12/18/74

Mr. Av Westin
American Broadcasting Company
New York City, N.Y.

Dear Mr. Westin,

In advance of tonight's showing of The Missles of October I write to ask for a copy of the script if there are any spares for two purposes: possible use in a book on this subject researched in 1965 that I hope to get back to soon; and to leave as part of an archive, where all my files will be at some future time.

It is good that important events be dramatized for popular comprehension. I regret very much that ABC did not go for my own proposal along this line beginning this past summer. If it did not reach your personal attention during the decision-making, I enclose the only descriptive material I have on it.

Government just does not function as schools teach it. One of the more effective ways of telling it to the people as it is is by drama. The mass means of this, of course, is TV. Even if not from my work, which I do regret, I hope there is more of it.

In early 1971 I was in touch with your office about the TV possibilities of my book then appearing, Frame-Up/ The Martin Luther King/James Earl Ray Case. I was referred to the Washington bureau, where interest seems to have ended at low levels. I believe this case lends itself to both documentary and dramatic treatment and that it also deals with how an aspect of government, the administration of justice, works. Beginning with that book Ray is finally in the courts in his effort to get a trial. I am his investigator. Most of the legal work, which includes establishing an important precedent, has been done by my colleague in the new book. It is his first real case, a situation of natural drama when among his many adversaries is the country's most famous criminal lawyer, Percy Foreman - who did not appear at the recent hearing where, in effect, he was on trial. No TV coverage I saw gave any of the major new developments in this hearing, not even the flavor. The enormity of the record we built was beyond either the comprehension or the reporting of the excellent reporters who were there. The permeating corruption, which included perjury and deliberate framing, and the Constitutional abuses which make those in the Ellsberg case seem modest, are both, I believe, without precedent or parallel. In part this is because for the first time ever there was "discovery" in a habeas corpus case. Despite all the official opposition to the court's orders Jim Lesar and I obtained documentary proofs. These range from establishing the deliberateness with which Ray was framed to the orders to deliver all his communications, including those with counsel and for use in his defense, to the prosecutor for xeroxing. In the latter category we obtained at least one communication with every lawyer who in any way represented Ray from the secret files of the prosecution and at least one sample with the two different defense lawyers in the criminal case of Ray's preparations for his own defense, stolen from Ray's sell, with delivery receipts to the prosecutor. Even a registered letter to the judge, from the prosecutor's files. The Supreme Court has asked for written arguments by January 6 on whether it should grant certiorari to the State's appeal from this dicovery precedent.

Sincerely,
Harold Weisberg