

Please return if you do not want to keep

2/21/71

Dear Paul,

Thanks for the Epstein piece, which came yesterday.

There was a truly remarkable coincidence after our Friday's conversation on this. I left a little earlier than usual to bring Lil home so I could stop off at the hospital to spend a few minutes with her uncle, who is ill. As soon as I turned the motor on, because I keep the car radio tuned to WTUP for news, there were Croakite's sulcast tones interpreting this precisely as I told you it would be taken, not as it superficially seems designed to be interpreted. He reached immeasurably more people than the Post's editorial, which will, I predict, be used the same way. Here he was telling the whole country that this dedicated scholar, to whom we are all so indebted, had made his own detailed and impartial study and what it proves is that there is no campaign of any kind against any blacks, least of all militant blacks. His emphasis was not that the figure Garry gave is exaggerated, but that there is no police repression of any kind, and thank Epstein for doing what the press should have done for itself, doing his own investigation, and by God! here is the proof.

This whole thing is entirely within the clear intent of that well-intentioned Post editorial. It is true that working against those headlines, the papers are always confronted with such problems, and people being humans, the kind of error for which it atones is inevitable. It is because I was and am convinced that the purposes and uses of the Epstein piece are not good or healing that I am also convinced that this editorial, for example, will be twisted to the same ends.

Last night I read about half of the piece. I intend to finish it today and if I can find time, write a memo on it, for you and for my own files. I happen to fear the country is going to burn, and that such things add fuel and inspiration. But I write this in a hurry, having gotten up early to do it, complete reading the piece, and make these notes, because I want to propose a simple intellectual exercise to you on it.

Let me give you a context for it. Assume, as I do, that the decent elements of the press have over-reacted to Agnew and instead of fulfilling their function of hound-dogging the government on such things are doing it to themselves, and on the wrong issues. So, instead of doing your own commendable agonizing, for each reporter with honest intent faces this same agony that every editor, every paper, faces, reread this piece critically. Try to look for what may be wrong with it, analyze its approach and emphasis, read its self-representation with care, as you would if you were taking it apart. Don't begin with the sympathy your underlining indicates. Even though I read it too fast, because I also have time pressures, I encourage you not to. You did small bits of confabulating. For minor example, you said that Garry just gave Epstein his list. The error is quite minor and reflects no worse than a sympathy for the article that indicates a non-critical reading. The list came from Garry's office. It is, in fact, in response to a request to Garry for it. But Garry did not personally send it to Epstein. I think if you subject this to the kind of treatment my work gets, you'll be asking yourself some questions you did not pose to me. So that you can do this independently, I'll enclose my memo separately so that you can avoid being influenced in advance if you do this. And so that you can see that my own analysis is not new, when next you are here you can see how I have and have had my own clippings and other material on this subject files. One other thing: There is a military project called "Project King Alfred". Another writer's file on it was mailed to me but never got here. Be alert to it, for it is secret. I know a man to whom it was shown and two with whom he discussed it. It seems quite relevant.

Sincerely,

2/2/71

Dear Paul,

So you can understand that I have time pressures not unlike those with which you and the Post live (and am therefore subject to similar error). I begin by telling you that it is 8 a.m. Sunday morning, I wrote you the earlier note, and completed the Epstein piece, not yet having had breakfast. This, I hope, will be interrupted by that, if not also by other needs, which will prevent my making this as detailed as I'd like for my own file, if not for your information.

There is a certain amount of gratification in this for me, for my reading, with which you and others may not agree, tells me that it completely confirms my analysis before seeing the piece. And in even the finest detail. For example, you say remember, I asked you if this piece said it was the end product of his own personal inquiry and you said first yes, and then changed this to be that it seemed to say that, and when you found no such thing, you found a few quotes which do seem to say that. Well, you correctly got the impression it was intended to convey, that this was the result of a personal investigation, that it was impartial, detached and complete, and I am more satisfied than when I told you that this is entirely false and that the dishonesty of intent is as it reflected. It is, with some skill, presented as Epstein's own work. I am now quite satisfied that my interpretation to you of what Mitchell said on CBS TV is quite correct, that all of this was spoon-fed to Epstein, to Mitchell's advance knowledge, and that, in advance of the writing, in his own formulation, it would say what he wanted said.

First I suggest you ask yourself some questions. I am not able to sit down and organize either my thoughts of this writing, so there may be more of this. What does the New Yorker pay for a piece like this? How much work can it justify on the part of a writer? Suppose, in advance, as I suspect is here the case, there is an advance deal on a ~~xxxxxxxxxxxxxxx~~ book that is to expand on the article? How much advance expense, by author or publisher(s), can this justify? And compare this with what the article presents itself as representing. Could Epstein have gone to all those scattered cities, from New Haven to San Diego, and interviewed all those witnesses? Would it be normal for all those police departments to have turned his loose in all their records for him to select what he wanted? Is it within physical possibility for an energetic, hard-working man, which Epstein isn't (and I think he has college employment which would keep him somewhat fixed in where he has to be), to have interviewed all those people this article presents him as interviewing? Like the Wesley case in Chicago, where he said that Wesley said he had told police investigators and things like that? I suggest that this Wesley quote came from an FBI report made available to him, and I further suggest, as I had before reading this, that all of his stuff was fed him by or from the FBI. This is not as exceptional as it may seem. Remember the Oberstreet book of which I told you?

Before you came to Washington, the fact that government sponsored such things was fairly well publicized. It has not been recently. I suggest not that this is because it has ended but because it has been done with more care. Some of the most important people were found to be writing for government pay and doing other things with government money, often CIA and USA. What comes to mind without research includes the New Leader, the New Republic, Norman Thomas, Praeger, and these alone should suggest that liberal or liberal-seeming people and publications are sought after for such uses. The AFL-CIO has also loaned itself to such things, as you can learn from checking Schlesinger's Thousand Days, which has a good index, in the case of Cheddi Jagan and Diana alone (I think there are others there).

Now I know something about Epstein, his work and his personality. One of the most interesting stories came to me from an editor who had been his classmate at Cornell. He is a gonna-get-ahead guy who is out to make it, has the success formula, and is making it.

I don't recall with certainty the confirming source, but my first was "an Weingarden, an editor at Grove, later, when she was ill, part of Parallax. She told me that while they were at Cornell together Epstein actually coaxed other students into financing a trip to Alaska ~~was~~ for him by selling shares in himself or whatever it is he was going to do there. While I don't presume you will want to check it, if you should, you should be able to locate Ann, who was about to be hospitalized when I saw her, through Peter Workman, whose small publishing company is in his name, on East 91 St in NYC.

The fiction that Epstein is a learned "scholar" is, in part, the fault of the Post and just such (unapologized) pressures of time. Of all the writing on the JFK assassination, when examined, his will be seen to be the least scholarly. The air of scholarship comes from the magnificent notes, which were not his work and of which he was utterly incapable. They were done by a brilliant and dedicated woman, Sylvia Beagher. Of what can be called serious writing in this field, Epstein's is not only the least scholarly, it is also the only one to use standard reprobatorial techniques. He did no more than interview those parti pris, and got from each what each wanted used in his own self-justification. What emerges is the most vicious blaming of Warren for the Commission's error, something entirely lost on Warren's "liberal" friends, the most awful accusation of a government conspiracy lost in the pseudo-scholarly language, and all based on the assumption, never in any way addressed, that Oswald was the assassin. If you read the book and will think of "Inquest" now, not as of the time of appearance, you can understand what what Epstein really says is that Warren did a bad job, that the bad job was Warren's personal doing, and that the FBI did the dependable work, even on the autopsy. Licholier gave Epstein classified materials and Epstein used them in defense of the FBI, whereas they actually constitute the most serious self-indictment of the FBI.

Epstein's New Orleans writing is propaganda, second-hand, and falls far short of the indictment of Garrison that is possible, partly from incompetence, partly because it clearly is not Epstein's original work. I understand he spent about two days in New Orleans, and much of them with Tom Bethell, who is probably even more incompetent and much earlier than Epstein. Tom was out of my sources, and he was, while working for Garrison, opposed to him. He told me he gave Epstein some of his stuff and that Epstein was there for so short a period. My other source (which shows I'm not anti-coop, was Louis Ivon, a professional policeman who was working his way through college, now has a degree in criminology, and right now has gone to a Texas college for some specialized further education. I confess that I like Louis, so I may be inclined to be ungrateful, but I trust and believe him, and he said Epstein was there for but two days. As Garrison's police-department-assigned chief investigator, he was in a position to know.

So you will not misunderstand (and I think you know something about my attitude toward Garrison and his "investigation"), I am not his defender. I spent more time investigating what may be related to the assassination in New Orleans than he did. I never investigated Shaw, and what I learned of him was incidental to other things. As when I was (as I still am) seeking to identify a second man helping Oswald, one of my sources was a man close to Shaw, a man still his friend. Garrison and I have never been what you could call friends, and I think my mere existence gives him affront. But I learned in advance of this New Yorker piece, and I wrote the New Yorker to ask for time and space for the presentation of the other side. They never answered. The Sunday Times mag. had along and libellous piece by him (and the libel was pointless and needless, reflecting his purposes, not his "scholarship" or dispassion). I asked them for space to answer or for a retraction. They did not deny either the inaccuracy or that it was libellous. They merely refused me. So, what Epstein did is crap, and the serious, dispassionate study of Garrison that could serve serious purposes in history has not been done. Like Lane's criticism of the position of the press in the reporting of the assassination, it is dishonest and historically worse than valueless, for upon impartial examination it will not stand up and will give scholars of the future entirely the wrong idea. In each

they can, in the future, amount to defenses of what they criticize, so great are their excesses and their errors.

With this background on Epstein, which you need not believe and is no essential to any analysis of this current piece, what does he actually do? Is it worth all this space and effort to say no more than that Garry's or anybody else's statistics on how many Panthers have been killed by police are wrong? Is this really what it says or addresses? Is it, in fact, the crux or the issue?

I think all answers are negative. And any reading of the article reflects that what what he is really arguing is that there is no anti-black repression, that there is no federal inspiration or coordination, and his purposes are those shown by the Post editorial of reasonable intent, by the Crankite reporting. This occurs through in avicious formulations. I may note others as I thumb through the article, which I've also skimed up, but a convenient formulation is in the conclusion, which is not that Garry's figures are wrong; but that

"The idea that the police have declared a sort of open season on the Black Panthers is based principally, as far as I can determine, on the assumption that all the deaths cited by ~~xxxx~~ Charles Garry - twenty-eight or twenty or ten - occurred under circumstances that were similar to the Hampton-Clark raid. This is an assumption that proves, on examination, to be false."

It is also an examination not in any way made in the foregoing enormity of defense of the police and FBI. He never examines it in any way. His technique is to equate this with not killings but a single representation of their number. At the beginning, where to quote Abernathy, Abernathy's words are not in defense of Garry's number or even a statement, not even of the Panthers. They are what Epstein is really thereafter arguing against without ever addressing with any relevant fact (and I can supply it):

"a calculated design of genocide in this country."

nor does Julian Bond say otherwise or get abused otherwise in what immediately follows: "The Black Panthers are being decimated by political assassinations arranged by the federal police apparatus".

Now when those who are so opposite the Panthers in every way defend them, it is not from political sympathy, and what all these blacks not quoted in accurate context are really saying is that there is a repressive campaign against the blacks. That Epstein is arguing against, by the simple device of equating a biased and openly dishonest (if you know the facts) police account against a number of dead. I haven't time to go over all of this and select the instances where I used the formulation of a "nationally orchestrated police campaign", which just hit my eye in this partial quotation of Carl Rowan, but if I have marked some of these, perhaps I will have time. I submit that you can't honestly equate whether or not there is repression against blacks of the Black Panthers and whether or not it is of federal inspiration or protection which even an honest examination of the accuracy of the number of Panthers killed, however they were killed. I see there is a similar quote from Garry in the first column, and a serious factual error on which everything that follows is built that Garry is "spokesman" for the Panthers. That he never was, and to say that any white man is, or can be is not to understand the Panthers at all. I now see another, in the second column, throwing feeling (particularly in the black community) that the Federal Administration has had a hand in the recent wave of raids, arrests and shootings".

And to evaluate this not only on these terms, but with what he was, as I believe has to be obvious to any critical study of the semantics of which you and the Post were both victims, spoon-fed by the FBI or from it by the pr or legal people?

Do you for one minute believe that Epstein has been a subscriber to all Panther literature, from their very first days, with copies of their local newspaper propaganda, as in Chicago and I think elsewhere, and all their other national stuff? Do you know any one library in which he could have found all those quoted? And is it possible that honest quotation can be restricted to my only that which makes it look and sound even more ridiculous to whites than it ordinarily would? Is it not in fact that case, that he nowhere has any quotation, whether or not, as I believe all are, from police files, of what to him is the other side where it does not, by its use, become ridiculous? Is this honest writing or honest intent? I think if you go through the piece you'll find many quotations of this.

How can there be any honest assessment of even that he pretends to be assessing without any statement of historical police-minority relations and frictions? To eliminate this is to eliminate any context, historical or current. From my own experience of the past, I know that the police, traditionally and historically have been really rough on all minorities, not just blacks. I know of cases where men, knowing they were wanted by the police, feared to turn themselves in, voluntarily, without some promise of person whose word would be taken later to attest to their condition on surrender, in well-authenticated fear of what would otherwise befall their case in the hands of the police.

A central question studiously ignored is, could there be any repression after enactment of the civil-rights act by any police anywhere without the tacit understanding that Hoover, or the DC, or the administration, would tolerate it? That because a crime under this act, a federal crime. How I tell you of these many things so carefully avoided in this false use of a dubious number as a measure (what even that out of context)? How about the police attacks, and they are nothing else, in New Orleans, where the police killed innocent bystanders, all black, or the disgusting business in Philadelphia that will help ease Nixon's conscience if any mayor of Philadelphia, so successfully peddled in pictures so widely published? Of so many arrested in so many instances without a shred of reason other than hate, as in an Omaha case where at least a dozen black men were arrested in a bombing case and all released without trial, every one? Short of murder of Panthers, there is no limit to the documentation and that runs the entire gamut of repression, from making black men seen unseemly to killing and often maiming.

Now, as you should know, I am not arguing Panther innocence. I am not saying they are not or have not been violent. Their intramural warfare is far worse than Epstein suggests. My own belief is that without the repression, they would never have amounted to anything, and that the repression has made them symbolic to all blacks. When the Whitney Youngs, the Ralph Abernethys and the Julian Bonds, to take Epstein's selection alone, defend or feel they are forced to defend those to whom they are so unalterably opposed as they are to the Panthers and everything 'save black' that the Panthers symbolize, I think you can understand either their feeling or get their reading of the prevailing black community attitude toward and understanding of the fact of police repression and its official, federal sanction. In that New Orleans case, when the police returned to the fray, they were met by solid, non-Panther human barriers between them and the Panthers, and the police retreated. The most conservative blacks, were there and elsewhere, turned on. Can they all be wrong? Can they all misunderstand either the fact or the feeling of their brothers? You also know that I would not defend such things as their threat against me. Defense of the Panthers is symbolic, by me as by other blacks. Save that they are the victims of repression they'd not exist. And what is relevant to this is unreported, even the black cops who would otherwise hate them have been turned on in many cases, and the polarization along the police has grown to the point where there has been open fighting between whites and blacks, as in Pittsburgh last year. What police have been subjecting the entire black community to is not really understood and has not really been either interpreted or really reported by the papers. If the Pittsburgh papers could avoid what happened there, how could the Post, for example,

I know about it only because of friendship with a former (and honored) young reporter who was working trying to fight the use of drugs, working with a black cop in a black area. He also tried to work with the Panthers, and on their terms, and finally agreed with what I first told him, that it was impossible. But the stories of police violence he gave me and I believe are even today incredible. They include such things as indiscriminate shooting up of black buildings and blacks. I told you of the case in Oakland that Epstein found so expedient to ignore, with all the space he gives the Bay area, of the two cops who finally copped a spleen on this charge.

So, with there being no doubt of police repression, how can there be no mention of it in all these words, and how can it be interpreted to mean no more than the police murder of a certain number of Panthers only? That is what he does, that is what he says, and that is how he and others (example, Cronkite) interpret it.

Or, no mention of Hoover's open campaigning against them the excesses of his representation of the danger they present to the country. In the context of the civil-rights law, did it require the secret whispering of his agents to tell the local police not to worry about him or the federal authority? Or any more than the FBI's own raids? Let me mention but two. They initiated the pre-dawn tactic in Chicago, and the local reporting of what they did to the Panther office is a perfect duplicate of the brown-shirts. They made a total wreck of it, demolishing files, mimeographs, etc., and even taking the breakfast-fund money. I heard the reporting of Chicago radio stations, the most Establishment oriented. And looking for one black man who later turned out to be an FBI informant by some ring in a half-dozen cities, simultaneously, that they had reason to believe he was in the Black Panther office there in order to get a warrant (and apply the overtones to their representations to the courts to get bugging permission).

Also missing, as it should not be in any honest reporting, particularly with this much space, is a single quotation from a single one of the many organizations of black police on both the misrepresentation by Epstein or the broader and serious issue, that of repression. Is not the fact that black police felt they required their own organizations a sufficient index of the feelings of black police about what all police were doing to blacks?

I just notice another thing: where do you think Epstein got all these direct quotes of all those police broadcasts, some three years old? Do you think he listened to those thousands and thousands of hours of tapes, or that he transcribed them, or that there were made available to him? Here and in similar quotes, he employs the currently standard federal semantics, of the endless repetition of the specific that is irrelevant and that is designed to give an aura of fine detail, endless fact, and precise information, as what cars responded to what calls. Over and over he has the number of the police cars. I think you can measure the effect of this upon you, especially if you stop to think of what is not in the piece that could have been used in this same space. It is a propaganda technique with which I have become quite familiar.

Andes after interruption: I am not anti-police, not anti-FBI. I worked with the FBI when you were a baby and recently I gave them, without inventorying it or examination on return, a three-inch-thick file of materials I obtained from inside an extremist group. I work with other police regularly, and recently I turned over to one police department an inside informant they very much wanted, which was not easy to do and required his advance consent. Nor are all white police or all white federal agents happy with either the situation we here discuss or what more interests me in my own work, which is elliptical by design. If you have further interest, I will tell you in person. There are some who trust me.

Is it possible that in all these quotations of what is pretended to be an exhaustive personal investigation, there was not a single serious adverse criticism of any police?

Why those that are made to seem ridiculous or without foundation by the manner in which they were sued, bracketed against what is made to seem dependable? Was there, in this great investigation, no responsible white who had any reasonable criticisms of the police anywhere? No established black leader or spokesman? Need I remind you of what the black federal attorney in San Francisco said on getting out? He even ridicules Goldberg et al, and that by taking them and their aborted "investigation" out of context. The extreme to which this is carried has a parallel in police-Panther quotations, as on p. 69 near the bottom. After crediting what the police had to say and supplied, and at some length he concludes this case, "The only witnesses to the shooting were those who took part in it, and this the question of who shot first may be open to doubt - although the medical evidence that Moon was ~~strikingly~~ hit by a shotgun blast in the back would seem to suggest that the police were approached from behind." That this could also seem to suggest other things is ~~not~~ minor. Is there any case in which he has not been willing to take the word of the police, who in each case were "participants"? Even in California and Chicago, and even after the grand-jury investigation in Chicago? (One of the better cases of needless and propagandist use of the specific that is not essential is in the next case and on the next page.)

In all of this attribution of the immediate cause of the quoted statements by black leaders about official campaigns, could he honestly have ignored any reference to Hoover's writings, statements, reports and testimony, all focused on and against the Panthers, all calling them the most immediate and dangerous national threat?

Another comment on Epstein: to do what is today done to promote writing, you will not find him doing what others do, what I in particular have done and that is subject himself to hostile questioning. The press does the job for him. He sits back in this ivory tower. My baptism, for example, was the stacked deck of Long John Nebel, Victor Laski and Kirin O'Dougherty, Buckley's right-hand man, and three more uninhibited or more irresponsible of the radical right I neither want to imagine nor meet. Of course, this could be because he finds it unpleasant, but others also do, and it is the prevailing custom, especially among serious writers, who thus reach a vastly ~~larger~~ audience with their facts and beliefs than can be touched by their printed words. I suggest this is because Epstein can't stand critical examination, and I know he has refused it when it was begged of him. I was there.

Attack on the Times, p/ 48, "...that the charge of a "national conspiracy" against the Panthers "has been echoed by more moderate civil-rights leaders". Another case of what I referred to above, he is defending any anti-black repression. I think most of those who could be described as he does in the interruption of the quote said more than "against the Panthers". As a matter of fact, the question to which Mitchell responded on CBS was broader. Here I suggest that with all he has to do besides being Attorney General of the United States, it is not in the normal course of things for any Attorney General to be in such detail informed of magazine writing he thinks is in the research stage.

Same page, it is true that practically no independent checking was done, but I make two comments. It was not "Harry's story" but that of the Panthers, and one of the reasons there seemed to be no need for independent checking is that there is no secret about police brutalities and excesses against minorities, and until he inflated it beyond reason, the precise number was not significant in the face of the uncontrovertible fact that there had been police "murders".

On 51 he equates as the getting of the facts straight, only the number as a means assessing "the idea of a deliberate police campaign against the Panthers". The "facts" by which this is measured is not and cannot be only by the number of murders or claimed murders-or even if there were no murders. It is another example of what I believe his real purpose is, defense of the national administration's policy and of

... especially when against those "liberal" to these, especially the Post and the Times among papers, and Time-Life. No others to quote in identically the context you and the Times are? Is this only coincidence that he so perfectly parallels' Agnew et al?

Alex Hackley case: I do not recall, but I don't think he reports that Sams was an FBI informant. This is the guy for whom they swore out 4 simultaneous warrants in a half-dozen different cities from coast to coast that Sams was then in local Black Panther offices. In this case, 52, take his quotes of liberals out of the false context of the number of murders and put it in the proper context and ask yourself if there is anything ~~very~~ wrong in what these concerned leaders said of the general situation, as that bete noir of those Epstein defends, William Sloan Coffin, who said what I agree with, that all of share the blame for the excesses. You will find in my own writing the repetition of the phrase, "the crime of silence". I do not seek to escape my responsibility for my part in it in the past. It is honest to assume it. Why ridicule "liberal" leaders for such soul-bearing (and isn't this paralleled in the Post editorial that I fear in the future and in the immediate will be misused to credit what Epstein has usually done, not what the editorial is addressed to). Follow this with the quote from arewater made to seem wrong as used as with what used, that it is difficult if not impossible for black revolutionaries to get a fair trial, today, anywhere. Need I remind you of my own correct forecast in the Rap Brown case? Has it not already been sufficiently confirmed (and much to the credit of the Post), that he was framed? You know I am no more his partisan than the Post, but is that any more the issue with your paper than with me? You also know what I told you I believe the rest of the story, when and if ultimately disclosed, will show, and of the FBI. How remarkable the coincidence between Epstein's defense and this Brown revelation of frameup.

I've taken more time than I should but I don't want the country to burn, and this this kind of thing, if it gets no more attention than it already has, is fuel for the fire. Page 62, is it put straight, with no omissions, that Hoberon had surgery in one hospital and seven week later died of an illness from which most recover without great difficulty in another, especially, if one would indulge a seeming paranoia, when how that disease is or can be transmitted is considered (I can't give blood any more because I had it and for a month had improper medical treatment for it, but I recovered, without hospitalization—and I wonder to how many I tried to help I gave it with my blood?)?

"Notice how out-of-context the Hutton case is. Without knowing what he had written, I told you he and the others were engaged in trying to cool the black community that was running amok in the aftermath of the King assassination. Here he gives the date without orientation—two days after the King assassination. Do you suppose that if they were engaged in enflaming the blacks, they'd have all been in a house for the police to besiege? And in this case, are there none but "police witnesses" or the ridiculed Panther version? My own sources were whites, concerned whites. (p. 66). "...at least half a dozen policemen opened fire..." No more, when he has all this detail, like car numbers, direct quotes of three-year-old police broadcasts? Are 100 not "at least a half dozen"? Do not the police account for every time they fire a single shot? Especially when there is a death? Even the quote from what must today be regarded as a dubious source after the similar one in Chicago, "that the police had 'acted lawfully', shooting Hutton in the belief he was trying to escape". Later, even this where can't hold that. With all the cops there, the men having surrendered and being without arms in their hands?

The beginning of the next case hangs on what he will not consider from the other side, police "reports". Do you suppose that the detail and the quotes that follow can be the result of his investigation, so far from where he lives and works?

With the climate in all black communities today, with the means by which police

can and do learn on small businessmen and minorities, I suggest that as used here, "independent witnesses" is a mite of editorializing that in context is but one of the many signs this is not an impartial writing.

On 63, is the quote at the end of this case attributed to the lawyer whose credentials as a liberal and civil-libertarian in honest context? Is he doing more than citing the meaning of the law? Here it is used to make it seem as though he is saying more. A very much doubt it, not with those credentials and his being a lawyer. And does not the law permit such a charge in any shootout, regardless of who starts it?

Throughout all of this, too, whatever any cops says is automatically credited, and in no case is there any indication that any of the cited police reports were ever subjected to any scrutiny or cross-examination. I am not saying that they are wrong or that they have to be wrong, but it is hardly impartial writing to take all of them as literal fact and to dispute and ridicule everything ever said by anyone criticizing or disagreeing, and in almost all cases limiting that to Panthers. Here again, the presentation of an "Inquest Jury" after Chicago as not subject to question or error is dubious at best. "Justifiable homicide" here may be no more than in San Francisco, where Hutton was without arms and has surrendered when he was killed, or in Chicago, where there is not reasonable doubt of either murder or premeditation. You ought read that grand jury report, and that in the context of the very special problems they confronted, of avoiding indicting any police who would then scream about federal involvement or inspiration. On Chicago, a digression: there is no doubt of the sufficiency of evidence to warrant indictment, particularly not for perjury. The stupidity of the Panthers gave them their out. They refused to testify. At first this might have been justified on the basis of fear, with framed State charges pending. But not before the end, and it was stupid. This gave authority the "out" it needed. But Panther testimony was not prerequisite for any indictment, on the self-evident perjury or the more serious charges possible. Epstein's handling of Chicago is dishonest and very, very understated while contrived to appear as real criticism. It amounts to defense.

His handling of that begins dubiously, saying it is what prompted Garry's belief there was this "pattern", genocide" being only one element in that pattern, the others all avoided by Epstein. How about Hoover's own record and pronouncements, the entire FBI and DJ record in the south alone, and in the face of long-standing police brutalities in minority areas? This didn't all start with Hampton. It is subtle, clever propaganda.

One of the understatements that is really dishonest while pretending otherwise, presented and by you taken as serious, dispassionate criticism of the police is at the top of 73. Here he avoids calling these premeditated murders as more than "deaths" and says there may be varying degrees of uncertainties about the others, but of these, they "unquestionably resulted from a deliberately planned raid on a Black Panther headquarters". He uses "deliberately" here with skill. Why use such a word to describe a raid with a warrant, except to connote that the worst that can be said is that a "raid" was "deliberately planned"? What other kind of raid is there, unplanned after a warrant, not deliberate with official orders to do it? Thus he gets around what is unavoidable in any assessment of the independent or even the federal grand-jury record, that murder was the plan. Do you know that the uncontradicted-the admitted evidence is that the police could have raided that pad when they knew nobody was there and, with their warrant, have gotten the weapons? Why do you think they didn't do it when they knew the place was empty if their purpose was to get the weapons and no more? Why that hallmark of the authoritarian states, the just-before-dawn raid? Is the real reason for this time that given 2/3 of the way down, "to achieve the maximum surprise and minimum potential for neighborhood interference", when they knew everyone would be there there and asleep whereas they admitted they could have conducted the raid when they also knew nobody was there? And with the maximally unquestionable record of what they then did?

If it is true to say, "there are markedly different versions of what happened next", and if it persuades those who, properly and honestly agonize over their own parts and responsibilities in what the people are told and can know, like you, that he is really trying to be balanced in his presentation as he was(?) in his investigation, what he is really doing, as clear analysis of what follows should make clear, is attempt to give even a little credibility to what cannot be credited coming from all local authority, including but not restricted to the police, and leaning on your paper just a bit. I suggest that the Post has been singled out, and that its commendable public agonizing is not as much a surprise as those behind this writing could be expected to expect. The "police version" is hardly reflected here at all, nor is their complete manufacture and public display of entirely faked evidence, at some public cost. And while he begins by saying according to Groth, by the time he gets along a little it appears to the reader that it is fact that Groth called for a cease fire a "number" of times. With only cops firing? Then he goes into "the Pather version, as it was reported in the Washington Post". Why not as it was reported in the grand-jury report, or by the Department of Justice, or any of the local sources? Note that was quoted from the Post is in no single word a direct quote and could have been quoted from almost any public source, printed or electronic, in the country, if not the civilized world. I think your people should think of this in particular, for I think they were had, and that Epstein was the official means of having you.

This is followed by a real cutie that in context is a defense of the police by hiding what they did. What the "additional ballistics evidence uncovered by the FBI" really says, if you read even the grand-jury report version prepared by DJ, is that long after the police and the Panthers went over the premises, the FBI found, and here I'm depending on recollection, about as much more ballistics evidence in the form of recovered bullets, etc., as had been gotten before them. What does that say of the police investigation, and in context, why hide it from the reader, and from those he hoped would agonize aloud? And, did you know that a rather large amount of what was fired by the police came not from their issue weapons but from what they owned privately, the kinds of weapons ordinarily not wanted, leave alone needed, for a knock-on-the door raid, like rifles. ~~xxxxx~~ Visualize using them fast, inside, in the dark, in small rooms, and you'll see my point. Automatic shotguns if not pistols are the things for such purposes, after what the cops didn't even have, tear gas, if there was any resistance, and there is no credible evidence there was any.

Here again I am depending on recollection, but that alleged deer slug was, I am pretty certain, not recovered. If it was, it was not until long after the police had the weapon and ample opportunity to plant it and the empty casing. To say "consistent with" in ballistics evidence is no more than a trick to avoid admitting there is no proof. Consider how many of each kind of shotgun is made, each rifle with so many lands and grooves. Ballistics is a pretty precise science, and the markings by weapons on projectiles is as unique as fingerprints.

Of all the reporting in that lengthy grand-jury report, the lengthy representation beginning on 75 is hardly representative. It argues against the Panthers and for the cops, which is hardly the thrust or the wording of that report. The accounts of how the victims were is hardly faithful. When you consider that from the police it seems that this battle in which at most only one shot of any kind came from anyone other than the police and lasted 12 minutes, how can it be explained that Hampton was killed in bed, laying down on his back? Is that the way this kind of man dies in a 12-minute battle, even if the first shot awakened him and the first could not have hit him? So, this pillar of integrity in writing says, hiding this, only that "Hampton was not fatally shot while he was 'drugged' or by a policeman standing over him with a silencer, as the Panthers have claimed (and could he have fixed on a more extreme selection?) but by a bullet fired by a police officer in the living room which had passed through two intervening walls at the time no Panthers were firing at the police". I emphasize that

at most less than 1 percent of the shooting, one shot in more than a hundred, is even alleged against the Panthers and I believe that is without substantial proof so you can evaluate this seeming honesty at the end of the quote, which really defends the police by inferring there was may time during the "battle" that any other than the police were firing. Their own injuries were self-inflicted.

And precise as is the science of ballistics, when he says the fatal missile was recovered, no statement of its origin?

It is here, after this dishonesty, that he begins to conclude, as I earlier emphasized, not in terms of the number attributed to Garry, the ostensible purpose of this long "study", but as "part of a nationally coordinated pattern". He then, in the same paragraph, defines this for the hasty reader to mean only "to kill Black Panthers".

And, careful to not all quotations of what the unnamed officials of the Nixon administration said, he leans on the files again, quoting what taken by itself is hard not to believe even if one does not believe it to have been proven, that these statements had "at least contributed to a climate of opinion... (omission in Epstein) that a virtual open season has been declared on the Panthers which seems historically inaccurate". That "inaccuracy" ought be laid alongside what Hoover alone had said. The rest are de trop, but they are also consistent. There is nowhere in this article anything that can be cited to in any way, on either side, address this alleged historical "inaccuracy". He simply says it, and I suspect that most, like you, didn't understand what he was saying and doing but were impressed by his addressing of numbers of dead only. Even in his dishonest way, he presents no evidence on anything else. Stop and think of this for a moment.

At the bottom there is another outie which is presented as meaning all the evidence and is not truthful, "According to all the evidence that is available...."

Even when, as on the last page, he admits there may have been killings, he cites two cases and gives but two names, where there were three. There were Burton and Hampton, as he acknowledges, but there was also Clark, and by his definition this means he was wrong by half, or that he omitted 1/3.

In think in my own major interest, inevitably Epstein may be of more interest. His career is too consistent, his writing too closely suits the purposes, in its most limited sense, of the FBI, and I remind you again of Mitchell on CBS, of which I told you and interpreted for you before I saw this article. This is the "liberal" who focused so dishonestly on Warren and other "liberals" and, in context, defended the FBI's work, which is the last thing that can honestly be done in any honest assessment of the Warren Commission's work. I think you know how this can be documented, till long after the last cow is home. Or chicken has roasted. And for this the Eastern liberal intellectual community took him to heart, made a scholar and a rich young man out of this whore, and in the name of "defending" Warren? Orwell is more rational!

Particularly do I regret the well-intentioned editorial whose honesty of purpose I do not for a minute doubt. For the Post is now part of what may yet burn the country, of another white assault on everything black, for still another black frustration about which no black is able to do anything, thus contributing to the black feeling of futility. I think we'll find selections for this editorial used for a long time, and I don't think as it was intended to be used. Wait until there is a book enlarging on this!... At some ^{point} I hope the press will escape their Agnostic self-caging and when it does evaluate its own shortcomings, which are inevitable and can't be avoided avoided in any rush reporting, it will do so in a way and on a subject that is other than useful for official propaganda, other than fueling a fire in which we may all be consumed. Like they didn't, for example, on their advance knowledge of the Bay of Pigs, with all the potential that had. So hastily, Harold Weisberg