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12-29-78*

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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U.S. DEPARTMENT OF JUSTICE,	:
	:
Defendant	:
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Civil Action No. 75-1996

NOTICE OF FILING

Notice is hereby given of the filing of the attached November 20, 1978 affidavit of plaintiff Harold Weisberg.

JAMES H. LESAR
910 Sixteenth Street, N.W.
Washington, D.C. 20006
Phone: 223-5587

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of December, 1978, mailed a copy of the foregoing Notice of Filing and the attached affidavit of Harold Weisberg to Miss Betsy Ginsberg, Attorney, Civil Division, Information and Privacy Section, U.S. Department of Justice, Washington, D.C. 20530.

JAMES H. LESAR

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AFFIDAVIT

My name is Harold Weisberg. I am the plaintiff in this instant cause. I reside at Route 12, Frederick, Md.

1. Following the calendar call of October 26, 1978, in this instant cause, I began to prepare an affidavit addressing noncompliance with the Stipulations. Department counsel had represented to the Court that the Department had complied with the Stipulations. Department counsel also had a special interpretation of the Stipulations I believe is not justified and is intended to transform noncompliance with the Stipulations into compliance and to extend this alleged compliance with the Stipulations into compliance with my information request. Neither is the case, neither is true.

2. It was my desire and that of my counsel that I complete the affidavit in time for him to present it to Department counsel with sufficient time for response before the calendar call of November 21. Although I laid aside all other possible work, this became impossible for a number of reasons. I had the last memorandum from Mr. Shea to read and reply to, as I did, immediately and in some detail. It was necessary for me to hear all the current testimony before the House Select Committee on Assassinations on the Ray case, which is not the same as but is related to the King assassination. In the preceding weeks I had not taken time for enough of the physical exercise that is required by my health so, with the weather permitting, it was necessary to spend what time I could doing this. In addition, developments necessitated my obtaining information from persons who are involved in the withheld records - and these records are still withheld - which I undertook to do. I did receive information from them on several occasions. Each of these

installments required changes in this affidavit. I incorporate the relevant information and attach selections from the records obtained as exhibits. While all of this required much time and effort and lengthens the planned affidavit, I believe it yielded information that is required if there is to be as complete and as accurate a record as time permits.

3. These recent developments and the information I have obtained make it apparent that noncompliance and delayed compliance in this case now three years old have a purpose in addition to what is traditional within my experience, wasting the requester and delaying compliance and any use of the information that is obtained. In this case, the delays and noncompliance and various devices contrived to effectuate them have become a new variety of FBI Cointelpro operation, as is set forth below.

4. More than a year ago, when the Court indicated it would accept a motion for a Vaughn v. Rosen inventory, the FBI immediately proposed stipulations. Because agreeing to stipulations could save time for all parties, although I regarded the compromises required of me as an FBI form of blackmail, I agreed to them with certain conditions. One of these conditions is that the FBI comply with the stipulations it sought. My insistence upon this provision was prompted by long experience with the FBI and its various devices for appearing to comply with requests and the Freedom of Information Act while not complying. The FBI was anxious to avoid a Vaughn v. Rosen inventory but it nonetheless did not comply with the Stipulations, as my letters of protest to it establish. I recall no written response to any of my protests over the FBI's violation of the Stipulations.

5. The FBI agreed to provide the records as processed in reasonably manageable segments. The first records processed under the Stipulations were those of the Memphis Field Office (MFO). The FBI's violation of the Stipulations began immediately with the processing and delivery of MFO records.

6. Instead of providing copies as they were processed, the FBI converted the delivery of these MFO records into a virtual Cointelpro operation. This was an abuse of my wife and me. It also deterred my use of the records and my ability to detect continued withholding because it delayed meaningful access and then required that I work much too fast.

7. Instead of providing portions of the records as processed, the FBIHQ

accumulated about 6,000 pages of them over a period of months. It then packed all 6,000 pages in a single large carton. Mailing these pages was delayed until the last minute permitted by the Stipulations.

8. It happened that I was in Wisconsin at that time. My wife was home alone. The rural mail carrier, who could have complied with postal regulations by depositing the large carton on the road at the base of the post holding our mailbox, was kind enough to take it to my home. He carried it into the kitchen for my wife and placed it on the floor. If he had not done this, the records would have been exposed to the weather or could have been stolen. Our mailbox is about the length of a football field from our home. It is not visible from our home because of trees. I recall that the weather was threatening or inclement because my raincoat was stolen while I was obtaining a ticket at National Airport.

9. This carton was in my wife's way for about three days. When I returned I found it was impossible for me to lift or even move the carton. The FBI is well aware of my permanent physical limitations. It also was aware that as of that time I was weaker than usual. During that period the FBI arranged to park my counsel's car inside the FBI building because I was not able to walk very far or for very long.

10. When I opened this carton I found total disorganization. There was no method used in the packing. There was no inventory or list of the enclosures. There were many different file designations, more than 20. I had no knowledge of what any one represented. I therefore had to carry the copies provided to another part of our home and arrange them in stacks as I separated them by the differing file designations appearing on them.

11. In response to my strong protest, the FBI provided what already existed, a list and brief subject indication of the records. Not until I received this list could I begin to examine these 6,000 pages. Once I began reviewing these records, on consulting the worksheets to learn which exemptions were claimed, I found that many records were withheld on claim to having been processed months earlier in FBIHQ files. But then and since I have been denied any means of correlating any withholding with any FBIHQ record. There is no identification of any single FBIHQ Serial number on any Memphis worksheet and in the mass of the 20,000 pages of FBIHQ records there is no way of identifying any one of them with any withholding from

the MFO records. Had I known the FBI would do this, I would never have agreed to the Stipulations because this in itself becomes a de facto withholding and denial. Whether or not this violates the Stipulations, as I believe it does, my initial review of the MFO records disclosed deliberate violation of them. Records processed as I now recall as early as June and certainly in July were not sent to me until the very end of September. The Stipulations required records to be provided as processed.

12. I believe that this deliberate violation of the Stipulations was a form of Cointelproing me because the FBI knew that merely handling the package was beyond my physical capacity; because delaying delivery of so many records and then arranging for them to be disorganized and without any visible inventory delayed my use and review of them; because this wasted much time for me and required me to abandon all other responsibilities to examine so many pages when this did become possible; and because the FBI knew it had the records of the other field offices ready to flood in on me, many thousands of pages of them.

13. When my counsel reminded the Court and the Department of this, Department counsel denied the truth of my counsel's representations and made less than flattering comments about him. At that time SA John Hartingh was in the courtroom and was sitting at the Department's table. SA Hartingh remained silent. It is SA Hartingh who was then supervising processing and compliance. It is SA Hartingh who, to my knowledge and in my presence, first proposed the Stipulations. It is SA Hartingh to whom I protested these first and subsequent violations of the Stipulations. What my counsel informed the Court is the fact - the Stipulations were violated from the first, beginning as set forth in the preceding Paragraphs. Although SA Hartingh and other FBI SAs have in the past addressed the Court, in this instance, knowing full well that Department counsel was not making faithful representations to the Court, SA Hartingh remained silent.

14. Three violations of these Stipulations recently have been exploited as a means of sensational news management. These have the effect of influencing what people ranging from ordinary citizens to high government officials may think and believe. They also influenced the House Select Committee on Assassinations (HSCA, the committee). The record of this committee is such that any competent analyst can anticipate what to expect of it and how it will react. Manipulating this

committee is child's play for the FBI and, in fact, the FBI has manipulated it. One form of FBI manipulation of this committee has been to withhold from me information within my request while giving it to the committee for the kind of misuse that could be anticipated and then did ensue. (This is an additional concern for me because of the nature and subject of my work.)

15. One of these Cointelproings of the committee by the FBI has to do with Russell Byers, a notorious person of criminal record. Another has to do with John Ray (John). The third has to do with FBI informants, especially but not only Oliver Patterson. Records relating to Byers, John, Patterson and others are in the St. Louis Field Office (SFO) of the FBI. These men and the others are of the St. Louis area. The records are clearly within my request and I believe within the Stipulations because they are Ray records and all Ray records of that field office were to have been provided under the Stipulations.

16. When Oliver Patterson appeared at my home on Sunday, April 16 of this year, he did not let me know that he was an FBI informant who had been turned over to the House committee. He did not let me know that he stole my correspondence with Jerry Ray (hereinafter Jerry) and gave it to the committee. (I do not know whether the committee xeroxed this for the FBI but I have inquired.)

17. From August 14, when my counsel informed the Court and the Department of this untoward event, the FBI has been totally silent about Oliver Patterson. I have appealed its denials of this and similar relevant information about and provided by him and other FBI informers involved in similar exploits and adventures in the King/Ray case. There has been ample time for compliance with regard to the records on or relating to all these persons and their involvement in the FBI's King investigation and operations. This also involves other FBI adventures, including domestic intelligence and news and opinion management operations.

18. The Byers matter as it relates to this instant cause dates to 1974. At that time Mr. Lesar and I were preparing for the October evidentiary hearing in Ray v. Rose. From the records I have received in this instant cause the FBI field offices followed all developments in that case closely and reported on them to FBIHQ.

19. The involvements of Patterson and other FBI informers began several years earlier. They include the time when I was conducting the habeas corpus

investigation in the case of Ray v. Rose in their territory.

20. The FBI has provided neither records nor explanations regarding Patterson and the other FBI informers. With regard to Byers, it has provided an incredible "explanation." This explanation is that there was SFO misfiling. Although the FBI's work was then under critical examination in a court of law, supposedly the FBI agents working on the King/Ray case did not have access to the Byers "information" and the agents working on the Byers matter did not even bother to inform the King/Ray agents of the "information" received. This supposedly neglected information relates to an alleged plot to kill Dr. King and an alleged payoff to James Earl Ray for that assassination.

21. There is also an FBI explanation for the remarkable coincidence involved in its belated "discovery" of this "misfiled" evidence so relevant in this instant cause. It is that an SFO FBI agent just blundered into it while searching the files for information relevant to the indictment of Byers for a contracted art theft.

22. SFO then immediately notified FBIHQ, directing a copy to the committee. This means that through many searches of FBI records - for internal investigations, including those of the Department's Civil Rights Division and its Office of Professional Responsibility, for the Senate's Church committee, for this House committee and for compliance in this instant cause - nobody in St. Louis ever recalled or retrieved this alleged information about both plot and pay-off. The FBI did not find these records until they could be used to mislead this committee, a remarkable "coincidence."

23. Once the records were retrieved, they still were not provided to me. When I learned about this and requested them, they were denied. My counsel was told to file a new request or to take the matter before this Court. On appeal, some expurgated pages were provided (Exhibit 1). My appeal of the withholdings, which include the file designation, has not resulted in any further compliance.

24. The misinformation, meanwhile, was receiving extensive attention in the press and from the committee. That there never was any question about its pertinence in this instant cause is admitted in the FBI's explanation included in Exhibit 1. Its first paragraph states that these pages "are pertinent to the MURKIN investigation, and are provided herewith in response to your request for materials on that investigation."

25. In advance of its public Ray hearings of August of this year, the committee leaked a tailored account of the Byers story to the New York Times. A national sensation resulted. It was prejudicial. It tended to support the preconceptions of the committee and the FBI's solution to the assassination of Dr. King. It was also a "safe" story because the principals who are alleged to have conspired and to have paid Ray off were safely dead and could not sue.

26. Denial of these relevant records to me enabled the FBI to manipulate the committee, which thereupon proceeded to manipulate public and official opinion. While the Byers matter is relevant as part of an investigation, which necessarily encompasses all reports, whether or not the reports are truthful, the Byers matter is not relevant to the actual crime as committed. Because I did not have these withheld records, I was not able to provide truthful and accurate information to the press when asked. I state this as a generality and in specific application to the nationwide sensation that began with the committee's leak to the Times. One of the Times reporters who worked on that story is Wendell Rawls. Rawls did, with some ellipsis, explore the matter with me prior to publication of the story. Because he was trying to protect his "scoop," the alleged details were not known to me until after the appearance of the Times' stories and those of other media elements. Rawls and the Times are not the only ones who sought information and assistance from me.

27. Subsequent committee leaks, copies of which I have provided to the Department in connection with appeals in this instant cause, reflect other FBI manipulation of the committee by means of other records that remain denied to me. These involve allegations of bank robberies by James Earl Ray's brothers as part of an alleged plot to finance him prior to and after the assassination of Dr. King. (This revisionism of the official explanation of the crime envisions a Ray sister, Mrs. Carol Pepper, as a "bag woman," a suspicion for which there is no factual basis and, in fact, is refuted by the available evidence. Records relating to Mrs. Pepper, who also lives in St. Louis, are within my request. No such records have been provided although what appears to be a directive for a "bag job" on her has been and is in the record of this case.) The results of these and the Byers leaks are reflected in Exhibit 2, the front-page story in the St. Louis Post Dispatch of October 1, 1978, in preparation for the committee's resumption of its Ray hearings.

28. Just when the committee had a need to hype its November hearings, there was another leak to the Times. It appeared on November 17. It was given extensive added attention in syndication. In this formulation both FBI conjectures are combined. James supposedly did the dirty deed for the \$50,000 from the alleged Missouri racists and then didn't bother to get himself paid off. Instead, in this account, he fled for his life in an almost penniless state - and in the opposite direction. John, meanwhile, was a wastrel. He is represented as going through his share of the loot from a conjectured family bank robbery, losing it in a tavern he operated in St. Louis. This theory has him and his business entirely unaffected by the publicity identifying him as the brother of Dr. King's killer. Naturally, as the brother and alleged co-conspirator, he gladly went broke rather than collect or try to collect the allegedly owed \$50,000.

29. From my knowledge of the facts of the case and of the FBI files, only Cointelpro could father such a misbegotten set of twins and only Desperation could bear them.

30. From my knowledge of the FBI's records, there are a number of virtually identical reports of offers of large sums for the killing of Dr. King. The FBI conjectures the committee adopted, which are totally without any factual basis, could as appropriately be applied to all the other such reports, not one of which is any more completely without support or relevance. Not one comes from a less dependable source than Byers.

31. The manipulation of the committee into its clear preconceptions depends on what I believe is impossible from the evidence in my possession. In the course of the habeas corpus investigation I was conducting in about May 1972, I came into information bearing on this. Since then I have by other means obtained copies of St. Louis records not provided in this instant cause. Some of these withheld records indicate the possibility that the FBI St. Louis Field Office framed John Ray on the bank robbery charge for which he was sentenced to 18 years. This entire matter has become even more delicate for the FBI because a judge involved in the John Ray case is now Director of the FBI and the man then Special Agent in Charge of the St. Louis Field Office was J. Wallace LaPrade, since dismissed over his participation in illegal acts and his public misconduct, which includes vigorous and personal attack on the Attorney General himself.

32. John was charged with driving a "switch" car after the 1971 robbery of a St. Peters, Missouri, bank. One of those charged with robbing that bank, Ronald Goldenstein, was subsequently acquitted and left in possession of the alleged loot. (Another of those charged as an actual robber, Jerry Lee Miller, was an escapee when he was picked up in California. He then was sentenced to a total of 18 months.) For picking up the man found innocent, John was sentenced to 18 years. After he was in a halfway house earlier this year, the Department put John back in jail at the demand of the House committee. The committee alleged John committed perjury in executive sessions of April 17 and May 9 of this year. No such charges have been filed against him. As the result of a parole hearing at which Mr. Lesar represented him, John is now on parole. I came into possession of copies of FBI records not provided in this instant cause when I was assisting Mr. Lesar in connection with the secret sessions of the committee at which John testified.

33. I first learned the details of John Ray's case and those involved in it when I interviewed him and another prisoner in Leavenworth penitentiary in about May 1972. Because so much appeared to be unusual about it and because there was at least the suggestion that John had been framed, I made further inquiries. I told Mr. Lesar what I learned, in part because of its possible relevance in the James Earl Ray habeas corpus matter and in part because John Ray appeared to have been abandoned by his own lawyer, who would not even report to John's letters asking if the petition certiorari had been filed with the Supreme Court. It later turned out that the petition had been drafted and sent to the Department but was never sent to the Supreme Court. (There is more relating to John Ray and withheld records relating to him in later Paragraphs.)

34. Coinciding with these interviews and my need to obtain information for affidavits to be drafted by Mr. Lesar, a St. Louis television station asked me to appear on a panel broadcast. Others to be on that show were Jerry Ray; J. B. Stoner, head of the racist National States Rights Party; the author, Gerold Frank; and two men who were present at the assassination of Dr. King. One of these men is James Laue, then of the Department's community relations component. The other is the Reverend James Bevel, an associate of Dr. King. The TV station paid my travel costs to and from St. Louis and provided my accommodations in St. Louis. This was the reason for my participation. The Ray defense was pro bono and I was without regular

income. I investigated and conducted interviews in St. Louis. This TV appearance also paid most of my costs in getting to and from Leavenworth.

35. As it relates to Jerry, Stoner and me, any FBI coverage of this broadcast is included within my request. From prior experience and records obtained in this instant cause and for other reasons as it relates to me any FBI coverage also is included in my 1975 PA request. I am confident the FBI was not without interest in me and what I was then doing. Stoner, another well-known subject of FBI interest, made the most serious accusations against the FBI on that broadcast. Surveillance of him is an Item of my request. Included among the records not withheld in this instant cause is a directive for FBI coverage of Reverend Bevel when he was in St. Louis. However, no single reference to this event or any coverage of it has been provided in this instant cause.

36. Patterson went public on August 7, 1978, at a St. Louis press conference. He confessed to having been an FBI and committee informant. He and information about and from him are within my request and the Stipulations so I then requested the information still withheld. I was confident that the FBI had already processed these records for the committee, a belief soon confirmed, and that in its initial and continued withholdings the FBI was doing its regular stonewalling number, in this case also for political and propaganda purposes. I appealed and still received no records. News management and committee manipulation were already apparent, as is indicated by the previously cited and many other leaks. The committee's hearings were scheduled to resume in early November. When I received no information at all from the FBI or the Department, I asked the FBI and committee informant, Patterson, for information. Initially he provided a tape-recorded and signed aide memoire, which I provided to Department counsel. Along with this I provided a tape recording of a confession by still another St. Louis informer the FBI had turned over to the committee, Richard Geppert. When more than enough time for compliance passed and I still did not receive either any information or any promise to provide the information within a reasonable time, I turned to Patterson for more help and more information.

37. During the week of October 30, 1978, I began to receive more information from him, although he then was hospitalized. Thereafter he sent me copies of other records. On November 4 I received a copy of a 179-page transcript of a committee

interview of him as part of its self-investigation over charges he had made and committee transcripts of tape recordings of phone conversations Patterson gave to the committee. A few days earlier I received a copy of an FBI record still withheld in this instant cause and a detailed letter written when he was still in hospital. Some of the content of the letter, direct quotation of Conrad Baetz, the committee investigator under whose direction Patterson worked, consists of personal comments of a sexual nature about two other persons. These make it unsuitable for attachment as an exhibit. Patterson also provided a privacy waiver which I filed with the Department's appeals office. (Attached as Exhibit 3)

38. The FBI record I obtained from Patterson is a copy of an SFO informant contact report, contact being with Patterson, and the attached informant's report. Both are attached as Exhibit 4. The informant report only is referred to in the transcript of the committee's questioning of Patterson where his account to me of how he obtained it is confirmed.

39. Patterson states that Exhibit 3 was given to him by Baetz and another committee investigator, Mel Waxman, to refresh his recollection of the content reported. It is apparent that, contrary to the FBI's vigorous representation of its undeviating practice of withholding the identification of all informants, the FBI did not withhold Patterson's identification as its informant when it provided these records to the committee and, in fact, went out of its way to identify Patterson by name, which was to "plant" him on the committee.

40. In all details the committee's transcript confirms what Patterson told me. I attach the first six pages as Exhibit 5. On pages 1 and 2 it is confirmed that the FBI approached Patterson to become a committee informant two weeks before the committee first spoke to him. Patterson believed this part of his life was behind him. ("... when I was finally involved with the FBI they told me that it had ended ...," page 3) After the FBI spoke to him and before he was seen by the committee, he wrote the FBI saying, "I didn't want any part of it, to leave me out of it." (page 3) He was given to understand that his alternative was public exposure, that "I would probably be subpoenaed." (page 3)

41. Patterson's FBI informant report, Exhibit 4, is what excited the committee, as the FBI knew it would. This was because the FBI had tailored it in advance to be misleading and prejudicial, what Patterson himself and the committee

described as not accurate. It tended, misleadingly, to suggest that there was a close Ray family-National States Rights Party connection, providing racist motive for the crime and a conspiracy in it. It was pre-cut to have Jerry confessing James's guilt. To the committee, as he had to me, Patterson described how SFO SA Stan Jaconson had come to his home, read what Patterson had written, told him what to omit ("retype this page and delete all the contradictory remarks" but "leave this one in," page 5), which Patterson did without altering the page length ("... we filled in the spaces with mickey mouse information, and, so that page would come out equal to the other pages," page 5). Committee counsel himself stated, "That page is not accurate," to which Patterson agreed, (page 6) because "Jerry Ray had said his brother didn't kill King." (page 6)

42. The committee was so excited by this FBI corruption, Exhibit 4, it spent something like \$30 to fly a copy of it out to Patterson. Airmail did not go fast enough. (page 21, Exhibit 6)

43. There is nothing within my extensive experience with the FBI in FOIA matters that leads me to believe it will voluntarily provide records of how it provided an all-expense vacation in Florida and Georgia for one of its informants, Patterson, along with someone else's wife, for the purpose of fabricating evidence for use against James Earl Ray, who then was seeking a trial with a new defense team of which Mr. Lesar and I were part. In fact, none of the relevant records has been provided by the FBI in this instant cause.

44. That there are other reports is indicated on page 31, attached as Exhibit 7. Although the FBI has told the Shea office Patterson worked for it for about six weeks only, he tells me it was for several years and on three different cases. In Exhibit 7 the committee, which has access to FBI records denied me, indicates that Patterson provided reports "over the years." Of the "gobs" of reports he provided, Patterson told the committee this was the only unfactual one.

45. Under committee interrogation, Patterson dated his FBI spying on Jerry as from 1971 until 1973 or 1974. (page 13, attached as Exhibit 8) Here he also indicates that he was tape-recording both Jerry and Stoner.

46. In the same paragraph Patterson states that he met Jerry and Stoner in St. Louis after 1971 and before 1973. This can coincide with the 1972 time both were there for the TV show on which others and I appeared with them. As stated

above, any such reports are within my request and have not been provided. Patterson believes other FBI informers covered that TV appearance. He has no recollection of doing it himself.

47. One of Patterson's complaints is that he was not paid and his expenses were not refunded by the committee. During a discussion between his counsel and the committee's (transcript, page 174, attached as Exhibit 9), the committee's use of other informants is established. I have already identified four of the FBI's to the Court and shown that not fewer than three were turned over to the committee. No records provided by or about any of these have been provided in this instant cause other than the few Morris Davis records attached to an earlier affidavit.

48. The aforementioned Geppert is the third of these other informants the FBI turned over to the committee. I deal with Patterson's exposure below. The day after Patterson's exposure as both an FBI and committee informant, Geppert, whom he knew from his career of spying on Jerry, Stoner and the NSRP, made the identical confession to Patterson. He also had the identical complaint against the committee and its investigator, Conrad Baetz: they had gypped him out of money. Sometime ago I provided Department counsel with a tape recording of Geppert's broadcast confession. It has led to no compliance.

49. Geppert's involvement in all of this was known to Department counsel prior to my providing his name and later this tape. When I first mentioned his name to Department counsel after a calendar call of several months ago, I used the wrong first name and was corrected.

50. Consistent with intent to continue to withhold, to Cointelpro and to withhold in order to hide and protect current Cointelproing, the FBI appears not to have been fully informative and to have been less than accurate with the Department. Mr. Shea informs me that the FBI informed him that Patterson's spying career was limited to about six weeks of informing and was ended by the FBI because Patterson disclosed himself as an FBI informer. It is inferred this was because he was slack-jawed or boastful. I had reason to believe otherwise so I asked Patterson.

51. On November 13 Patterson informed me that he became an FBI informer in late 1968 or early 1969, when he informed on the Minutemen. He then became a "racial matters" informer on activities of a "Citizens Counsel" and one Gordon Baum. These are referred to in the formulation of the committee's planted St. Louis story,

Exhibit 2, and in the related leak to the New York Times published November 17. While Patterson was an FBI informer, there was a local controversy over low-income housing. It involved Baum and his committee. Under these circumstances, Patterson believed he should let the mayor of Black Jack, the St. Louis suburb in which he lived and where the controversy was centered, know that he was an FBI informer. The mayor appears to have jumped to the wrong conclusion, that Patterson was informing on him and other officials of Black Jack. Patterson recalls that it was after this that he became the FBI's Jerry-Stoner-NSRP informer.

52. On November 13, Patterson also informed me that the FBI had a number of other informers engaged in overlapping political espionage in the Ray case. His reason is that the FBI agents to whom he reported showed him photographs duplicating those he had taken for the FBI. The FBI asked Patterson to identify the persons in these other photographs of meetings Patterson had attended and covered. All other informants' reports remain withheld in this instant cause.

53. The FBI remained in contact with Patterson after it arranged for him to be a committee informant. In the committee's self-investigation, it made a report on Patterson's charges against it to the Committee on House Administration. This report was filed on September 6, 1978, which is nine days before the committee interrogated Patterson. On page 12 (attached as Exhibit 10) the report states, "In fact Patterson had been warned by the FBI prior to the instant allegations that Jerry Ray had discovered his role with the Committee and that the FBI had reason to express concern for his safety because of such."

54. This is self-serving and not entirely factual. It represents one of two contradictory stories given to Patterson by the committee and by the FBI, as set forth on pages 119-23 of the committee's transcript (attached as Exhibit 11). This transcript is in accord with what Patterson told me, that on August 2, 1978, Conrad Baetz of the committee told Patterson the FBI in Memphis had received a report of a threat against Patterson by Jerry Ray and that the FBI would be coming to tell him about it. At about 6 p.m. that day, two FBI agents, one identified as Dennis Mattes, told Patterson that the committee had informed the FBI of a threat against Patterson. There was no threat from Jerry Ray, who as of then was ignorant of Patterson's role. The same fiction, attributed to the FBI by the committee and to the committee by the FBI, made Patterson suspicious of both.

He started taping his phone conversations with the committee and others it put in touch with him. At a press conference five days later, on August 7, Patterson exposed himself as an FBI and committee informant. This had been planned for other purposes by the committee. Patterson's switch caught the committee by surprise. Until the last minute it and the FBI appear to have tried to make the "threat" from Jerry Ray look real by issuing a statement that Jerry had been "put under FBI surveillance because of the threats he had made ..." (transcript, page 157, attached as Exhibit 12)

55. Patterson had other reason for disenchantment with both the committee and the FBI. His complaints against Baetz include that Baetz demanded access to pornographic films and the company of a woman who acted in one. Baetz almost moved into Patterson's home for long periods, playing his pinball machine for up to four hours at a time. In the committee's interrogation of Patterson, he expressed his contempt for this kind of "investigation:" "... investigating James Earl Ray and Martin Luther King from my house, I doubt very much if you can solve many murder cases from the front or the back room of my house." (transcript, page 109, attached as Exhibit 13)

56. In combination, his reasons for disenchantment with both the FBI and the committee and his certain knowledge that they had contradicted each other in their accounts of how Jerry allegedly had come to know of his role led Patterson to take another course, the one in which he turned the committee around.

57. Although at the outset Patterson was unaware of it, in truth both the FBI and the committee lied to Patterson. In this he is confirmed by the committee's transcript and his own decision to tape his relevant phone conversations.

58. Attributing a threat against him to Jerry was too thin a cover for the further use planned for Patterson, to give an exclusive interview to the New York Times and make statements in support of the committee's and FBI's King investigations and critical of the Ray defense. Patterson gave the tapes he made of these conversations to the committee. By prior agreement it provided him with its transcription of them. I now have this. Page 18 (attached as Exhibit 14 with page 1 for identification) begins with the committee's effort to put Patterson up to saying that Jerry had told him there is no "Raoul," the person James says was his associate in crime and the one who financed him up to the time of the King

assassination. It also refers to the committee's leaking to the Times. Where Baetz says, "I just talked to him," he is referring to a committee official. Where he says, "they just got a hold of this guy this morning," "this guy" is investigative reporter Nicholas Horrock who had already phoned Patterson to set a time for his "scoop."

59. These committee tape transcripts also include Patterson's conversation with Horrock. In the last minute, Anthony Marro was sent to St. Louis in place of Horrock. When he walked into the "exclusive" meeting with Patterson, he was on camera, local TV having been alerted to the set-up. Marro turned and fled, cameras, lights and reporters in pursuit. The NBC station's John Auble aired a half-hour TV special on the fiasco.

60. The committee attempt to get Patterson to declare there is no "Raoul" is the straight FBI line.

61. It was on August 2 that the committee and the FBI told Patterson about the alleged threat from Jerry. I have personal knowledge that the committee and the FBI versions both are false. I knew about this before Patterson did. I knew in July. Les Payne, Newsday's Pulitzer Prize-winning reporter, is a friend who consults with me and checks stories with me. He was on vacation in El Paso, Texas, when he started phoning me about this matter. We had a number of conversations. I have checked the timing with Payne and he confirms that he was consulting and checking with me in July. While I do not know how the FBI learned about the coming exposure of its and the committee's informer and what he had been put up to, I do know that one distinct possibility is eavesdropping on my phone. It is not likely that Payne was surveilled so far away from his Long Island home and office.

62. Neither the committee nor the FBI has informed me of the relationship between them or about details of the exchanges of records between them. I know there is such an exchange because I have copies of records passed both ways.

63. Patterson stole a letter I had written to Jerry about the case. He gave the committee a copy after its investigators had him read it to them. This immediately after Patterson came to see me in April 1978. As stated above, it also is clear that the FBI was in touch with Patterson after he came to my home. While the committee was not anxious to pursue this when it questioned Patterson, that transcript does confirm it. Pages 73 and 106-8 are attached as Exhibits 15 and 16.

A copy of the original of my letter, stolen for the committee if not also for the FBI, is attached as Exhibit 17. Exhibit 17 is a xerox of the xerox Patterson made for the committee.

64. There was a further intrusion into my privacy and possibly my work by the committee, which may or may not have shared the fruit with the FBI. On November 4 Patterson sent me a copy of the Southwestern Bell notification to him (Exhibit 18) of the committee's subpoenaing of his phone records 90 days earlier. The subpoena was served on the phone company at 11 a.m. on August 7, 1978. This precludes the possibility that it was served in reaction to Patterson's exposure that afternoon of his informant's role with the committee and the FBI.

65. Patterson's phone conversations include conversations with me.

66. No proper legislative purpose is apparent in this subpoena.

67. Southwestern Bell has a well-publicized and scandalous record of wiretapping. A number of high company officials were involved in these scandals and legal proceedings. There was at least one suicide.

68. The committee has not responded to my protest. (It also refuses to provide copies of nonsecret information it has made part of the public domain for me to provide to other courts.)

69. The foregoing Paragraphs relating to Patterson set forth the simple mechanism by which the FBI, through misuse of the exemptions to the Act and by deliberate withholdings, was and is able to Cointelpro the committee and through this mislead the country. The FBI knew it could sucker the committee, which had gone ape over every nut theory of any kind of conspiracy. The FBI also knew that it could not mislead me in the same way. In part, this is because I have exposed the committee's irresponsibilities. Planting Patterson and Geppert on the committee served to lead the committee to believe that the National States Rights Party conspired with various Rays to kill Dr. King. To make this Cointelproing possible, the relevant records, like Exhibit 4, had to be withheld from me. I know of no other reason for the continued withholding of such records. FBIHQ was aware of the existence of Exhibit 4 and similar records and of their relevance in this instant cause not later than a year ago. It is three months since I made specific request for them. What I now provide the Court is possible despite the FBI's noncompliance.

70. These withheld Patterson records relate to Jerry Ray. There is similar

withholding of records relating to John Ray and to an alleged bank-robbing career that left him destitute. I believe the withheld records relating to all Rays are within my request and the Stipulations. Withholding from me relevant records relating to John Ray also served to mislead the committee in a similar fashion and to set up a vulnerable man. The committee has already had him thrown back in jail once, with no charges being filed, and clearly is out to charge him with perjury based on the word of other FBI informers.

71 Cozy deals between the FBI and some Congressional committees are not unknown. I have personal experience with an arrangement of this nature, between the FBI and what then was known as the Dies Committee. I have knowledge of other such arrangements. The Dies Committee sought to entrap me, through an informant on that committee's payroll. His employment was masked, as my subsequent investigation established, by paying him witness fees in lieu of salary. When the Dies Committee tried to have me indicted because of my exposure of it, the FBI tried to entice me into signing a false and incriminating statement. When I refused to do this, two agents tried to coerce me by not permitting me to leave their office. When I outsat them, they backed off. Soon thereafter my lawyer was getting entirely false and misleading reports of what was happening when I testified before the grand jury that was used by the Department in an effort to indict me for a crime not committed. As a result of my not being misled by the false accounts leaked to my lawyer, the grand jury did indict the Dies Committee agent for two crimes he did commit. The Dies Committee and the FBI had common interests. They collaborated, with Department support, in other ventures. The committee could and did do what the FBI wanted and could not do for itself. In return, the FBI aided the committee. The unsuccessful effort to indict me when I had not committed any crime but was researching a book exposing the Dies Committee is not the only such example.

72. Copies of all FBI and Department records relating to this affair, a sensation of 1940, remain totally withheld despite my Privacy Act request of 1975 and the surveillance items of the request in this instant cause. My appeal has not been acted on.

73. Experiences like these, as well as extensive personal research and investigation, convince me that the FBI and the assassinations committee have combined to attain improper ends and that to be able to attain these ends the FBI

withholds relevant John Ray records from me in this instant cause.

74. The committee's interest in the Ray family is an extension of that of the FBI. The committee can do what the FBI could not do. It can and did take all testimony in total secrecy and withhold all copies of transcripts. It can and did deny counsel of choice. There are other abuses, all inflicted in secret. Like the FBI, the committee also leaks prejudicially. I have previously provided the Court with copies of FBI records reflecting FBI intent to conduct electronic surveillances on John and his sister and what can mean only that a "bag job" was ordered. Both testified in committee executive session twice earlier this year. Both requested that their testimony be in public. This was rejected on the subterfuge that the committee sought to protect the rights of others. John did not dare refuse to testify in what amounts to a star chamber proceeding because he was in a halfway house pending parole. In fact, the committee demanded that the Department throw him back into jail and the Department did as the committee asked, adding a long period of solitary confinement. In his testimony John swore to not having participated in any bank robberies. The committee's present intent is clearly apparent. It is calling both Ray brothers to the last days of its current Ray hearings and will confront them with procured testimony in an effort to lay perjury charges against them. With John, under the subterfuge of a "biographical background," the committee actually undertook to entrap him into confessing to the bank robberies, participation in which he had denied under oath. Under date of October 11, 1978, it sent him its "biographical background" to sign and return. It holds unfactual statements. It concludes, "John Ray was involved in numerous other bank robberies for which he was never charged." (Exhibit 19) Five are then listed. The fifth is the Bank of Alton, Illinois. It is with regard to this robbery that the FBI continues to withhold the names of those arrested, despite the Court's suggestion of months ago that these names are not properly withheld. Also consistent with the committee's nonlegislative purposes duplicating the FBI's interest are other withholdings of records relating to John Ray that are within my request and the Stipulations. I refer to some of these in an earlier Paragraph in connection with indications that John was framed on the Bank of St. Peters charge. The committee was given such records.

75. When I asked John for further information and about the continuing

whipsawing, which he lays to both the committee and the Department, he wrote me on November 8 enclosing a copy of his letter of the same date to the committee (both attached as Exhibit 20). Some of what he states was known to me earlier. This includes the Haynes matter, the committee's treatment of him and the official acts that cost him each of the jobs he obtained after being allowed out of jail. Exhibit 20 refers to FBI records relating to him and still withheld from me in this instant cause. The robbery of the Bank of Laddonia referred to in Exhibit 20 is one of those the committee undertook by indirection to lead John into confessing in its so-called biography, Exhibit 19. Except for the Alton bank, all of these robberies were subsequent to James's guilty plea and cannot possibly have any relationship with the assassination of Dr. King or any proper legislative inquiry into it. When John did not "confess" by signing this "biography," the committee resubpoenaed him although he had already testified twice.

76. The committee's report is largely written and its conclusions reached. Its report is due two weeks after John's scheduled testimony, according to current news accounts attributed to the committee. In the Washington Star of November 14, Jeremiah O'Leary's article concludes, "By Dec. 15 the committee will issue its findings about the King case and the assassination of President Kennedy." If John's public testimony were required for the report, it would have been taken long ago.

77. I know of no legitimate reason for the committee to suspect John's involvement in these bank robberies he has sworn he did not commit. This suspicion can come from FBI records, some of which remain withheld in this instant cause.

78. While there can be no proper legislative purpose in this harassment, harsh treatment and a perjury charge against John, they can be of interest to the FBI, whether or not the FBI framed John on the St. Peters charge. I believe the FBI has this interest. If John can be coerced into a confession or if he is charged with perjury, the FBI's investigation and suspicions will appear to be vindicated. Also, the FBI has stated that it believes John had and withheld information related to the King assassination and then refused to cooperate with it. The intent to pressure him and the rest of the Ray family is explicit in the records I have already provided the Court relating to a "bag job" and electronic surveillances.

79. In addition, in 1968 the FBI leaked a false account of the alleged Ray robbery of the Bank of Alton. The FBI appears to have arranged for the committee to believe what the FBI wants believed about its own inability to account for James Earl Ray's financing other than he has said he was financed, by a criminal associate the FBI has not identified and located. Moreover, the FBI did learn of an association James Earl Ray did have immediately before Dr. King was killed. ^{This} ~~With~~ was with a man whose name is identical with that of an FBI informer. This, of course, can be embarrassing to the FBI. This matter is one of the continuing FBI withholdings in this instant cause.

80. From all of this and from the FBI's and committee's inability to prove how James Earl Ray did finance himself for more than a year, there emerged the FBI/committee theory that this was accomplished by John's alleged bank-robbing career. All FBI records relating to this remain withheld from me in this instant cause. I know that there are such records from having obtained copies of some of those the FBI gave to the committee.

81. My first recent knowledge that the committee was using FBI-procured perjury against John came from Patterson's letter to me when he was hospitalized. Patterson deduced from the repeated questioning by the FBI agents who visited him August 2 that the committee was using a witness he at first identified as Clyde. When I asked him if it could have been Clarence, he replied that in fact it was Clarence, that he had recalled the name incorrectly. John told me all about Clarence Haynes and his perjury and criminal record in 1972. In John's letter of November 8, Exhibit 20, he understood correctly that Clyde had to be Clarence.

82. These FBI agents gave Patterson to understand that Clarence "was in the same boat" as he, meaning turned over to the committee by the FBI and about to be exposed.

83. Once again the committee/FBI combination turned this around in a successful effort to misrepresent and deceive about what both had done and to make the committee look good. The FBI has been silent about the committee leak to the St. Louis Post-Dispatch of a distorted account of the Clarence Haynes matter and the committee's and FBI's roles in it. This successful news management appeared on November 12. It is attached as Exhibit 21. Its front-page headline puts the white hat squarely on the committee's head, "Panel's Evidence May Clear Convict."

84. The lead of this article represents that "the House Assassinations Committee has found (sic) new evidence strongly suggesting that he (Ernest Turley) is innocent." Turley was convicted of one of the robberies charged by the committee to John, that of the Laddonia bank. Turley had spent seven years in jail after conviction in state court. He was picked up as we walked out of the federal courthouse after he was acquitted on the identical charge under federal indictment. The FBI is responsible for the federal charges. In Exhibit 21 SA William Duncan is credited with partial responsibility for the state prosecution after acquittal on the federal charge. (I believe this is one of the actual reasons for the continued withholding of the names of FBI SAs after this Court ruled that might not be done.)

85. As the result of what the leak fails to describe as an FBI frame-up, "the world Turley left no longer exists. His wife divorced him, became an alcoholic and remarried. His stepdaughter, who says she depended on his guidance, left home at 14 and became pregnant at 15. His stepson turned to drugs and repeatedly was arrested. While in prison Turley contracted rheumatoid arthritis, which weakened his joints and makes manual labor difficult. He lost about 20 pounds from his already gaunt frame."

86. The promise of a new life for Turley after his life was ruined is credited to the committee in the committee's leak to "a July 19 letter to Gov. Joseph P. Teasdale" in which "the committee said that two men 'have attested to the fact that they were actually the two individuals who entered and robbed the Laddonia bank.'" (emphasis added)

87. Amazingly enough, neither of the two and only two robbers is John Ray. This is amazing because of the committee's assurance to the Parole Commission (Exhibit 22) the previous month, in June, that its "testimony ... conclusively establish(ed)" John's "involvement." It is no less amazing because three months later, in October (Exhibit 19), the committee "biographied" John into the bank robberies.

88. The leaked version does not identify the source of what the committee "found" or how it "found" out. The disguised actuality is that John Ray testified to the Haynes perjury in April. The committee's leak circumvents this and seeks to provide an explanation in these words: "one of the men, Clarence Haynes, told committee investigators that because of a grudge he lied when he testified against

Turley eight years ago." This version lacks accuracy.

89. The second robber is "James Rogers, in jail for another bank robbery." He "confirmed that he and not Turley was the robber" along with Haynes.

90. John's account to me, in which I correct his spelling and grammar, provides an explanation of continued FBI withholdings of records in this instant cause: "The FBI arrested Clarence Haynes, Earle Sattlefield and Ernest Turley for the Laddonia bank robbery. They released Sattlefield," who had an airtight alibi. Sattlefield had robbed Haynes and his common-law wife. "In the meantime I was arrested for the St. Peters, Mo., bank robbery. A week before I was supposed to go on trial, Haynes and Turley were supposed to go on trial for the Laddonia bank robbery. A day before Haynes and Turley went to trial" Haynes was transferred to the St. Charles, Missouri, jail in which John was being held. "He was held downstairs... I was held upstairs... The cons told me that the FBI was downstairs rehearsing Haynes on how to withdraw his plea at the last minute and state that he had a change of heart and say it was he who robbed the bank and that Turley and I helped him. Which he did. This was good pretrial publicity on their part against my upcoming trial. However, U.S. Marshal Kenneth Link told me (he was in the court room) that Haynes was caught lying ... Marshal Link stated that it really looked bad on the fed's part because they were using this trial to get pretrial publicity against my trial. Marshal Link stated that he did not know why the FBI was really mad and had them to get Turley as he walked out the door a supposedly free man. They had the sheriff to take him to Laddonia and try him." The marshal believed that Turley would be turned loose "in a few days because" of Haynes' perjury. John believes the reason Haynes was not charged with and tried for perjury is the FBI involvement in it, which was known to many convicts. He also says that the committee told the media "that Haynes did it because of a grudge" in order not to disclose "the agents fixing" the case through Haynes. The only known relevant Haynes cause for any "grudge" is against Sattlefield, who robbed him, not Turley or John. Motive for pressing charges against Turley is apparent: having him a convict reduced his credibility and having him unavailable made it impossible for him to impede the fabrication of a case against John.

91. However scantily the FBI may record the suborning of perjury, it seems entirely unlikely that it has no relevant records, particularly because it is

responsible for the prosecution of John on the St. Peters charge. No relevant records have been provided. The name of Haynes does not appear in the index to the prosecutorial volumes. There also is no listing of the Alton bank.

92. That this FBI effort against John was not entirely wasted and how it influenced the judge as well as the committee is reflected in Exhibit 23, another of the Parole Commission records. This recommendation of the Commission's Regional Commissioner, while it is that John would be subjected to this additional punishment until a decision was made on whether to charge him with perjury, also states he had served "substantially over" the usual time for such an offense. It further states that "He has been held more than accountable for the crime of his conviction, and according to my calculations, has been held accountable for multiple bank robberies if he had been so convicted ..." It also limits the area of any accountability to the committee to "his activities and those of his brother in the summer of 1967, during the period of time of one of the alleged bank robberies (Alton, Illinois) ..."

93. The committee's misleading leaked explanation of Turley's conviction and release is carefully contrived to shelter the FBI. It has the effect of repaying the FBI for what the FBI gave the committee, without which the committee would have nothing. It also covers the committee's extralegislative acts and its failure.

94. As I have stated, I have followed the committee's hearings closely. Aside from fabrications and fictions - with respect to everything that can be considered to be information - almost without exception in both cases - the committee has nothing that did not come from the FBI. To a very large degree what it has presented in its Ray/King case is the identical information I obtained in this instant cause, which predates the existence of the committee. The rest comes from Mr. Lesar's work and mine in and for the evidentiary hearing in Ray v. Rose. The other source of Kennedy assassination information used by the committee is those it seeks to ridicule by public attention to the irrationals, those who are called "critics" of the official accounts of that crime. I personally brought to light most of this information and published it long before there was any committee.

95. As a result, the committee, even if it preferred a different relationship, is in bail to the FBI. If the committee seriously displeases the FBI or does

other than the FBI desires, the FBI can leak the foregoing facts. Coming from the FBI, they will receive attention they would not receive coming from me. This would be hurtful, if not indeed disastrous, to the committee, to the political futures of its Members and to the job futures of the staff.

96. This constitutes a special kind of FBI Cointelproing by means of which it can once again control "investigation" of itself, however it may complain publicly about any critical comment, as it always does. This is possible because of the FBI's withholdings in this instant cause now three years old. These withholdings are possible because persisting - really permeating - misrepresentations are possible and are practiced, under oath and otherwise. The unfactual representations by Department counsel with regard to the Stipulations are one of these other means. Forcing delays by forcing re-reviews by the overworked and understaffed Shea office is another such device. (This also Cointelpros all other FOIA and PA appeals, including a large number of mine.) Requiring that I be the Department's consultant is still another of these Cointelpro engines for grinding down the Act, the Court and me and my counsel. There is no end to falsifications and misrepresentations. And thus there is no visible end to this case.

97. Whenever there is an end to the Shea review and whatever added compliance it results in, we will still be back at the beginning, with those Items of my request not filed under MURKIN still without compliance.

98. There is no Department affidavit swearing that my request has been complied with. After what I have shown, that such affidavits are not faithful to fact where not actually falsely sworn, I expect no such affidavit. This is not because there are none who have knowledge and can provide unequivocal first-person affidavits. Rather is it because there has not been compliance and, as I have stated from the first, my request cannot be complied with from the MURKIN files alone, regardless of what is provided from MURKIN files.

99. There also are enough different file designations and systems of files for what are known to be the right ones not to be searched, an actuality in this instant cause, as foregoing Paragraphs and Exhibits establish.

100. In time, it is probable that I will receive more records. By that time a visible ulterior purpose of the plain stonewalling will have been accomplished. The House Select Committee on Assassinations expires in a month

and a half. In less than a month its conclusions are scheduled to be presented. History enables a subject expert to prophesy with what can be expected to be a high degree of accuracy. There will be a large and indigestible mass dumped on the press and the country, both already having been conditioned to accept the coming conclusions. Where there appears to be support for these conclusions, it will represent a careful culling combined with deliberate suppressions. Predetermined conclusions will be palmed off as careful deliberations following extensive original investigation. There will be a public-relations sensation in which what officials have said in the past will be presented as essentially correct, albeit with mild criticism of prior official bodies. This is vital to the committee's pose of diligence and impartiality. There will be slight and basically irrelevant criticism of the FBI. In time, a short time, that will fade and be forgotten. The FBI may feign indignation and utter the traditional sounds of irritation, but it will be content, as all prior official reinvestigations have left it content, because criticism will not be serious if indeed at all justified. The areas of actual FBI failure will not be mentioned, as to date they have not been mentioned in any prior reinvestigation of its performance as investigators of both assassinations.

101. But discontent and disenchantment will not vaporize before official breast-beating and official proclamations and the great harm done the nation by these crimes and by their unsatisfactory investigations and "solutions" will be perpetuated, with an undiminished number of citizens believing that faith in government and in our institutions is not warranted. Comprehending the depth and genuineness of this disillusionment may be impossible for those who have not had my experiences before many audiences during the past 15 years and have not received the many thousands of unsolicited letters from total strangers who express their fears, their discouragement and only too often among the young a desire to quit this world.

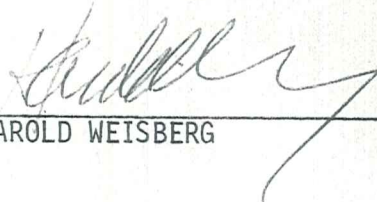
102. If every one of the many withheld records were given to me at once, if all the countless thousands of unjustifiable withholdings were ended at the same time, this now would serve future historical purposes only. For today the Department - not only the FBI - has accomplished its purposes.

103. My experience in this and other cases under the Act is that there

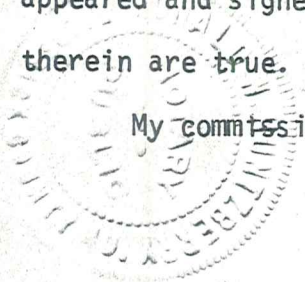
is no practical means of ending determined official violation of the Act, no way of ending official misuse of the exemptions for ulterior purposes when there is political motive for such misuse and stonewalling.

104. This affidavit has grown to greater length than I had intended because I believe it is my obligation to inform the Court as fully and as accurately as possible. The Department has attested to my expertise often enough. If I do not draw upon this expertise to inform the courts adequately, I believe that I fail in what I regard as an obligation, to help the courts preserve their Constitutional independence. If those who can do not take this time, do not risk the unwelcomeness of lengthy presentations, then the courts become the captives of officials who have great power and immunities, who draw upon virtually limitless resources and who do have ulterior purposes to serve.

105. Within my extensive experience the actuality is that determined and immune officials have converted the Act into a machine for accomplishing exactly what the Act was designed and enacted to prevent by misuse of the exemptions, by misleading, deceptive and false representations and by the naked stonewalling with which they overburden courts and requesters alike. In this affidavit I have sought to present more of the evidence of these offenses and abuses to the Court.


HAROLD WEISBERG

Before me this 20TH day of November 1978 Deponent Harold Weisberg has appeared and signed this affidavit, first having sworn that the statements made therein are true.



My commission expires 7-1-82


NOTARY PUBLIC

LIST OF EXHIBITS

No.	Page	Par.	Description
1	6	23	Byers records
2	7	27	St. Louis <u>Post-Dispatch</u> , 10/1/78
3	11	37	Patterson privacy waiver
4	11	38	Informant report, 5/26/71
5	11	40	Committee transcript, first 6 pages
6	12	42	Ibid, p. 21
7	12	44	Ibid, p. 31
8	12	45	Ibid, p. 13
9	13	47	Ibid, p. 174
10	14	53	Report on Patterson, p. 12
11	14	54	Committee transcript, pp. 119-23
12	15	54	Ibid, p. 157
13	15	55	Ibid, p. 109
14	15	58	3 pages of committee transcript of phone conversations
15	16	63	Committee transcript, p. 73
16	16	63	Ibid, pp. 106-8
17	17	73	Weisberg letter, 4/11/78
18	17	64	Notice to Patterson of telephone record subpoena
19	19	74	P. 3, committee "biography" of John Ray
20	20	75	John Ray letter, 11/8/78
21	21	83	St. Louis <u>Post-Dispatch</u> , 11/12/78
22	22	87	Parole Commission memo, 6/7/78
23	24	92	Parole record, John Ray

UNITED STATES DEPARTMENT OF JUSTICE
 FEDERAL BUREAU OF INVESTIGATION
 RECORDS DISCLOSURE COVER SHEET
 FOI/PA BRANCH
 RECORDS MANAGEMENT DIVISION
 Washington, D. C. 20535

C.A. 75-1996
 EXHIBIT 1



Subject of Request: Murkin

AUG 2 1978

Mr. Harold Weisberg
 Route 12 - Old Receiver Road
 Frederick, Maryland 21701

Dear Requester:

Enclosed are copies of documents from our files. Excisions have been made from these documents and/or entire documents withheld in order to protect materials which are exempted from disclosure by the following subsections of Title 5, United States Code, Section 552 and Section 552a. The exemption number(s) indicated by a mark appearing in the block to the left of the subsection cited constitutes the authority for withholding the deleted material. (See below and reverse side of this sheet for an explanation of these exemptions.)

Section 552

(b) (1)

(b) (2)

(b) (3)

(b) (4)

(b) (5)

(b) (6)

(b) (7) (A)

(b) (7) (B)

(b) (7) (C)

(b) (7) (D)

(b) (7) (E)

(b) (7) (F)

(b) (8)

(b) (9)

Section 552a

(d) (5)

(j) (2)

(k) (1)

(k) (2)

(k) (3)

(k) (4)

(k) (5)

(k) (6)

(k) (7)

The decision to withhold exempt portions of our records is the responsibility of William H. Webster, Director of the FBI

If you believe your name may also have been recorded by the FBI incident to the investigation of other persons or some organization, please advise us of the details describing the specific incident or occurrence and time frame. Thereafter, further effort will be made to locate, retrieve and process any such records.

Your request for information concerning yourself has been considered in light of the provisions of both the Freedom of Information Act (FOIA) (Title 5, United States Code, Section 552) and the Privacy Act of 1974 (Title 5, United States Code, Section 552a). It has been determined by the Attorney General that requests by individuals seeking information about themselves are governed by the Privacy Act. In addition, as a matter of administrative discretion, any documents which were found to be exempt from disclosure under the Privacy Act were also processed under the provisions of the FOIA. Through these procedures, you have received the greatest degree of access authorized by both laws.

You have thirty days from receipt of this letter to appeal to the Deputy Attorney General from any denial contained herein. Appeals should be directed in writing to the Deputy Attorney General (Attention: Office of Privacy and Information Appeals), Washington, D. C. 20530. The envelope and the letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal."

See additional information on continuation page.

Allen H. McCreight

Allen H. McCreight, Chief
 Freedom of Information-Privacy Acts Branch
 Records Management Division

Enclosure

Mr. Harold Weisberg

The enclosed documents originated with our St. Louis Field Office, and while they were not filed in that Office's file on the investigation of the assassination of Martin Luther King, Jr. (Murkin), they are pertinent to that investigation, and are provided herewith in response to your request for materials on that investigation.

Note that the original memorandum of the interview with the informant, the five-page document dated March 19, 1974, primarily concerns another investigation totally unrelated to the Murkin investigation. The two paragraphs furnished to you are the only ones relating to Murkin; the excisions from those two paragraphs were only of information which would tend to identify the informant, and to protect his privacy.

A review of the deletions which were made in the index to the 29 volumes of evidence (approximately 2,800 pages) previously referred to as "three boxes of indices" was conducted. This review has concluded that neither the name of Byers nor Spica had been excised from those records.

These documents have been reviewed by the Department of Justice, Office of Privacy and Information Appeals Unit, which has affirmed our handling of this release.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, ST. LOUIS [REDACTED] b7d
 (ATTN: SA [REDACTED]) b2 DATE: 3/19/74
 FROM : SA [REDACTED] b7c
 SUBJECT: [REDACTED] b2 b7d

[REDACTED]

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b7c
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[REDACTED]

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3 - St. Louis

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SERIALIZED FILED
 MAR 19 1974
 FBI - SAINT LOUIS



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b7c
b7d

BEYERS talked freely about himself and his business, and they later went to [REDACTED] where BEYERS told a story about visiting a lawyer in St. Louis County, now deceased, not further identified, who had offered to give him a contract to kill MARTIN LUTHER KING. He said that also present was a short, stocky man, who walked with a limp. (Later, with regard to the latter individual, BEYERS commented that this man was actually the individual who made the payoff of JAMES EARL RAY after the killing.) BEYERS said he had declined to accept this contract. He did remark that this lawyer had Confederate flags and other items about the house that might indicate that he was "a real rebel". BEYERS also commented that he had been offered either \$10,000 or \$20,000 to kill KING.

Sometime later

[REDACTED]

individual advised [REDACTED] that BEYERS truly is a "very treacherous guy", cautioning him to stay away from him if he wanted to stay out of trouble.

b7c
b7d

[REDACTED]

b7c
b7d

0013 0722 029Z

PP HQ

DE SL

P 132223Z MAR 73

13 MAR 78 20 38z

FM ST. LOUIS (62-5797)

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

TO DIRECTOR (62-117292) PRIORITY

BT

UNCLAS E F T O

ATTENTION: CONGRESSIONAL INQUIRY UNIT, RECORDS MANAGEMENT
DIVISION

HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

RE ST. LOUIS TEL CALL TO BUREAU, MARCH 13, 1978.

IN THE COURSE OF FILE REVIEW IN AN UNRELATED MATTER,

[REDACTED], ST. LOUIS FILE [REDACTED] BUFILE [REDACTED] WAS REVIEWED.

b7c
b7d
b7e

THIS FILE CONTAINED A CONTACT MEMORANDUM DATED MARCH 19, 1974,
WHICH CONTAINED INFORMATION RELATING TO SEVERAL CRIMINAL MATTERS
AND ALSO CONTAINED THE FOLLOWING PARAGRAPH:

DURING THE FALL OF 1973, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

b7c
b7d

BEYERS TALKED FREELY

CARBON COPY. DO NOT FILE
orig to [unclear] folder

ABOUT HIMSELF AND HIS BUSINESS, AND THEY LATER WENT TO [REDACTED] b7(d)
[REDACTED] WHERE BEYERS TOLD A STORY ABOUT VISITING A LAWYER IN
ST. LOUIS COUNTY, NOW DECEASED, NOT FURTHER IDENTIFIED, WHO HAD
OFFERED TO GIVE HIM A CONTRACT TO KILL MARTIN LUTHER KING. HE SAID
THAT ALSO PRESENT WAS A SHORT, STOCKY MAN, WHO WALKED WITH A LIMP.
LATER, WITH REGARD TO THE LATTER INDIVIDUAL, BEYERS COMMENTED
THAT THIS MAN WAS ACTUALLY THE INDIVIDUAL WHO MADE THE PAYOFF OF
JAMES EARL RAY AFTER THE KILLING.) BEYERS SAID HE HAD DECLINED TO
ACCEPT THIS CONTRACT. HE DID REMARK THAT THIS LAWYER HAD
CONFEDERATE FLAGS AND OTHER ITEMS ABOUT THE HOUSE THAT MIGHT
INDICATE THAT HE WAS 'A REAL REBEL'. BEYERS ALSO COMMENTED THAT
HE HAD BEEN OFFERED EITHER \$12,000 OR \$20,000 TO KILL KING."

EXTENSIVE FURTHER RESEARCH IN THE ST. LOUIS INDICES AND FILES
FAILED TO REVEAL THIS INFORMATION WAS IF ANY WAY DISSEMINATED AND
THE INFORMATION SIMPLY REPOSES IN THE INFORMANT FILE.

ABOVE IS BEING FURNISHED FOR INFORMATION AND NO ACTION BEING
TAKEN UACB. LETTER AND LHM FOLLOW.

BT

XX

3/13/78

TO: DIRECTOR, FBI (62-117290)
(ATTN: CONGRESSIONAL INQUIRY UNIT,
RECORDS MANAGEMENT DIVISION)

FROM: SAC, ST. LOUIS (62-5097) C

SUBJECT: HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

Re St. Louis teletype to FBIHQ, 3/13/78.

Enclosed for FBIHQ are the original and three
copies of LHM captioned as above.

LHM is being furnished for information and no
action being taken UACB.

② Bureau (Encs. 4)
1- St. Louis
JTH:jtc
(3)

JWB



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Saint Louis, Missouri

March 13, 1978

HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

In the course of a file review in an unrelated matter, [redacted] St. Louis File [redacted] Bureau File [redacted] was reviewed. This file contained a contact memorandum dated March 19, 1974, which contained information relating to several criminal matters and also contained the following paragraph:

b(2)
b(7)(d)

"During the Fall of 1973, [redacted]

[redacted]

b(2)
b(7)(d)

Beyers talked freely about himself and his business, and they later went to [redacted] where Beyers told a story about visiting a lawyer in St. Louis County, now deceased, not further identified, who had offered to give him a contract to kill Martin Luther King. He said that also present was a short, stocky man, who walked with a limp. (Later, with regard to the latter individual, Beyers commented that this man was actually the individual who made the payoff of James Earl Ray after the killing.) Beyers said he had declined to accept this contract. He did remark that this lawyer had confederate flags and other items about the house that might indicate that he was 'a real rebel'. Beyers also commented that he had been offered either \$10,000 or \$20,000 to kill King."

Extensive further research in the St. Louis indices and files failed to reveal this information was if any way disseminated and the information simply reposes in the informant file.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

King

■ FROM PAGE ONE

Road, in the day and the man ran it at night.

John Ray acknowledged in an interview Friday that he had often gone to this headquarters to pick up Wallace literature for himself and friends, but said he did not remember meeting the man or the woman there or anywhere else.

He said he recalled seeing Wallace signs on the woman's home down the street from the tavern, but did not remember going in the house. He said that Wallace workers who had been at the house often came into his tavern, but said he could not remember their names. He said he did not remember to whom he had given his contribution for the Wallace campaign.

Ray said he had never been propositioned on the King assassination by anyone he met in the Wallace campaign.

The committee believes that the Wallace Canvasser may have conveyed an offer from Sutherland to Ray for these reasons, sources say:

The man, an engineer, had a cordial relationship with Sutherland. Both were active not only in the Citizens Council and the Wallace campaign but also in the John Birch Society.

The man was one of the most radical participants in the Citizens Council meetings. He often brought right-wing movies showing blacks rioting in the streets. He would make provocative speeches linking blacks and Communists and urging his listeners to take action to stop them.

A police source who attended some of the meetings described him as a shrewd, well-educated man who knew how to manipulate a crowd.

Sutherland was the driving force behind the formation in 1964 of the Citizens Council in St. Louis, a race-oriented organization opposing civil rights laws. He was its first president. In 1968 he was active in the Wallace campaign, serving

as an elector.

Some Citizens Council members told the Post-Dispatch that they did not believe that Sutherland was well acquainted with the man and woman who ran the Wallace office.

The first meeting of the council was Oct. 10, 1964 in the Electrical Workers Hall on Elizabeth Avenue. Sutherland presided and 125 attended. A news account says Sutherland condemned the Supreme Court and Congress for desegregation actions.

At the second meeting, Sutherland brought his friend Thurman Sensing to town to speak. Sensing was executive director of the Southern States Industrial Council on which Sutherland served as board member. The group, now called the United States Industrial Council, opposed civil rights laws in addition to lobbying for industry legislation.

Sensing was an ultra-conservative who said in a speech after King was assassinated that the resulting rioting was the civil rights leader's fault.

Well known segregationists Sheriff James G. Clark of Selma, Ala., and Lester Maddox of Georgia, followed Sensing to town to speak to the Council.

Baum says that Sutherland began dropping out of Citizens Council affairs in 1965, but committee sources say he was still deeply involved.

A police intelligence source supports Baum's version. The initial meeting of the Council in 1964 had been composed of middle-and upper-class persons, the policemen said, but by 1967 and 1968 most of the membership was working class. Sutherland did not feel as comfortable with this crowd, he said.

But Sutherland was deeply involved in the Wallace campaign in 1968. Most of the top positions in the Missouri Wallace campaign were held by Citizens Council members, some of whom also were members of the Birch Society.

Panel Focuses On South St. Louis As Scene Of Plot To Kill Dr. King

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WASHINGTON — The House Assassinations Committee is focusing on a small group of south St. Louis segregationists — most of them now dead — in its investigation of the murder of the Rev. Dr. Martin Luther King, committee sources say.

Committee investigators say the group may have been the link between James Earl Ray, who pleaded guilty of the murder, and a St. Louis lawyer who may have wanted King killed.

Committee sources say they consider this avenue of investigation the most promising explanation of a conspiracy theory in the assassination of the civil rights leader in Memphis in April 1968. But they acknowledge that thus far they have little hard evidence to prove it.

The theory revolves around St. Louis members of the Citizens Council and the George Wallace for President campaign of 1968. Investigators have learned that members of those groups lived and worked in the vicinity of the former Grapevine Tavern in the 1900 block of Arsenal Street. The tavern, which went out of business in December 1968, was operated by John Larry Ray, a brother of James Earl Ray.

Investigators believe that John H. Sutherland, a St. Louis patent lawyer

This article was prepared by William Freivogel, Gerald M. Boyd and Louis J. Rose of the Post-Dispatch Staff.

and segregationist, contacted a south St. Louis man involved with him in several right-wing groups conveying a money offer for King's murder. At the time the man was canvassing businesses in the neighborhood of the Grapevine for the Wallace campaign.

The committee's theory is that the man could have mentioned the offer to John Larry Ray, who could have passed it on to his brother. John Larry Ray denied to the Post-Dispatch that any such proposal was made. Sutherland and the other man are dead.

Gordon Baum, of St. Louis, field director of the Citizens Council, has been subpoenaed to testify before the committee, and sources said other subpoenas are likely.

Baum, who was active in the work of the council and the Wallace campaign in 1968, confirmed in an interview that the committee appears to be scrutinizing persons who were connected with both groups in that period.

He accused the committee of "a systematic purge of right-wing groups in St. Louis."

The committee has held hearings on the King assassination and plans to continue them in November. The panel has heard testimony from Russell G. Byers of Rock Hill that Sutherland and another man offered him \$50,000 in 1967 to arrange for King's murder. Byers said he turned down the offer.

Investigators believe that Sutherland then contacted his acquaintance with the Wallace campaign, who was canvassing around the Grapevine.

The committee also has learned that a woman who was a top official of the Citizens Council and the Wallace campaign lived in the 2100 block of Arsenal Street, within 100 yards of the Grapevine.

The woman, who also is dead, often had planning meetings of the two groups at her home. The Wallace canvasser was a good friend of hers and together the two shouldered most of the responsibilities of the Wallace state headquarters. The woman generally ran the office, near Gravois Avenue and Morganford

See KING, Page 12

St. Louis Post-Dispatch

10/1/78

C.A. 75-1996
EXHIBIT 2

OLIVER B PATTERSON JR

SS # } 498-46-4876

12350 OLD HALLS FERRY RD

AGE } 34

FLORISSANT, MISSOURI, 63033

BIRTH DATE } 1/8/44

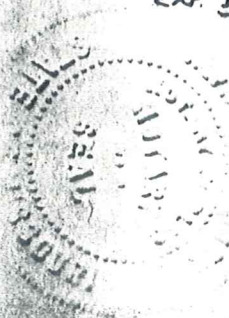
CITY OF BIRTH } ST. LOUIS, MO.

I hereby authorize the Federal Bureau of Investigation to give Harold Wausberg of Frederick Maryland 21701, copies of any and all records - on, about, or written by - me, wherever and however filed and of whatever form.

Oliver B Patterson Jr
OLIVER B PATTERSON JR.

October 28 1978

ALFRED C. BEATY
NOTARY PUBLIC STATE OF MISSOURI
ST LOUIS CO
EXP. DATE: COMMISSION EXPIRES JUN 6 1982
ISSUED THIRD MISSOURI NOTARY ASSN



State of Missouri }
County of St. Louis } ss. On this 28th day of October, 1978,

Before me personally appeared Oliver B Patterson Jr.
to me known to be the person whose name is used who executed
the foregoing instrument, and acknowledged that he executed the
same as his free act and deed.

In Testimony Whereof I have hereunto set my hand and affixed
my official seal in the county and state aforesaid, the day & year
first above written. Notary: *Alfred C. Beaty*

Date received
5/26/71

Received from (name or symbol number)
[REDACTED]

Date prepared
5/26/71

Received by
SA STANLEY F. JACOBS

Method of delivery (check appropriate blocks)
 in person by telephone by mail orally recording device written by Inform.

If orally furnished and reduced to writing by Agent:
Date _____
Dictated _____ to _____
Transcribed _____
Authenticated by Informant _____

Date of Report
5/16/71

Date(s) of activity
5/8-16/71

Brief description of activity or material
O. Patterson trip to
NSRP HQ, Savannah, Ga.

File where original is located if not attached
170-1767A-105

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE IN VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.
 Information recorded on a card index by _____ on date _____

Remarks:

Block Stamp
170-1767A-105
SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
MAY 26 1971
FBI - SAINT LOUIS

On Saturday, May 8 , 1971, OLIVER PATTERSON & wife LESLIE PATTERSON arrived in Savannah, Georgia to visit with J.B. STONER, DR. EDWARD FIELDS, JERRY RAY of the NSRP Headquarters and later expected RICHARD GEPPERT AND TERRANCE ROSE of the Granite City, Illinois Chapter of the NSRP. The PATTERSON'S checked into the Downtowner Motel Saturday night.


On Sunday, May 9, 1971, OLIVER PATTERSON called the NSRP headquarters at Montgomery Crossroads in Savannah and talked to JERRY RAY who answered the phone. JERRY RAY asked where PATTERSON was and OLIVER PATTERSON told JERRY RAY that the PATTERSON/S were in Savannah. RAY asked PATTERSON if PATTERSON had gotten in touch with J.B. STONER yet since arriving. PATTERSON said no. JERRY RAY proceeded to tell OLIVER PATTERSON about JERRY RAY'S brother, JAMES EARL RAY, escape attempt from prison in Tennessee. JERRY RAY said to OLIVER PATTERSON that JERRY RAY had happened to be in the vicinity of the prison at the time the attempt occurred. JERRY RAY said that JERRY had just been going to visit JAMES EARL RAY and that when JERRY heard about the escape attempt JERRY went to the prison and was questioned by both the warden and F.B.I. men as to why JERRY RAY just happened to be in Tennessee at the time of the attempt. JERRY RAY was interviewed by local newspapers and local television stations while near the prison. In the interviews, JERRY RAY TOLD OLIVER PATTERSON that JERRY had criticized the FBI in the interviews.

JERRY RAY tells PATTERSON how to get to the party headquarters and the conversation ended. OLIVER & LESLIE PATTERSON arrived at the NSRP headquarters at about 2:00 p.m. May 9, 1971.

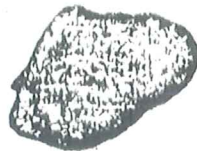


At the headquarters, when the PATTERSON'S arrived, were JERRY RAY, J.B. STONER, & PETER XAVIER. JERRY RAY, J.B. STONER & the PATTERSONS talked about JAMES EARL RAYS escape attempt & STONER was in the process of writing a letter to someone about the attempt disclaiming the whole thing because as J.B. STONER reasoned, who would plan an escape attempt through a 400° oven. JERRY RAY showed the PATTERSONS articles of the escape attempt and finally the conversation turned to JOHN RAY and the bank robbery in St. Charles, Missouri. J.B. STONER told the PATTERSONS that one of the jurors felt sorry for JOHN RAY after he had been convicted of the robbery. JERRY RAY, at that point, added "I wonder if anybody is gonna feel sorry for BOMAR" & then RAY and STONER looked at one another and laughed. JERRY RAY & PETE XAVIER left for Savannah Beach & J.B. STONER and the PATTERSONS went to a Red Lobster Restaurant across the street from the headquarters for lunch. STONER asked PATTERSON when PATTERSONS expected RICHARD GEPPERT & TERRY ROSE to arrive in Savannah. PATTERSON, OLIVER, told STONER that GEPPERT & ROSE were to arrive Monday, May 10, 1971, in the late afternoon after a gun show of RICHARD GEPPERT'S in Cincinnati, Ohio. GEPPERT had told O. PATTERSON to find out from J.B. STONER if STONER was going to attend the Jacksonville, Florida meeting scheduled for that evening and if J.B. STONER was to attend, be sure to wait for GEPPERT and ROSE so that they could go also. STONER said that he was not going to attend & that DR. EDWARD FIELDS was going to make the speech. After lunch, the PATTERSON'S went to Savannah Beach, Georgia & J.B. STONER went somewhere undisclosed. The PATTERSON'S checked in at Savannah Beach Day's Inn Motel which is located a couple blocks from J.B. STONER'S rented home.

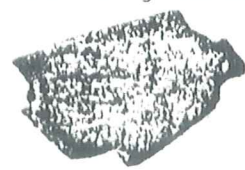
* Just before lunch, JERRY RAY & J.B. STONER both made other comments about getting BOMAR.



On Monday, May 10, 1971, the PATTERSONS arrived at party headquarters talked with J.B. STONER & JERRY RAY. Three girls in the office were very busy. JERRY RAY & the PATTERSONS left to take LESLIE PATTERSON shopping. OLIVER PATTERSON & JERRY RAY talked about JAMES EARL RAY & JERRY RAY said to OLIVER PATTERSON that JERRY didn't want to say too much but JERRY RAY knew, and the FBI knew, that there was another party involved in the killing of MARTIN LUTHER KING. JERRY RAY did say that JAMES EARL RAY was the one who pulled the trigger! OLIVER PATTERSON & JERRY RAY, while L. PATTERSON shopped, went to Ernie's A-Go-Go at the intersection of Hwy. 80 & Skidaway Road. JERRY RAY told O. PATTERSON that JERRY RAY only knew of a few places in town to drink & Ernie's A-Go-Go- was one of them. JERRY RAY & O. PATTERSON continued the talk about JAMES EARL RAY. JERRY RAY told O. PATTERSON that it probably wouldn't be the last time that JAMES EARL RAY tried to escape. JERRY RAY told O. PATTERSON that both JERRY RAY & JOHN RAY were both kind of upset over the fact that JAMES EARL WAS the oldest of the three but was the only one of the three boys to have all his hair and teeth. JERRY RAY & O. PATTERSON returned and picked up L. PATTERSON and went to one of the printers that the NSRP uses and picked up 300 mailers which were to be sent to the entire state of Michigan announcing a meeting in Flint, Michigan, the 15th of May, where NSRP leader, MIKE LANDIS, was coming from Chicago to speak. After picking up the mailers, & a shoe sized box of NSRP membership cards. JERRY RAY & the PATTERSONS returned to NSRP headquarters.



At the headquarters, the PATTERSON's helped JERRY RAY mail out the 300 notices of the Flint Michigan meeting by stuffing, stamping and sealing the envelopes. J. B. STONER made mention that the NSRP postage bill, per month, is usually right around \$800.00. The activity around the headquarters was at a rapid pace. the PATTERSONS left the headquarters for Savannah Beach and checked into the Veranda Motel, room 46, where they stayed through Saturday morning, May 15, 1971. Just as the PATTERSONS arrived at the room the phone rang & it was JERRY RAY telling the PATTERSONS that RICHARD GEPPERT & TERRY ROSE had arrived in Savannah and were heading for the Veranda Motel in Savannah Beach immediately. GEPPERT & ROSE arrived at the Veranda motel at approximately 5:00 p.m. and obtained room no. 47. The PATTERSONS, GEPPERT & ROSE went to the beach. J.B. STONER arrived at the motel at about 8:00 p.m. & JERRY RAY arrived shortly thereafter. The evening consisted of talk of hating niggers & jews & the fbi and of a card game. J.B. STONER left at 2:00 a.m. May 11, 1971 and JERRY RAY stayed to talk. O. PATTERSON, GEPPERT & ROSE listened to JERRY RAY talk about the "CAT MAN" witness against JOHN RAY and JERRY RAY told O. PATTERSON, GEPPERT & ROSE that someone had bloodied up the CAT MAN and tied & him to the back of a car and drove with the CAT MAN tied like that. JERRY said to O. PATTERSON, GEPPERT & ROSE that the day after this happened to the CAT MAN that the CAT MAN came to JERRY RAYS sisters house in St. Louis & told JERRY RAY, JERRY RAYS dad & his sister that he was going to file 3 charges against JERRY RAY for doing this to the CAT MAN unless JERRY RAY gave the CAT MAN money to keep quiet.



JERRY RAY, his sister, and his day, told the CAT MAN to beat it. JERRY RAY Left St. Louis the day before JOHN RAYS sentencing because JERRY RAY thought that this might be brought up in court and hurt JOHN RAYS chances. JERRY RAY left at about 2:45 a.m. (Before JERRY RAY left talk revolved around BOMAR, JOHN RAY & doing things "In the dead of night" to different people including BOMAR, BUT doing these things individually to lessen the chance of being caught.)

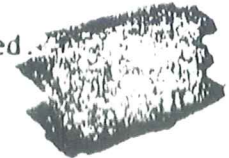
Tuesday, May 11, 1971, after a full day at the beach with GEPPERT & ROSE, O. & L. PATTERSON, RICHARD GEPPERT & TERRY ROSE drove into NSRP headquarters picked up J.B. STONER and drove to the nearby Oglethorp Mall for dinner. Hatred of niggers and jews was the main topic of conversation - although J.B. STONER did (surprisingly) tip his nigger waiter. After dinner all returned to NSRP headquarters. JERRY RAY showed GEPPERT, ROSE & THE PATTERSONS how JERRY RAY shot the burglar, BLACK, when BLACK was trying to steal the NSRP records. GEPPERT, ROSE & PATTERSONS returned to the Veranda motel and retired for the evening.

On Wednesday morning, May 12, 1971. O. PATTERSON, GEPPERT & ROSE went to the NSRP headquarters and picked up JB STONER & JERRY RAY and drove to Armstrong College where J.B. STONER was scheduled to speak at 12:30 in front of a political information group on the campus. While at the headquarters though, a couple by the name of Lippert (sp?) driving a maroon Corvair, came to attend the speaking engagement also. J.B. STONER acted very cold toward the LIPPERTS. On the trip to Armstrong College the LIPPERTS followed O. PATTERSONS car and JB STONER told GEPPERT, ROSE, JERRY RAY & O. PATTERSON that STONER thought that LIPPERTS were fbi infiltrators so steer clear of the LIPPERTS.



At Armstrong College, J.B. STONER spoke to an overflow crowd of better than 300 students and flanking STONER on the stage were JERRY RAY & RICHARD GEPPERT. ROSE & O. PATTERSON stayed at the edge of the stage behind the curtains to ward off any possible attacks from the rear. O. PATTERSON had parked his car directly behind the auditorium so that if a hasty exit was necessary they would be prepared. STONERS speech consisted of hating niggers & Jews, the federal reserve system & the screwed up nigger postal system, etc. Upon completion of the speech questions were asked by the audience and J.B. STONER answered the questions and then STONER was hustled back out the rear door without any trouble. STONER, GEPPERT, ROSE, JERRY RAY & O. PATTERSON on the trip back to headquarters reflected that all the hecklers were niggers or sheenies, but that there was a group of loyal whites scattered throughout who listened but were afraid of the Jews & niggers to come to JB STONERS defense.


DR. EDWARD FIELDS & his wife & J.B. STONER arrived at the Veranda Motel at about 8:30 p.m. Wednesday evening, May 12th. Topics of conversation were niggers, sheenies, & RICHARD GEPPERTS Nazi war medals. STONER, DR. FIELDS & his wife left the motel around 10:30 p.m. & GEPPERT, ROSE & THE PATTERSONS watched the 11:00 news to see the film clips of J.B. STONERS speech at Armstrong College. GEPPERT was very anxious to see GEPPERT on television and talked of the day when he would become head of the NSRP. Conversation ended and all parties retired.



On Thursday, May 13, 1971, GEPPERT, ROSE & O. PATTERSON went to the NSRP headquarters at about 11:00 a.m. The secretaries at the headquarters ran off a list of subscribers to the NSRP "THUNDERBOLT" for the entire state of Missouri and three zip codes in Illinois - (620 to 623) These were given to GEPPERT, ROSE & O. PATTERSON. PATTERSON, GEPPERT & ROSE did menial work around the filthy headquarters and then returned to the Veranda Motel at around 3:30 p.m. At the motel GEPPERT, ROSE & O. PATTERSON clipped and pasted the addresses on individual index cards. GEPPERT made mention of the fact to ROSE & O. PATTERSON that A.O. KERN could not see these records. J.B. STONER arrived at the motel at about 9:00 p.m. and once again GEPPERT, ROSE, STONER & O. PATTERSON talked of their hatred for niggers and jews. STONER left by midnight.

On Friday, May 14, 1971, GEPPERT, ROSE & PATTERSONS went to the NSRP headquarters and RICHARD GEPPERT picked out \$125.00 worth of NSRP literature, medals and patches, etc. to bring back to St. Louis to sell to local NSRP members. It was also decided that O. PATTERSON would be official photographer since ~~he has~~ O. PATTERSON has a Polaroid camera. While GEPPERT picked out his material, ROSE & PATTERSONS copied names of right wingers in Illinois (zip code 620 to 623 that were on an IBM list of people who have at one time or another subscribed to right-wing literature). TERRY ROSE asked DR. FIELDS how the NSRP attained this national huge list of names & DR. FIELDS refused to answer. DR. FIELDS' wife asked the PATTERSONS if the PATTERSONS would like to go dancing and hear a great Chicago band. Friday night the PATTERSON met the FIELDS at ~~their~~ the FIELDS home and proceeded to the Esquire Bar in PATTERSONS car. DR. FIELDS made


DR. FIELDS and his wife go there every available Friday night. While walking in the front door of the Esquire bar the FIELDS & PATTERSONS ran into the FIELDS good friends RANDY & JANE GOULD. JANE GOULD used to be a secretary at NSRP Headquarters and RANDY GOULD is a sheetmetal apprentice. THE PATTERSONS, FIELDS & GOULDS all sat together and ordered a drink. The music started and the band, the CHICAGO FENDERS, were just as wild and loud as can be imagined! When one could hear over the music, DR. FIELDS mentioned that he would like to see the PATTERSONS come to Los Angeles and that DR. FIELDS and family were going to spend three weeks on their way to Los Angeles to a national meeting of the NSRP stopping and speaking in all major cities on his way. (DR. FIELDS is a chiropractor). DR. FIELDS said that there should be over 1,000 people in Los Angeles. J.B. STONER had mentioned that he was not and would not attend but STONER did not make mention as to why. DR. FIELDS told the PATTERSONS that they (the PATTERSONS) would not be treated as the common people attending but that the PATTERSONS would be invited to all the gala doings and meet all the right people at the meeting. DR. FIELDS also mentioned that once a month DR. FIELDS drives to Atlanta, Georgia to get the Thunderbolt printed as otherwise the editor fills in the vacant spaces with recipes and jokes. (Earlier in the week J.B. STONER had inferred to the PATTERSONS that the headquarters would eventually be built from the building fund in Savannah because the police in Savannah were more sympathetic than elsewhere. Particulary wherethe headquarters had once been. DR. FIELDS said that they were 90% sure that the headquarters (new) would be in Atalanta or right outside of Atlanta. While the PATTERSONS were with



GEPPERT, ROSE, JERRY RAY, & J.B. STONER were in GEPPERT & ROSE's room at the Veranda Motel waiting for O. PATTERSON to return for a poker game. PATTERSONS dropped off Dr. & Mrs. FIELDS at their home and returned to the Veranda Motel at 2:15 a.m. Saturday, May 15, 1971. J.B. STONER & JERRY RAY had gone home, GEPPERT & ROSE were sleeping.

Saturday morning GEPPERT & ROSE checked out of the motel and went to headquarters. Shortly thereafter the PATTERSONS checked out and went to headquarters. When PATTERSONS arrived at headquarters TERRY ROSE was in the process of cleaning 7 guns that belonged at the headquarters. ROSE removed the safety from J.B. STONER'S pistol so that even with only one bullet J.B. STONER could fire the gun. But, ROSE pointed out to STONER that all the guns were in disrepair from not cleaning them and particularly J.B. STONER'S automatic pistol which even needed a new barrel because of nonuse and cleaning. Talk was mentioned between STONER, RAY, PATTERSONS, GEPPERT & ROSE of an International Right Wing Convention to be held in August or September in Spain. After much talk it was decided that RICHARD GEPPERT should find out more information about the trip and J.B. STONER said that he definitely would go as did GEPPERT AND ROSE. PATTERSONS said that they would like to but would have to see. STONER suggested that maybe enough members would want to go to charter an entire plane to Spain for the meeting. When GEPPERT received more information on the conference more plans will be made.

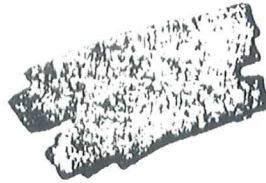
dr. FIELDS told GEPPERT, ROSE & PATTERSONS that if DR. FIELDS had a speaking engagement in July in Chicago, Illinois and would try to set up a speaking engagement in St. Louis of greater magnitude and advance notice than the Edwardsville meeting held a few months back with J.B. STONER.



At noon everyone said goodby and J.B. STONER led the PATTERSONS, in their car and RICHARD GEPPERT & TERRY ROSE in ROSE'S car, to the proper highway exit for return to St. Louis. The PATTERSONS & GEPPERT AND ROSE returned to their homes in the St. Louis area Sunday, May 16th.

NOTES

LIPPERT works at some kind of helicopter manufacturer in Savannah and started working there in the last year.



INTERVIEW WITH OLIVER PATTERSON ON SEPTEMBER 15, 1978,
BY THE SELECT COMMITTEE ON ASSASSINATIONS, IN THE OFFICES
OF MELVIN WULF IN NEW YORK CITY, ATTORNEY FOR OLIVER PATTERSON

WOLF: It is now approximately 1:10 and it's September 15th, 1978, and we're in the offices of Melvin Wulf in New York City, who is the attorney for Mr. Patterson. Present are Mr. Patterson, Mr. Wulf, Mr. Melvin Wulf, Jack Moriarty and myself James Wolf of the Select Committee on Assassinations.

And, Mr. Patterson are you aware that this conversation is being tape recorded?

PATTERSON: Yes.

WOLF: And do we have your permission to tape record this conversation?

PATTERSON: Yes.

WOLF: Mr. Patterson, when did you first become aware of the existence of the Select Committee on Assassinations?

PATTERSON: Uh, during late January, early February. I don't remember the exact date. Uh, the FBI, Jim Haggerty went to my parents house looking for me. My mother called me and said that Jim Haggerty was there, I didn't even recognize his name. It had been so long since I'd talked to Jim Haggerty. He, my mother put me on the phone with Haggerty and he reminded me that he was a friend of Stan Davidson(?) who was an FBI contact that I had from years previous.

WOLF: Did he -- He called you from your mother's house?

PATTERSON: Right. And, we made arrangements to meet the next morning at Sambo's Restaurant up near my house.

WOLF: He didn't say what year.

WOLF: That's of 1978?

PATTERSON: This year 1978.

And the next morning we met up at the, the Sambo's Restaurant the next morning about nine or ten a.m.

WOLF: And who was present?

PATTERSON: Jim Haggerty, myself and another - another agent with Jim Haggerty, I don't recall his name, and at that point they told me to help out the Select Committee on Assassinations. And I did not, I wasn't aware of the Committee at all, and they told me about the existence of it and that the Committee would probably be in touch with me within two weeks or so concerning an FBI report that I had written in 1971.

WOLF: That you had written in 1971?

PATTERSON: Right.

WOLF: Or did you provide information to someone from the FBI you worked with before?

PATTERSON: There was, uh -- The Select Committee has a copy of that, I also have a copy of it. It is my life and I wrote it and I typed it. And, there is a statement in there that was brought to my attention, the one on page 3, I gave the statement on page 3, that this was probably the reason why the Select Committee was getting in touch with me. Uh, I told them at the time that I didn't really understand what they were talking about, what the Select Committee was doing at all. I had no idea, so, uh, I thought about what they had said that evening and the next morning or either that night or the following night, the evening in other words of the meeting or the following I wrote Jim Haggerty

a letter at the FBI headquarters in St. Louis telling him I didn't want no part of it, to leave me out of it. That when I was originally involved with the FBI they told me that it had ended. And I didn't want any part of it, to leave me out of it, use any excuse they had to keep the Select Committee and everybody else away from me.

WOLF: Now during your meeting what did Mr. Haggerty indicate the Select Committee wanted?

PATTERSON: It was very sketchy. I don't think he was making it sketchy. I think it was just that I didn't understand it. I thought possibly that I had a choice of being in touch with the Committee or not.

WOLF: Right. Did you indicate during that meeting that you were opposed to getting in touch with the Committee?

PATTERSON: No.

WOLF: Did you indicate that you wanted to get in touch with the Committee?

PATTERSON: No. I said -- I just said, I guess if they are gonna call on me, they are gonna call on me, you know. But I thought I had a choice, and I don't, if it's just about that statement and that's all it amounts to, then that's fine. But don't -- When I started thinking about it, I wrote the letter later on that evening or the next day, I'm not sure.

WOLF: Did he say who from the Select Committee would be in touch with you?

PATTERSON: No, Investigators. And I would probably be subpoenaed. And I think that's what prompted some feeling about, you know, well then I --

WOLF: Did he say in connection with which case the Select Committee wanted to interrogate you about, or ask you about?

PATTERSON: He showed me the FBI report that I just mentioned. It was written in May, 1971, and it was about a trip to Savannah, Georgia where I had met Jerry Ray, and showed me page 3 which had been written by my wife and I, at the time I was married. And there is more details about that report that was - it was an erroneous report in the first place. Because --

WOLF: Your report was erroneous?

PATTERSON: Right. It quotes Jerry Ray as saying that my brother pulled the trigger or something to that effect. If I can find the report here. But he said "my brother pulled the trigger" on that particular page, page three. Here's the report, I don't know if you've seen it.

WOLF: No, I have not.

PATTERSON: The Select Committee has a copy of it. And they have -- I signed a waiver saying that they could get all my files from the FBI.

WOLF? This is, for the record, dated May 16th, 1971, and the number on the report is 170-1767A-105. And, you're referring to page three of that report?

PATTERSON: Right. It refers to a trip really that took place between 5/8 - 16th of '71, and it's page three and it quotes "Jerry Ray did say that James Earl Ray was the one who pulled the trigger." The agent lived near my house, Stan Jacobson, whose name is also on the report. Stan Jacobson lived within a mile and a half from my house or so, in Florissant. What he would do

when something major arose such as that statement he would come by and read the report. He pulled page three out and said to leave everything else in it. At the time there was possibly three to five, possibly five to ten contradictory statements of Jerry Ray.

WOLF: Well, did you type that whole - did you type that whole report?

PATTERSON: My wife did.

WOLF: Your wife did.

PATTERSON: As I recited it. This is not the original page of the report. Okay, do you understand what I'm saying?

WOLF: No. Could you explain that

PATTERSON: On the original page of the report that we showed Stan Jacobson, three days or so after we had written it, Stan Jacobson said that he'd pulled the page out of the report and said retype this page delete all of the contradictory remarks, leave the one, leave this one in. Jerry Ray was the - James Earl Ray was the one who pulled the trigger, quote unquote, Jerry Ray. We pulled the page out, we typed it as he told us to, we filled in the spaces with mickey mouse information, and, so that the page would come out to equal the other pages. At the bottom was a black mark, on each page is a black mark, that was my code name Bill, it covers up my code name.

WOLF: Do you have the original of the page three?

PATTERSON: No, it was destroyed the day that we did this. And, then probably as soon as we finished typing the page, or the day or two later we mailed it into Bruce Hudman(?) at a post

office box in St. Louis. Bruce Hudman(?) was the code name for Stan Jacobson.

WOLF: Now is the information in that report that you showed us now accurate?

PATTERSON: This page isn't.

WOLF: That page is not accurate.

PATTERSON: No, because of the contradictory remarks where Jerry Ray had said that his brother didn't kill King. Where Jerry had said it more times than this one statement. To the best of my knowledge I can only remember Jerry Ray saying that statement once, or anything near to that statement now and at the time. The rest of the time Jerry Ray has always said that his brother didn't do it.

WOLF: So on one occasion he said he did do it and similar -

PATTERSON: And we were told to delete -- And we were told to delete the rest of the contradictory remarks to that one statement.

WOLF: So the page though is accurate that he stated it on one occasion but you've deleted the times that he stated that his brother did not.

PATTERSON: Right. When -- When, two weeks later then I met, the Select Committee came to my house, two investigators.

WOLF: May I ask you -- Well, when you say two weeks later you're no longer referring to 1971, am I correct? When this report was prepared.

PATTERSON: Oh, right, exactly. Two weeks later from this January or early February. The Select Committee came, two

a tape recorder like that, or like that, or like any other tape recorder and a set of stereo earphones, and which you can plug right into this one for example on the monitor, and monitor it as it is going through it.

WOLF: How long after you first met Pete and Mel did you commence your trip to Marietta?

PATTERSON: It was within a couple of weeks. They sent, the time was moving so fast I didn't keep track of the dates and everything else. We were trying to -- I was trying to get this gal by the name of Donna Staple to go with me. And she eventually did come with me on the trip. They flew this report in - as you can see on the back - they flew this report in for me to read again and familiarize myself with it. It says TWA--

WOLF: Why don't we note, on the back it says TWA 1110-1218 then the next number is 561.

PATTERSON: Flight 561 and it came in at 11:10 or 12:18 or something, it was on a Friday.

WOLF: Who flew that into where?

PATTERSON: The Select Committee flew it into St. Louis, it cost 20 - Pete told me how much it cost, it cost 27, it was between 25 and \$30 I'm almost sure of it.

WOLF: Who was this flown in to?

PATTERSON: Well Pete Baetz picked it up at the airport. He brought it - at Lambert Field in St. Louis and he brought it out to my house and gave it to me.

I was suppose to read it before the trip to Marietta, but it just came in that morning and I didn't have time, I was packing and getting the other gal and her kids ready to go. So we --

or you know not unfounded, the statement had been said.

WOLF: A part from that statement had you provided other information to the FBI?

PATTERSON: What do you mean, over the years?

WOLF: Yeah.

WOLF:
PATTERSON: Oh yeah, it was gobbs of reports. /So was that the only statement that you provided that was inactual?

PATTERSON: I -haven't seen the other FBI reports. Uh, it happened when there was anything, anything that was major, such as, an example, that statement which was considered major, he - Stan would come by the house and read it, I remember it happening on more occasions than once, but I don't remember which reports, if I read the reports I could possibly pick it out and say that was the report.

WOLF: What -- What happened on more than one occasion?

PATTERSON: Well he would say leave this out.

WOLF: So you would prepare a report and submit it to him and then he would review it with you and you would change it.

PATTERSON: Right.

WOLF: And you would change it so it would be inaccurate?

PATTERSON: He would change it to say what he told us to put in it. He was the one that paid us.

WOLF: Well how many -- How many -- How many times did that occur that you -- yeah.

PATTERSON: It would be hard to say without seeing the reports, I would say there was probably over the years as, you know the --- (End of Side A, Tape One).

WOLF: Well, before that you had called Jerry Ray previous to that?

PATTERSON: No, this was, it started on almost the very first phone call, I believe. The very first phone call or the second phone call. J.B. was not. The monitoring started, the whole thing started right now. J.B. was not in, Jerry was not in. J.B. called my - returned my call.

WOLF: And what were you going to tell Jerry the reason for your call was?

PATTERSON: What's going on, I've got a subpoena, what is this.

WOLF: And why would you call Jerry?

PATTERSON: Because it involved James Earl Ray's brother. And that's why I would assume--

WOLF: And why would you call J.B. Stoner?

PATTERSON: Because Jerry Ray was living with J.B. and I'd met J.B. and Jerry together in Savannah years before. J.B. and Jerry have always been somewhat together.

WOLF: When was it that you met them in Savannah?

PATTERSON: '71 was the original time we met, later we met in St. Louis and other places. And when Jerry was in St. Louis -- But this was all previous to '73 - '74. And J.B. Stoner returned my phone call. At the time I was using a Panasonic tape recorder, I wasn't using this one, but I was using a Panasonic tape recorder.

WOLF: This was at your house?

PATTERSON: Right. We plugged the phone into the tape recorder.

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was going to get paid, could, for expenses. . .

Wolf: Expenses and employees get a salary.

M. Wulf: He's not making a claim for a salary, he's making. . .

Wolf: . . .What I'm saying, all witnesses get expenses.

M. Wulf: What about undercover or informants, what do they get?

Wolf: Nobody. The only people who get salaries are employees.

M. Wulf: What are undercover informants get?

Wolf: There aren't any who get any payment.

M. Wulf: They don't even get reimbursed for expenses?

Wolf: The only expenses anybody can get reimbursed for is as I explained to you is on the short statement. It would have to be a witness before the Committee. It would have to a sworn statement introduced before. . .

M. Wulf: Well he's got a job and. . .you going to reimburse him for today? You already, you've paid his expenses here, right? Is that the end of your liable responsibility, financial. . .

Wolf: Which expenses?

M. Wulf: All of the expenses he incurred on that trip to Florida for example and the trip back to Washington?

Wolf: I do not know whether or not he will be reimbursed for those expenses until the Chairman determines what the representations were made.

M. Wulf: Was, were Baetz and Waxman down in Florida with him?

advised him to state that Lane had no new evidence about the King case. Not only has Lane implicitly so indicated according to earlier Patterson reports to the same staff investigator, but James Earl Ray's recent public testimony before this Committee, with Lane as his attorney, confirms those earlier reports that there would be no "new evidence."

(3) Patterson also contends that the staff investigator advised him to claim that he was terrified of Jerry Ray and that such was the reason why Patterson wanted his relationship with the Committee out in the open, so as to perhaps discourage any harm that might come to him. In fact, Patterson had been warned by the FBI prior to the instant allegations that Jerry Ray had discovered his role with the Committee and that the FBI had reason to express concern for his safety because of such.

F. Threats of Incarceration

Patterson contends that the staff investigator threatened to send his girl friend, Donna Stayton, to prison if she revealed what she had learned of Patterson's role with the Committee. In fact, only after Patterson had initially contacted the staff investigator with the advice that his then disenchanted girl friend, who was acquainted with both Jerry Ray and J. B. Stoner, had knowledge of his sensitive posture, did the staff investigator caution her, out of a sense of concern for Patterson's security, that any disclosure on her part of his role could be construed as an obstruction of a Congressional investigation and therefore a

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Now quote me to her on that. I don't think she'd like to hear that but that's what my five year old used to refer to her as. Anyway so, but he was with all kinds of descriptions of how she was screwing Mark Lane probably. The only thing I could figure out, why is he telling me, is he trying to make me jealous or what was the purpose of this or significance of it. I never did figure it out. And he started saying that kinky, you know that's when the kinky stuff started (illigible) you know he's A.C., D.C., he's all, everything, and he said during this time, this was while we were running around, he said well, I said well where do we go from here. He said, you (illigible), he knows about the tape recordings; he knows about the stuff in Washington; he knows, I said well what do we do from here, what's he going to do, you know, what have you thought of? He said, well, we've gotten word, now this is what I thought was interesting, we've gotten word from the Memphis FBI, Select Committee's gotten word from the Memphis FBI that Jerry Ray is going to take (illigible) action against you and your family. I said, well how did the Memphis FBI get into this, did they have somebody that ran into somebody that ran into somebody that heard or knows. I said, well who they hear it from a jerk or somebody that knows what

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they're talking about. He said the sarge said of, what would be the next level up, not next level up but what would be, not irrefutable.

Wolf: A good source, (illigible)

Patterson: Yeah, a good source, yeah. I forget the exact term he used.

M. Wulf: Unimpeachable.

Patterson: No, it was a step down from that. Somewhat reliable. There you are. It's two steps down. From a somewhat reliable source, the Memphis FBI. . . learned of, learned of this threat against me and my family and they told me the Select Committee. He said the FBI will be contacting you this evening probably. So I said, what now. He said, well, there's three things you could do and there's maybe more. He said, one, you're going on vacation, you could go on vacation, just stay over there couple of months longer and (illigible) my brother just stay up there for awhile and see if it blows over, and this is not necessarily in this order, one, two and three, ok? I don't recall which order. He said, number two, you can hold a press conference and go public and that way they won't harm a government witness so that way you could be just about printed clear of the whole thing. Or number three you could talk to the Justice Department and the FBI and get them to change

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your name and everything (illigible). I said, well, I don't know. He said, you don't have to make up your mind now. This was Wednesday. He says you don't have to make up your mind now. Think about the different choices and you got, you know you got till Sunday to worry about this. It's no big deal. I said well all right. So we had stopped at a Gunnie's Restaurant in the meantime and gotten a coke and then we had to rush back because I had to get a haircut. So that ended and he said he would be in further touch. So at 6:00 the FBI came. Well, it was 6:00. A guy by the name of Dennis Mattox of the St. Louis Office of the FBI. He said, we understand Jerry Ray has made, he used the exact same terms that Pete did, has made (illigible) you know, might take (illigible) efforts against you to put the Committee, are you working for the committee? I said yeah. I said, see there's this girl and I said she might be on a couch with Mark at that time. I'd like to know how he found out. He said, you know, I was giving him information she had given me. I didn't know where she was. He said, well, you know, I said come on, so we finally went in and stayed in the house about an hour and I said, well where did you get this information and he said from the Select Committee. Now Mr. Stokes' statement says something

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different.

Wolf: Who does the FBI say. . .

Patterson: The FBI, yeah, the FBI wanted it, of course the FBI wanted it. The Select Committee told them to want it. In the words of Dennis Mattox, FBI agent, St. Louis.

Wolf: Do you know how to spell Mattox's last name?

Patterson: I think it's M-a-t-t-e-s. He gave me a card. I gave it to Mark Lane. But I called there later that night looking for him. I just asked for Dennis and they knew who I meant.

Moriarty: He was by himself?

Patterson: No, with another agent. I do not know, they said his name and I didn't catch it, and he didn't give me a card. I asked Dennis for one and he gave me a card and that's why I remember the name. It was M-a-t-t-e-s, I believe. Very close to it. And Stokes' statement, have you found it in there?

M. Wulf: Yeah, page 12.

Patterson: Ok. Stokes' statement says, in fact, Patterson had been warned by the FBI prior to the instant allegation that Jerry Ray had discovered his role with the committee and that the FBI had reason to express concern for his safety because of such. Ok? This is page 12, paragraph three or number three. (illigible) had been warned by the FBI prior to, that the FBI had reason to express

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concern for his safety because of such. Well Dennis Mattes told me that the Select Committee had told the FBI. Well right there I questioned it because of, . . .

M. Wulf: Let me just interrupt for a second and explain, you see the significance of that discrepancy (illegible)?

Wolf: Yeah.

M. Wulf: Ok.

Patterson: Right there is the first start of my questioning of what's. . .

Wolf: Did you ask Baetz about this?

Patterson: No, I don't ask questions. I just keep files, filling up my file cabinet. And when it gets full enough I do something with the information. In this case I had a press conference, ok. What the, that's what Dennis Mattes was wanting. Now, I got to thinking after they left, the FBI who I had been an informant for, I kind of knew how they operated. I certainly wasn't Jay Edgar Hoover, but I kind of knew how they operated, and it didn't seem right to me that the Memphis FBI Office has heard of a threat, that they would go to the Select Committee and then the Select Committee would go back to the St. Louis FBI Office. In fact, the Memphis FBI Office would go directly to Washington FBI or Director of the St. Louis FBI and then possibly and probably a few days later go to the Select Committee. But first to

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it if you're really interested in investigation, but we heard that Jerry Ray. . .

Wolf: (illigible)

Patterson: Well, let me go back, let me. . .two hours afterwards we heard that Pete Baetz had been flown back to Washington already.

Wolf: Two hours after what?

Patterson: The press conference story, ok. Right after the press conference started, we heard that Jerry Ray had been put under FBI surveillance because of the threats he had made to me and this was supposedly a release from the Select Committee to the papers, a press release saying this. Which (illigible) anticipation of why a press conference that they had planned. But what they didn't, when they didn't have the press conference they had planned all of a sudden they said, wait a minute, that's not the right press conference. You know, that's not the right press release. Jerry Ray's no longer under 24 hour surveillance. We don't know what they do. It would be interesting to determine what happened. But we did hear that. It came over, a newsman came in and told us that. Did you hear that Jerry Ray is just been put under 24 hour surveillance? I said, no, this has gotten to be a joke now. You know, the whole thing was adding in plight. That continued the rest of the

Donna and I were at my house and we had gotten into a fight not a fight but a quarrel and I'm trying to figure out the day exactly because - on Sunday I called Pete I said hey there might be problems you know I don't know I'm just going to tell you about them, you know. He knew all along that Donna knew.

WOLF: So you are just saying now that you had a quarrel?

PATTERSON: Yeah, that I had a problem. That I had a quarrel with him. Yeah but he knew all along, but all doing thing time don't forget even though Mr. Stokes doesn't deny my personal allegations. The personal allegations I made against Pete Baetz personally. Donna was there a lot of the times and as far as the pin ball machine goes Pete was there half and hour, four hours a day, investigating James Earl Ray and Martin Luther King from my house I doubt very much if you can solve many murder cases from the front or the back room of my house.

WOLF: Was Donna there at those times?

PATTERSON: A lot of times yes sir. And a lot of other people were. I have a lot of witnesses if you want affidavits from 10 people, I can get you affidavits from 10 people.

WOLF: Well maybe you showed some pornograph movies at times?

PATTERSON: Right.

WOLF: And other people were there besides from Pete Baetz?

PATTERSON: On occasions yes,

WOLF: Can you give us one or two of their names?

PATTERSON: He asked one specifically, I won't go into that now, okay. If I do I'll come up with affidavits to that effect as to who they are with their signed affidavits. But what I will do is do this, I have here and this will help to start getting some of this junk moving.

(Interuption) Anyway the reason, I'm not shying away from your question

CA 75-1996
EXHIBIT 14

THIS TAPE WAS RECEIVED BY JAMES WOLF FROM OLIVER PATTERSON AND
THE TITLE ON THE FIRST SIDE IS "BAETZ/8/6/76/EDWARDS/OFFICE/DIANE/COPY

Recording of Telephone Conversation by Oliver Patterson (Carl)
with Conrad Baetz

Operator 456, may I help you?

CARL: A collect for, from Carl.

OPERATOR: Thank you.

BAETZ: Hello.

OPERATOR: Good evening, I have a collect call for anyone
from Carl, will you pay for the call?

BAETZ: I'll take it.

OPERATOR: Thank you.

CARL: Hi.

BAETZ: Hello.

CARL: Hi. Okay, he called and I answered, damn it. He's
bringing a lawyer in from California tomorrow night, he wants
me to meet him at the Marriott. I said, fine, 9:00. So let's
get everything straightened away before then, because I said
fine and dandy. No problem, you know.

BAETZ: He's bringing a lawyer in from California?

CARL: And he wants to talk tomorrow night at 9:00 - meet
him at the Marriott.

BAETZ: Did he say what about?

CARL: No. You know. So that may be what he thinks is going
to break it, I don't know.

BAETZ: Well, we'll beat him to it.

Is he back in California now or what?

CARL: Huh.

BAETZ: Is he still here?

PATTERSON: Alright --

BAETZ: The fact that the Raoul thing was just pushing as a big joke and that there's evidence that it's a big joke.

PATTERSON: Yeah, just this stuff now that we went over. Alright -- that -- I mean, okay, that's fine. What, what else is going on.

BAETZ: (inaudible)

PATTERSON: Okay. He heard anything.

BAETZ: No, I just talked to him and he said they got a hold of this guy this morning and they said to call you right away because the guy may contact you -- He did.

PATTERSON: He already did, I know. Yeah.

BAETZ: Probably, if he gets out of there in time he'll catch a flight within the next hour or two and he'll be in there by noon.

PATTERSON: I know, but he said, what's his partner's name?

BAETZ: I don't know.

PATTERSON: I don't remember, he said -- he said it would either be him, and/or his partner, the two of them, the one of them, either one of them. There was a partner.

BAETZ: He's going to call you by noon?

PATTERSON: Yeah.

As soon as, he said they've got to get vouchers you know travel things or something you know.

BAETZ: Okay. He, uh, I'll tell you what -- Can you arrange to be home between noon and one?

(This is a second call on the tape beginning to take place now).

PATTERSON: Okay. Alright, what's going on.

BAETZ: Well, uh, I'll tell you about it when I meet you.
What do you think, can we hold off until tomorrow?

PATTERSON: Yeah.

BAETZ: I mean meet today but hold off on releasing the thing until tomorrow. One of the reasons is, the maximum impact, the Pope died about an hour ago, so the --

PATTERSON: You're kidding, he's cutting into my air time.

BAETZ: That's right.

PATTERSON: That Jew -- You'd think he was Jewish.

BAETZ: Listen, give me about 20 minutes, half an hour, I'm out at the airport.

PATTERSON: Okay.

BAETZ: How about meeting me -- give me a place. Jo Jo's?

PATTERSON: Yeah, fine.

(Appears to be end of telephone conversation for this period).

(Patterson is now dialing another telephone number).

(Phone is ringing).

VOICE: Hello. (The voice sounds as if it belongs to a woman).

PATTERSON: Hello.

VOICE: Hello.

PATTERSON: How are you?

VOICE: I'm fine.

PATTERSON: What are you doing.

PATTERSON: No more like locker room jobs which I don't know what that would include I have no idea. But he always referred to locker room jobs in country clubs in Chicago. That's where he was, the job that Ray had, when he was fired because James Earl Ray busted out because the FBI harrasment.

WOLF: He wanted to go back their, move to Chicago?

PATTERSON: Right, and get a job somewhere else, because he did have a lot of references in Chicago, good references.

WOLF: When you and he got to Washington did you check into the Quality Inn?

PATTERSON: Well, we left Marietta and Jerry played most of the time on the CB radio which I have in my car. We got to do very little talking and it drove him crazy, him playing on the CB radio. When we got to Washington, we left on a Saturday, we got to Washington Saturday night at the Quality Inn and checked in. Mark we picked up at the airport. We went out Sunday afternoon and saw Harold Weisberg.

WOLF: I'm sorry, you checked in on Saturday night and Sunday afternoon you wanted to go see Harold Weisberg?

PATTERSON: Harold Weisberg used to, I believe with Lesar, Jim Lesar use to represent James Earl Ray and he wrote the book Frame-Up, maybe he didn't represent him but he was involved with Lesar and therefore wrote the book called Frame-Up about James Earl Ray.

MORIARITY: And you checked in at the Quality Inn -

PATTERSON: Saturday night.

MORIARITY: Which one do you know?

PATTERSON: Capitol Hill, Capitol Hill, room 1009.

MORIARITY: New Jersey Avenue?

PATTERSON: Yeah. And Sunday afternoon we went out to the Harold Weisberg's who lives in Maryland, Frederick, Maryland.

and I, and Jerry had said that he was hungry and I said well I'll go out and find a donut shop and this is what got me out of the room. But I had to come back with some donuts or something anyway. So Mel drove around looking for an eateria, and we drove around and drove around and Pete and I in the back seat, finally found a donut shop out on some highway and we went in and brought some donuts and we ate in the car and brought a box of donuts to take back for me and Jerry early in the morning. And as we sat in the car at the donut shop and ate the donuts Mel - I mentioned the letter in the trunk. I said do you want to see the letter in the trunk? There was a letter in the trunk from Harold Weisberg, the one that Jerry had originally, Jerry and I had originally used that Sunday to find Harold Weisberg's house.

WOLF: From Harold to Jerry, and you had that?

PATTERSON: Yeah, it was in the trunk. We had thrown everything in the trunk.

WOLF: Oh you were using your car?

PATTERSON: Yeah we had all gotten in my car, Mel drove and Pete and I were in the back seat just sort of talking. I think that was that could of very possibly been the night before - that could have been late Sunday night - because of the fact that we had to get up early for Mark's press conference, number one, it could have been that was the reason we had to get up early. But I think the reason we sat in the back seat was because I had copies of what Mark was going to release. Mark had given us a bunch of copies and I had copies of what Mark was going to release about (inaudible) at his press conference. So, we Pete had read those in front of the Market Inn as we drove away and then when we got to the Dunk ' n Dounuts, it wasn't a Dunk'n Donuts it was another donut shop, someplace, and he I asked him if he wanted to read the letter from Harold Weisberg and he said "yes might as well".

So I got out of the car and Mel handed the key back and I got the letter out the trunk and in the meantime Mel had spilled his coffee in my car, I remember that, I do remember that. I got the letter and once again he got into the point of, of, as your patriotic duty, you know, you are a citizen, you're a patriotic citizen.

WOLF: This was, Mel and Pete were both there now?

PATTERSON: Yeah, and let's not forget Pete handed me the keys to get into the trunk with, okay. And I, at that point said here's a letter, you know after I got the letter out of the trunk I wasn't getting into the trunk for a spare time. I -

WOLF: Where was the letter?

PATTERSON: In the trunk.

WOLF: No I mean in a suitcase?

PATTERSON: No laying in the trunk. We had used it for directions, it had been sitting on a seat we cleaned out the interior of the car and had just thrown everythin in the trunk, and when we were getting ready to leave I was going to clean out the trunk and that's when I load the stuff in and rearrange, you know, get ready to go again.

MORIARITY: Where did Pete get the keys to hand you?

PATTERSON: Pete didn't hand them to me Mel handed them to me from the front seat, Mel was driving, they were in the ignition, okay.

MORIARILY: Yeah I thought you said Pete handed them to you.

WULF: Yeah you did, you mis - named him.

PATTERSON: I misnamed him. He handed me the keys I got out of the car I got the letter and I said her and he said you read it, you know, like I don't want to touch it. And we went, you know, in my mind I went back to this thing I'm not a cop. I can do anything they can't, you see. I mean that as an american citizen who is interested in my patriotic duty so I read the letter and put it back in the trunk and went back. The only thing that I did voluntarily the next day was copy

that letter. That's about the only thing I did voluntarily but I had thought of and that could of course come in under the heading of copying anything.

WOLF: What did you do with your copy?

PATTERSON: Mailed it - to Pete Baetz and the letter really didn't say that much, but then you know if they wanted it it was there, that type of thing. So we went back to the room, you know, the next day or whenever I did the copying and I did that oo.

MORRARIETY: You mailed him- you copied the letter and mailed it to them on your own initiative, say its the same letter that they didn't want to read they wanted you to read the day before, whatever?

PATTERSON: No they wanted me to read to them.

MORRARIETY: Yeah.

PATTERSON: But does that, when Mel said or when Pete said copy it all, does he mean copy that letter too, or does he mean just to copy whatever I found there, you know its a point of conjecture isn't it?

Find anything you can. It's a good question as far as that goes.

But as far as the map and the shaving kit I was specifically instructed to copy those the rest of it you can say that I did on my own or it fell under these guidelines. Now let that be your decision okay.

WOLF: What does that leave in terms of the various charges that-

WOLF: We still have to get to the N.Y. Times, even though they are on strike. When did you tell Pete that you had told Donna about what you had been doing?

PATTERSON: Okay, we'll go into that now. Right after, not right after, I don't remembr the date, I can find out the date specifically. Donna and I had a quarrel and Sunday I called to -

WOLF: Was this after your testimony?

PATTERSON: Yeah, this was after I had returned and everything else.

Dear Jerry,

4/11/78

The clippings with yours of the 8th are interesting. There is a problem with all of this that I'll come to but they are interesting enough. I'm returning them herewith.

Now on Lane's getting all the religious leaders together and their current demands, on the face that seems good. However, there remains the question - why did they wait so long? Do you think it is just because they had to be asked by Lane? A black Congressman asked Jackson in 1971 and others did later. Why now and not before? Even if like Jimmy figures, it makes no difference if they serve their own interest if they also serve his, it is not going to be that simple, especially if Jimmy gets a trial. Although there is no real evidence against him all the idle talk and all those lie detector tests and the silly notions he and Lane have will sprawl Jimmy on his face. I wish it were not so. You know I am not saying this for the first time. I've seen nothing to make me think otherwise. Nothing, certainly, in these clippings or anything Lane or Jimmy have said that I've seen in the papers.

When Jimmy walks because college students voted for him to have a trial after listening to Lane's crap, that'll be the day. But you don't have to tell me what Lane can do with an audience - he swings them. Like he's conned you. Or when he walks with "Racie as a witness - that, too, will be the day. Only a man who has as little interest in or knowledge of fact like Lane would dream of that. (She could have come out at any time, as I told you, but she had no place to go. This is no success for Lane - it was offered publicly more than five years ago because of what I did with a reporter.)

What I said above about the black ministers goes for the union. That was not overlooked, down there or up here.

On your appearance before the House assassins (Lane's other big deal) on the 17th with your friend - Jim, heard from John. He has been subpoenaed for that day, too. Now in driving up, check the road maps. I think you may be better off going up by the Shenandoah Valley (which is a beautiful drive anyway) and then taking US 15 from whatever that superhighway is. If you go to the east and you bypass Washington at Leesburg, Va., same thing. US 15 takes you to 7-8 minutes from here at Exit 6, inside Frederick. (If you come from Washington all the roads merge at Frederick and it is still the same thing.) At Exit 6W loop underneath the road you have just been on to the Holiday Inn you will see before you get to the exit. At that Holiday Inn turn right onto Baughman's Lane for about 5/8 mile, to a 4-way stop at Shookstown Road. Turn left there and stay on Shookstown Road for about 2 miles, to right after you start to go up the mountain. After you start to climb, maybe 4 city blocks, the first road is Old Receiver Road. Turn right for about .5 miles. You'll see my mailbox on the right but not the house, which is in the woods. Just follow the paved lane in. I won't be calling the Quality Capitol Inn for you or Oliver Patterson if you will be coming here first, but I'm glad to know where you'll be and the other name for that room. It is easy getting there from here, not much more than an hour and superhighway almost all the way - into Washington from here.

You are crazy about me and the FBI and them liking me or me them but I can't do anything about your kid notions so I won't try any more. But they did not kill King, whatever they may have done to him in the past. And this, too, will flatten Jimmy on his face.

Your speech on the Panama Canal on the steps of the Capitol will make Lane happy. It will help Jimmy, too. You'll see if you do it. I think you are plowing hard. Making it before the committee, if you do, will be making it without the press, as you'll see.

Glad you got to see Jimmy on the 3rd and 4th. When Lane files for a new trial in Memphis with a picture of the Raoul Jimmy identified I'll be interested in seeing who he is. Especially because Jimmy always insisted he'd never do this. Don't worry if you can't help the committee solve the crime - Lane will do it...It is true I look at the

bad side because the time comes when you have to face it. ... If Marc Lane is the only lawyer to run the case that is because you all held back when it might have helped to level with your defense. Generally speaking when the lawyer does not run the case the client pays for it in the end, as Jimmy has. ... Anyway, I do appreciate your calling me your "soul brother." In time you'll learn that I have always been honest with you and haven't cared about saying what you want to hear.

You don't say how you found Jimmy but from what you say about him and me I guess he is hopeful. I hope his hopes are justified.

Sincerely,

A handwritten signature in cursive script, appearing to be "K. K. K. K. K.", written in dark ink on a light background.



Southwestern Bell

100 North Twelfth Boulevard
St. Louis, Missouri 63101
Phone (314) 247-2527

T. Edward Umphres
Security Manager

November 2, 1978

Mr. Oliver B. Patterson, Jr.
12350 Olds Halls Ferry Road
St. Louis, Missouri 63033

Dear Mr. Patterson:

It is the Company's policy to notify a subscriber when we receive a subpoena or summons for the subscriber's toll billing records.

However, if there is a certification for non-disclosure in the body of a criminal or legislative subpoena or summons or an accompanying letter referring thereto, signed by the individual who procured the issuance of the subpoena or summons, notification will be deferred for 90 days from the date the information was furnished. These certifications are renewable for successive 90 day periods.

Accordingly, on August 7, 1978, we received a Subpoena from the U.S. House of Representatives, Select Comm. for your toll billing records for your telephone number (s) 355-1500. This subpoena contained a certification not to disclose for 90 days.

This Company, in response to this subpoena, furnished these toll billing records to U.S. House of Representatives on August 10, 1978.

Any questions you may have should be referred to the foregoing Conrad Baetz, #202-225-3138.

Very truly yours,

Ed Umphres

-3-

John Ray was arrested on October 27, 1970 and charged with the robbery of the Bank of St. Peters, St. Peters, Missouri. In his trial he was represented by J. B. Stoner of Georgia, leader of the National States Rights Party. John was convicted and sentenced to 18 years. He initially was incarcerated at Leavenworth, Kansas, but was transferred to Marion, Illinois in July of 1973. John Ray was paroled on September 15, 1978.

John Ray was also involved in numerous other bank robberies for which he was never charged. They include: Farmers Bank of Liberty, Illinois on October 17, 1969; Farmers and Traders State Bank of Meredosia, Illinois on January 28, 1970; State Bank of Laddonia, Missouri on June 11, 1970; and the Bank of Hawthorne, Florida on July 29, 1970. Additionally, it is believed that John was involved in the robbery of the Bank of Alton, Illinois on July 13, 1967.

Dear Harold:

Wednesday, 11/8/78

I will drop you a few lines to let you know a few things, some of it is in the attached letter. I expect you can see how they ran me off of my job. I'm not sending Lesar a copy of this letter, but you can give a copy to him, I stated that a copy was going to him on the bottom of the letter, but this was for the benefit of Blakey.

In your letter to Carol, you stated that a person name ~~XXXXXX~~ Clyde might testify against me. I do not know of a person name Clyde, other along with Earl Sattlefield. However it could be a person named Clarence Haynes. His Clarence case is a verry unusual case. Such As:

In June or July of 1970, Clarence (Haynes or Haines) was arrested along with Earl Sattlefield for robbing the Laddiona state bank in Laddiona, Mo. They released Earl Sattlefield. Clarence's Common Law Wife Ruby told me that Earl and his cousin or uncle of his named Robert McQuire (who owned McQuire Moving Co. where Clarence works as a mover part time) came to her house and took some money out of her basement. She told the FBI about it. McQuire told this Ruby that he did not want ~~me~~ to get into trouble with the feds, that if the FBI came around that he would give them the money. Ruby told the FBI what McQuire said. However they did not go to him. Later, The FBI arrested another party and stated that Clarence and this person robbed the Laddiona bank. A couple of months later I was arrested for robbing the St. Peters bank. A couple of days before I went to trial, They tried Clarence and this person who the FBI substitute for Earl Sattlefield. Clarence took the Stand and said that this person, him and me robbed the Laddiona bank. They were trying to get some retrial publicity on my part, is why they inject my name into it. However, this person had a good alibi where he was a couple of hundred miles away when the bank was robbed (The FBI as usual put up a couple of bank tellers to ID him through a stocking mask) and he was acquitted (the u.s. marshal told me most of the details and he said that you could tell that this man was innocent. However yet Clarence got caught in perjury. They Did not charge Clarence with perjury because it would had come out that federal district judge James Merrith (a former FBI agent) and the fbi put haines up to give this perjury testimony. That he would be given a few months (as Miller), But since he got caught in perjury they had to double cross him (to keep it quiet that it was they who was trying to send an innocent man to prison) and they sentenced him to 15 years. They claimed That Clarence was climbing the walls at the Kirkwood, Mo. jail saying he was double cross. In any event clarence got a writ writter in Marion prison who filed a writ stating that they welsch on the deal. They jerk him back and gave him an evidentiary hearing. They denied him and shipped him to a different federal prison from his writ writter, and then dismiss his case on the grounds that he did not appeal within so many days. Clarence cannot read or write. Clarence got out after five years and went to mcquire for this money and the feds put him back in prison. Earl Sattlefield testimony what convicted me of the St. Peters bank robbery.

will closed,



Robert G. Blakey
House select committee on Assassination
of Representatives
Washington, D. C. 20515

Dear Robert Blakey

11/8/78

I am unable to honor the subpoena which was served on me a couple of weeks ago, I would be happy to honor it but am unable to for the following reasons:

In April of 1978 I was told by Rufus 'Buster' Graham (u.s. bureau of prisons) and you (Blakey) that if I paid my own way to Washington (in complying with the 1st subpoena) that my money would be refunded upon ~~XXXXXX~~ arriving in Wash. and that my room and food was already paid for in advance. Thus, I paid my own way out of the prison release fund. However, upon arriving in Washington, the committee did not have a room reserved as they stated, but refused to refund my money. This left me stranded on the streets in a strange city, with only a few dollars left over from my prison release money. Later, I found out that this was yours and Rufus Graham's intention. Worse yet when I got my release money back from this committee a couple of months later, they chiselled me out of fifty dollars. This money was made working in the federal slave mill in the federal asylums, at the rate of \$3.00 hour.

In May of 1978, I was again subpoenaed to Washington. This time Father Zimmerman (of the Dismas House) suggested to this committee that a ticket and funds be made available--in advance--to pay for my trip. The committee sent a round-trip ticket and stated that the room was reserved and the food would be paid for, again upon arriving in Washington there was no reservation or food available. This left me stranded in the streets without funds. This time I used my prison release money on the activities which were conducted by this committee. I would have had to commit some type of felony to get off the streets, but fortunately my sister had a few dollars which she lent me. Later yet I had to borrow more money off of my sister due to defending myself against the u.s. commission which took action against me on the order of you (Blakey). paulk

In October of 1978, while I was at work driving a bus for the Airport Limousine service, I was served by this committee another subpoena. The subpoena was served by Mr. Waxman, and another person. The way the subpoena was served is very unusual. For instance, they went to all of the different parking lots and told the people what it was all about (b) Why wasn't the subpoena served at my place of residence? (c) Since I work from 4pm to midnight, wouldn't it have been more convenient for them to have served it within their normal working hours? However, did they make it a point to work overtime to get me fired?

Shortly after the subpoena was served, Bob Schaffer (co-owner of the airport limousine service with Anthony Sansone--A powerful politician in the St. Louis area) called me and said that Mr. Sansone (who's on the board of directors at the Dismas House) and Father Zimmerman came to the conclusion that it is best that I be laid off of my job. They took this action on account of on my days off I was riding the bus as a shotgun guard and telling other riders (Pilots and stewardess, etc.) that they were members of the FBI assassination squad and investigating me. Father Zimmerman and Mr. Sansone came to the conclusion that Mr. Sansone, and Mr. Schaffer's contract with TWA would be in jeopardy if such activities continued.

5) I find the action of the u.s. department of justice verry strange, for example on one hand, one of there branches (u.s. Parole commission) stated that I should have a job while being on parole, and on the other hand, another branch of the u.s. department of justice(FBI) follows me around to get me fired when I do get a job. It seem to me that since I'm under the care, custody and control of the u.s. (Commission that they should called the FBI and find out when are they going to quit getting me fired. Theres no reasons to spend time and money finding a job if the FBI are going to continue to get me fired. Furthmore this FBI tactic will cause me to commit some type of criminal action in order to lived. Which has been the u.s. department of justice goal for the past several months.

SUMMARY

I expect this committee can see that since I'm unemployed, broke, and cannot borrow anymore money from my relation that I'm unable to honor the subpena. the only way that I could honor such subpena is that a round-trip ticket and cash be made available to me. The cash alone amount to about two hundred(not including the ticket). I will not be left stranded in Washington again, so this bills is paid upon arrivial is over with. Lies trickery and deceit can only last so long.

P.S. Bob Schaffer(Co-owner of the airport Limousine Service) Telephone no. is 741-1231, or 383-5000.

Sincerely,

JOHN LARRY RAY
3541 Halliday
ST. Louis, Mo 63118

CC:
ATTORNEY JAMES LESAR
JAKE McCARTY, STAFF WRITTER
TIP O'NEIL, SPEAKER OF THE HOUSE
PAT PICKETT, U.S. PAROLE COMMISSION

178, St. Louis Post-Dispatch

SUNDAY, NOVEMBER 12, 1978

In Prison 7 Years

Panel's Evidence May Clear Convict

By WILLIAM FREIVOGL
Of the Post-Dispatch Staff

For seven years, Ernest Turley doggedly maintained from his Missouri prison cell that he had not robbed the State Bank of Laddonia in 1970. But while his family disintegrated, Turley saw his court appeals and parole applications fail again and again.

Now, as Turley finally is being paroled, the House Assassinations Committee has found new evidence strongly suggesting that he is innocent.

In a July 19 letter to Gov. Joseph P. Teasdale, the committee said that two men "have attested to the fact that they were actually the two individuals who entered and robbed the Laddonia bank."

Turley had not been involved, the two men said in statements obtained by the

committee, which was investigating the robbery because John Larry Ray was a suspect. Ray is the brother of James Earl Ray, the convicted assassin of the Rev. Dr. Martin Luther King Jr.

One of the men, Clarence Haynes, told committee investigators that because of a grudge, he lied when testifying against Turley in a trial eight years ago. Haynes, who is in prison for another crime, said his accomplice was James Rogers. Rogers, in jail for another bank robbery, confirmed that he and not Turley was the robber.

Turley, who is in the Magdala halfway house here awaiting parole later this month, says he should be pardoned, not paroled.

The American Civil Liberties Union says he deserves a pardon and is critical of Teasdale for not acting more promptly in considering the case. Executive Director Joyce Armstrong of the ACLU says she also wonders why Turley was kept in the state penitentiary for two months after state officials got the committee's letter saying Turley was innocent.

A Teasdale spokesman said a governor's aide has investigated the case. But consideration of a pardon must await a formal application, he said. Turley's attorney still is filling out the extensive paper work.

Turley's case has some bizarre twists. A jury found him innocent of the bank robbery charge in federal court here in 1970. But as he was walking down the courthouse steps with his wife and children, he was told that he was needed in the U.S. marshal's office for one other matter.

There, the Audrain County sheriff arrested Turley for the same robbery. After an almost identical trial in state court, he was found guilty and sentenced to 20 years in prison.

The ACLU argued that that was double jeopardy. But the U.S. Supreme Court said "dual sovereignty" permits

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FROM PAGE ONE

state and federal authorities to independently prosecute the same man for the same crime in the same way.

After eight years in prison, the world Turley left no longer exists. His wife divorced him, became an alcoholic and remarried. His stepdaughter, who says she depended on his guidance, left home at 14 and became pregnant at 15. His stepson turned to drugs and repeatedly was arrested.

While in prison, Turley contracted rheumatoid arthritis, which weakened his joints and makes manual labor difficult. He also lost about 20 pounds from his already gaunt frame.

But Turley insists he is not bitter. He still loves his ex-wife and wants to remarry her. Also, friends have offered free cars, jobs and other aid. However, Turley's letters from prison are filled with frustration. "If crying would help, I could fill my room," he wrote to Mrs. Armstrong.

Early in his prison term, Turley escaped. "He was just frustrated that he had been found innocent and then had been jailed," his attorney, Richard D. Baron, said. "He said he had an opportunity to escape and make a life for himself. The waiting and the lack of quick action on his court appeals had him frustrated."

The evidence against Turley seemed impressive. Four employees of the bank positively identified him, even though the robbers had women's stockings over their faces, distorting their features.

In addition, two Laddonia residents said they saw Turley in Laddonia, in Audrain County in central Missouri, the day before the \$13,000 holdup.

But Turley's attorney in the state case, Latney Barnes of Mexico, Mo., brought out at the trial that six persons who later made identifications were uncertain about identifying a picture of Turley right after the incident.

The witnesses were shown eight photographs and asked if the robbers were among them. Three of the witnesses did

not pick out Turley's picture. The other three said the photo of Turley was "similar" to one of the robbers.

"What I think happened is that they kept seeing Turley's picture and kept seeing him at these trials until they really thought they could remember him there in the bank," Barnes said in an interview.

Several of the witnesses, when told of the Assassinations Committee letter, stuck by their testimony.

Thomas I. Osborne, the former Audrain County prosecutor who tried Turley, also said he still was unconvinced of Turley's innocence. He questioned the credibility of Haynes, who now says he lied at Turley's trial.

Osborne said he prosecuted Turley after his acquittal in federal court because the county sheriff then, Harold Sulgrove, and the FBI agent on the case, William Duncan, were convinced of Turley's guilt. Osborne believes that Turley won acquittal in the first trial

because Haynes' testimony hurt the prosecution. Haynes said there were three men involved in the crime, but bank employees said there were two.

Haynes originally was supposed to be tried with Turley in federal court. But shortly after the trial began, Haynes changed his plea to guilty and testified against Turley. Haynes did not testify in the state case.

Turley's innocence was challenged on another point by one knowledgeable investigator who asked not to be named. Haynes may have lied to the committee in saying he never had been involved with Turley in a bank robbery, the investigator said. Prior to the Laddonia robbery, Turley, Ray, and Haynes were suspected of robbing two Illinois banks, he said. But an Assassinations Committee source said other evidence had ruled Turley out of those bank robberies.

Osborne said what hurt Turley most at the state trial was testimony by a St. Louis police detective, which undermined the credibility of Turley's wife, Pauline, a key defense witness. The detective said he overheard Turley's wife say after the first trial that "she had lied the last time she had testified for her husband, and that the next time that she wasn't going to lie for him any more."

Turley's defense was based on testimony by his wife and others that he was

in St. Louis on the day of the robbery working on his car with his stepson. He even presented a receipt from an auto parts company dated June 11, the day of the robbery.

During his prison term Turley frequently wrote to Mrs. Armstrong at the ACLU.

"For 19 years I have really worked hard and never stole anything," he wrote in 1975. (Turley served prison sentences in the 1940s and 1950s for larceny and robbery, but had a clean record after that.)

"Then I get in all this trouble and haven't did nothing. My mother was a Christian lady and I'll swear on her grave I am innocent of this charge. This is enough to drive a man nuts. I don't think a lot of people could take as much as I have."

A few days later, he wrote: "I suppose I talk too much. I guess it's because I haven't had a real visit in such a long time. No one comes up to see me. It really seems that 50 percent of the (prison) population is animals."

Three months later, he wrote: "This is really killing me. I just can't stand much more. I just can't stand another year here."

In 1976, he joined a church in Moberly.

"It was about time I did something good in my life," he wrote. "It has been a miserable wreck up until now and really still is because I'm in here. I'm still praying you will be able to do something for me on that pardon. For the latest news from here it's hell, a stab-

bing or killing every week. Had one yesterday got hurt and three today. It's so overcrowded...."

Those who knew Turley while he was in prison said he showed no bitterness, but never stopped trying to convince others, including penitentiary warden Donald Wyrick, that he was innocent. "It seemed like it was very important to him that I believe him," said Wyrick, who knew him well.

Turley's stepdaughter, Deana Aguilar, described in an interview the devastating impact Turley's confinement had on his family.

"Ernie had raised us since we were little. We loved him more than our real father," said Mrs. Aguilar, now 21 and living in Houston. "My mother always drank a little. But after he was put in jail, she stayed drunk all the time. She just gave up."

"We didn't have school clothes any more. I left home at 14 and was pregnant at 15 and again at 16. I missed school. My brother, who was a year younger, ran away from home and started sniffing (drugs). He started getting arrested. We only made it through because he and I stuck together."

Turley's release from prison was delayed by another irony, says one of his attorneys, Charles Werner. At one point it was held up several days only because all the halfway houses in this area were full. John Larry Ray, whose suspected involvement in the robbery led the Assassinations Committee to the new evidence in Turley's case, had taken the last halfway house place.

Type of Contact: Visit Telephone Date 6/7/78C.A. 75-1996
EXHIBIT 27In re: Name RAY, John Larry No. 86798-132Caller Robert BlakeyAddress Counsel to the House Select Committee on
Assassinations.Telephone Number FTS 225-9381

Relationship _____

Remarks:

Mr. Blakey called to inform us that subject recently testified before the House Committee on the Martin Luther King assassination and the involvement of his brother, James Earl Ray. It was the opinion of Mr. Blakey that subject perjured himself in his testimony before the committee. Mr. Ray was asked during the hearing whether he had committed a bank robbery in Alton, Illinois, along with his brother. Mr. Ray denied that he committed this bank robbery. He was asked whether he had committed other bank robberies including the bank robbery which he was convicted of committing in 1971. Mr. Ray denied under oath that he has committed any bank robberies in his criminal career. Mr. Blakey informed me that the committee has testimony from four other witnesses that conclusively establishes Mr. Ray's involvement in several bank robberies, including the robbery in Alton, Illinois. He also stated that the committee sought in executive session to refer this matter to the U.S. Attorney for the District of Columbia for a possible perjury prosecution. The committee also asked the Chief Counsel to provide this information to the Parole Commission for any action it deems desirable prior to Mr. Ray's parole date of June 16, 1978. Mr. Blakey said that he would forward a cover letter summarizing the above information to us as soon as possible and include a transcript of Mr. Ray's testimony in executive session before the committee. I informed him that it was possible for the Commission to reopen and retard the parole date in Mr. Ray's case based on the contents of his phone call but that the written information would be highly desirable before the Commission would actively render an order in Mr. Ray's case.

ROCK *Chicknell*

UNITED STATES GOVERNMENT

Memorandum

U. S. Parole Commission
8800 N.W. 112th Street
Kansas City, Mo. 64153

DATE: June 15, 1978
RECEIVED
JUN 16 1978

~~U. S. Parole Commission~~

TO : Mr. Benjamin J. Malcolm, Chairman
National Appeals Board, U. S.
Parole Commission, Washington, D. C.

FROM : *[Signature]*
Robert Vincent, Regional Commissioner
North Central Region

SUBJECT: RAY, John Larry
Reg. No. 86798-132

Mr. Ray, who has been most recently confined at Marion USP and presently resides at the Dismas House, St. Louis, a CTC, awaiting his parole release date of June 16, has recently given testimony before the Martin Luther King Subcommittee of the House Select Committee on Assassinations investigating Mr. Ray's brother's involvement (James Earl Ray) in the assassination of Martin Luther King, Jr. Information has been brought to my attention that Mr. Ray probably perjured himself before the House Subcommittee regarding his involvement in several bank robberies for which the statute of limitations has now run out. In addition, Mr. Ray was granted immunity from prosecution in his testimony before said Subcommittee. This information was conveyed with at least the indirect expectation that the Parole Commission might take action to rescind Mr. Ray's parole grant.

Mr. Ray was continued substantially over the guidelines for the criminal offense of armed bank robbery in which he acted as the driver of the getaway car. With a salient factor score of 5, he will have served 93 months in custody of the Bureau of Prisons on an eighteen-year sentence. We have been unable to determine whether the Justice Department intends prosecution regarding the alleged perjury. While sensitive to the needs of the Subcommittee to have adequate testimony from Mr. Ray regarding his activities and those of his brother in the summer of 1967, during the period of time of one of the alleged bank robberies (Alton, Illinois), I cannot at this time see a role for the Parole Commission to play in this particular instance. Mr. Ray, according to the Dismas House personnel, is performing well, presently employed, and has sufficient funds to support himself as he re-establishes in the community. He has been held more than accountable for the crime of his conviction, and according to my calculations, has been held accountable for multiple bank robberies if he had so been convicted,



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RAY, John Larry
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especially considering his particular culpability in the instant offense.

I believe that Mr. Ray's parole grant should be retarded, at least until the Commission can determine whether the Justice Department intends to prosecute Mr. Ray for perjury. I do not believe that a rescission hearing should be scheduled at this time, or that Mr. Ray should be returned to a federal institution until the issue of the perjury prosecution is settled. This case is referred to you under Commission rules and regulations found at 28 C.F.R. 2.34(b)(1).

bf