

Memorandum

TO : Mr. DeLoach

DATE: June 12, 1968

FROM : A. Rosen

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Long
- 1 - Mr. Conrad
- 1 - Mr. Sullivan
- 1 - Mr. Mohr
- 1 - Mr. Bishop
- 1 - Mr. Gale
- 1 - Mr. Trotter

SUBJECT: MURKIN

Tolson
 DeLoach
 Mohr
 Bishop
 Casper
 Callahan
 Conrad
 Felt
 Gale
 Rosen
 Sullivan
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 Trotter
 Tele. Room
 Holmes
 Gandy

Assistant Attorney General Stephen J. Pollak, Civil Rights Division, called stating he had not gotten any teletypes, cablegrams or airtels in connection with the King case other than the one which had been sent concerning the arraignment of the subject.

I advised him that investigation was going forward in Canada

[REDACTED]

FOREIGN
GOV'T
AGENCY

I advised him that information which had been developed by our representative who went to Lisbon will be furnished to him just as soon as we have received a report concerning this matter.

[REDACTED]

It is recalled on Saturday, June 8, as reflected in Mr. DeLoach's memorandum of 6/8/68, the Attorney General turned to Pollak during the conversation in the Attorney General's Office and stated he wanted Pollak to divorce himself from other work for the next several days and that he should supervise this case completely. The Attorney General also wanted Pollak to keep advised of all communications, teletypes or cablegrams that might come in in connection with this case. Mr. DeLoach advised the Attorney General that any facts pertinent would be furnished to the Department, after which the Attorney General indicated the meeting was over.

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HEREIN IS UNCLASSIFIED
DATE 3-13-80 BY SP-6/ML

REC-71 11-30-68 4528

We have received numerous teletypes from various offices, as well as telephonic information from the field offices and Legats. We have not furnished copies of this traffic to Mr. Pollak. This material, of course contains administrative data and other traffic which is not ordinarily disseminated outside of the Bureau, purely intra-Bureau information containing leads and instances of evaluations of information being obtained.

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Memorandum to Mr. DeLoach
Re: MURKIN

The Department has been furnished with the pertinent reports in this case and since the apprehension of Ray we have been currently in touch with representatives of the Department concerning developments which have been brought to the Director's attention. We can, however, screen teletypes and furnish copies to the Department, eliminating administrative material and furnishing that information which may be pertinent.

ACTION TO BE TAKEN:

If approved, we will follow this procedure. We will issue appropriate instructions to the field that teletypes submitted in this case in the future must be prepared for appropriate dissemination.

f *✓* *js*
No. Only disseminated information usually disseminated D.D.I.
✓ *✓*

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UNITED STATES GOVERNMENT

Memorandum

- Tolson ✓
- DeLoach ✓
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TO : MR. TOLSON

DATE: June 8, 1968

FROM : C. D. DELOACH

- 1 - Mr. DeLoach
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- 1 - Mr. Malley
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SUBJECT: MURKIN

I called the Attorney General (AG) at approximately 5:50 p. m., June 8, 1968, and advised him that in connection with the conversation in his office with me, the Director had instructed me to send two men to London instead of one for the purpose of escorting the subject back to the United States. The AG was told that this would make a total of four FBI representatives escorting the subject back to this country.

The AG was additionally told that the Director had instructed that the two men in question proceed to London as expeditiously as possible so that they would be on the scene in the event extradition or deportation proceedings occurred faster than anticipated. He was told that towards this end, I had called Joe Califano at the White House, who usually handled military transportation in expedite matters of this nature, to tell him that if he knew of a military plane proceeding to London, it would be appreciated if the FBI representatives could hitch a ride on this plane.

The AG snappishly inquired as to the reasons why this had not been cleared with him personally. I told him I had specifically mentioned in his office the fact that three men would be suitable for escorting subject Ray back to the United States and that he had disagreed stating that he felt additional men should be assigned to this project. He stated he did not recall this exchange of conversation. I told him I recalled it very well. He stated there was no need to get into a "spitting contest" over this particular issue and that he wanted me to definitely realize that he did not recall such matters being discussed. I told him I would not back down on the matter and that the discussion had taken place. He then turned to another topic.

The AG stated that he wanted me to know that he was unhappy about the manner in which this case had been handled. I immediately asked him for specifics. He stated that obviously the FBI had possessed a great deal of information and had not cut him in on it. He stated that as an example,

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MEMORANDUM TO MR. TOLSON
RE: MURKIN

the Deputy Attorney General (DAG) of the United States had called me personally and that I had refused to give him "inside facts." I replied that when the DAG first called me this morning, I had indicated that I had no facts to give him but that a short time later I had called the DAG and had read to him the press release prior to the time the release was given to the wire services. I pointed out to the AG that his Deputy had fully approved the press release and had indicated that it was completely within guidelines of appropriate legal proceedings. The AG replied that he had been told differently. He stated that he had been advised that I had not given any information whatsoever to the DAG. I stated that as indicated in my conversation with him, the facts previously mentioned were true. The AG replied by stating this was one of the biggest cases the Department of Justice will ever have. He then asked me point blank, "Who the hell do you think you're working for?" He quickly added "I'll tell you who you're working for, you're working for the Department of Justice." He next added that he wanted to insist that in the future that any information whatsoever received in this case, any investigative step whatsoever, and any communications be brought to his personal attention without delay. He stated that obviously he had been kept in the dark thusfar and that he did not intend to put up with this in the future.

I told the AG if he insisted upon making such falsifications that there was no need to continue the conversation. I then hung up the phone on him.

The AG's secretary called me back approximately three minutes later and stated that he wanted to speak to me again. He then came on the phone and told me that our conversation had not been over and that he demanded to know why I had hung up the phone on him. I told him that apparently there was no need to continue the conversation and that I did not wish to discuss it further. He stated that he must insist, as Attorney General, that any arrangements made concerning this case be cleared with him. He stated that in connection with the military flight for our Agents that I should have realized Assistant Attorney General (AAG) Vinson wanted to go on the same flight and would have wanted to make arrangements on a personal basis with the White House or the military personnel. I told the AG that if he wanted Vinson to go on a military flight, this was entirely his prerogative to make his own arrangements. The AG then told me he would discuss this case at greater length later on.



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Within five minutes the AG's secretary called again and asked that I come around to his office right away. I took Mr. Rosen with me as a witness. The AG had with him DAG Christopher and AAG Pollak. The conversation was initiated by the AG and he immediately referred to his previous conversation relating to the Agents who were going to London and the discussion which had taken place in his office earlier during the day when I advised him that three Agents would be available in London for the purpose of handling the subject insofar as his return to the United States was concerned. He reviewed what he had said earlier and I repeated exactly the position I had previously taken. There was a stand-off and when he recognized that I had not changed my position, he turned to Rosen for verification at which time Rosen repeated that it was his understanding that three Agents would be available in London and that this matter had been thoroughly discussed at FBI Headquarters earlier.

I made no further reference to this conversation and he then turned to what he said were the three most important considerations in this matter: (1) Security; (2) insuring that all proper legal procedures acceptable to the United States and Great Britain would be followed; (3) that proper interviews would take place.

In this connection, there was a discussion concerning security and he referred to the availability of Legal Attache Minnich. He insisted that Minnich meet Vinson at the plane Sunday morning, June 9, 1968. I told him that Minnich would not be available to meet Vinson inasmuch as Minnich or one of our people would probably spend all night at the jail. He asked me if this was a true statement. I told him it was a true statement or I would not have made it.

He then referred to the legal proceedings that would take place. He said that Vinson would be in complete charge of this matter, that he would make the arrangements and insure that proper procedures be followed. He said that Minnich would report to Vinson concerning any developments and that the question of deportation was viewed favorably by him. He said if deportation was pursued, it could be criticized from a legal standpoint insofar as he was concerned. He said transporting the subject by any plane, military or owned by the United States Government, is not a free deportation from any country. He said that his attorneys would be reviewing this matter and would be in a position to make appropriate recommendations to him. He said that the legal procedures which would be followed were obviously paramount and would have to receive first consideration over any expedient investigative procedures. I told the AG at this point that we wanted him to know that the FBI had not injecte



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itself into any such so-called legal procedures and that our actions up to this date had been strictly of an investigative nature. I also advised him that I had informed him of the attitude of the British Government with reference to their attitude toward deportation and that this had not been an opinion of FBI representatives in London. I stated that when I mentioned that there was a 60/40 chance that he would be deported, that this was the attitude of the British authorities rather than our representatives.

The AG was advised that we had set in motion the obtaining of the copy of the indictment which had been requested which indictment was returned by the Tennessee authorities naming this subject as the person responsible for the killing of King, that this would be made available immediately upon its receipt and that a properly certified copy was being obtained.

DAG Christopher asked me if the subject was being detained on a "holding action" or as a result of a violation of British law. He was told that the subject was being detained on the basis of entering the country with illegal documents and because he had a loaded gun on his person.

The AG then turned to AAG Pollak. He stated he wanted him to divorce himself from other work for the next several days and that he should supervise this case completely. The AG then turned to me and stated that he wanted Pollak to be kept advised of any communication, airtel, or cablegram that might come in in connection with this case. I told the AG that any facts which were pertinent would be furnished to the Department. The AG then indicated that the meeting was over.

I called Legal Attache Minnich upon my return to the office and informed him that he should proceed as planned; however, under no circumstances should he give the impression to Vinson or the Embassy that the FBI was injecting itself into extradition or deportation proceedings. Minnich properly replied that he had not thusfar injected himself and that as a matter of fact, following my call to him concerning Vinson coming over there, he had immediately informed Embassy officials that all proceedings pertaining to extradition or deportation would be strictly handled between Vinson, the American Embassy and the British Government. I told Minnich that he should be diplomatic but firm with Vinson and that under no circumstances should Vinson be allowed to push our personnel around. I also informed him that the AG had been told that he, Minnich, would be unable to meet Vinson inasmuch as he would be spending almost full time at Scotland Yard and at the jail.



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Minnich was advised that Special Agents Bounds and Zeiss would arrive in London by military transportation at approximately 1:30 p. m., London time, Sunday, June 9, 1968. I stated that the Director had wanted these men to report to London on an expeditious basis in the event the British Government allowed proceedings to happen rapidly. Minnich was told that these men would report to him upon their arrival.

Specific instructions have been given to Special Agents Bounds and Zeiss as to how they are to handle themselves. They have been particularly advised concerning Vinson and his background.

ACTION: For record purposes.

R

B

Vinson

ADDENDUM, ASSISTANT TO THE DIRECTOR DE LOACH CDD:vea 6/8/68

The Attorney General asked me to come to his office at approximately 2:20 p. m. In his office were his wife, Assistant Attorney General Vinson, Assistant Attorney General Pollack, his Executive Assistant Sol Lindenbaum and the Deputy Attorney General, Warren Christopher.

FRANCIS J. FIFK DC Tex.
The Attorney General first congratulated the FBI and stated that this was the greatest news he had ever heard. He next went into a long song and dance on the absolute necessity of security and the avoidance of evasion of civil rights of the subject, James Earl Ray. The Attorney General asked me questions concerning the quality of our Agent personnel in London and I told him we had absolute faith and confidence in these men, otherwise we would not have assigned them there. He stated he thought we should send additional men to London to assist in this case. I told him I thought this was both foolish and unnecessary. He asked me about Legal Attache Minnich's background and I provided this information for him. He asked me if the FBI had a representative in the same cell block with the subject. I told him we did not and that furthermore, inasmuch as this man was under British custody, we could not even talk to the prisoner unless he, the prisoner, agreed to interrogation. The Attorney General asked if we had a man next to the cell block. I told him we did not and that he must realize that this man was under British custody and, therefore, not the responsibility of American authorities. The Attorney General stated he would feel better if he knew the exact provisions under which security the prisoner was being maintained. I made no comment.

The Attorney General asked me if I thought it was necessary to send a Departmental representative to London. I told him I thought this was completely unnecessary if the representative would be going for the purpose of attempting to look into FBI activities. The Attorney General stated this representative would be going for the purpose of expediting legal activities in connection with the extradition of the subject. He added that the Departmental representative would also check with the British authorities to make certain there was ample security. Furthermore, to make certain that the prisoner's civil rights were being protected.

The Attorney General asked me whom I thought should be responsible for bringing the prisoner back to the United States. I told him I previously discussed this with the Director and that the Director was agreeable to the FBI escorting the prisoner back to the United States. He asked how many men would do this. I told him we would utilize three very capable men. He stated he thought we needed more. I told him I disagreed and that three men

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would be sufficient, particularly if handcuffs and leg irons were used. The Attorney General asked me if I thought military transportation or commercial transportation should be utilized. I told him that military transportation would probably be better and furthermore that the plane should land at a military base, possibly near Memphis, Tennessee, so that maximum security could be afforded. The Attorney General agreed. He then called Governor Buford Ellington in Tennessee and specifically asked him to expedite extradition proceedings by immediately making a request to the President of the United States so that the White House in turn could forward this request to the British Home Secretary. The Attorney General also told Governor Ellington that he would personally feel better if Federal officers (meaning the FBI) would escort the prisoner back to the United States. Governor Ellington agreed to all terms and stated that he would comply with the wishes of the Federal Government in this matter.

The Attorney General next turned to the Deputy Attorney General and asked him if he thought a Departmental representative should be sent to England. The Deputy Attorney General replied, "Without question." The Attorney General next asked the entire group whom they thought should be sent. He ventured the personal opinion that it should either be Vinson or Pollack. There was no comment. The Attorney General then stated that Vinson should go and should leave tonight, June 8, 1968. He asked that Vinson be placed in touch with our Legal Attache. I told the Attorney General that sending Vinson was his own business, however, I would like to make absolutely certain that Vinson did nothing to upset the very excellent relationship between the FBI and Scotland Yard. I stated that Vinson under no circumstances should attempt to push Scotland Yard around by insisting on different types of security. The Attorney General repeated that Vinson would be there primarily for the purpose of expediting legal activities. The Attorney General then told Lindenbaum to have several Bureau of Prisons officials go to Memphis early Monday, June 10, 1968, for the purpose of taking a look at the county jail in Memphis so that proper security could be afforded the prisoner once he was turned over to the state authorities. (This, of course, is none of the Attorney General's business inasmuch as once the prisoner is turned over to the state he is strictly the state's responsibility.)

Upon leaving, the Attorney General told me that he would like to sit down with me within the next several days and completely go over this case. I told him that we had already provided him with reports in the matter and that these reports, plus the press release of today, covered all necessary details. He made no comment other than to commend the FBI once again and to say that hard work paid off.

ACTION:

In the event extradition proceedings are successful and the FBI is called upon to bring the subject back to the United States, it is suggested that Legal Attache Minnich, Special Agent Supervisor Wilbur L. Martindale and Special Agent Supervisor Kenneth L. Bounds be assigned this responsibility. Bounds is approximately 6 feet 4 inches tall, is in excellent physical shape, is a former firearms instructor and is currently assigned to the General Investigative Division here at FBI Headquarters. He has an excellent background. In the event the Director approves this recommendation, we will have Bounds obtain a passport and the necessary medical shots so that he can proceed to London, England, upon instructions.

I am advising Legal Attache Minnich this afternoon, ^{FF-d M.} June 8, 1968, that while he should confer with Assistant Attorney General Vinson ^{he} should not be "bossed around" by Vinson or allow Vinson to upset any delicate relations that we have with law enforcement authorities in England.

Done, 6/8/68-

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DC