

Dear Bill,

9/16/95

In your 9/14 you say of my letter to "esar that "it was pretty ^{d/}garden harsh" and a "pretty mean letter." True. If I did not care about him I'd have written and said nothing. I've carried that farthur, as you'll have been before you get this. And I believe that the harm he is now doing and has been doing for some years outweighs whatever good he is doing in FOIA cases. I've indicated some of that.

We are all much indebted to him for those FOIA cases but not to him alone. On some of it I had to fight him hard and I did an enormous amount of work on them all. In the end we got much less than we could and should have and to a large degree that was because of ~~Jim~~ Jim. The DJ lawyers and the FBI agents sized him up correctly and the tricks they pulled worked. Several were quite abusive of me, wasted an enormous amount of time for me and he wound up getting me gypped out a what for us in those does was a quite significant amount of money.

In the King case the DJ chief of the FOIA section of the civil division connived an in chambers meeting. We had met with her on a Friday and after that she arranges for this in chambers session for the next working day as I recall, that Monday. She has actually talked the judge into having me act as the Department's consultant in my case against it! Unheard of? The judge like it and over my clear objections Jim had me do it. They promised to pay me at their standard consultant's rate, then \$100 an hour. I spent as I recall 200 hours on it and when it came time to pay that same section chief blandly told the judge she had no authority to make me that offer. Before then the assistant chief of civil had been in court and had assured the judge they would pay me. No sanctions, no money and all the time it took me to complete it with all else I had to do they were able to stall the case. Then he let them get away with ^{my report} ignoring it. And if that is not enough he engaged in a stipulation with the FBI case agent on it for me to get some of what I was supposed to get ostensibly sooner than I would have and under conditions that did not give me all the vast field office files at one time. Turns out that ^{they were} there, processing those records well before they got that stipulation idea and they did dump them all on me at one time, when I could not possibly handle that volume. He held them up to be able to do that, too. He not only let them get away with that, he let them get away with all sorts of things having no relationship to that stipulation was within it.

We'd not have done nearly as well as we did if I had not done as much as I did and put my head on the block to do it. There is more but I think this is enough to tell you that over the years it was very difficult, meant a great amount of work for Bill and me, and I did the real fighting in all those cases.

In the last one, the combined field offices JFK case, he actually did what I forbade him to do and then the DJ correctly alleged a conflict of interest. That left me

without counsel and without many of the records I should have gotten and to continue with the case as my own lawyer at the district and appeals level when I was not going to Washington for other than medical reason and then was driven there.

There were several civil matters he messed up, too.

You also have no idea how much he remains the boy, the flower boy of his undergraduate days. With the deserved nickname Junky Jim. Not because he was on junk but because that was, as it still is, the way he kept his stuff.

During those days I'd weaned him from the conspiracy-theory imaginings of Bud Fensterwald and he was pretty solid then. No crazy stuff and he saw how it worked. In the King case his effort was incredible, but I did the basics for him. We had adjoining rooms. I located and interviewed the witnesses and he had to question many of them without even having seen them. I wrote the questions out for him in the wee hours and he hit it cold in court. He listened to me on discovery and we got a great amount despite the blocks for the two days permitted but when he had to face a hard one in court during that he chickened out, did not even talk to me about it, and we got done in on what was important. The State interrupted the judge when he was sitting on another case, which made it worse, and Jim let them lie knowing it was a lie. As I would not have if he had said I was involved in that and should respond.

He and Mark Allen have been getting a large quantity of records. They remain in boxes, not even looked at. At the beginning he'd send me some that they had looked at. Until I spotted in them what they missed. Since then, for many years, nothing at all. What I spotted I told them about. Like that damage-control tickler. They've made no use of it that I know of.

When he was no longer associating with me he returned to that Fensterwald craziness that has nothing to do with the actualities of the assassination. Bud felt that anything that embarrassed the government was fine no matter how irrelevant. When he died Jim took the AARC over and remains devoted to Bud. And adapted all that craziness that not once did any good and all and often did much harm. Then he got aligned with John Judge, who is both an astounding subject-matter ignoramus, a first-rate assassination not and can't get the simplest facts straight in their COPA. Together they are and have been pressuring the ARRB for nonsense records. When I asked him about that he said it was better to get that than to get nothing and on that simplistic and self-defeating basis he is their running dog in their false pretense to be doing what they are supposed to when in fact they never intended to and refuse to. In short, if it is bad but can get attention it is not bad and he goes for it. Witness all these Newman stuff that is basically very bad and I fear his coming book will be even worse.

When I proposed to Callen that he hold a press conference on the book because I cannot and he did not even respond, I took that up with Jim. I outlined for him what

would have given him no problems at all and he agreed. and they stayed out of touch with me. He made childish assumptions and decisions because he now has no connections with anything not nutty and what I learned I learned from Dave and McKnight. I sent word back through McKnight to forget about it and send me the books and records I had given him and he then decided to go ahead two days after his return from Singapore. But he not only did not, if he ever intended to, he did not mention any of this to me.

Meanwhile, little as I might be able to do on my own, I'm foreclosed because I cannot preempt him and the press conference. For several months there was no effort I could make to draw attention to the book, which is powerful but to him is not even worth looking at because it has no theories in it. He told me this week he had not read it. After five months.

I waited for a while after his return and then wrote him.

Meanwhile, it should be obvious with what is in and ~~and~~ documented in that book, with the beginning of the Whitehurst controversy in the Simpson case, we had the potential of a real breakthrough - if Jim had not refused to keep his word.

The morning I saw on TV at 3 a.m. that the FBI had announced it had investigated itself and found all that Whitehurst alleged not to be true, ManMia what an opportunity that gave us with ~~the same~~ perjury one of the issues when in response to my allegation of Lab perjury the defense was I could make such allegations ad infinitum because I knew more about that business than anyone then working for the FBI!

Plus the pictures you have seen and more.

And thanks to Jim the media does not even have the free copies I had for them to give them!

You'll see pretty much of the rest in what I've sent you, especially ⁱⁿ my memo to Gerry and Dennis. I also wrote him further this morning, in the probably futile hope that at long last he'll start thinking and acting like a man, not a spoiled boy.

Instead of that consultancy fee he did promise to give me \$5,000 when he got his fees. We then were broke and in debt. he did not and I have not mentioned it to him.

And don't get ^{it} ^{to} ^{take} about the great addition ^{of} burdens he places on her with his gross negligence and careless mistakes when she does his taxes for him. He

really abuses her. She has to write him like he is a child and he is always late with everything and can't keep even his checkbook straight.

Jim is so fixed in his ways it is probably a waste of time to try to be of any help but if I did not care for him I'd not be trying.... He does other ~~in~~ credible things, too. I've heard from Denmark to New Zealand about sending him money for what people order from his MARC and they get nothing after years and not even acknowledgement of their letters. He can be and persist in being that irresponsible. And he has just messed us all up very much. Excuse the haste,

Hardy

You also ask what we think about the Simpson case. We are both persuaded by the prosecution that it has no case, meaning that he is innocent.

The official misbehavior, including the police, has from the first been such that it requires at the least the deepest suspicion. Before a decent judge of the Warren era they'd have been thrown out of court. They've systematically from the first sought to poison the public mind, including all potential jurors. They did have an illegal search and seizure when none was necessary at all. I cannot believe the prosecution did not know all about Fuhrman when they put him on. And I'm confident that it was not he alone who faked evidence. I've suspected Vanatter from the first. It is obvious that Fuhrman planted that glove, if not both of them. It makes no sense that anyone would have used gloves and it is simply not possible for all that blood to gush out of two bodies all over him and leave so little in that car.

There is more for which I take no time.

It is now a political trial for more than the race factor.

Justice itself is on trial.

I'm surprised there have been no strong black protests already.

Aside from whether or not ~~it~~ this was in character for Simpson, his alleged motive is fabricated. It makes no sense at all. That is why they began the case with his abuses of her, to prejudice the jury and the public in advance. The judge should have made them put their case in chief in first and then decided whether that was relevant.

Glad to have that McCrary/Powell clipping for my Ambrose file. Thanks.

best,

Handwritten signature