

Mr. Les Payne  
Newsroom  
Newsday  
550 Stewart Ave 53  
Garden City, N.Y. 11580

11/21/76

Dear Les,

If you are on schedule you should be coming home soon, with much to do and much that is important to you on your mind.

But you'll still be the minority affairs reporter, so this is an update on what we worked on together. Sure wish you were here to work on it now! Kinda lonely with only overworked Jim.

Ldl is now retyping a strong letter to the House committee's counsel, Dick Sprague. It means the end of any relationship with that committee. As long as he is counsel at least. He is a ratfink, still hellbent for conviction at any cost as he was when a prosecutor. I'll ask her to read this when she can to be sure it is comprehensible.

What relates to Jim has to be confidential as long as it is unknown other than via me. He has obligations he must meet and some he may not talk about. Right now I think he is preparing papers to file in federal court tomorrow, seeking a temporary restraining order and ~~probably~~ probably a temporary injunction against Sprague and the committee. This is over their second unethical move in two weeks. I think he'll file charges against Mark Lane with the New York bar. I want to. He asked me not to.

Now to take it by the clock.

I have had no response from Fauntroy, no word from Stokes or any other black member of the staffer of any. I will now make no efforts. I also remain heavily overloaded.

If an AP story of the 16th or 17 was saved for you in its reporting of the 442 <sup>ing</sup> pages released by the FBI - in response to "requests" it says - it is actually three weeks late on developments in my C.A.75-1996. The FBI has agreed to give me 88 volumes of records. They ~~run~~ run 200 or more pages per volume. This is not all by any means. It is their offer in an effort to buy the patient judge off. They laid out a schedule of two volumes a week. So, naturally, since the week of 10/25 I've received these two volumes plus the first two pages of the third. They are already six volumes in arrears in the schedule neither the judge nor I accepted as adequate. They are, correctly, playing their odds with the committee.

If I use the honorarium for the week at Wisconsin for this I can pay for maybe half of the promised. I've already given it to Jim to use as he sees fit. How we'll pay for the depositions in the other suit of which you know I don't know. We've invoked a provision of FOIA in asking remission of all charges. DJ will stall and then probably say no just so we'll have that to litigate and waste time on. This is time we can't spend on what for them is the hitty-gritty.

You are, of course, welcome to all of this. I'm making a dupe as I get the pages.

The dupe is for work, the originals to me for court and archive. I'm making notes as I read. AP went for the scrimshaw and called it news. But there is little meat in the stuff so far.

Their game is stall and stonewall. It is quite complimentary but it succeeds. They want to foil me and they've been doing it because I can't speed the courts up. et. We will be coping with this in another way soon, with two very large suits, one for damages and the other rolling all the unmet FOIA actions into one. It will be monstrous big. Maybe then I can get back to writing for a little time.

I met with Sprague at his invitation 10/20. After receiving some assurances from him I spent the rest of the day with his staff. He assured me of responsibility, confidentiality and that nothing I let them have would reach anyone else, among other things. Based on this assurance two days later I gave one of his staff counsel 20-25 pounds of bound King records.

Two days later one of his lawyers was here until 8 p.m. I did what I could to help. On the 20th there was one guy who did not come across right. He was negative and antagonistic. He is a white with a red afro and a DJ past. Name Robert Ozer. What was particularly obvious was his resentment when I warned him against the Lane ripoffs of which you know. He was so bad that when he left for a meeting his colleague apologized.

Two weeks and a couple of days ago Ozer pulled one with Jim. He had asked for a waiver on lawyer-client privilege of Ray and Jim had agreed subject to specified protections to be put in writing. After two weeks of stalling on this Ozer phoned to say he was going down and would hand Ray his own waiver to sign. There was an argument in which Ozer admitted much, including that his purposes were to solve the crime through Foreman. Thus the need for a release from Ray.

Jim told me. I raised hard hell with the counsel who is temporarily next to Sprague. Jim sent Sprague a tough telegram. Sprague then phoned me to give a half-assed and less than credible explanation/apology. He wrote Jim and he asked us in to another meeting. It was on 11/17. In writing and verbally he assured us it was all just a little mistake that would not happen again.

It was happening while we were with him. It is in today's papers. They've subpoenaed the records of Ray's former counsel, the public defender. This does violate Ray's rights and gives Jim the need to fight it. Now there was no need to go about it this way. There is no reason why they could not have what does not get into this delicate, protected area that a lawyer must protect. The first time I told Sprague Jim and I don't ~~SCARS~~ and they move faster without bulldozing.

Of course this is costly to us when we have no time. If Jim fails in federal ~~xxxx~~ district court in Washington I've suggested he try Knoxville and if that fails a press conference. The subpoenas are returnable 10/29. A week. Not much time.



Believe me this is a basic question of fundamental legal rights and it is a created issue, one that need not have been. This could have been done the right way, without danger to Ray's rights or Jim's professional obligations. They have their reasons, I'm sure. Some of the Members ought not find this acceptable, including at home.

Consistent with this they have done everything badly, wrong or both. This is not consistent with Sprague's reputation for courtroom brilliance and as a tough prosecutor. Except for the bulldozing that I'm sure he ordered. I think he'd have fired Ozer otherwise.

They start holding organizational meetings on the 15. They have Graden with the Zaprduer film and such verbal excesses Sprague detached himself. They show King autopsy pictures, which I regard as wrong and a violation of the family's rights unless it gave permission. We could not get them for court use. Then Gonzales asks Ozer if they have reason to believe that records were destroyed. Yup, Ozer says, after the committee was formed and relating to the King assassination. Ooops! They go into closed session, after just voting to be open.

This had a familiar stench. So I asked one of the researchers Wednesday and got confirmation that Lane fed it to them. It really is the destruction of the MPD red files to prevent a court order delivering them to a VVAW vet who sued for them and it was before there was any committee. Amly reported in the papers. I needled Sprague about this without telling him I knew how it came about. He defended it on the ground that those files include surveillance of King and therefore deal with the assassination.

The records I loaned them with the understanding they do not leave the office and that no other person sees them? I got them back Wednesday with an apology for the disappearance of one volume. Nope, not in the office. Deal diligent search. But don't worry--they are giving me a xerox of it.

Jim said immediately we left that Lane has it. I can think of no other reason.

Nor can I for their failure to ask me anything about the JFK assassination. Or for any of my files. This can mean only a deal with Lane.

Lane and Sprague have become close buddies. It is no secret but now that the potential is visible Lane is trying to make it less conspicuous. Even the Members are talking about it. One told a reporter friend of mine several days ago.

With Lane they've already solved the King case. So one of the Members told my reporter friend this week. He said they also have proof from the Canadian border and from Chicago. This they are supposed to have investigated themselves. Pretty good solving a Memphis crime by remote and at such distances.

Sprague told the Members they would solve the crime because a) the killer is still alive and b) the fatal shot was fired from the found rifle. Without any investigation. (Aside from the reporter I have an inside source.)

I'll add to this after another explanation. Why is Sprague doing all this when he is a really expert prosecutor and a brilliant courtroom lawyer, a hep legal cat?

It can't be for the \$39,600 he is getting because he can get more than that from the clients he used to prosecute, killers and gangland types.

I don't know the answer. I don't think it is because he was first assistant to Arlen Specter, who will be utterly ruined by a real investigation. But then Jim says I ought get paranoid.

I do know the FBI and friends and associates love it. What else?

Now we get to Lane's handle and more of the sordid story of which you learned part before you left.

You know Lane went to Los Angeles to learn what the Freed branch of his thievery operation had picked up. He went to Memphis with Abby Mann. To Holloman, the only one of whom I know - from one Lane told - Lane was a total unknown he'd not have seen. But is there a cop, active or retired, who does not know Kojak? So, telling Holloman that the Kojakery was doing a TV special he let them tape him. All he said is that Redditt was removed because of a threat against him.

You know about the other tapes. Then Lane goes to jail to see Ray. He assures him of no publicity and then seeks all he can get. I have tapes of his boasting. He cons Ray into signing a waiver so Lane can go for the private and withholdable personal for which I've been in court for a year. (Ray has since backed out to DJ.) They get Murtagh to say all over again what he said two years ago and on this, typically, there is improvisation: the "get King squad" was in charge of the assassination investigation. So you'll know, nothing to it.

With the package, enough on tape, down to Coretta. She is deceived, easily because after the Adams testimony she figure the FBI did it. She hotfoots to Washington to put the heat on. Tip O'Neill was opposed. Albert was cool. But this pressure did it.

This is how the resolution passed.

If is worse. Andy Young did not level with you. She used him to make the pitch to others in Congress, based on Lane's thievery and fabrications.

It is the ultimate obscenity.

As I've told you attention is to the dangerously sick Lane what air is to humans, even animals like skunks. He blabbed the Mana and other details to a reporter who said of Lane's representation of his closeness to Sprague that he tried to play it down but his feet were off the ground in ecstasy. He blabbed on a talk show that he got in to see Ray because he is a lawyer. I have the tape, sent by a young ~~friend~~ friend who had the sense on learning Lane would be on that show. He could get disbarred over this. And should be.

Now you know why the FBI and CIA did nothing to oppose this committee's establishment. They will be better off with what they can expect of it. And to date have gotten. They way it is going they'll be martyrs and the black members the villains. With the agonies of the crimes and their consequences perpetuated. I hope you get assigned to cover those hearings. I'll help all I can, of course...NBC has been silent since before you left. Prentice-Hall says it is concerned. Best regards,