

11/27/75

Mr. George Lardner
Washington Post
News Room
1150 15 St., NW
Washington, D.C. 20005

Dear George,

That I feel impelled to thank you again for what was once the journalistic norm, honest, impartial reporting, saddens me. However, the tradition is no longer the norm, as 12 hard years have finally pounded into my head.

First, so you will have no doubt and if anyone wonders I enclose a copy of the appeal Jim filed with the sanctimonious Levi months ago, May 5, after stonewalling by the FBI that began in 1969.

After we spoke I also spoke to Jim, who has had the Complaint ready but just hasn't been able to file it. He had planned to by now but interruptions prevented it.

I don't think anyone has the remotest notion how much work he and I do, without help or support, and how easy it is for officialdom to keep tabs and stonewall. They don't have to spy to keep tabs. They know from proper involvement. (Not that they don't spy. I have copies.)

What delayed this was first, my general policy to avoid going to court if possible and then to give the Government more time than the law does. Then the enormous labor of the Ray appeal. What Jim filed is close to 1,000 pages. Then the nasty CBS attempt at Madison Avenue promotion of its King/Ray segment, which required immediate response on several occasions in Tennessee ~~state~~ courts. Then the filing of the appeal in my C.A. 226-75, which itself was delayed until the last minute, by these other needs. Between my illness and these various time pressures I have not even been able to read the appeal in what will again be FOIA precedent, not a good situation.

If the Post wants to go into the story itself more I'll somehow find time to help. There are several days in which it can. What I do not believe is that it wants to. However, I make the offer. It can, for example, join me in this action, which Jim and I will pursue alone otherwise. If it does, because I have no literary purpose, I will let the Post have first rights to what we'd get. My belief is that it can be enough to blow the whole King assassination story apart. (Paul Valentine may remember that I said about this to him years ago and then made offers to the Post through him.)

One illustration is if I can get even a major part of the lab work. There is no possibility of doubt that the FBI knew the so-called Ray rifle was not used to kill King. There is no doubt that at least some and I think enough lab work was done. There is no reasonable doubt that from what I know was done the FBI knew this and then lied in a way I have charged without even pro forma denial was perjury.

We'll have to check with Jim to see if what follows is still covered by the protective order of the court by which I was covered as Ray's investigator during the discovery Jim and I exercised jointly in early October 1974. I think it is not but until I am sure please regard this as confidential. There is no single FBI report accompanying any of the FBI's work on any samples. Bullet, bullets, test bullets, shells, soil, fingerprints, cigarette remains - anything at all.

I don't know how much you read of Post Mortem. But during the meeting Jim and I had at their request with those three FBI characters, Bresson, ^Ailty and Frazier, we made it clear that a) I had the goods on Frazier in the R JFK case and would be pressing in court if necessary and b) when we could we would formalize the unanswered request I had made in the ^Aing case. Frazier took an early retirement the most obvious accomplishment of which was to prevent what I'd told the Assistant U.S. Attorney I'd demand in court: an affidavit from Frazier as the government's real expert. ^Ailty was not.

This can lead into an area in which the government may be able to resist properly under the law. I'm not a lawyer. But I think if it does it will also mean a major story. And I'll lay any odds Levi will not want this gone into and agents and lawyers will go to any extreme to prevent it. I'll lay it all out if the Post has a genuine interest. The government has to know who Ray's associates were. Their problem was that placing these people at the scene of the crime did not prove they did it and because Ray was not there, he could not. (They offered him a deal on this, by the way, apparently not having figured out where he really was when the crime was committed.)

So, if the government invokes the investigatory-file exemption it can relate to only others, not Ray, or amounts to a confession that it has withheld what is exculpatory of Ray. In plain English, framed an innocent man on one of the major and certainly the most costly single of crimes.

I can't take the time to try to check my files on which reporter might have been used by Hoover, who would not appear to have had the local knowledge reflected in his pinpointing another place for ^Aing to stay, the one place that made the assassination possible the way it was done. I am not suggesting he set it up, if it had that effect. If you know the local area, this kind of job was impossible at the Holiday/Rivermont. However, I think I can make a few suggestions.

Aside from recovering, mailing out the books for which we are receiving encouraging orders without a single news account telling people who to get them, my major interest is getting back to writing what I have already researched and is daily being corrupted. However, if the Post has a genuine interest in any of this, it can depend on me for any help possible. Whether or not, Jim and I will proceed as best we can and as of now I'll just let those who want what I get have it, subject to Jim's judgement and Ray's needs and rights.

Again thanks,