

To Alan Theoharis S/H/4 ff

Of all the many cozy relationships the FBI has always had with the press - while usually with conservatives ranging to reactionaries but not excluding liberals - the records of which I have separate copies readily at hand are fullest with regard to Jeremiah O'Leary.

Did you know that, speaking of liberals, Morris Ernst had been Hoover's personal lawyer in some matter or matters until it served Hoover's purpose to cut him dead?

The very day of the assassination of JFK Assistant to the Director Belmont, who was supposedly in charge of investigations, had enough time to phone the Dallas SAC and to tell him that O'Leary was en route, would be in contact with Shanklin, and "is a close friend of the Bureau." That told Shanklin all he had to know. This is one of the very earliest in the massive Dallas assassination file, serial 24.

I call your attention to the notes. The instruction is not to index. It is to "make cards." The stamped form has provision for indexing directions. Ordinarily the FBI can retrieve what it needs from its indices. I therefore believe that these special cards are a kind of special tidler, in the broad sense political in nature. It also is possible that they were for the special index, outside the regular indices and preserved outside it, that the FBI has in special cases, where it wants to know what it may have let others know. It had such a special JFK assassination index in Dallas, but that special index was limited to the files sent to Washington for possible forwarding to the Commission. It does not include, for example, the Dallas police, except for entries incidental in other records, yet there was an enormous amount with the Dallas police. But that did not go to the Commission. So, if the FBI wanted to know what it had let the Commission know, it had this special index. There was also one in the King case that I did not get. In Dallas it was 40 linear feet of cards, more than two jammed file cabinets of indexes.

Serial 716 reflects that in all that intensity of activity, Assistant Director DeLoach would not be too busy to take a call from O'Leary, in Dallas, if O'Leary asked for any info Dallas had not released.

Serial 76 or 760 of the Ruby Dallas file, 44-1094, reflects that FBIHQ sent Dallas, which prepared what was forwarded to the Commission, except for special things, like CD1, the FBI's five-volume report to the President (fifth is Ruby), its memorandum and a copy of an article on Ruby by O'Leary. Who would have had great difficulty getting any significant info other than from the FBI. But not in Dallas.

105-82555 MR 3/4/64, DeLoach to Mohr, reports O'Leary as a stoolpidgeon on a former colleague, something he knew would endear him to the FBI. Hoover loved it. So much that he added a note to "give O'Leary the release on Oswald & Ruby not being in FBI." (Which was not literally true of Ruby, who'd been a PCI.) Hoover was too glib for the cooler heads, so Deke wrote Mohr again, urging that they not ignore their other friends who would get wider distribution, AP and UPI. Hoover OKed but told them to check with DJ info office.

The short release is, as I state above, untruthful because Ruby was a PCI. And while that was withheld from the Commission and the public, I doubt very much that anyone in the FBI would have dared keep Hoover in the dark.

As you probably know, FBIHQ approval is required for the field offices to try out and then formalize relationships with informers. But they nonetheless are informers during their probationary period of about six months usually.

The O'Leary story of five days before the FBI's report, CD1, reached the Commission, committed, could have had only the FBI as its source. At that very time the FBI was both leaking heavily and denying that it had leaked anything and was going through the motions of investigating the alleged source(s) of the leaks. That very day the Deputy AG, Nicholas Katzenbach, told the Warren Commission in executive session that while the FBI denied the leaking and was claiming to investigate them, nobody else

could have done the leaking. Obviously, the content of the O'Leary story had to come from the FBI because it had not yet distributed any copies of its report.

I've not been able to resolve in my own mind whether the kind of note Hoover appended, here and so often, was self-serving, pretending he had no knowledge at all of the leaking, or if he was really kept in the dark (in his later years) by those closest to him and in day-to-day control. (A reporter friend who was the recipient of these FBI leaks believes that Hoover then knew. I don't know and haven't been able to make up my own mind.)

This leaking boxed the Warren Commission in, for your information, as they let down their hair in executive session 1/21/64 and told themselves. The leaks served to limit what the Commission could and could not do and formulated the national and international mind. If you were to examine CD1 you'd see that it is not on the assassination at all but is a diatribe against Oswald. It does not even include all the known wounds JFK sustained and has only two sentences on the assassination itself. I'll try to remember to locate and send what the reaction was when the then general counsel of DoD demurred and found the report thin and inadequate, later when he got a copy.

DeLoach et al had their way in the end because they arranged the release for after the Star had gone to press. (Afternoon paper) But just in time for the AP and UP wire to be included in the evening TV newscasts (Serial 2466)

Hoover reacted strongly to the mild criticism of the FBI in the Warren Report. The FBI immediately leaked what could embarrass the Commission to the Star, exclusively. Here Hoover wrote a thank-you letter to O'Leary 10/2/64. (The Report was released 9/27)

Serial 5133, 10/8/64, is the beginning of what I wrote you about earlier, that the FBI got the Dallas police chief to grovel and then after he did, broke off all relations, even training. DeLoach moved immediately, without regard to the truth of what Chief Curry had said, and got the Dallas SAC to get the police chief to apologize, which he had done. Now bear in mind that they all knew that Curry had been truthful, but that his truth was hurtful to the FBI. So, in addition to having Curry apologize they tapped their AP, UPI and O'Leary sources, O'Leary alone as an individual reporter (his paper reached the Congress, among others), all intended to box Curry in (see p.2)

With what the DeLoach memo spells out, note carefully the FBI's language in the attached proposed release -which really says the opposite, (raf 2)

62-109060-4264, O'Leary gave the FBI an advance copy of Leo Sauvage's book, then wrote his own book review. Of which Hoover noted, "Very well done by O'Leary."

Before I forget, I've not heard anything further in response to my efforts to get a copy of the Earl Golz story in the Dallas Morning News re Hoover breaking off all relations and the indications in my file are that I sent him the only set of duplicates I had when my copier wasn't working. So, I suggest that you'll get at least the minimum if you ask the Librarian at the Morning News for a copy from his morgue. Gary Mack was to send me a copy but he hasn't. He is a friend of Golz' and has a small newsletter.

The 1968 record relate to O'Leary's services to the FBI and its to him when Dr. King was assassinated. 44-38861 is the FBIHQ main file codenamed MURKIN. By the time this was disclosed to me the FBI was hiding all leads to the more sensitive DeLoach 94 files thus the obliteration of where the original is filed. Under DeLoach Tom Bishop was a chief leaker, including in the JFK case. I think but I'm not now sure that he was an assistant director. Here (5/3/68, 5/9) the proposal goes upward, to help O'Leary with an article for the Readers Digest on James Earl Ray. The proposal begins

by puffing itself, the Digest and O'Leary up. Tolson recommended against it and Hoover concurred. Bishop noted that DeLoach told the Digest "that no cooperation can be furnished." Ditto for O'Leary. I can imagine what DeLoach really told O'Leary from Bishop's 5/8 to him, reporting that O'Leary was doing a puff story on the FBI which emphasized its alleged secrecy and making of only three releases and would include only information O'Leary himself had dug up "from an assiduous study of newspaper and other news accounts from all over the country." (Picture of O'Leary with taped coverage of all the radio and TV stations!) Bishop was careful to note that they had given O'Leary only what was in their three formal releases. I'm also including the FBI's abstract on this.

After the passing of a little time and O'Leary's page-one story in the Star was out Jones renewed the proposal, Serial 3877. This is followed by emphasis on O'Leary's allegedly great original work and research and "his strong background on this case." So, Jones recommends that they give O'Leary the same cooperation they did in an earlier Digest piece on the ten most-wanted fugitives. Bishop was careful to go on record against this (having already done it), "No, we can't play favorites..." But Hoover noted, "OK."

What this next page, separated in my file of duplicate from ^{its} first page, has Jones reporting to Bishop is that they have revised O'Leary's ms. And that it be returned to DeLoach for him to give it (called "returned") to the Digest's Washington office. Bishop remains careful to note having some questions still.

The page marked 235 is the DJ Office of Professional Responsibility (ugh!) summary of section ~~47~~ 47 of the MURKIN file. It states that Hoover approved that O'Leary be "encouraged to do a story, using public information and with Bureau approval of the manuscript." Next is the first page of the story, from the FBI's copy, as it appeared in the Digest. Clearly FBI puffery.

The effect of this story on Ray and subsequent history is in the FBI's copy of Ray's letter to the judge after it appeared. Note that this copy was before the post-marking. All Ray's mail was intercepted and copied, even though the judge had ordered that this could not be done, except that his mail could be scanned to see that there was no escape plan. Ray tells the judge that if such prejudicial publicity "dont stop I mite as well waive the trial and come over and get sentenced." And that is what ultimately happened. To this day there has not been any trial and he has tried since to get one. The interception was by the sheriff, who delivered the interceptions to the DA, where the copying was done and distribution began.

Some of these records were in the JFK files, and when they were disclosed O'Leary was seriously embarrassed because his peers detected immediately that he had agreed to prior censorship. He claimed not to have agreed to pre-publishing editing privileges for the FBI but didn't deny it because "they gave me most of the information." As Ray had recognized, nothing else was possible.

They Ray did, he claimed under coercion, and that is obvious, enter a guilty plea, through Percy Foreman. He feared Foreman would throw the case before a jury, so as soon as he got to the jail to which he was transferred he wrote the judge withdrawing his plea. But the day after he entered his plea, Serial 5654, DeLoach was urging Tolson that they get a ~~man~~ "friendly, capable author of the Reader's Digest, and proceed with a book on this case." Tolson asked "Who do you suggest" and someone added the m to whom. ~~DeLoach~~ DeLoach was considering the Digest or Gerold Frank, and they liked him. Hoover gave his OK.

M.A. Jones reported 5/20/69 that the Digest was considering having Jim Bishop do a book, but Hoover believed they should wait and see what moves Ray makes to open his case. By then Ray's letter(s) to the judge had been published. As I'm sure I told you earlier, they then did not work with the Digest and Bishop on a book and that the reports the FBI wanted published were leaked to Frank by the Memphis prosecutor, to