

1/19/76

Ms. Esther Kartiganer  
CBS News  
524 W. 57 St.,  
New York, N.Y. 10019

Dear Estjer,

Thanks for the good wishes in your letter of the 9th and the transcripts. I presume the attached note saying the transcripts as press copies may not be word for word as aired does not include direct quotes.

It is, I think, better that you avoid my acceptance of your earlier request in a different context, that we discuss my reasons for declining to appear on the show. The refusal was based on anything but selfishness when I had a new book and other books to sell. However, if you have not kept up with developments, there is none of the courts before which the question has been that has not supported my spontaneous position.

If you were given less than I was by DJ this is only because you didn't know what to ask for (a matter on which I have before meeting you agreed to help CBS) and I saw to it that despite our disagreement you got copies of all I was given. I will be getting more and in time I will make it all available.

I must have been wrong in my recollection of what you said about the autopsy pictures. You could have gotten them by other means if you'd asked me. Others do have them, which is the point I want to be able to prove in court. The only other interest I have in the autopsy pictures is as evidence. This gets directly to one of the compromises in the show that in my old-fashioned view of the responsibility of the press get to integrity. I am not being personal, not making accusations against you. But the fact remains that while this was the least dishonest of the series it fell far short of what CBS could have done and had it adhered strictly to journalistic principles would have done. Perhaps having to live with compromises that I regard as on principle makes my position on these matters more difficult to comprehend. I have been only too familiar with policy decisions in the print and radio press and book and magazine publishing. Less with but some with TV as it relates to my early work and subsequent attitudes toward it and me.

Corruption has become the national way and had achieved national acceptance. I could argue that from April 18, 1969, when it filmed Stephens has been guilty of misprison of a felony from the time it learned that Stephens swore the opposite of what this interview says. While I would not for a moment deny CBS's right to its own work product (was it ever aired earlier and if not would you consider this diligent, honest journalism?) with Stephens or with anything else and would not for a moment suggest that what CBS receives in confidence it should let anyone have, I see no parallel with the non-secret, whether or not out-takes. Being a reporter does not relieve the responsibilities of citizenship. When crimes are committed and there is no question of confidentiality I am again old-fashioned and believe we all have responsibilities. It is much easier to believe that the real reason in this case, as distinguished from The Selling of the Pentagon, is to avoid embarrassment to CBS over what it had and did not air. An example is what you had one way or another and did not air that my suit shock loose and you filmed me saying and reading and showing, the utter destruction of the case as alleged against Ray. The least significant about the absence of traces on the muzzle is what Rather read, and then there was a phoney reenactment to support the state's criminality in its allegations. No honest reconstruction was possible without putting the muzzle where the mark was and that CBS did not do or report.

My interest in this, the show(s) and the principles, is an interest in a decent society. I know of no conflict of principle in full and honest reporting of major events, particularly the most costly crime in our history and the ending of a career like King's and the possibilities for doing good he held for all of us. My clear and stated belief is that all official handling from the beginning amounts to subversion and often was criminal. (Remember Brandeis on government as "the potent and omnipresent teacher?") Where my mouth is I am. I've done this work free, without subsidy and without a regular income and none of any size. Or, I do not only say what I believe, I do it. In these cases I know what CBS suppressed if I do not know what it got on its own and did not use. More deliberate dishonesty than in the first show does not come quickly to mind. It constitutes deliberate fraud, too. Thus I am sure that one outtake CBS will never let anyone see is the Weston interview. Adding to this was the dishonesty of the questioning. These are outside your area but not mine.

There are questions of reciprocity. You people are so used to wielding limitless power and with compromising that you have to forget what in other field is not uncommon. Take for example all the time you took from Jim and me. From Jim this amounts, in addition to other things, taking time he should have spent on cases he is handling for me. You owe us nothing for this? Not for asking and getting out "outtakes," our knowledge?

There are other dishonesties and the show went to some extreme to pull them off. Like instead of going after Carlisle for what he did, and it is some of the dirtiest, it used him to air the Frazier affidavit and at no point even suggested how this and all the other such evidence came to light.

Its interviews are CBS' but the work is not. If I were a man of means I'd be testing this in court. I regard the show as a ripoff of Frame-Up with dishonesties only added in a phoney pretense of "balance." And we had an agreement that without a normal literary arrangement CBS would not use my work or my knowledge for leads. This is an absolutely normal arrangement in all aspects. While I do not claim ownership of the events there is no reasonable doubt to my copyrighted right to the way I put it all together. CBS even used my evidence on the ballistics in stills from the press conference pretending it to be CBS' own work. In this case CBS pretended all the work, including the investigation, was its own. It actually claimed credit for duplicating my work by calling my work its work.

And then was vindictive about me.

The show more than justifies my objection to an interview with Ray. However, although I would have and probably did recommend against it (I don't recall) the first decision was his and he wrote me about it before he could have received a letter from me. Or Jim. The effort to go behind Ray's lawyer's backs to accomplish a selfish purpose is in my view neither proper nor moral nor ethical. I have not opposed all interviews, was for some and he is regularly rejecting offers of money he needs for interviews. He ticked off a long list of which I had no prior knowledge just this past Friday when I saw him. They range from Hustler to countless foreign publications.

While I repeat there is nothing personal in this I think you could understand how I feel by trying to switch positions. Here is this mammoth, wealthy corporation that regularly goes out and pays people for no more than tips, including crooks and conmen, and when it could have saved much corporate money and wound up with a better show, certainly more honest ones, declines a normality of its business, the purchase of literary rights, and merely uses its power and arrogance of power to steal them.

I regret very much that CBS has no interest in common justice and is unwilling to make available what it does not have to keep secret for use in court. I have my own view of what this means of CBS' interest in the country, in the state of society and *in the rottenest and most deliberate of corruption - I'm truly sorry it worked out this way. I do not suggest that you controlled the content - and I do have the highest respect for your competence that I observed. Sincerely Howard Weisberg*