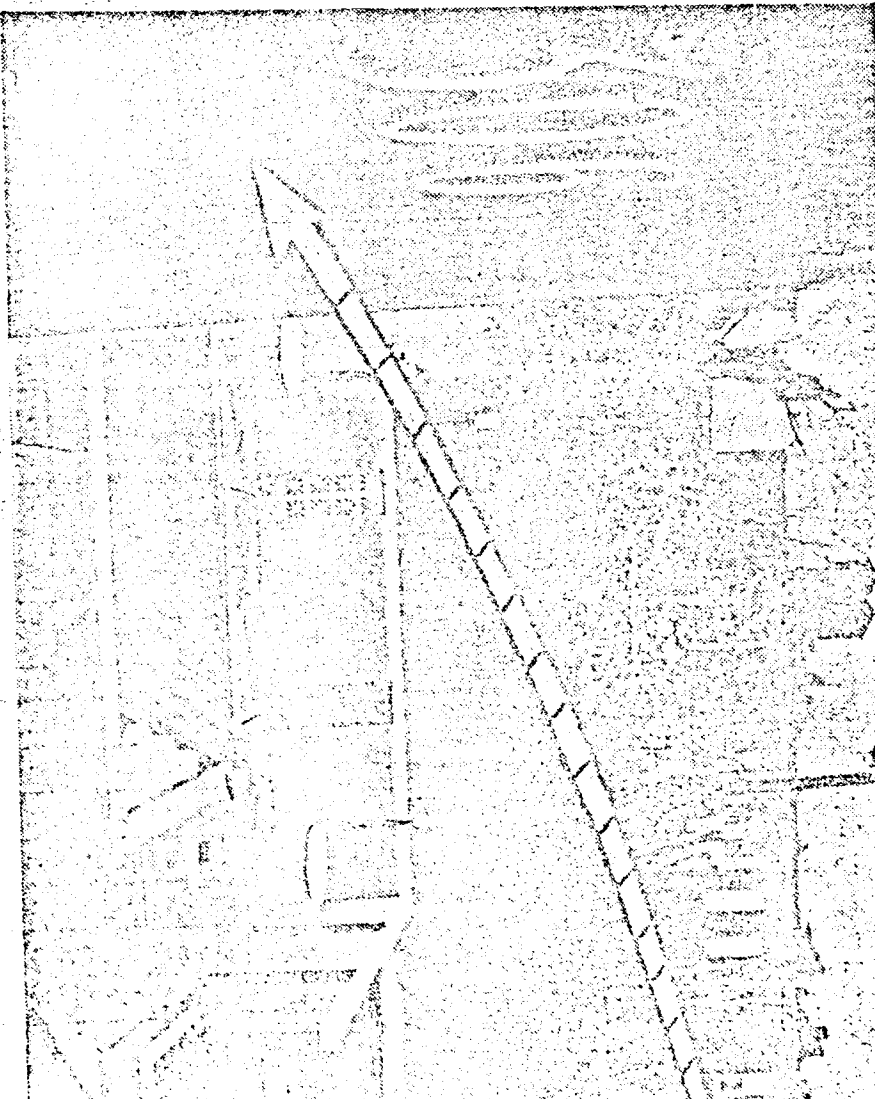
Asked about the April 4 meeting with Redditt in the presence of a man identified by Holloman as a U.S. Secret Service agent and other federal authorities, Holloman said haltingly, "... I don't recall. Even if I did I don't think I would say."

An official of the U.S. Secret Service said he checked the agency's records and found no indication that an agent had been sent to Memphis at that time.

At the police headquarters meeting, Holloman, according to sources, introduced Redditt to a "Secret Service agent down from Washington, D.C.," a man about six feet tall and weighing about 220 pounds. A Mississippi highway patrolman, Holloman said, had overheard someone threatening to go to Memphis to kill Redditt. The threat allegedly had been relayed to the U.S. Secret Service and the agent had flown down to deliver the message to the Memphis police and

The man identified as the Secret Service agent verified Holloman's account, sources said. Also present, according to sources, were the Memphis police chief, an FBI liaison agent, two military intelligence officers, an official from the sheriff's office, a National Guard official and a representative of the Tennessee state highway patrol.

The Memphis police chief at the time, James C. MacDonald, now the chief administrator of the city's Juvenile Court, could not be reached by telephone despite numerous attempts. In reply to a letter requesting information about the Redditt affair, MacDonald wrote: "I have been out of law enforcement for seven years. I have no comment to make about your letter . . ."



A view from the hotel balcony on which King was standing when he was struck by a shot fired from circled window.

Redditt protested that he wanted to return to his post, the sources said, but he was ordered not to do so.

Holloman told him he would be provided with 24-hour protection at a local hotel under an assumed name. Redditt refused the hotel offer because his mother-in-law, who was living in his home, was ill and could not be moved. Holloman insisted that a 24-hour police guard be posted at Redditt's home.

For the two days following the assassination, Redditt asked to return to work. Each request was denied. Members of the invaders, who had been providing se-

On the third day, a Sunday, he returned further explanation.

Redditt's assassination contingent around King's motel to be sealed off closely watched in case of an assassin. Redditt is known to believe that if he in effect it would have been impossible for the street, to have escaped.

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

FBI, Atlanta

Date: April 23, 1968

FBI File No.

Re: MURKIN

Lab. No.

Specimens received 4/18/68

Q235 Handkerchief

Results of examination:

-Page 1

(continued on next page)

MAIL ROOM TELETYPE UNIT

Specimen Q235 is a man's white cotton handkerchief that has been used to apply shoe polish. No label or visible or invisible laundry marks were found on Q235. No hairs were found on Q235.

The brown stain on the Q235 handkerchief is similar in color and composition to the brown polish of Q41 and could have come from a source such as represented by the brown "KIWI" polish of specimen Q41.

C

Fe

Q41	Shoe Polish	-	Si ⁺	Fe ⁺	Mg ⁻	Al ⁻	Cu ⁺	Ag ⁺	C ⁺	Q			
Q235	Shoe Polish	}	Si ⁻	Fe ^{tr}	Mg ⁻	Mn ⁻	Al ⁻	Cu ⁻	Ag ⁺	Ti ^{vs+}	Cu ⁺	C ⁺	Be
			Si ⁻	Co ^{vs+}	Mg ⁻	Mn ⁻	Al ⁻	Cu ⁻	Ag ⁻	Ti ^{vs+}	Cu ⁺	C ⁺	C ⁺

April 22 1968

RECORDED
4/19/68

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

LATENTS

Laboratory Work Sheet

Re: MURKIN

File #
Lab. #

EXPEDITE

2 cc Memphis

Examination requested by: FBI, Atlanta

Examination requested: Micro. (Fibers) - Misc. -
Spectro. - Fingerprint

Date received: 4/18/68 rm

Result of Examination:

Examination by:

*Q 229-Q 234 to LFPS 4/18
LFPS and sep 4 ret to lab.
ret from LFPS 4/19*

TT sent 4/19

Specimens submitted for examination

Q235 Handkerchief

4-23-68



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

May 28, 1976

James H. Lesar, Esq.
1231 Fourth Street, S. W.
Washington, D. C. 20024

Dear Mr. Lesar:

Reference is made to your letter dated May 19, 1976, to Special Agent Thomas L. Wiseman which enclosed your check in the amount of \$32 (for the twenty-eight 8 X 10 inch photographs hand delivered to you on May 17, 1976, by Special Agent Thomas L. Wiseman).

Enclosed in accordance with your wishes is a copy of the receipt you signed dated May 17, 1976, for the twenty-eight photographs.

This will also confirm the delivery of the five 8 X 10 inch photographs that were hand delivered by Special Agent Thomas L. Wiseman to you on May 25, 1976, and your check tendered, therefore, in the amount of \$2.50 dated May 26, 1976.

Additionally enclosed in accordance with your wishes expressed in a telephone conversation with Special Agent Parle Thomas Blake of this Bureau's Legal Counsel Division on May 26, 1976, are those portions of four pages pertaining to a spectographic examination of shoe polish samples.

Excisions have been made from these four pages in order to protect materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552:


(b) (2) materials related solely to the internal rules and practices of the FBI;

James H. Lesar, Esq.

(b) (7) investigatory records compiled for law enforcement purposes, the disclosure of which would:

(C) constitute an unwarranted invasion of the personal privacy of another person.

Sincerely yours,


Clarence M. Kelley
Director

Enclosures (2)

5/17/76

I, James H. Lesar received twenty-eight
8 x 10 photographs from SA Thomas L. Wiseman.
Photographs are in regard to the FOIA request
of ~~your~~ ^{my} client Harold Weisberg, and are ~~of~~
~~crime scene~~ photographs ~~relating to~~ ^{relating to} the investigation
of Dr. Martin Luther King, ~~the~~ ^{the} ~~assassination~~ ^{assassination}

James H. Lesar
(signed)

Attachment
C.A. 75-1996

April 9, 1968

Honorable Ramsey Clark
Attorney General
Washington, D. C.

Dear General Clark:

I am providing the following information regarding the assassination of Martin Luther King for whatever value it may have in your investigation.

During the years 1963 and 1964 an investigation involving extremist groups was conducted by the Miami Police Department and the Dade County State Attorney. I coordinated that investigation and the records will reflect that two individuals planned to assassinate Martin Luther King.

1. In October, 1963, an informer reported a conversation with one, Jack Brown, in which Brown planned to kill King. Brown then resided in Chattanooga, Tennessee, and was Imperial Wizard of the Dixie Klan.

2. In May, 1964, Sidney Barnes, a Miami housepainter, made plans to kill King on May 17, 1964, in Mobile, Alabama. Barnes at that time planned to move to Alabama or Mississippi.

The above information was provided to the FBI during the course of our investigation.

Trusting the above may be of some assistance to you, I am

Sincerely,

Seymour Gelbor
Assistant Attorney General

SG/cg

Attachment @
C. A. 75-1921



UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Address Reply to the
Division Indicated
and Refer to Initials and Number

SJP:JHF:ddc
DJ 144-72-662

APR 16 1968

Mr. Seymour Gelber
Assistant Attorney General
Capitol Building
Tallahassee, Florida 32304

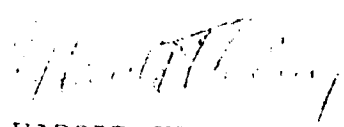
Dear Mr. Gelber:

This refers to your recent communication concerning information pertinent to the investigation of the assassination of Dr. Martin Luther King in Memphis, Tennessee, on April 4, 1968.

We have transmitted a copy of your communication to this Department's investigative agency, the Federal Bureau of Investigation. You may also wish to contact directly the office of that agency nearest you.

Sincerely,

STEPHEN J. POLLAK
Assistant Attorney General
Civil Rights Division

By: 
J. HAROLD FLANNERY
Attorney
Central Section

RECEIVED

APR 18 1968

ATTORNEY GENERAL'S
OFFICE

Attachment
C.A. 75-1976

Investigation Enters New Phase

FBI Files in King Case Reopened

MEMPHIS, June 15 (AP) —Five Justice Department attorneys have reopened the FBI's Martin Luther King Jr. files in Memphis, entering another phase of their renewed inquiry into the civil rights leader's murder.

The latest investigation into the killing of King began seven weeks ago at the request of a Senate committee headed by Frank Church (D-Idaho).

"We plan to spend several months looking at the case from every angle and in light of what appears to be the [FBI's] 15- or 16-year harassment of King, as disclosed by the Church committee," said Michael Sha-

heen, 25, head of the Justice Department's Office of Professional Responsibility.

Shaheen said Monday that the inquiry will be "exhaustive," covering circumstances of the 1968 murder as King stood on a motel balcony in Memphis, various murder conspiracy theories and the FBI's harassment of King and later investigation of his death.

James Earl Ray, the convicted killer of King, is serving a 99-year sentence at the state prison in Nashville. However, Ray has said he was coerced into pleading guilty to the King slaying and has been seeking a new trial.

Shaheen said he and his team will spend about three weeks in Memphis and,

eventually, will check every King file in all 59 FBI field office in the country.

King Study Includes Memphis FBI Files

A Blackman
C.A.
75-1796

By KAY PITMAN BLACK
Times Staff Writer

Investigators from the U.S. Department of Justice in Washington have begun probing the FBI's files in Memphis in connection with the new investigation into the assassination of Dr. Martin Luther King.

The investigation, said Mike Shaheen of the Justice Department's division of professional responsibility, started seven weeks ago. It was suggested by Sen. Frank Church's committee and the Attorney General's office in Washington authorized the investigation.

Shaheen, 35, originally from Como, Miss., and a former law clerk for U.S. Dist. Judge Robert M. McKee Jr., was in town yesterday to get the Memphis probe under way.

He said his office "has wanted for a long time to have a look at the files in Memphis relating to the assassination of Dr. King, whether criminal or ethical -- including all employees of the Department of Justice, including the Federal Bureau of Investigation."

Shaheen said five attorneys have been assigned to Memphis for two and a half to three weeks "to go over all of the files -- and they are extensive -- in the Memphis FBI office in connection with the King assassination."

Then, he said files in all of the 59 field offices of the FBI also will be probed "as we understand there is material in all of the field offices concerning the assassination."

The first seven weeks of the probe, said Shaheen, who plans to return to Memphis in a few years to set up a private law practice, have been spent poring over the FBI files in the Washington headquarters and the field office.

After all files are probed, Shaheen said investigators will return to Memphis to talk to all of the FBI agents here who were connected with the King investigation as well as all persons interviewed by the agents.

"This is going to be an exhaustive probe," he said. "We are going to look into everything in connection with the King assassination that the ordinary citizen could think should be looked into as well as much more. We will be tracing James Earl Ray's movements, looking into all conspiracies, theories and the like."

Shaheen, whose father he said is a "country doctor" in Como, said he has appointed Fred Folsom as head of the task force. "He is a veteran of the civil rights division, criminal division and criminal tax division in the department," said Shaheen. Folsom is in Memphis working on the task.

Shaheen said 10 persons are now assigned to the probe "and more will be added as needed. We have all the resources of the department at our command for a full-scale, in-depth probe."

The probe will, said Shaheen, not only investigate "the FBI's investigation," but also concentrate on the assassination itself "because of what has now been described as 16 years of harrassment of Dr. King on the FBI's part."

So far, said Shaheen "nothing exciting" has been "turned up yet," but "we're finding a lot that is interesting."

Shaheen, who was elected mayor of Como when he was 29 and left to join the Justice Department three years ago, said he expects the overall probe to go on "for a few more months." Results, he said, will be reported directly to the Attorney General's office and the director of the FBI.

King was shot in Memphis on April 4, 1968. After an international manhunt, James Earl Ray was arrested and pleaded guilty on March 10, 1969, to the slaying. However, a few days after his guilty plea he claimed he was coerced into doing so by his attorney, Percy Foreman of Memphis.

King Inquiry

The Justice Department announced yesterday that it will probe the FBI's files in Memphis in connection with the assassination of Dr. Martin Luther King.

Mike Shaheen, a former Como, Miss., resident, is in the Justice Department's division of professional responsibility. The inquiry will be "extensive" and will cover circumstances of the assassination, including conspiracy and harrassment of King prior to his death.

A team of 10 attorneys in Washington will be sent at the request of a Senate committee headed by Sen. Frank Church. The plan is to spend several months in Memphis and other areas. The probe will be headed by the Justice Department's division of professional responsibility, as directed by the Church committee.

In charge of the Justice Department's Office of Professional Responsibility, Shaheen said he will lead a team, on an unlimited budget, will spend about 2 1/2 to 3 weeks in Memphis and other areas.

"It's too early to have turned up anything yet -- and we haven't noticed anything surprising so far." The bulk of the inquiry likely will be centered in Memphis, but "we're playing it by ear," he said.

"Anything anybody could possibly think of in connection with the Martin Luther King case or James Earl Ray will be done before we're finished."