

Dear Roger,

4/22/78

Glad to get your 4/19 today but sorry it is not one of my better days and I am much preoccupied with other things.

I thought of sending a copy of your letter and a carbon to Howard, whose mind is sharp and legal and whose recollections are probably better than mine now are on CBS and the critics. I decided to suggest it to you. Your business and I should not intrude.

Perhaps the rifle tests, of which I presume you have the results, is one of the better illustrations.

(You miss a great one on King, though. CBS had the one so-called eyewitness on tape or film and never showed him saying that the picture of Ray was not the guy he claimed to have seen, until they did their MLK show. If they had aired that on TV it is possible Ray would not even have been extradicted. The date of their interview and photographing was 4/18 or 4/19/68, right after Ray's name surfaced.

I don't know if my early experience would be helpful. In very early 1966 I spent more than an hour with Palmer Williams. I proposed an honest version of what they later did so dishonestly. I had a xerox edition of Whitewash I left with Williams. In a day or two he phoned to ask if he could keep it longer for his (then) assistant, Midgeley to read. I agreed and then Midgeley returned it. Later when I printed WW I sent him a copy. He returned it saying they had no interest in the subject. I sent it back and said keep it, maybe you will in time. As you know they did a year later, taking my idea and making it less than faithful or honest - and not giving me anything for the idea.

When they were working on their show I spent a little time with Richter. One of the things in which I interested him is the Altgens/Lovelady pictures. Mrs. Lovelady had already phoned me. (End index, Photographic Whitewash.) I went into this with Richter, suggesting that they get Lovelady to wear the actual shirt and use Altgens camera from the position in which he had been, same lens and same kind of film. What they did was to make a pseudo talking head of Lovelady, posing him at the wrong place on the steps, with Richter's back to the camera. But they did have the right shirt on him - and then did not air it. I have the pix somewhere. Some stills from their movies.

Richter phoned me to thank me and tell me they would be using this in their shows, with credit to me. I reminded him that this came from two books that are copyrighted, not just from me, and that the proper credit would be to the copyrighted work. So they did not air that, I presume because they did not want to credit the books. What a picture for TV - the real Oswald shirt and the real Lovelady shirt. Or, that was not Lovelady in the Altgens picture.

You asked about Alvarez. First of all, in airing him as they did CBS knew the original work was mine. It is in the first book. From this alone students asked some questions of Alvarez. He then phoned some of his CBS friends. I got this under FOIA from ERDA and from him. Later he got government subsidy for his later work and publication. He was paid with ERDA funds and he also got an allocation of ERDA money for the printing in Science and the reprints. In his prepub he credits the funding by number. And I also have his contemporaneous note in which he joked about Proxmire and how public money is spent.

I don't know how many illustrations you want but we can talk if you'd like. For any of three days beginning Wednesday some college girls, from a class, will be here for a day. But if you call after 5 they'll be gone. Thursday a.m. I have a blood test. I also will be taking the car to the shop and getting it back some days. Maybe it would be better say after 7:30 p.m. I do not expect to be away any day, only errands, short ones.

I think this coming week is better than that of 5/1, when the Rays may be back before the House assassins. (If you saw any stories I'd appreciate copies.)

You refer to the FBI's stonewalling on KBOX/Pate and ~~say~~ ^{say} the FBI said they could "go through their remaining files." They are supposed to have gone through all they admit to having, publicly, that is. So I'd like a copy of that for possible use on them,

Now I'll tell you something I want you to keep to yourself: I'm getting the Dallas F.O. files. They are being processed now. First pages due in 3-4 weeks. But there will be so many I'll not be able to go over them now. After these I'm getting N.O. Together these will bulk as large as the 98,000 pages, which I have already. And on these 98,000 pages if you have citations I can provide copies free.

I think your next step is to ask them if they really mean \$25 in search fees for looking at the FBIHQ central index for two listings in JFK files, Sam Pate and KBOX. They are putting you on. Also, the lab records will show what lab work was done and that also is no big search.

The main reason I want no word to get around on the field office files is a) I don't want hassles with the nuts, which is most; and I'm getting them free, which can tempt a real if baseless campaign against those people in Justice who have finally come around to some cohabitation with the Act as I meet its standards and few others do. Most know I have the 60,000. Very few know I have the 40,000. And only Roffman and Hoch know of the FO files. Besides Lesar. I mean this is literally true. I've told and I'm telling no others. I am also in court on this and more and would for the moment like to keep that quiet. Without pressures on DJ and FBI I may not have to spend nearly as much time in court, which is important to Lesar and to me. We are both much overworked and tired, for the first time I am more tired than he. (We've got lots of cases going.)

I like your attitude to school and doing well. Keep it up. Who knows, maybe by the time you get out there can be a new partner in a firm I hope will come into existence, Lesar and Roffman. Or a New York associate. (No promise but I'd like it, even though I can arrange it, but I could recommend it. Howard will probably wind up that way after some firm experience, which begins in July.)

On your present situation Sylvia could probably help. She was watching CBS closely then. I have a long 1967 analysis of that series but have forgotten the details. But I am inclined to think that busy as he is writing decisions Howard is best. Next to Sylvia maybe Dave Wrono, 1518 Blackberry Lane, Stevens Point, Wisc. 54481. That branch on the Univ., through the original request of the State Historical Society, is getting all my records. Deposit of yours is far in the future but this would be the best home, now and more then.

Because of the new circulatory condition and the intensity of my work and the fact that I anticipate the dawn and am then wife awake has me targeting for 9:30 preparations for bed. More commonly about 10 so I can be asleep by 10:30 because I'm up 5 or earlier. The switch of supports for sleeping in a different set and related matters does mean I can't just flop in bed. But so far as I now know we have no social plans for any evening and I do not expect to have to go to D.C. this week at all.

Good luck!

Excuse the uncorrected typos. I have other mail I have to take into town to make the outgoing mail and that is close.

April 19, 1978

Dear Harold,

HI! It's discovery and deposition-taking time in my lawsuit against CBS...Any suggestions, information, advice, etc., are especially welcome at this time. My general purpose, as it concerns whatever help you can lend, is to demonstrate bias against the critics and the twisting of evidence in a few selected, illustrative examples, i.e., the rifle tests, etc. (In other words, I don't want to get into a point-by-point rebuttal or analysis of the broadcasts. That would get too tedious for a court case, would not be entirely relevant to what's being litigated, and would tend to sound more like nitpicking and debating; I can, of course, be more thorough in a book.) Anything tying CBS to the FBI, CIA or White House would also be useful. Just as an explanatory example, if I could find a way of tying that 1967 CIA memorandum on using propaganda assets against the Warren Commission critics to CBS, oh so beautiful! (By the way, anything on Alvarez?)

I am concentrating solely on the 1967 and 1975 JFK shows. The reason for leaving aside the 1964 program (for the purpose of this court case only) is that the present CBS News executives were not in control at that time. Also, I can only deal with JFK. I know your feelings toward CBS on MLK, but it's not going to help me to bring that assassination into this lawsuit.

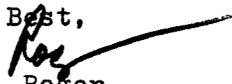
If you can't write, maybe we should talk over the phone, preferably during the off-peak hours so as to minimize the bill. What I mean is, if it is too burdensome to sit down and write a long letter at this time, write and tell me when I can call you.

On another subject, FYI and Roffman's, the FBI wrote to me a coupla weeks ago regarding my FOIA on the KBOX/Sam Pate recording. They say it might be in the 98,000 released pages (bullshit), or I can pay them search fees to go through their remaining files. They say could be as much as \$25. Should I tell them to go ahead, but not for more than \$25? Do they have an index of the 98,000 pages released? What do you recommend? I don't remember whether you have a copy of the request I made in May 1976. I asked for receipts, lab reports, spectro tests, the works.

Of course, don't ask me what I'm doing worrying about all of the above when I have law school final exams coming up in one month. Everything seems to close in at the wrong time. Damn it, I'm going to make it!

Take care and give my regards to the Mrs.....

Best,


Roger