3/14/70

Mr. Hugh Sidey
LIFE magazine
1120 Connecticut Ave., n w
Washington, D.C.

Dear Mr. Sidey,

Although it is a fact, I do not write you over my disappointment that no one from LIFE covered the press conference of which I phoned you Wednesday. I write because of the deep concern reflected in your two most recent editorial articles. I ask you to consider the meaning of the following in their context, that of the Sheed review, and the special one provided by the administration's native beater from my State.

I filed suit under the Freedom of Information Act to get what the administration has denied me, the public record of a public trial of an American citizen, accused in one of the most reprehensible and certainly the most costly crimes in history. All official copies of this trial record have disappeared. The fact is they have been confiscated by the Department of Justice and lied about by it and State.

Unusual as it is, almost 100% of the evidence in this extradiction hearing was by affidavit. Obviously, an affidavit cannot be cross examined. This seems to have disturbed court-appointed "defense" counsel not a bit. Thh judge, in his decision, said it was based on the affidavit evidence (what else, there being nothing else?). The total is about 200 pages.

I asked the Memphis prosecutor for access to the evidence and he replied no one would ever see it. I have the letter. The clerk of the British court writes that all copies were given to the Home Office for forwarding to the State Department. The State Department writes it did, indeed, obtain the British court records (the originals, not copies-no official copies remain in Britain!) State, on requesy, gave this set to Justice.

After ignoring myrequests for a court record for six months and stalling after my lawyer wrote them, Kleindienst finally wrote they do not have any copies of this material and even if they did it would be immune as part of an "investigative" file (which it isn't and never was). But the fact is, as the State letter proves, these affidavits originate at Justice, were certified by it and State, and there can be no doubt both Departments have and had their own copies. The British court's copy was obtained, entirely improperly, only to remove all copies to which the press might obtain access. And the Deputy Attorney General is either a very big lier or more incredibly, this has all been destroyed or hidden.

Whether Ray is good or bad, innocent or guilty, is immaterial.

That this did happen in our country, perpetrated by the administration that is berating the press for its claimed deficiencies, is significant. And that the press almost completely suppressed the filing of the suit (one of the first under a new law) is, I think, a remarkable self-indictment.

The press conference was well announced, on the UPI wire and by my phone calls and personal backgroundings. Three men appeared. UPI's filed a short piece whose focus was other than I here give you. The Washington Post carried not a single word.

So, I ask you, as a responsible member, influential in your own right and more so because of your publication, to ponder the state of the press, particularly because it is under attack, when this can happen, such a suit and such entirely unquestionable fact, can be almost completely suppressed.

What is the state of freedom?

To whom can the people turn for information, how can they learn the fact of how their government is operating, violating its own laws, when the press will not report it? And I do suggest that with the background of this unparalleled administration campaign against the press, my suit and what causes it are pertinent as few things can be.

You know of the Stanton and Goodmen "responses" (Goodman's just the night before I filed my suit). CBS and NBC were both informed, both backgrounded. Both stayed away. Neither found any "news" or anything worthy of "commentary". Neither wanted copies of the papers filed in court.

I mourn a sick land. There is room for you on the bench.

Sincerely,

Harold Weisberg