

8/6/75

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

Dear Esther,

For as long as it takes Andre Watts to play the Tchaikowski piano concerto I'll add a bit to our conversation today. We have no record player. I was about to go to bed so I could get a start at about 3-4 a.m. on some editing, and then this came on the radio while I was making up my mind whether to see if I could fall asleep at 9.

For your HPK team: there was a search of the shooting range at which Sirhan is supposed to have practised with that pistol and ammo. In Special Unit Senator there is an account of the collection of something like 30-40,000 shells without finding one that matched.

There were two cars, Sirhan's and one he borrowed. The same source reports the searching/examination/testing of but one.

Following these may lead to nothing but if they are accurate I'd follow both.

If I were a researcher on that project and wanted a book to read nights - not expecting to take it as fact but as a basis for thought - I'd get The Bilkien Courier. Someone borrowed my copy. The reprint was by Balanantine.

In preparation for a battle with the FBI on Ray evidence I think you might want copies of all the court and correspondence records. I have them. Letters that lie can be helpful to those who might repeat the same lies.

Do not take the investigatory-file exemption as mandatory. It is not. After we filed DJ decided to waive it but they still tried to stonewall. If they raise questions about Ray's rights I think there would be no problem of a waiver. If they raise questions of withholding evidence because it can be used in a trial by the prosecution - the system of justice says this is justice - I'd ask why at this late date when they have already offered Ray a deal. They have. And are they not interested in justice rather than debating points? I'd also ask for the case that resulted in the Birmingham indictment, the one Kelley has to have referred to in his letter. Tell him he hasn't kept up - the case was dropped years ago. So, why not let you have the evidence? There is none. Not any.

If they go this road I'd have some questions like why did you have to confiscate the British records when you had multiple sets on file. A little embarrassment from CBS might go a long way with Kelley right now. Why did they use only a staged picture of the evidence as found?

I don't remember all I told you. I think you should understand that they have a pretty good idea who did the shooting but they can't prove it, the real reason, I believe, they offered Ray the deal. I did tell you about this. They do have proofs. This is one of the problems you will run into in going after some of the evidence, like the fingerprints and the cigarette butts. Perhaps the maps. They refer to Ray's prints on the maps only. There should be more. There are other places they had to have gotten prints other than Ray's. I mentioned the car. Many more places.

This gets toward what I said is not impossible, but I would say ought not be tried for this show, solving the crime. It can't be done for this show and would be worth more separately. Those of your people who are hungup are, I suspect, hungup on JFK only. I do have some good leads and some suspicions in which I have confidence.

But right now this could get people killed, including Ray if not beginning with him. Thus I stayed away from people I could have questioned. When in the future we talk of this remind me of the very last thing I did before I left New Orleans last time I was there. I had been given a new tip by one who could have good information and who had no way of knowing that it coincided with what I was staying away from. I did it just before catching the plane so my handwritten notes are more illegible than usual. I gave them to Jim, who may not remember what they are. Alone they make no sense.

As you work you may pick up much that may seem to make no sense. Please try to keep track of it as completely as you can. It may have meaning you are not in a position to understand.

Not for this show: there were charges the FBI could have filed and on which conviction would have been automatic. They opted not to. My belief is because they were hoping not filing charges would leave live possible leads running around. There were place and date omissions in the narration, too. More than De Soto.

There also is potential help available in Memphis but I must reserve that for the possibility of a trial. We should get one. I have already received help from this quarter and have reason to believe the prospect is very good.

My mind was elsewhere when you asked about the scientific tests. I have some standard-source material you can have and I'd suggest that even though I have asked some students to do this for me you have some research done in the public library in New York. I need it also for other purposes. It is, simply, the standards for performing both tests. A text from which they are taught ought to be pretty good. How they are done, concept, mechanics and the recording of data. I have what I think will be enough for you on their capability. The other things you'll probably want if you sue. If they deny performing these tests don't take that as necessarily true. They lie regularly and professionally.

Jim phoned for other reasons after you did. My student friend has completed the name index of the transcripts. I suggested to Jim that he ask this same fellow to index several other documents, like the Foreman and Que depositions. The faster these cards are typed the better. If you have anything special along this line in mind let me know and if it fits Jim's needs I'll see about arranging it. I may be able to get a number of students on vacation working on a number of documents. It could help us all.

We got off the track when you asked me about Judge Williams. Normal for Memphis he was a prosecutor. He also had his decision prepared before he heard us. He even had all the citations ready. If we don't have the transcript we should have a tape. I asked Bud to make one. Unrelated developments in his court that day might make one or two pointed sentences about the state of justice for blacks in Memphis.

Remember my suggestions about how Jensen knew so fast? I have reason to believe - not proof - that he had a man there at the motel.

I don't feel like staying up for Dvorak.

Best,