

Exhibit 3

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,

Plaintiff,

v.

Civil Action No. 75-1936

U.S. DEPARTMENT OF JUSTICE,

Defendant

AFFIDAVIT OF DAVID R. WRONE

I, David R. Wrone, being first duly sworn, depose as follows:

1. I am a professor of history at the University of Wisconsin-Stevens Point. I reside at 1518 Blackberry Lane, Stevens Point, Wisconsin.

2. I specialize in the ideas and institutions of reform and teach and publish in this area. My courses include lectures and seminars on recent American history and involve the direction of graduate work.

3. I have spent many years of scholarly research on the subject of institutional reform. In 1964 I received a PhD in history from the University of Illinois (Urbana). My doctoral thesis was on the importance of the press in the emergence of Abraham Lincoln. ("The Prairie Press in Transition, 1830-1860.")

4. I have published many articles and am coauthor of a volume on the institutionalization of racial prejudice against the American Indian: Who's The Savage? A Documentary History of the Mistreatment of the Native North American (Fawcett, 1973).

5. My study of the transformation of the roads of Illinois appears as a chapter in a general history of the state: An Illinois Reader (Northern Illinois Press, 1973).

6. I have lectured widely on the assassinations of President Kennedy and Dr. Martin Luther King, Jr. and appeared on numerous radio and television shows. I have served as a consultant for local media regarding national shows and have written articles and reviewed books on these subjects. I am author of a critical bibliography which examines and categorizes scores of books which have been published on the assassination of President John F. Kennedy: The Assassination of President John Fitzgerald Kennedy: An Annotated Bibliography (State Historical Society of Wisconsin, 1973).

7. In November, 1976 I directed a symposium on the integrity of basic institutions and the assassinations of President Kennedy and Dr. King. The lectures delivered at this symposium were televised for educational use and are now being circulated in video and audio form in colleges and high schools. Attached hereto is a brochure which lists the materials which are available from the University of Wisconsin-Stevens Point Office of Educational Services and Innovative Programs. (See Exhibit A.)

8. I have an extensive familiarity with the literature on the assassination of Dr. Martin Luther King, Jr. I have read the voluminous court records of the several cases related to the conviction of James Earl Ray and his attempts to overturn that conviction and obtain a trial on the charge that he murdered Dr. King. I have also read the publications on this subject by the Department of Justice and committees of Congress, as well as the secondary accounts.

9. In the course of my study of the King assassination materials, I have become quite familiar with the work of Harold Weisberg on this subject and now consider myself an authority on his contribution. In the near future I intend to publish scholarly articles in journals and deliver lectures to learned societies on his work.

10. Mr. Weisberg's work on the assassination of Dr. King is the only significant work available for the person seriously interested in the evolution of this subject and its relationship to the fundamental institutions of American society. There is simply no way to approach this subject other than through Mr. Weisberg's prodigious efforts.

11. The University of Wisconsin at Stevens Point has a deep interest in the acquisition, maintenance, and dissemination of Mr. Weisberg's files, especially those on the assassination of Dr. Martin Luther King, Jr., both in terms of the immediate future and for future generations. The University plans to establish a Weisberg Archive where the records which Mr. Weisberg has accumulated and analyzed can be properly maintained and made accessible to scholars and the general public through a professional staff knowledgeable in the subject matter.

12. I am familiar with the volume and kinds of records Mr. Weisberg has on Dr. King's assassination (and also President Kennedy's) and the quality of his analysis of them. I have, in fact, made several visits to his home in Frederick, Maryland for the purpose of discussing his work with him and obtaining records from him. Mr. Weisberg's files on both the Kennedy and King assassinations are invaluable, unique, and in many respects cannot be duplicated from any other source. This, of course, explains the interest of the University of Wisconsin-Stevens Point in obtaining them.

13. The establishment of a Weisberg Archive, particularly where King assassination materials are concerned, will also facilitate the use of fellowships and grants to black students interested in this subject.

14. The University of Wisconsin-Stevens Point has already begun to draw upon a small portion of the materials which will ultimately comprise the Weisberg Archive. It has already developed a video tape series suitable for public broadcasting stations and for high school and college classes of some of the unique materials which Mr. Weisberg has donated to the University. These video tape materials can be purchased or rented by the public.

15. The University plans to continue developing and disseminating Mr. Weisberg's materials as they are deposited and made available. This will be done, first, through electronic media presentation in slides, video tapes, documentary handbooks, guides, indexes, and course aides. Additional plans are to develop support services for students from minority backgrounds who might desire to make scholarly use of the documents. Future plans also include the microfilming of some important segments, preparing of guides, and making these available to colleges throughout the nation and overseas.

16. Mr. Weisberg's work on political assassinations and the workings of our basic institutions—law enforcement agencies, the courts, the press, the intelligence agencies—and the establishment of an archive on it at Stevens Point are in the public interest. Mr. Weisberg's accomplishments are unique in character—they relate to far more of enduring public interest than just political assassinations—and are without precedent in scale. In total volume his materials exceed the nucleus collection on the frontier formed by Lyman C. Draper in the nineteenth century which established the State Historical Society of Wisconsin and the holdings of several other famed manuscript libraries gathered in America that are seen as part of our national treasure. The quality of the materials and his analysis of them is excellent. He possesses photographs, maps, taped interviews, letters, and other records that can be found in no other place.

17. Mr. Weisberg's scholarship is magisterial in its command of the documentary base and clear on the fundamental points at issue. He cannot be compared with the other authors on the King assassination from the perspective of scholarship and objectivity. His work on this topic stands in a totally different light from all others. He works from an objective base, seeking not merely to discover who killed Dr. King or to reap commercial profits but to establish what the evidence is and what it means not only in terms of the crime itself, but also in terms of the larger significance it holds for the workings of our basic institutions.

18. It is this last point which is of fundamental importance. Mr. Weisberg's work focuses on the performance and nonperformance of basic social institutions—the law, the press, publishers, Congress, the Department of Justice, and others—during a time of crisis. In so doing he reveals deep flaws which caused these institutions to malfunction in a manner which thwarted justice and hurt the ends of the nation.

19. I am of the opinion that Mr. Weisberg's work cannot be reduplicated by the government or by scholars. I have been informed that the FBI has established a file of King assassination documents in a reading room

accessible to members of the general public at its headquarters in Washington, D.C. This does not significantly assist the public interest in evaluating the facts of the King assassination or the FBI's investigation to it. The initial problem is, of course, that the selection of records contained in this file will be made by the FBI, which itself has been severely criticized in connection with its investigation of the King murder. In addition, these records will be largely inaccessible to all except casual tourists. Few scholars have funds sufficient to enable them to travel to Washington, D.C. and stay there long enough to peruse the more than 20,000 pages of documents contained in the FBI's Central Headquarters file on the King assassination. Moreover, scholars and citizens would not know where to begin studying this enormous volume of documents without extensive advance preparation. What is required is a scholar who can use the resources of a university system to assist those who wish to do work in this area.

20. Even the costs of duplication imposed by government agencies can impose a serious burden upon scholarship. A University archive such as the Weisberg Archive which is being established at Stevens Point can provide better and more economical service for duplicating records, including not only xeroxing but also making slides, photographs, and tapes. Moreover, it can offer a full range of other essential services, providing books, reference works, maps, newspapers, journals, and the like. It can also coordinate scholarly efforts in an area in such a manner that it will lead to increased dissemination to the public of knowledge about such an area through the publication of books, articles, dissertations, and so forth.

21. The crucial aspect of any archival collection, however, is that there must be a knowledgeable person associated with it and residing where it is located who can develop the material and guide students and scholars. This is the main reason for establishing a Weisberg Archive at the University of Wisconsin-Stevens Point.

22. Mr. Weisberg has stated that he intends to leave his records on the assassination of Dr. King to the University of Wisconsin-Stevens Point.

For the reasons which I have outlined above, the public interest will be served if the records which Mr. Weisberg has and is continuing to obtain are deposited at the Weisberg Archive in Stevens Point. More to the point, the public interest will be better served if records on Dr. King's assassination are made accessible to journalists, scholars, and the general public through the archive at Stevens Point than if they are only accessible through the FBI and other components of the Department of Justice in Washington, D.C.

23. Even were this not true, the caliber and importance of Mr. Weisberg's work on the King assassination are such that making all government records available to him without cost is more than justifiable. The simple fact is that Mr. Weisberg uses the records he obtains to serve—not his personal interest—the public interest by informing journalists and scholars, and through them, the general public.

*Professor David R. Weisberg*  
PROFESSOR DAVID R. WEISBERG

PORTAGE COUNTY, WISCONSIN

Subscribed and sworn to before me this 24<sup>TH</sup> day of

October, 1977.

*Carol J. Duvick*  
NOTARY PUBLIC IN AND FOR  
PORTAGE COUNTY, WISCONSIN

My commission expires 7/16