

Oct 77

Exhibit 4

Roffman Affidavit

C.A. 75-1996

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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Harold Weisberg, :
: Plaintiff :
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vs. :
: Civil Action No. 75-1996
United States Department of Justice, :
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Defendant :
:
:
.....

AFFIDAVIT OF HOWARD ROFFMAN

1. My name is Howard Roffman. I live at 5885 Edenfield Road, Apt. B-29, Jacksonville, Florida 32211.

2. This affidavit concerns Harold Weisberg's entitlement to remission of costs in this Freedom of Information Act lawsuit which he has brought against the United States Department of Justice to obtain records relating to the assassination of Dr. Martin Luther King.

3. I am in a unique position to certify that Harold Weisberg's research into the assassinations of President John F. Kennedy and Dr. King have been for the direct benefit of the public and, more particularly, all interested, responsible researchers, historians, and media representatives, and not for his personal financial gain.

4. I am the author of a book on the assassination of President Kennedy entitled Presumed Guilty. I could not have written that book without the research assistance I received from Mr. Weisberg.

5. Mr. Weisberg and I first came in contact in 1969, when I was sixteen years old and a junior in high school. Mr. Weisberg knew that I had done serious research on the Kennedy assassination and he invited me to his home in Frederick, Maryland, to spend the weekend and study his then-unpublished books on the assassination and records that he had recently obtained from the National Archives.

6. After that first weekend in 1969, Mr. Weisberg and I became close personal friends and associates. For the next five years I would

visit his home in Frederick at least three times a year, often staying more than a week at a time. I always had unsupervised access to all of Mr. Weisberg's files and was free to copy whatever papers or documents I pleased. Mr. Weisberg faithfully kept me up to date on the latest releases of information that he obtained from the Government, often providing copies for my files.

7. Mr. Weisberg's sharing of his research with me took place at a time when he knew that I was writing a book which would inevitably compete with his own books on the Kennedy assassination (which he had published at his own expense). Still, he encouraged my work out of the belief that I would write a scholarly work in an area where there is a regrettable lack of scholarship. I clearly came to know that Mr. Weisberg's commitment to the advancement of honest, responsible research and writing on the subject of political assassination in America not only outweighed but obliterated any profit motives he might have as a competing author.

8. When, as an undergraduate at the University of Pennsylvania, I undertook a history research project into President Kennedy's policy toward Southeast Asia, Mr. Weisberg opened his own research files on that subject to me, fed and housed me in his home at no charge to me while I worked, and finally sent me off with two cartons full of his own files.

9. When I left Philadelphia, Pa., in September 1974 to attend law school in Gainesville, Florida, I was limited in my ability to visit Mr. Weisberg (I went to his house for only one week during my time in law school), but we continued our correspondence and he continued to send me volumes of material, including documents on the Kennedy and King assassinations and court papers in his various Freedom of Information suits.

10. My book on the assassination was published while I was in law school. When it appeared in print, Mr. Weisberg helped to arrange promotional appearances for me, even though he was a competing author.

11. I am currently serving as law clerk to the Honorable Bryan Simpson, Circuit Judge, Fifth Circuit Court of Appeals. My work in this capacity is so time consuming that I am virtually unable to continue my former degree of research into the Kennedy assassination. Thus, my contribution to Mr. Weisberg's research is now limited to the small amount of documents I am able to secure administratively from various government agencies through the Freedom of Information Act. Still, the volume of material Mr. Weisberg sends to me --the fruits of his research--has actually increased because of his improved copying facilities.

12. In my close association with Mr. Weisberg, I saw that he followed a policy of openness toward all researchers willing to come to his home. Reporters, historians, students -- all were welcome to use the valuable research materials contained in Mr. Weisberg's files and to use his home as a place to do their research. In fact, I often became concerned that some people had abused the trust that Mr. Weisberg placed in them and had mistreated his files. I quickly learned that, because of his openness, Mr. Weisberg was willing to put up with much more than I would in allowing others to use my files.

13. In addition to this open policy about his files, Mr. Weisberg has, to my personal knowledge, devoted countless hours to using his research for the benefit of the press and members of Congress. He is often called upon for background information and detail that is unavailable from any other source. He is asked to do this for free, usually even without credit or mention in public, and I have never known him to refuse. For example, I have been working with Mr. Weisberg at his home when he would receive an urgent call from Fred Graham (then with the New York Times) or George Lardner (of the Washington Post), wanting to know the "scoop" behind a breaking story; Mr. Weisberg would interrupt his own work for hours at a time to help these men, asking nothing in return except that the public be better informed.

14. To my personal knowledge, Mr. Weisberg's desire that as many people as possible share the fruits of his research is evidenced by his efforts to deposit his files with a reputable University library. I have read Mr. Weisberg's correspondence relevant to these efforts and was present when he discussed plans to donate his files to the University of Wisconsin at Stevens Point. The discussions involved Mr. Weisberg, a professor of history at the school, Dr. David Wrone, and a University Chancellor, and took place in November of 1976 in Stevens Point.

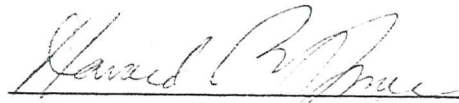
15. Although such information is personal in nature, I think the Court should be aware of it in deciding the issue to which this affidavit is addressed: I know for a fact that Mr. Weisberg has not financially profited from his work on assassinations and that he has not undertaken this work out of a desire to "strike it rich." In my frequent stays at the Weisberg home, I was struck by the modesty of their lifestyle and the tremendous sacrifices of material goods that both Mr. Weisberg and his wife have made to enable Mr. Weisberg's research to continue. In my experience I have never witnessed such dedication to work and principle that resulted in so great a deprivation of material, financial comforts which some have come to regard as necessities. I cannot emphasize how much Mr. Weisberg's dedication and sacrifice has inspired me.

16. Mr. Weisberg's efforts in the present case indicate to me his unselfish motives.

17. Mr. Weisberg's book on the King assassination was published six years ago and is no longer commercially available. I cannot conceive how he could write another book on that topic in the future, if only for reasons of time and other pressing research needs. Other books on the King assassination are commercially available today, and some are heavily promoted. Their authors, without exception, share profound disagreements with Mr. Weisberg and have been publically contemptuous of him.

18. While these other authors have time to travel extensively to promote their books (for example, Mark Lane and William Bradford Huie), they apparently do not have time to assist the legal efforts undertaken by Mr. Weisberg to make public information about the crime through which they are trying to sell books.

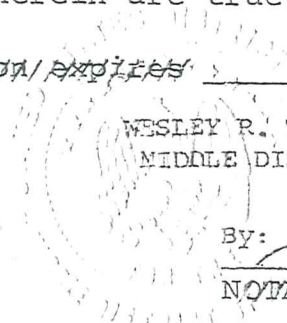
19. I assume that since the Government is in Court over disclosure of these King records, it has made whatever disclosures it has on less than a purely voluntary basis. Hence, someone had to use the Freedom of Information Act to force disclosure of information about this most important event in American history. Such disclosure serves the public and in this case cannot serve the personal financial interests of the man who forced disclosure, Mr. Weisberg.


Howard Roffman

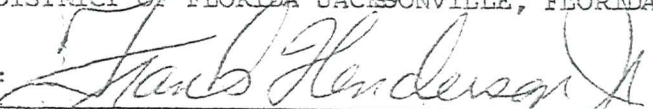
DUVAL COUNTY, FLORIDA

Before me this 12th Day of October 1977 affiant Howard Roffman has appeared and signed this affidavit, having first sworn that the statements made therein are true.

~~MY COMMISSION EXPIRES~~ _____



WESLEY R. THIES, CLERK UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA JACKSONVILLE, FLORIDA

BY: 
NOTARY PUBLIC Deputy Clerk