

Dear Jim,

12/17/74

Your letter of the 11th, not postmarked until the 16th, reached me just a few minutes ago as I was taking the mail out. It included the enclosed letter to Bud. I had not thought of carboning you but under the circumstances and in confidence I think it perhaps best that you keep as informed on this very touchy situation as possible. After you have read it and when you are sending something else, please return it. I'm almost out of copying paper, that is, for the machine.

First, I think it best that because Bud asked me to get from you the general outlines of what you propose (an outline, of course, is much better) you and I do as he originally asked, send it to me. However, I would ask if it is not impossible, three carbons. One will be for me, one for Jim, and if there is need, one for Jimmy. Because he is still being spied upon, Bud's latest fuckup being doing nothing about it when he was there, I think it best to send nothing to him until there is a reason for it.

Bud is not likely to be spontaneously rational about this. The off chance of reaching him with a concept of what can be in store for him from what he has and has not done and what the future can hold is the reason I took the time for this long letter this morning. Also, although he'll not be willing to recognize it, another effort to protect him from himself. And if he is, then it would save his face some for him to be able to ignore everything and pretend that your outline assures him there is no problem. However, his pretended reason is that he fears charges of impropriety over me getting some fat cash and the actual ones are the one I told you, not publicity in it for him and another, he now knows more than even that his one hold on this is the amount of the costs he pays. From the latter it follows that any help makes it easier for him to be ousted in a number of ways. He was afraid I'd get Jimmy to do it over this. I had no such notion.

He really took only about 10 interrupted minutes for the slight discussion we had and never came back to me on it, although he did discuss what he knew and what he invented with Jim and his partner. I had told him that I believe it might interest Playboy in what I'm doing and the foundation in helping with the defense.

I can't send you Jimmy's letter. I feel it would be a breach of the confidential nature of our relationship that I ~~should~~ impose. The question has never come up between Jimmy and me but I feel he is entitled to assume it, too. On this question Jimmy had ~~two~~ three things to say: Bud is unalterably opposed under any circumstances to the interview per se; and Jimmy is not, leaves it up to "you all," which I take to mean Bud, Jim and me; and can for some purposes see benefits in it. He sent a carbon to Jim, as I will with this.

I am really worried that Bud is so sick in the head over this that he will do more that can hurt himself and Jimmy and the case. Only for this reason was I as temperate (for me) in the enclosed letter. What he did is both unconscionable and unethical and believe borders on malpractice. He gave bad legal advice when it was not called for in what he perceived to be his own interest. So, I don't want this interview question to hurt his aching self-concept more or inspire his sick ego to further foolish acts. This is probably the major reason I suggest we just go back to where he and reason parted company. It keeps everything flexible except for one thing: if there is nothing to which he could properly take exception in it his position is worse. If you keep it to what we agreed to, originally how he has lived these past years, the Tomorrow-Valentine bit, plus what you asked to add, a rephrasing and rearranging of what he testified to in open court, this is what I represented and what there can be no reasonable objection to. There was what you reaffirm, that Jim and I were to be present when there is the interview or the attempt if they refuse it; and that anything spontaneous that could interfere with Jimmy's rights be edited out, what you did not ~~repeat~~ repeat, we are back to the original arrangement. You had agreed to pay Jim's costs and mine. If you want to add compensation for my time, that is no more reprehensible for me to accept than it is for a lawyer to be paid for his time. You suggest this you intend

from your own funds. My view is that it would be appropriate and not improper for Playboy to bear the costs. This is no more questionable than the State of Tennessee paying Henry Haile for the time he spends in court and out, including in public defamations and newspaper and other campaigns that differ in being improper and prejudicial. Only those seeking excuses or living in terror of a scoundrel like Haile would regard it otherwise. It is a reality of life in this country, a regular and accepted practise.

I have had experiences with editorial attitudes at Playboy in the past. I found those with which I was faced neither reasonable nor logical. Worse, what they published misformed a vast audience. So, you don't have to explain them. I take your word. I do think, however, that if there is to be a second piece it ought follow immediately, not be delayed until after trial. I think that is a more legitimate story and an exceptional one. It will be more so if we win initially or later, because that makes Jim's performance more sensational - remember, this is his first real case, not just the liabilities and handicaps; or if we prevail in the Supreme Court on discovery alone. Our time to file what the clerk asked of us is January 6. Make no mistake about two things: Jim did this after researching and seeing that no other lawyer since Alva Fortas wrote the Harris v Nelson had had the imagination; and it is a major breakthrough for prisoners, particularly for those nobody has even thought about, political prisoners. If this requires explanation I'll take the time when there is the need. Because by all traditional standards the only possible second piece is in every way better than the interview as the first of a pair. It will make the interview much more meaningful and significant and will create more interest in it, particularly if it is done and announced for the following issue.

While there is no chance of it happening in time to make a difference to you, I tell you that for months there has been interest in a movie centering around the investigator (they say about but I intend to modify it as honest) requires to include Jim) and I was told Friday night that the money has been raised. I referred it to the friend who is representing me for approval or disapproval or negotiating. Unless he consults me I'll not be in any way involved in the deal itself. My point in telling you this, even though I may not agree to the proposal, is to fortify the reasoning in the paragraph above and to remind you of what you said earlier and I addressed in response in terms of The Anatomy of a Frame-Up.

You mention the gung-ho! story. I'd forgotten Ron K and I discussed it. You and Jim at this point may be interested in the kind of experience at that early and formative stage on my ~~life~~ life the whole thing was, so perhaps it is not a digression.

I had a feeling that Readers Digest would go for it. I therefore approached a friend who edited a small magazine for which I did occasional work. He had been Louis Lomas' ghost and when last I heard from him was and for years had been in public relations. Here it could get out fast, with no hassles, even though I knew I would get little for it. It was \$100 bucks, which didn't begin to pay for the research time alone. And the Digest did go for it. Only they didn't want to take anything from him or the magazine, I'm not absolutely certain which. I think they regarded the magazine as left wing. Or its owners. (For whom I rendered a legal service when their lawyers had failed. Censorship.) So, the Digest offered \$1,000 to the magazine to let them place my story someplace else and then reprint it. Someone up there, perhaps my then close friend, decided that it ~~is~~ was worth this much to the Digest, fuck me, it was to them, too. So, after they published the story the Digest merely went ahead on its own, placing the same story elsewhere and having the same thing rewritten, that made the movie, and I got only the \$100.

I would be more than willing to lecture if I am paid by the normal standards. I would prefer to center what I'd say around the new book, which is sensational enough and documented as nothing else can be for a while. It has the right overtones and ramifications, particularly to the school of journalism, which has interests in FOI. I would be even happier if both could be combined, the KC college and the journalism school. When I have done this in the past, I've thrown seminars in and what followed varied with the college. At Madison it was pretty intense. At Vermont it was for the history-political

science faculty. At Minnesota they arranged a press conference first, followed by a marathon talk show series, about 18 hours, and then, after this promo, had the talk the next day, followed by a more informal gathering until plane time.

So, the answer is "yes" and more so if you can interest journalism in hearing from the writer who has made more use of the FOI law than any other, including acting as his own lawyer and influencing legislative action to strengthen the law. With the content of this newest book that will be entirely new to them I think both the faculty and the journalism students might well go for that. And I'd much prefer to make the maximum use of the travel time. This gets to what my costs are. Aside from air fare it is about \$25 to and from the airport, depending on which offers direct flights of the three, and I think about \$3.00 a day for leaving the car there. There usually have been accommodations included and the actuality of the past was that most often I didn't use them because the kids wanted to bull-session and I crash-padded with them.

I would strongly recommend an informal format if you do this, with maximum time for questions and answers. There never has been a time when there was enough time for them, there has been new attention to the general subject of assassinations and more in coming besides what can happen in the Ray case, and I am never at a loss for words, I think appropriate words, should this be the exception in questions. This subject is so enormous there is no way of addressing it adequately in a prepared address and one can come closer to satisfying the audience by responding to it.

My preference of the past has been to address the subject in terms of what it means about the integrity of society. Especially among kids in basically conservative institutions and locations has this been well received. WW IV in every sense lends itself to this.

What will be a real consideration for me and only one of the reasons I would want what is normally paid on the regular speakers' program is the fact that it will cost about \$10.00 a day for the time I'm gone for my wife to go to work and return home. She has regular employment for the tax season.

I'll show Jim your letter when next I see him. I had an accident in Washington yesterday. He was kind enough to drive us home. I have not yet heard even how long it will take to make the extensive repairs so I don't know when I'll see him. I'll not be able to get this or the carbon to him in the mails before tomorrow. I have kept him fully informed and think I should.

If I do not address it I fear you may think I resent the suggestion of an obsession. I agree with you. I would get use that exact word but you are in what I think is the ballpark. I have no objection to the word or its explanation. If you were a first-generation American of my age from my origins and heritage and with only a fraction of my personal experiences you'd understand this better.

Best,