

II. EXEMPTION 7(C) CLAIM FOR INFORMATION PREVIOUSLY
WITHHELD UNDER "C.O." DESIGNATION

The defendant continues to withhold as exempt under Exemption 7(C) much information for which it originally claimed no exemption but simply asserted was nondisclosable because of an order entered in a non-Freedom of Information Act case that transferred the underlying records to the custody of the National Archives. The first difficulty with this claim is that it is not supported by any competent evidence in conformity with Rule 56 of the Federal Rules of Civil Procedure. The claim of 7(C) exemption for this material is based upon the Supplemental Affidavit of Michael E. Shaheen. Mr. Shaheen's affidavit does not state, however, that he has reviewed the excised segments and made a determination that they are exempt from disclosure under 7(C). Because his affidavit does not state facts which show that it is based upon personal knowledge, it cannot support a motion for summary judgment.

Secondly, Exemption 7(C) applies only to information which is compiled for law enforcement purposes. The defendant has failed to show, or even claim, that the information on Dr. King was compiled for a law enforcement purpose. It is in fact apparent from the Church Report which plaintiff has previously submitted as an exhibit in this case that there was no proper law enforcement purpose here. Rather, the FBI simply sought to harass and ruin Dr. King as party of a dirty and illegal political vendetta.

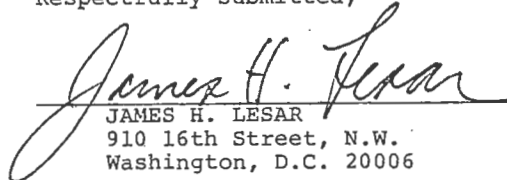
Thus, the only information in these records which can properly be withheld under the Freedom of Information Act is that material which qualifies for protection under Exemption 6. It is information of that sort, of an exclusively personal nature, which is precisely what plaintiff does not want. Yet defendant has not withheld any of this information on Exemption 6 grounds, in spite of the fact that its previous representations would lead one to believe that there is information in these excised segments which

definitely qualifies for Exemption 6 withholding.

Finally, defendant has simply described the excised information in conclusory terms. The affidavit of Mr. Shaheen, even assuming it was made on personal knowledge, is defective because it does not describe the kinds of invasion of privacy or the harm which would result from its disclosure.

Accordingly, on the present showing defendant can not meet its burden of demonstrating entitlement to the exemption claimed, and summary judgment on 7(C) grounds for these materials must be denied.

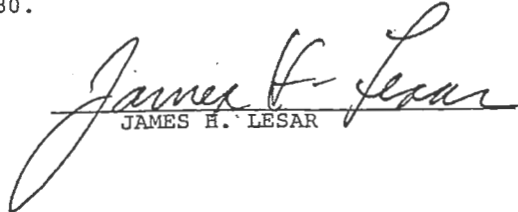
Respectfully submitted,


JAMES H. LESAR
910 16th Street, N.W.
Washington, D.C. 20006

Attorney pro se

CERTIFICATE OF SERVICE

I hereby certify that I have this 25th day of July, 1976, delivered a copy of the foregoing Plaintiff's Memorandum to the Court to the office of Mr. Dan Metcalfe, U.S. Department of Justice, Washington, D.C. 20530.


JAMES H. LESAR

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

.....
: JAMES H. LESAR,
:

Plaintiff,
:

v. :
:

Civil Action No. 77-0692
:

U.S. DEPARTMENT OF JUSTICE,
:

Defendant
:
.....

RECEIVED

JUL 25 1978

JAMES F. DAVEY, Clerk

SECOND SUPPLEMENTAL AFFIDAVIT OF JAMES H. LESAR

I, James H. Lesar, first having been duly sworn, depose and say as follows:

1. Much of my work is done at an office in the basement of my home, where I customarily type my briefs between midnight and 4:00 a.m. Because of my work habits and a lack of space at my downtown office, my basement office contains well over a hundred thousands sheets of paper related to my work. In addition to six four-drawer file cabinets crammed with papers, mounds of documents are piled on my desk, a table, coffee table, end tables, chairs, and the floor.

2. Sometime after the June 9, 1978 hearing in this case, I made an effort to file away several of these mounds of documents. While doing this, I came across a copy of the Appendix B materials which have been provided me in this case. As I punched holes in these documents and put them in a two prong file folder, I came across a copy of the July 17, 1968 report of Inspector G.P. Tines of the Memphis Police Department. Thinking that it had significance for defendant's claim of a blanket 7(D) immunity for Memphis Police Department documents, I did not file it but set it aside so I could make extra copies at my downtown office.

3. On Friday, July 14th, the Court's secretary called to ask if I could appear on Monday the 17th for a brief hearing on the Memphis Police Department records. I told her that I could not because I had to be in Illinois for John Ray's parole hearing.

4. Early on the morning of Sunday, July 16th, I typed up a brief Memorandum for the Court on the significance of the Tines report. After going to bed at 5:00 a.m., I arose at 9:30 so I could xerox copies of the memorandum and mail it to the court and counsel for the defendant before catching the 11:00 a.m. bus for Dulles Airport.

5. When I typed this memorandum I was unaware of any transmittal letter or other documents having any bearing on how the Department of Justice obtained the Tines report. I did not check Appendix B because it did not occur to me that any of the documents contained in it would resolve this question. I did hastily check the Task Force Report to see if it shed any light on this issue but concluded that it did not. I thought that it was highly likely that the Tines report had been obtained pursuant to the Stanton subpoena and said so in my memorandum. I did, however, further qualify this statement by asserting: "If this is true, it bears directly upon the credibility of Mr. Stanton's affidavit . . ."

6. When I returned to Washington, D.C. on Wednesday, July 19th, I phoned Mr. Dan Metcalfe, attorney for the defendant. During our conversation I asked whether he had received my memorandum. When he said he had not, I told him its contents.

7. A few minutes before the hearing on July 20th commenced, Mr. Metcalfe provided me with a copy of the September 20, 1976 letter from Mr. Frank C. Holloman to Mr. James F. Walker which shows that the Justice Department Task Force received a copy of the Tines report from Mr. Holloman.

8. Later that afternoon, Mr. Metcalfe called to inform me that the Department of Justice had decided to submit the Memphis Police Department documents to the Court for in camera inspection. I told him that after reading the Stanton Grand Jury subpoena more carefully, I seemed to recall that at least one of the items listed there had been disclosed either in the text of the Task Force Report or in its Appendix A. He asked that I call him about this after I had checked it out.

9. On Friday, July 21st, I called Mr. Metcalfe to inform him that Exhibit 1 to Appendix A had been obtained by the Stanton Grand Jury subpoena. That this is so can be seen by comparing the list of items on the subpoena with this exhibit and the reference to it at page 39 of the Task Force Report as "Part of Item 9 from MPD Miscellaneous Records." (Pages 37-39 of the Task Force Report, which give the content of this Memphis Police Department record, are attached hereto as Plaintiff's Exhibit 1. The map which is Exhibit 1 to Appendix A is attached hereto as Plaintiff's Exhibit 2)

10. I also told Mr. Metcalfe that Exhibits 2 and 3 to Appendix A appear to have been obtained pursuant to the Stanton subpoena. (These two exhibits are attached hereto as Plaintiff's Exhibits 3 and 4)

11. On the late afternoon of Friday, July 21st, a copy of defendant's Report to the Court was served on me at my home. I was somewhat astonished to read in it that I had "unqualifiedly assailed the veracity of the affidavit of Hugh W. Stanton, Jr. . . ." (Defendant's Report, p. 1. Emphasis added) As pointed out above, my memorandum stated that the circumstantial evidence made it "highly likely" that the Times report had been obtained pursuant to the Stanton subpoena and that "if" this were true, it undermined the credibility of Stanton's affidavit. I had thought that this expression of probability and the use of the conditional were qualifications.

12. Mr. Stanton's May 19, 1978 affidavit states, among other things, that:

Since being sworn as District Attorney General in March, 1974, the confidentiality of the entire investigative file has been preserved. Only under a Court Order have any documents or evidence been removed from the said file.

* * *

Never has it been, nor never was it intended that the documents released to Mr. Walker be made public. In all due respect to the Department of Justice and their representatives, I refused to release the requested documents to Mr. Walker without a Federal Court subpoena.

13. As I noted above, at least one and perhaps three exhibits to Appendix A of the Task Force Report were obtained pursuant to the Stanton subpoena. Defendant concedes that Exhibit 1 to Appendix A is among the materials obtained pursuant to the Stanton subpoena. (See Defendant's Notice of Filing, fn. 1) The implication of this is that either the Justice Department Task Force violated the agreement of confidentiality or there was no such agreement.

14. Over the past weekend I reviewed Appendix B to see if there were other materials which might bear on the question of the confidentiality of the Memphis Police Department records obtained by the Department of Justice. I did find such records. They do reflect adversely upon the credibility of the Stanton and Walker affidavits.

15. The Task Force apparently did not begin its efforts to obtain a very limited number of Memphis Police Department records until mid-September, 1976, five and a half months after it began its work. The focus of the Task Force interest in Memphis Police Department records appears to have been pretty much limited to records which the Task Force used to refute allegations that Mark Lane began to publicize in August, 1976. (Lane's sensational charge that he and Abby Mann had uncovered evidence that Dr. King's

security had been stripped away just before he was murdered was based on a distortion of the facts surrounding the removal of Detective Edward Redditt from duty at Fire Station No. 2. Redditt actually spied on Dr. King rather than providing him with security. Yet Lane's charge that Redditt's removal made the FBI and former Memphis Director of Fire and Police Frank Holloman the "prime suspects" in the King murder was believed by members of the Black Caucus who pressured the House Democratic leadership just before the 1976 presidential election into supporting the creation of the Select Committee on Assassinations.) Thus, although the evidence indicates there are at least 4,000 pages of Memphis Police Department records on Dr. King's murder, it is stated that only some 400 pages were obtained by the Task Force. Just how these 400 pages were selected without the Task Force first having taken notes on them, or at least having prepared a list of those it wanted to subpoena, is not yet clear.

16. An undated memorandum by Mr. James F. Walker in Appendix B states that on September 17, 1976 he attempted to talk to District Attorney General Hugh Stanton, Jr. in regard to "the MPD report concerning the threat on the life of former police officer Edward Redditt." (See Plaintiff's Exhibit 5) However, Stanton was too busy to talk with the Justice Department, so Walker was transferred to an Assistant Attorney General, Jim Allen, who in turn referred him to Chief Criminal Investigator John Carlisle. Carlisle told Walker he would not touch the file "unless he had a direct order from the Attorney General [Stanton]." However, Stanton was said to have left for the day, so Walker talked with Assistant Attorney General Allen again. Allen agreed to take the matter up with Stanton on Monday, September 20, 1976, and also promised that he or Carlisle would call Walker then.

17. According to another undated memorandum by Walker, when he called Carlisle on September 20th, Carlisle "indicated the AG had given him the ok to give me the information which I previously requested. He further stated that he had found a report containing the information." The report which Carlisle had located did not mention a threat on Detective Redditt's life, however, so Carlisle agreed to continue searching for the particular report that did. (See Plaintiff's Exhibit 6)

18. In a third undated memorandum, Walker states that he phoned Carlisle again on September 22, 1976. This time Carlisle had found the report which mentioned the threat on Redditt's life and he related its contents to him. According to Walker, Carlisle also stated that he could not send him a copy of the report unless Stanton authorized it. No mention is made of the need for a court order or subpoena to obtain it, however. (See Plaintiff's Exhibit 7)

19. On September 23, 1976, the same day that the Task Force received the copy of the Tines Report sent by former Memphis Police and Fire Director Frank Holloman (See Plaintiff's Exhibit 8), Walker phoned Stanton to request copies of certain Memphis Police Department records in Stanton's possession; namely, "(1) the Homicide Report relating to the assassination of Dr. Martin Luther King, Jr. and (2) the report relating to information given the Memphis Police by Philip Manuel regarding a threat on the life of police officer Edward E. Redditt." (See Plaintiff's Exhibit 9) Walker's memorandum on this conversation with Stanton goes on to state:

Mr. Stanton inquired whether I had subpoena power as he was reluctant to release any documents from the records in question. I informed Mr. Stanton that at this point we were attempting to secure information on a cooperative basis. Mr. Stanton said he was not saying he would not

give us copies in the absence of a subpoena. He then suggested that we make a formal request in writing for the records. When he receives the formal request, he will discuss the matter with the Memphis Chief of Police, since the records are actually theirs. He will then advise us accordingly. (Emphasis added)

Walker's account is at variance with Stanton's affidavit, which unqualifiedly states: ". . . I refused to release the requested documents to Mr. Walker without a Federal Court subpoena." Walker's memorandum, while undated, is apparently a contemporaneous account of the efforts to obtain copies of Memphis Police Department records. Stanton's affidavit, on the other hand, was written long after these events and is obviously self-serving, if not false.

16. A second contemporaneous record further discredits the Stanton affidavit. This is the September 29, 1976 letter from Carlisle to Mr. Fred G. Folsom of the Office of Professional Responsibility. The text of this letter makes it clear that after Walker's talk with Stanton on September 23rd, the Task Force made a written request for certain Memphis Police Department records, including the Tines Report. With respect to the request for the Tines Report, Carlisle states:

It has always been the policy of this office that no part of the file be released without a Court Order. However, in our endeavors to cooperate with your office, coupled with the fact that Mr. Walker has advised that members of your committee would not be returning to Memphis, an exception to this policy will be made, pertaining to the surveillance report, and a copy of same is herewith attached for your information.

(See Plaintiff's Exhibit 10)

In making the Tines Report available to the Task Force, Carlisle did not state that either it or its contents would have to be kept in confidence by the Task Force. Both the Tines Report and its contents were later made public by the Task Force. Thus, the evi-

dence negates any claim that this or any other Memphis Police Department records were acquired by the Department of Justice as the result of any agreement of confidentiality.

17. The memorandums and correspondence concerning the Memphis Police Department documents show that Stanton's office was initially quite uptight about the Task Force probe of the King assassination. As a result, Stanton's office stonewalled the Task Force requests for MPD records. However, when it became apparent that the Task Force did not intend to make a thorough investigation of Dr. King's assassination but would focus primarily on refuting certain baseless charges made by Mark Lane, Stanton's office began to cooperate. Ultimately, this led to connivance on a sham subpoena whose only apparent purpose was to serve as a device by which Stanton's office could provide the Task Force with records which it could use selectively while at the same time denying the public access to them. In all likelihood, the purpose of the subpoena was assist cover-up, not to protect confidentiality.

18. Over the past month I have made a more careful review of the excisions made in the Appendix C materials relating to the alleged security investigation of Dr. King than I was previously able to accomplish. From this review it is evident that many of the so-called "C.O." excisions made by the defendant in these materials did not protect anyone's privacy but did conceal the nature and extent of the FBI's illegal surveillance on Dr. King and others. (See Plaintiff's Exhibits 11-15, which afford a before and after comparison for five pages)

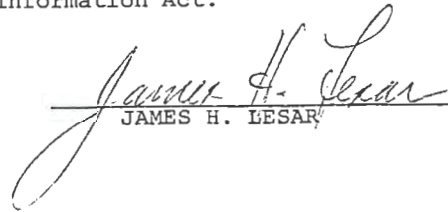
19. It is also evident that Exemption b(7)(C) has been used very heavily, and unjustifiably, to excise the names of FBI Agents, even where it is obvious that it is of some importance to know who these excised agents are. (See, for example, Plaintiff's Exhibit 16)

20. Similarly, defendant has frequently invoked 7(C) to delete the names of those with whom King met or talked. Even the name of the person who requested that he speak at Illinois State College has been deleted on the grounds that it would be an unwarranted invasion of privacy to reveal it. (Plaintiff's Exhibit 17)

21. One effect of hiding the names of people who met with Dr. King or who were overheard talking to him as the result of an illegal tap or bug is to prevent some of them from bringing suit against the FBI for damages.

22. My review revealed that defendant has used Exemption b(7)(D) to conceal the number of years that Stanley Levison's file reflected no communist activities (Plaintiff's Exhibit 18) and to excise the cities in which Ku Klux Klan meetings were held! (Plaintiff's Exhibit 19) In yet another bizarre use, the FBI invoked this provision to hide the words "Doctor felt King's condition due to fatigue." (See before and after versions of Serial 1488 on Exhibit 20)

23. Because these examples of excisions are obviously ludicrous, I can place no confidence whatsoever in assertions that any of the material withheld from me is properly deleted under the exemptions to the Freedom of Information Act.


 JAMES H. LESAR

WASHINGTON, D.C.

Subscribed and sworn to before me this 25th day of July, 1976.


 NOTARY PUBLIC IN AND FOR
 THE DISTRICT OF COLUMBIA

My Commission expires Dec. 14, 1981.

In this connection MPD Patrolman Willie B. Richmond and former Detective Edward E. Redditt, who conducted the surveillance of Dr. King and his associates from the fire station, were recontacted and specifically asked whether they had requested that Wallace and Newsom be detailed. Both Richmond and Redditt denied that they made such a request or had knowledge of any one else in the police department making such a request (Reinterviews of Richmond and Redditt, September 28, 1976, App. B).

Our investigation has not disclosed any evidence that the detail of Wallace and Newsom was in any way connected with the assassination of Dr. King. However, the circumstances surrounding the details strongly suggest that both men were detailed because they supported the sanitation workers and were considered to be a threat to the security of the surveillance of Dr. King conducted from the fire station by Patrolman Richmond and Detective Redditt.

e. MPD Tactical Units- Their Deployment and Activities on the Evening of April 4, 1968. When the sanitation workers of Memphis began their strike in February of 1968, the MPD either organized or beefed up various tactical units. Generally, each of these units consisted of 12 law enforcement officers from the MPD and the Shelby County Sheriff's Department.

These units were organized for the purpose of avoiding riots which other cities, such as Detroit, had experienced (Interview of Frank Holloman, former Director of Fire and Police for the City of Memphis, September 15, 1976, App. B). Documents obtained from the State's Attorney General (Item 9 from MFD Miscellaneous Records) show that on the evening of April 4, 1968, at the time Dr. King was shot, there were nine tactical units in service at various locations as follows:

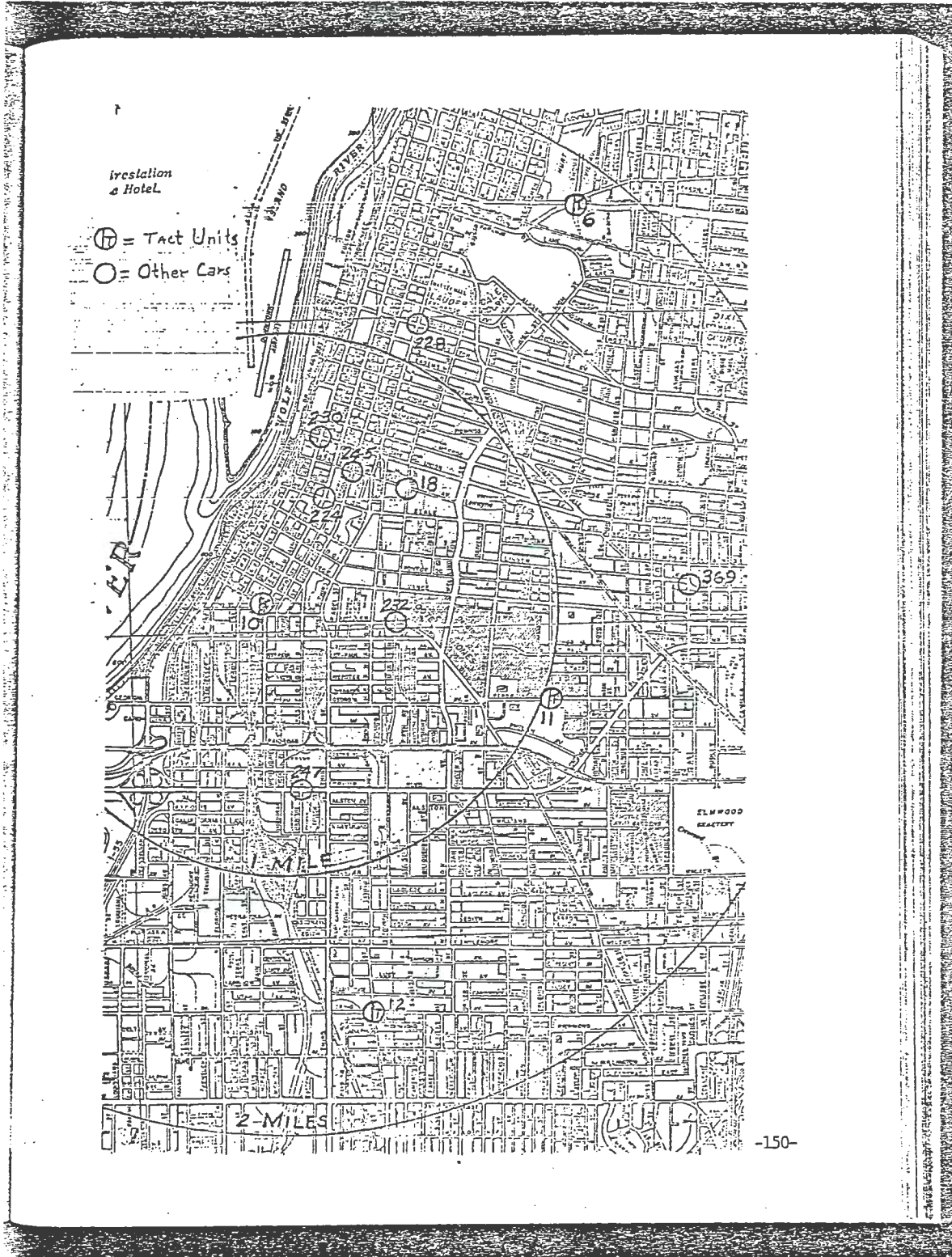
<u>Tact Unit No.</u>	<u>Street Locations</u>
6	Thomas and North Parkway
8	Jackson and Watkins
99	Chelsea and Watkins
10	Main and Butler
11	Georgia and Orleans
12	Trigg and Latham
13	Bellevue and Effie
17	Union and Bellevue
18	Fourth and Gayoso

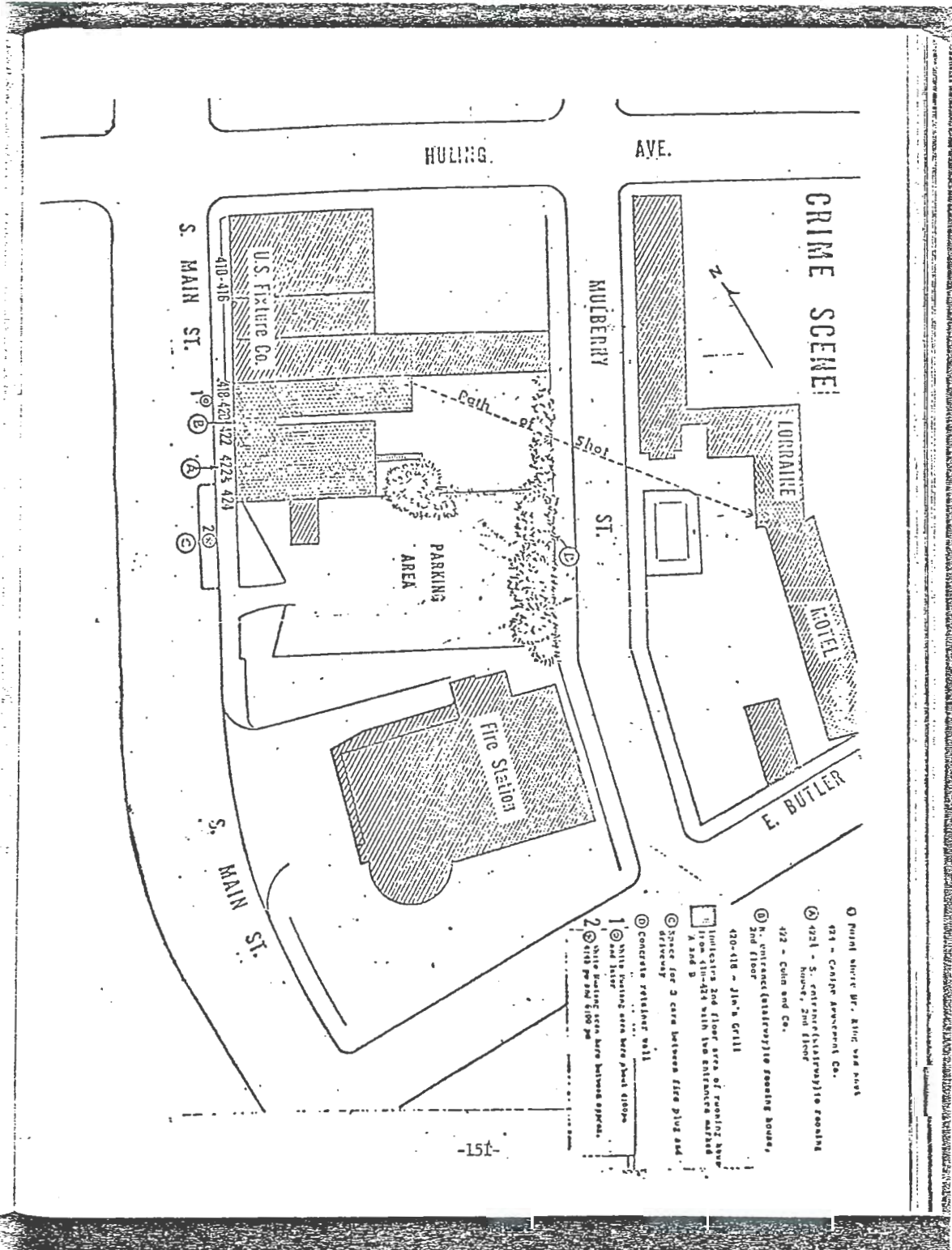
In addition to the tactical units, the documents obtained from the State's Attorney General show that there were ten regular police cars (with 3 to 4 men per car) in the general area of the Lorraine Motel. These cars were at the following locations at the time Dr. King was shot:

<u>Car No.</u>	<u>Street Locations</u>
224	Main and Beale
228	Third and Poplar
232	Fourth and Butler
230	Union and Front
236	Third and Belz
245	Second and Gayoso
247	Crump and Barton
365	Lamar and Bellevue
367	Poplar and Cleveland
369	Linden and East

The map (Part of Item 9 from MPD Miscellaneous Records, see App. A, Ex. 1) shows that Tact Units 10 and 18 were within a radius of one mile of the crime scene (200 block of Mulberry Street) at the time of the shooting; and Tact Units 6, 11 and 12 were within a radius of two miles of the scene. Tact Units 7, 14, 15 and 16 were located outside the boundaries of the map and are not shown. Cars number 224, 230, 232, 245 and 247 were within a radius of one mile of the scene and cars number 228 and 369 were within a radius of two miles. However, cars number 236, 365 and 367 were outside the boundaries of the map.

Particular emphasis is given to Tact Unit 10 and the activities of its men, as this unit was located at Fire Station No. 2 (S. Main and Butler) at the time of the





S. MAIN ST.

HULING AVE.

AVE.

MULBERRY ST.

CRIME SCENE

LORRAINE MOTEL

E. BUTLER

U.S. Fixture Co.

PARKING AREA

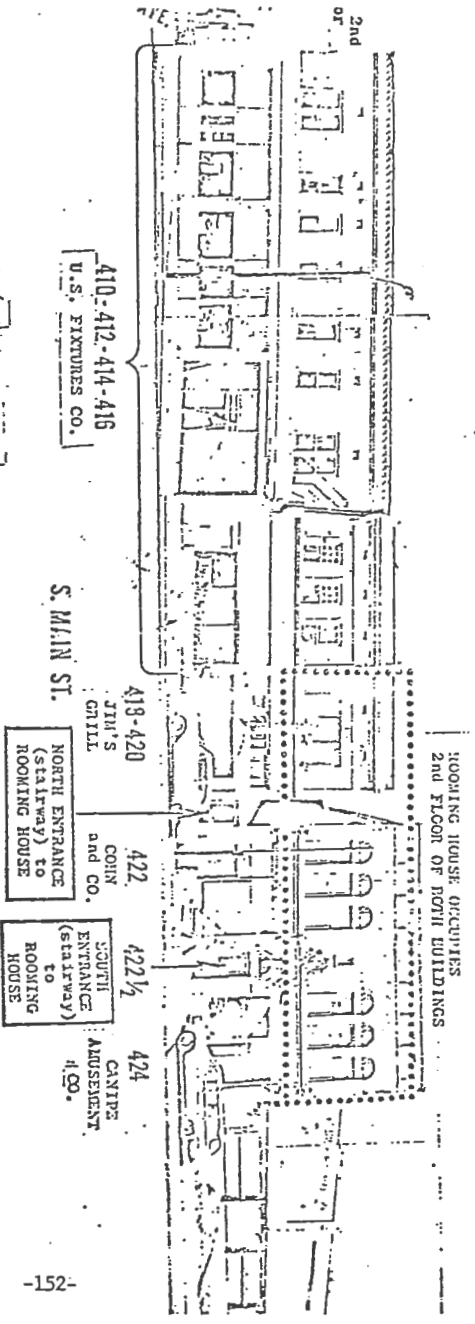
Fire Station

410-416
418-421
422-423
424

S. MAIN ST.

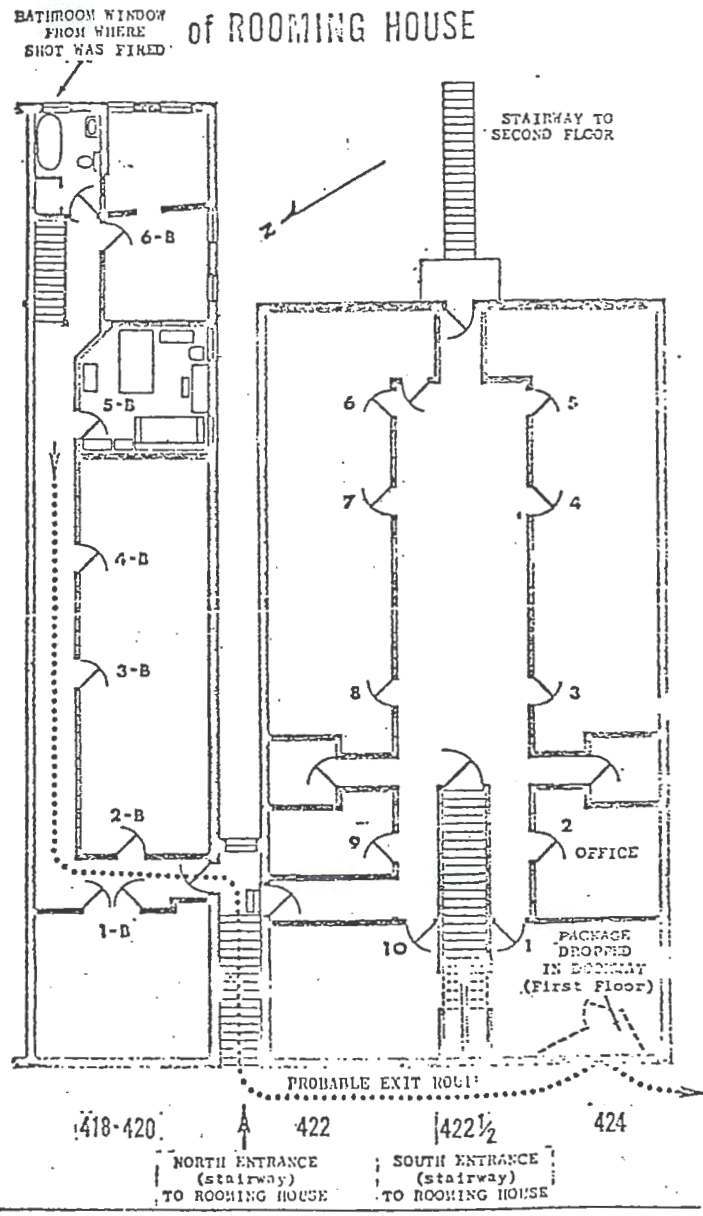


- ① Point where Dr. King was shot
- 423 - Canipe Apartment Co.
- ② 424 - E. entrance (balcony) to front house, 2nd floor
- 425 - Cohn and Co.
- ③ Entrance (balcony) to front house, 2nd floor
- 400-418 - Jim's Grill
- ④ Indicates 2nd floor area of parking house from 410-416 with two entrances marked A and B
- ⑤ Space for a car between fire plug and driveway
- ⑥ Concrete retaining wall
- ⑦ White housing area here about 4:00 pm
- ⑧ White housing area here between 4:00 pm and 4:10 pm
- ⑨ White housing area here between 4:10 pm and 4:30 pm



COMPOSITE PHOTO of
410-424 S. MAIN ST.

SECOND FLOOR PLAN of ROOMING HOUSE



[S. MAIN ST.]

PROVISIONAL ()
FINAL (X)

TENNESSEE DEPARTMENT OF PUBLIC HEALTH
OFFICE OF THE CHIEF MEDICAL EXAMINER
858 Madison Avenue
Memphis, Tennessee 38103

CASE NO. 44-252
COUNTY Shelby

AUTOPSY REPORT

NAME OF DECEDENT Martin Luther King, Jr. RACE N SEX M AGE 39
HOME ADDRESS Atlanta, Georgia
NUMBER OF STREET CITY OR TOWN STATE

COUNTY MEDICAL EXAMINER J. T. Francisco, M.D.
ADDRESS Memphis, Tennessee

DISTRICT ATTORNEY GENERAL Phil A. Canale
ADDRESS Memphis, Tennessee

ANATOMICAL DIAGNOSIS Gunshot wound to body and face with:
Fracture of mandible
Laceration vertebral artery, jugular vein and sub-
clavian artery, right,
Laceration of spinal cord (lower cervical, upper
thoracic),
Intrapulmonary hematoma, apex, right upper lobe

CAUSE OF DEATH Gunshot wound to spinal column, lower cervical, upper
thoracic

NARRATIVE OF FINDINGS Death was the result of a gunshot wound to the
chin and neck with a total transection of the lower cervical and
upper thoracic spinal cord and other structures in the neck. The
direction of the wounding was from front to back, above downward and
(near) right to left. The severing of the spinal cord at this level
and this extent was a wound that was fatal very shortly after its
occurrence.

The purpose of this report is to provide a certified opinion to the County Medical Examiner and the District Attorney General. The facts and findings to support these conclusions are found with the office of the State Medical Examiner.

DATE April 11, 1968 J. T. Francisco M.D.
858 Madison Avenue - Memphis, Tennessee

Form 388

THE CITY OF MEMPHIS HOSPITALS
AUTOPSY PROTOCOL

Autopsy No. A68-252 Service Med. Ex. Hospital No. _____
Name Martin Luther King, Jr. Age 39 Race Negro Sex Male
Date of Admission DOA Date and Hour of Death 4-4-68 P.M.
Date and Hour of Autopsy 4-4-68 10:45 P.M.
Pathologist Frs. Sprunt and Francisco Assistant _____
Checked by _____ Date Completed 4-11-68

FINAL PATHOLOGICAL DIAGNOSIS

PRIMARY SERIES:

- I. Distant gunshot wound to body and face
 - A. Fracture of right mandible
 - B. Laceration of vertebral artery, jugular vein and subclavian artery, right
 - C. Fracture of spine (T-1, C-7)
 - D. Laceration of spinal cord (lower cervical, upper thoracic)
 - E. Submucosal hemorrhage, larynx
 - F. Intrapulmonary hematoma, apex right upper lobe

SECONDARY SERIES:

1. Remote scars as described
2. Pleural adhesions
3. Fatty change liver, moderate
4. Arteriosclerosis, moderate
5. Venous cut-downs
6. Tracheostomy

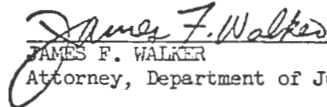
LABORATORY FINDINGS:

Blood Alcohol - 0.01%

Memorandum for the File

On September 17, 1976, I attempted to talk to Attorney General Hugh Stanton, Jr., State of Tennessee, by phone regarding the MPD report concerning the threat on the life of former police officer Edward Redditt. Mr. Stanton was busy and I was transferred to Assistant Attorney General Jim Allen. Mr. Allen referred me to Chief Criminal Investigator John Carlisle as the individual most familiar with the file.

However, Mr. Carlisle said he would not touch the file unless he had a direct order from the Attorney General. In the meantime the Attorney General left the office for the day. Mr. Allen agreed to personally take the matter up with the Attorney General on Monday, September 20, 1976, and said either he or Mr. Carlisle would call me at that time.


JAMES F. WALKER
Attorney, Department of Justice

Memorandum for the File

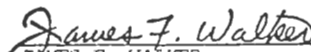
I telephoned John Carlisle, Chief Investigator, Attorney General's Office, State of Tennessee, on September 20, 1976. Mr. Carlisle indicated the AG had given him the ok to give me the information which I previously requested. He further stated that he had found a report containing the information. He summarized the report as follows:

Police Officer Edward Redditt was assigned to the Community Relations Division until sometime in February, 1968 when he was pulled off and put on a surveillance detail with respect to the sanitation workers. During February and March Redditt received several threats on his life. On April 3, 1968, he was assigned to keep Dr. King under surveillance. He went to the International Airport, along with several other officers, to meet Dr. King. Dr. King and his aides did not request any security.

While waiting at the airport a Mrs. Thomas Matthews, who was acting as chauffeur for Dr. King, pointed her finger at Redditt and said she was going to get him. Later, Mrs. Matthews informed another police officer that they "did not desire a police escort." Mr. Carlisle said this quote came from Lt. Davis.

Mr. Carlisle stated the report indicated that Mrs. Matthews was interviewed on April 11, 1968, at which time she confirmed the fact that Dr. King did not desire a police escort, but no mention was made of a threat on officer Redditt's life.

I informed Mr. Carlisle that the particular threat that I was concerned with was from an out-of-town source and resulted in Redditt being relieved from duty. Mr. Carlisle agreed to continue searching the records for this particular report and suggested that I call him on Wednesday, September 22, 1976.



JAMES F. WALKER
Attorney, Department of Justice

Memorandum of Interview of John Carlisle

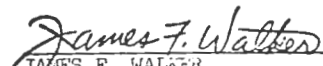
I telephoned John Carlisle, Chief Investigator, Attorney General's Office, State of Tenn., on September 22, 1976, with respect to information previously requested regarding a threat on the life of police officer Edward Redditt. Carlisle stated that he believed he had found the report and related the following information:

On or about April 3, 1968, Philip R. Manuel, of the U.S. Senate Investigating Committee for Senator McClellan, was in the Memphis Police Department (MPD) when he received a message to call his office in Washington. He called his office and was advised that a reliable informant of theirs in Mississippi had called them and advised of a plan that the Mississippi Freedom Democratic Party had made to kill the Negro lieutenant in Memphis. This information was immediately given to the MPD by Manuel. Manuel also advised the MPD that he could not get any specific details because Jack Dross, his associate, had left the office. However, Manuel told the MPD that he was returning to Washington on a 5:50p.m. flight that day and would call them the next day.

The next day Manuel telephoned the MPD and advised them the Negro lieutenant referred to in the threat was in Knoxville rather than in Memphis.

Carlisle said Redditt was a detective at the time, but was in the "thick of things." He surmises that the MPD put two and two together and figured the information related to Redditt because of previous threats on his life.

Carlisle stated that he could not send me a copy of the report unless he was authorized to do so by AG Hugh Stanton. Other relevant reports of the MPD which he has in his office include a 50 to 75 page homicide report and reports relating to the sanitation workers strike and the Invaders.


JAMES F. WALKER
Attorney, Department of Justice

FRANK C. HOLLOMAN

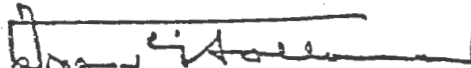
September 20, 1976

Mr. James F. Walker
Attorney
U. S. Department of Justice
Safeway Building
Room 856
521 12th Street N.W.
Washington, D. C. 20530

Dear Mr. Walker:

Pursuant to our telephonic conversation on the morning of September 17, 1976, I am enclosing a copy of a letter dated July 17, 1968, from Inspector G. B. Tines, Inspectional Bureau, Memphis Police Department, to Assistant Chief W. E. Routt entitled "Security and surveillance of Dr. Martin Luther King from time he arrived in Memphis on April 3, 1968, until he was assassinated on the evening of April 4, 1968" which, I hope, will be helpful to you in your investigation.

Sincerely,


Frank C. Holloman

FCH:GW
Enclosure ✓

CERTIFIED 144091

144-72-662

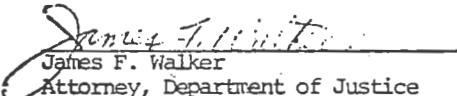
36	SEP 23 1976
R.A.V.	

SEP 23 1976
REGISTERED _____

Memorandum for the File

On September 23, 1976, I telephoned Attorney General Hugh Stanton, Jr., State of Tennessee (901/528-3100) and requested copies of certain Memphis Police Department records which are in the possession of his office. Specifically, I requested copies of: (1) the Homicide Report relating to the assassination of Dr. Martin Luther King, Jr.; and (2) the report relating to information given the Memphis Police by Philip Manuel regarding a threat on the life of police officer Edward E. Redditt.

Mr. Stanton inquired whether I had subpoena power as he was reluctant to release any documents from the records in question. I informed Mr. Stanton that at this point we were attempting to secure information on a cooperative basis. Mr. Stanton said he was not saying that he would not give us copies in the absence of a subpoena. He then suggested that we make a formal request in writing for the records. When he receives the formal request, he will discuss the matter with the Memphis Chief of Police, since the records are actually theirs. I will then advise us accordingly.


James F. Walker
Attorney, Department of Justice

LEONARD T. LAFFERTY
SALVAGE ASSISTANT

WILLIAM E. McFARLANE
JAYOTT L. MILLER
DON F. YOUNG
MINISTRAL ASSISTANTS

ASSISTANTS
DON A. T. NO
JOSEPH L. PATTERSON
MARVLY HERRIN
JOHN V. PIEROTTI
JAMES G. HALL
JAMES H. ALLEN
THOMAS F. CLAYES
T. L. CRANFORD
LELAND L. WINNABE
MICHAEL W. HUGHES
ELLEN E. GLENN
JAMES V. MARRION
WILLIAM E. FRULLA
MONTY R. WILLIAMS
JOHN A. SWINE
W. ALDRED ALEY
GERRY HARRIS
RICHARD S. WYNESSE
JAMES D. WILSON
DAVID C. WADE
JOSEPH E. BAILEY
WILLIAM H. TRAVIS
THOMAS D. NENDERSON
JAMES T. GARTS, JR.
WAYNE EMMONS
KENNETH S. BOACH
DONALD DRIVER
J. G. NOLAN
HERBERT T. STAUFFER
A. J. ARCHIBALD
DAN L. NEWSON

MAINTENANCE DIVISION BY
DON C. STROTHER
DIRECTOR
157 POPLAR AVENUE, SUITE 1003
MEMPHIS, TENNESSEE 38103
(901) 528-3100

JOHN L. CARLISLE
R. L. HUTCHINSON, JR.
CARROLL G. MANNON
GEORGE A. WHITNEY
JAMES O. ZACHARY
CLYDE R. VINSON
P. WARREN YOUNG
GEORGE A. KING
W. DONALD RULTE
ROBT. S. MCCULLOUGH
DAVID N. MCGRIFF
BARRY K. MOORE
CRIMINAL INVESTIGATORS
(901) 528-3101

LEGAL DIVISION
EARL E. FITZPATRICK
DISTRICT ATTORNEY GENERAL
(901) 528-3105

HUGH W. STANTON, JR.
DISTRICT ATTORNEY GENERAL
FIFTEENTH JUDICIAL CIRCUIT OF TENNESSEE
COUNTY OF SHELBY

SHELBY COUNTY OFFICE BUILDING
157 POPLAR AVENUE
MEMPHIS, TENN. 38103
PHONE (901) 528-3100



September 29, 1978

Mr. Fred G. Folsom
Office of Professional Responsibility
United States Department of Justice
Washington, D.C.

RE: Request for Memphis Police Department
Records, relating to the assignation of Dr. Martin Luther
King, Jr.

Dear Mr. Folsom:

Your request concerning copies of certain documents relating to the above captioned matter has been forwarded to me by Attorney General Hugh Stanton.

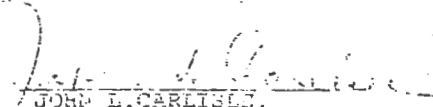
The surveillance report that includes the information which has been previously been furnished Mr James Walker, of your office, is considered a part of the Homicide report. However, it is a separate report of its own, and consists of seven (7) pages. The overall Homicide investigative report is not that one might imagine, in as much as it consists of over five-hundred (500) pages of investigative work and is a very complete and thorough investigative report, compiled solely and under the direction of the Homicide Commander. This report does contain, and reflects that members of the Homicide Division did receive valuable assistance from members of the Federal Bureau of Investigation. Further within this report mention is made in brief concerning the surveillance report, setting forth the information contained in said report.

It has always been the policy of this office that no part of the file be released without a Court Order. However, in our endeavors to cooperate with your office, coupled with the fact that Mr. Walker has advised that members of your committee would not be returning to Memphis, an exception to this policy will be made, pertaining to the surveillance reports, and a copy of same is herewith attached for your information.

As to the overall Homicide Investigative report, I would suggest that if your committee deems it necessary to obtain information from this report, that a member of your committee appear at this office, at an appointed time, wherein they would be allowed to review the Homicide investigative report.

Assuring you, as I have attempted to demonstrate to Mr. Walker of your office, that this office is willing to cooperate in every way possible.

Sincerely,


JOHN L. CARLISLE,
CHIEF CRIMINAL INVESTIGATOR

JLC:as
encl-

Source: 100-6670B CIRM
Atlanta Field Office

Section: B1

[REDACTED]

CO

Source: 100-6670B CIRM
Atlanta Field Office

Section: B1 ELSUR logs on King's residence,
[redacted] (9/5/64 - 4/9/65)

b(6)

Source: 100-6670C CIRM
Atlanta Field Office

Section: C1-C10 
(Ten Sections)

Source: 100-6670C CIRM
Atlanta Field Office

Section: C1-C10 ELSUR logs on BCLC
From 9/4/64 ~~until~~
6/21/66 (Ten Sections)

SCIC
ATL 100-5718
Serials 1161-1214
Section 16

1182



CO

SCLC
ATL 100-5718
Serials 1161-1214
Section 16

1182 [REDACTED] repts King changing residences on 4/12/65

b(2)

KING SUBSECURITY
NY 100-136585
SUB File 1-2

Sub 1 is the logs of the tesur coverage on the
SCLC office in NYC. ([REDACTED]) (0

Sub 2 is the administrative file for the tesur
above [REDACTED] installed 10/24/63 and discontinued
1/24/64. (b2)

KING SECURITY
NY 100-136585
SUB File 1-2

Sub 1 is the logs of the tesur coverage on the
SCIC office in NYC. Log indicates King's (SCIC) office
was burglarized on 1/22/64.

Sub 2 is the administrative file for the tesur
above [REDACTED] installed 10/24/63 and discontinued
1/24/64. (b)(2)

Atlanta
11/9/76
Volume 50

100-5586
MLK Security
Serials 4516-4662

4521 5/23/66
AGS to SAC

[REDACTED]

CO

4532 Miami to Director 5/23/66
RLO
Discussion of

[REDACTED]

CO

contains [REDACTED] it STATES it is not
condoning or requesting methods utilized in obtaining
this type of information.

Nevertheless, it has knowledge.

4564 Miami to Director 6/3/66
RLO:jkj

rebuairtel to Miami dated 5/27/66 requesting Miami to
submit a revised LHM omitting information re [REDACTED]
[REDACTED] as set out in
reLHM LHM.

CO

Atlanta
11/9/76
Volume 50

100-5586
MLK Security
Serials 4516-4662

4521 5/23/66
AGS to SAC

[REDACTED] cooperation with [REDACTED]

b(2)

4532 Miami to Director 5/23/66

RLO

Discussion of [REDACTED]

(b)(7)(c)

(b)(7)(c)

[REDACTED] Bu knows of plan; Miami P.O. says in its contact w/ the Sheriff's office, it STATES it is not condoning or requesting METHODS utilized in obtaining this type of information.

Nevertheless, it has knowledge.

4564 Miami to Director 6/3/66

RLO:jkj

rebuairtel to Miami dated 5/27/66 requesting Miami to submit a revised LHM omitting information re [REDACTED]

[REDACTED] as set out in reM4 LHM.

b(7)(c)

Source: 100-6520A CPUSA - Negro Question
Atlanta Field Office

Section: 1

Serials: 1-96

- 1A Envelope with 3 page letterhead of
Natl. Conv. to abolish the HUAC with
400 names including Dr. King's

(Recharge slip: Serials 1-15 filed
in 100-6520-E (i.e., the administrative
June file).)
- 31 Sullivan ASAC Hitt (Atl) asking for most
knowledgeable agent on Cominfil to call
to Wash. to discuss matter. (He was told
SA [redacted] had best overall knowledge
but SA [redacted] widest day-to-day)
- 89 Memo Bur to Atl. 1/24/64 suggests that as
info is obtained from sources it be evaluated
for counterintelligence potential & Bur. advised

(Note on 89 says Atl. orally advised not
to try this as Bur. had another plan of
action under consideration)

Headquarters
100-106670

2224(SIC) June Mail

Sullivan to DeLoach 1/21/66

SAC Roney, NYO, requested misur of MLK 1/21-25/66 in Americana Hotel and assured security in the coverage. Sullivan authorized NYO to go ahead w/ monitoring rooms.

DeLoach shot back: "Remove this surveillance at once 1/21"

JEH: "yes. H"

DeLoach: "No one here approved this. I have told Sullivan again not to institute a mike surveillance without the Director's approval 1/21." (emphasis mine)

Deegan file:

Enclosed is a monogram of elsur of MLK at Americana Hotel notwithstanding the JEH and DeLoach comments.

2225 Atlanta to Director 1/19/66

AGS:cb

H.W. contacts MLK re: fund raising

2226 Atlanta to Director 1/25/66

MLK itinerary

2227 Baumgardner to Sullivan 1/25/66

RFB:deh

Wyatt T. Walker contacts MLK to advise that Walker will be appointed to an executive position w/ Gov. Rockefeller's plan to improve Earlem. Walker would like MLK and B. Rustin to assist.

2228 Chgo to Director 1/26/66

MLK itinerary

2229 Atlanta to Director 1/25/66

AGS:smg

[redacted]
State College

requests MLK to speak at Illinois

(b)(7)(C)

New York Field Office
Levison Security (100-111180)
Volume 30
Serials 2581-
Post Assassination

2260 Memo from SA [redacted] to SAC dtd 8/25/71 advising
that review of Levison's file reflect no CP activities
in last 9 years. He is active on behalf of SCLC and
is carried on SI because of past CP activities and
ideological adherence to communism as reported [redacted]

b7(c)
b7(D)

WT Forsyth

106 Memo to AG from Director on a planned meeting of King, and Levison in Dorchester, Georgia Jan. 10 and 11/63.

107

108 Memo from J.F. Bland to Sullivan on Dorchester meeting and planned photographic surveillance. Inspector Joseph A. Sizoo dealt with ASAC Cusick of Savannah.- object to get pictures of King with Levison and Jones

109 [redacted] said on [redacted] Clarence Jones, Dir. of Grandi Society called Levison [redacted] re: Dorchester meeting (b)(6)(7)(c)

NR

100-358916 #232

Inquiries of [redacted] Anti Def. League in Atlanta, Ga. about Dorchester meeting. (b)(7)(c)

NR

100-358916 #228 about efforts to photo King with cohorts. Negative

NR

157-6-2 #965 memo DeLoach, Mr. Mohr 1/16/63 relating negative efforts to interview King and reporting that, with Director's approval, DeLoach set McKay of Afro Newspaper straight and McKay's papers quoted the FBI rebuttal of King's charges that FBI work in Albany situation was inadequate. No further effort to contact King. "I concur" H

110

Supplemental Correlation Summary- Jan. 8, 1963

Among other items included was a notation on p.4 that at a CP [redacted] meeting it was indicated that King was not a Marxist and was not supporting the CP line but was supporting some of the same issues as the CP (5/21/61) (b)(7)(D)

Item on a July 8,9, 1961 Klan meeting in [redacted] Ala., which [redacted] of Atlanta "we might as well make up our minds to get him (King) killed XXX."

Klan meeting at [redacted] Tenn., July 16/61 to same effect.

Several other Klan meetings: ditto

1481 Baumgardner to Sullivan, 6/8/65, re threat against King in Bogalusa, La. By [redacted] (b)(2)(c)

1488 NY to Director, 6/14/65, report on King's health. [redacted] (b)(7)(D) CO

0 NY to Director, 6/11/65, [redacted] Jones and Levison discuss going to SCLC meeting of leaders in Virginia, 6/8-11/65 (b)(2)

0 NY to Director, 6/2/65, [redacted] Levison and Jones discussion re King. King approved [redacted] (b)(2) (b)(7)(c)

0 NY to Director, 6/15/65, [redacted] Jones and Levison discuss Wachtel's relationship with King and SCLC (b)(2)

0 Citizen letter where Bureau remarked that Hoover called King "the most notorious liar in the country" on 11/18/64 before the ladies of the press because King said most agents in the South are Southerners when actually 70% of agents assigned to Southern offices are from the North

1489 Letter to Marvin Watson, 6/17/65, re King's discussion with Goodwin of the White House concerning vacancy in the Fifth Circuit. (See, 1497)

1498 Threat against King in Bogalusa, La.; one [redacted] (b)(7)(c)

1502 AT to Director, 6/18/65, [redacted] Liberian Government desirous of making an honorary award to King (b)(2)

1503 NY to Director, 6/18/65, report on [redacted] (b)(7)(c)

- 1481 Baumgardner to Sullivan, 6/8/65, re threat against King in Bogalusa, La. By [redacted] (b)(7)(C)
- 1488 NY to Director, 6/14/65, report on King's health. Doctor felt King's condition due to fatigue [redacted] (b)(7)(C)
- 0 NY to Director, 6/11/65, [redacted] Jones and Levison discuss going to SCLC meeting of leaders in Virginia, 6/8-11/65 (b)(2)
- 0 NY to Director, 6/2/65, [redacted] Levison and Jones discussion re King. King approved [redacted] (b)(7)(C)
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- 1502 AT to Director, 6/18/65 [redacted] Liberian Government desirous of making an honorary award to King (b)(2)
- 1503 NY to Director, 6/18/65, report on [redacted] (b)(7)(C)