

Dear Jerry,

2/27/81

I take it you've cooled on Lifton. He's still on the circuit. On an TV in DC yesterday, earlier in Baltimore and between the two, Phila radio and TV.

It is time for me to get back to writing. Biggest deterrants have been my litigation and my medical situation. It will not be easy because I have to get up and move around too often and because the discomforts are a constant intrusion on concentration. The sick political climate does not bode well for FOIA but I'm still getting more records all the time.

The first book will be "The King Conspiracies." It will be definitive and it lends itself naturally to super promotions. Congress amended FOIA because of me, I sued for the DJ/FBI's records, have about 60,000 pages of them, and they say exactly the opposite of the official conclusion and all the official re-investigations, the records of all of which I also have. I have in mind a popular book put together like a court case, with a short a text as I can limit myself to and a very heavy appendix of the official evidence that was suppressed until I sued and got it. (The suit is in its sixth year!) I visualize Ray as almost incidental, if the convicted man can be so regarded. Despite this it will, perforce, be a brief in his defense. (Only as the assassin.)

I was his investigator and I did better for him than the most expensive one he could have gotten. With no income I got him counsel, conducted the investigation for the successful habeas corpus and then conducted the investigation for the two weeks of evidentiary hearing in federal district court in Memphis, with the FBI, the State of Tenn and the locals as adversaries. I even prepared some of the questioning of witnesses for the lawyers who had to question them without even having met them. All of this stacked and was untouched. The judge held that guilt or innocence were immaterial!

Percy Foreman fled a New York TV studio while the makeup was being applied when he learned he would debate me! He refused to go to Memphis for that hearing, too, big-shot lawyer that he is. That is what I did to him. He takes fits when he thinks of my name and I've had graphic accounts of it.

I've spent days on end with Jimmy Ray, in jail, and many more with his brothers, one inside of Heavenworth, all on tape.

After my Frame-Up was published I got a chance to go to Memphis. I then evolved a theory of the crime, one I believed to be the only possible one, and with all of this almost completed the draft of the book. I filed the FOIA suit to fill it in. I was right because the once-secret FBI records state exactly what I figured did happen.

Got any ideas?

To give you a bit of the flavor of those two weeks, almost sleepless two weeks, each morning beginning with my meeting with Jimmy in the U.S. Marshal's cell;



How do you prove that the famous Percy Foreman was ineffective counsel? I figured only by assessing his performance, which means the evidence available that he didn't use. The lawyers agreed and that was the approach of my investigation. By the time the witnesses I'd dug up had paraded before the judge and the press had taken pretty much of it - it meant trying the assassination - Martin Waldren paid me what I took to be a high compliment. It was at the beginning of the morning break toward the end.

I'd just left the courtroom, was lighting a cigarette and was on my way to the toilet, a precaution I learned years ago. Suddenly there was this great bear's arm around me and that brute, "Hal, you old son-of-a-bitch, ain't you ashamed of yourself." I turned to him and asked "about what, Mo?" "Fucking up the whole FBI, the State of Tennessee and Shelby County," he laughed.

The last day they pulled a surprise witness, the former US Attorney who was a Bantam vice-president and house counsel, as an expert witness on publishing and the books in the King case. Fortunately, it was toward the end of the morning session and also fortunately I always carried about 35 lbs of records with me that I expected might come in handy. Then and there I had to prepare defense counsel to cross-examine him. But where could we be private for the hour we had for lunch? We couldn't go anywhere and have any time because our quarters were that far from the courthouse. So I thought during the last few minutes of the morning session, figured it out, passed chief defense counsel a note asking him to ask no questions but follow me, and I took him up to Tay's cell, where it was private, told Jimmy to be quiet, and laid out the cross-examination from my knowledge of books, publishing and the facts of this case. We tore him up, much to everybody's surprise but mine. If we'd have had more time we would have done more.

Then there was that afternoon break, right after he limped off the stand. Once again that bear hug and "Hal, you old son-of-a-bitch, don't you know what overkill is?"

Mo didn't expect it to be overkill then and there. He believed all along that there was no way we could win at district court level. He did believe that we'd win on appeal, but we didn't.

You can't imagine how the FBI hates me.

Excuse the typos and haste. I have to move around and run some errands. Not run except as figure of speech.

Best wishes,