

B. The Task Force And The Method Of Review

The Counsel of the Office of Professional Responsibility selected three attorneys from the Civil Rights Division, Joseph F. Gross, Jr., James R. Kieckhefer and William D. White, one attorney from the Criminal Section of the Tax Division,

*Sheehan
not named
also did not sign*

James F. Walker, and a retired attorney Fred G. Folsom, who is currently a consultant to the Tax Division with 37 years of experience in Civil Rights Division (which included homicide cases), Criminal Division and Tax Division prosecutions. As the senior man the latter was designated to head the task force. This committee or task force began its work on May 4, 1976. The committee was further staffed by the addition of two research analysts, Ms. Hope Byrne and Mr. Geoffrey Covert, two secretaries, Ms. Veronica Keith and Mrs. Renee Holmes, and two clerks-typists, Mrs. Leroylyne Murray and Ms. Dana Boyd.

Consideration of a tentative outline for an eventual report based on the chronology of events in the relationship between Dr. Martin Luther King and the Federal Bureau of Investigation brought the task force up against the fact that the field of the history before the assassination had just been plowed twice: once by the Civil Rights Division memoranda of March 31, 1976, and April 9, 1976 and once (among other kindred subjects) by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (Senate Report, No. 94-155 94th Congress, 2d Session, Books II and III).

By way of contrast, however, the matter of the assassination of Dr. King and the ensuing investigation had been

judged by the Civil Rights Division's Assistant Attorney General and his two assistants primarily on their familiarity with the Department file on the investigation as it had progressed since 1968. The Civil Rights Division's Martin Luther King, Jr., review memoranda reflected that a study had been made of only the first 10 sections of the FBI headquarters file on the assassination investigation and only a random inspection was done of some of the remaining 74 sections. There was no factual discussion or analysis. The conclusion was reached by the Civil Rights Division staff that "the Bureau's investigation was comprehensive, thorough and professional" (Murphy memorandum of March 31, 1976, p. 6). It was determined therefore to begin the task force's study with a complete review of the files on the FBI's investigation of the assassination. It was the consensus of the review team that by approaching the whole task by first examining the character and completeness of the murder investigation an answer could be made to the Attorney General's question as to the Bureau's performance in that regard and also an answer could be indicated to his question going to the Bureau's possible responsibility, if any, direct or indirect, for Dr. King's death.

After the examination of the FBI's investigation of the murder of Dr. King, the review team proceeded to go

back and complete the inquiry into the Bureau's pre-assassination relationship with Dr. King. Necessarily included again in this second stage of our review was the consideration of whether the FBI was in any way implicated in the murder directly or indirectly.

The task force made a particular point of looking at all the material in the FBI headquarters and field office files on the Assassination Investigation, the so-called "Murkin File" (Murkin being an acronym for Murder of King) 1/; the Martin Luther King Security File 2/; the Cominfil-SCLC File (Cominfil being an acronym for Communist infiltration; S.C.L.C., the initials for the Southern Christian Leadership Conference) 3/; the file on Communist Influence in Racial Matters 4/ and the advisor to King File 5/. The "Murkin" file was solely concerned with the murder investigation. The other four files provided a multi-focal view

1/ FBI HQ. 44-38861

2/ FBI HQ. 100-106670

3/ FBI HQ. 100-438794

4/ FBI HQ. 100-442529 and the predecessor file entitled Communist Party, U.S.A. Negro Question; FBI HQ. 100-3-116

5/ FBI HQ. 100-392452

of the Bureau's intelligence and counterintelligence activities with respect to Dr. Martin Luther King, Jr. The scheme of citation hereinafter used will be to minimize footnotes, place the source citation in the body of the writing, and designate headquarters files by "HQ" and number and serial and Field Office files by city and number and serial, e.g.: (Memphis 44-1987-153). Exceptions to this scheme will be explained when made.

The more voluminous of the pertinent files in addition to the FBI headquarters files and the Washington Field Office files were located in Memphis, Atlanta, Baltimore, Charlotte, Birmingham, New Orleans, Los Angeles, San Francisco, Kansas City, St. Louis, Omaha, Chicago, Springfield (Ill.), Milwaukee and New York. These were examined in place by visits by task force personnel. The remaining files were xeroxed and forwarded for review in Washington. Pertinent newspaper clipping files maintained by the Department and by the Bureau and its field offices were scanned.

In terms of papers examined, more than 200,000 entries, many with numerous pages concerning both the murder investigation and the security investigation were covered. The five attorneys sitting together originally

and later, as the work progressed, splitting up to work singly or in teams together with the research personnel, considered separate sections of each file compiling notes, commenting on, or reading aloud, or noting for reading by all of the committee, items of significance. Notes were taken, when pertinent items were encountered, on a serial-by-serial basis ("serials" being each separate document entry of one or more pages in the file). The resulting books of notes were then reviewed and used in conjunction with the original-source serials for the development of the statements of fact herein. In addition witness interviews were reflected in contemporaneous memoranda which aided in the development of the facts recited.

Selected portions of the so-called Official and Confidential files which had been kept in the office of the late J. Edgar Hoover, some sensitive files in the office of a Section Chief in the FBI Security Division, and the files of former Assistant Director William Sullivan were reviewed. So also were the pertinent files of the Attorneys General. The task force attorneys reviewed the transcripts of key intercepted telephone and microphone overheard conversations of Dr. King and his associates. These were spot checked

for accuracy against the tapes of those surveillances. A canvass of other investigative agencies was made to determine whether their files reflected that intelligence or counterintelligence requests had been made upon them by the FBI in relation to Dr. King. This included the Defense Department, the State Department, the U.S. Information Agency, the C.I.A., the Secret Service, the Postal Inspection Service, the Internal Revenue Service's Intelligence Division and the Treasury Department's Bureau of Alcohol, Tobacco and Firearms. The material turned up by these agencies was examined, albeit little of consequence was discovered. Relevant portions of the investigation reports of the Memphis Police Department on the King murder were xeroxed and studied.

In addition to official files, the task force personnel considered published material from the public sector dealing with Dr. Martin Luther King, Jr., and his assassination. Included in this category were a viewing of the Columbia Broadcasting System's program on the death of King in its series "The Assassins," a National Broadcasting Company "Tomorrow" program of April 4, 1974, and perusal of books and articles on the Southern Christian Leadership Conference and the role of the FBI in relation to the murder of Dr. King (see Bibliography, App. A, Ex. 6). This lead to some valuable

evidentiary material - principally the oral and written statements of James Earl Ray - which was used to buttress the reconstruction of the facts of the murder and of the FBI investigation.

Some 30 interviews were conducted, principally in the assassination phase of the task force study. They were helpful in supplementing the results of interviews done during the murder investigation.

During the review of the Memphis Field Office files, an on-site inspection of the crime scene was conducted and the exhibits in the office of the Clerk of the County Court for Shelby County, Tennessee, were examined.