

6/25/94

Mr. Mike Powell  
Frederick News-Post  
Frederick, MD 21701

Dear Mike,

If it can be said of one of 81 that he is rushed, I'm sorry I've been rushed in the enclosure.

The precedents I recall are the Dr. Sam Shepperd case and that of Billie Sol Estes. Both cases were thrown out of court because of the pretrial publicity, and both were major cases.

In this case it happened with the grand jury. It was dismissed. If Oswald had not been killed, it could have and I think would have happened then. It did happen with James Earl Ray but his then lawyers did not argue it wanting the fame that could have come from the trial. \*

He actually wrote the judge that if the judge did not end all that prejudicial pre-trial publicity he might as well walk over and get sentenced.

It may interest you to know that his letter was intercepted and copied before it got in the mail and after the judge got it. As his investigator on discovery, I got copies of both!

This is a serious problem that to the best of my knowledge the major media ignores.

I gave Bob Harper a copy of my current book, Case Open. I know of not a single review, probably because all the papers were uncritical and went ape over the enormously promoted fraud of a book Case Closed. I've not heard a peep from the author or publisher.

And I'm getting an embarrassing number of letters referring to me as a "hero" for doing it!

Best wishes,

  
Harold Weisberg

In his more than merely justified criticism of "L.A.'s D.A." over the atrocities accompanying his exploitation of the O.J. Simpson tragedy Roy Meachum, ever making pretenses to knowledge and understanding he does not have, failed, in the entire lengthy column, to tell his readers why something should be done about that district attorney.

Meachum found time and space for recalling what he does not recall, the <sup>1925</sup> death of Floyd Collins in that Kentucky cave. Meachum dragged that in as an excuse for telling us that the term "media circus" was invented then. It was not. There is more that is wrong with his irrelevant invocation of ~~the~~ Floyd Collins' innocent ghost.

The reason something should be done about district attorneys like the disgraceful one in Los Angeles is because they subvert our entire system of ~~our~~ justice.

One of the greater contributions of our founding fathers was the prison principle that we are all innocent until proven guilty by a jury of our peers. <sup>or</sup> Gil Garcetti and not he alone poisoned virtually every mind in the country against Simpson and <sup>denied him</sup> his ability to get a fair trial. <sup>It</sup> It is extremely unlikely that any jury can be found that was not influenced by the official anti-Simpson propaganda in Los Angeles. <sup>this impropriety</sup> extended to the police and to others in the DA's office. And as omniscient Meachum failed to note, as of the time his column <sup>much of what</sup> appeared it had already been established that ~~all that~~ had been leaked was not true. It since has been established that virt<sup>ually</sup> all is not true. *The rest is prejudicial.*

Murder is a serious crime, but how can there be justice when it is not possible to draw an uninfluenced jury? <sup>if when this is true,</sup> how can the Simpsons be tried and how can government assure justice?

Also unworthy of Meachum's attention is that there is no indication at all of any investigation being made for any reason other <sup>trying to</sup> than establishing Simpson's guilt. Many of the many leaks were to reflect motive and intent, but all those with motive and intent do not murder. If anyone else was the murderer, <sup>?</sup> is there now any possibility of learning that?

This is not the way the American system of justice is supposed to work. It is the way in which it cannot work.

Meachum refers to the "Lloyd Collins "media circus"<sup>using</sup> ~~the~~ phrase he says was "invented nearly 70 years ago." In 1925 we had only ~~the~~ newspapers and a few magazines that reported news and they were not then referred to as the "media." That term can with the full development we have had from radio and TV.

The Collins tragedy, Meachum says, "brought flocking to Kentucky radio microphones and newly invented electronic reporters." Neither is true.

In 1925 radio was just entering its infancy. There were few <sup>radio</sup> stations and remarkably few radio<sup>s</sup>. The radio tube had just been invented and it was quite primitive. The tube that work<sup>ed</sup> from the electric lines had not yet been invented. Also not yet invented was any system of recording such events. Leave alone transmitting them to radio stations over anything other than existing telephone lines. And they did not extend into caves.

Most of the few radios then were "crystal" sets<sup>9</sup> that, with luck and with earphones, could pick<sup>up</sup> local signals <sup>only and then</sup> weakly. Those of the few radio stations that carried news then read it from wire-service tickers.

This is not to say that there was~~6~~ no radio reporting of the Collins tragedy. But it is to say that it was not what we now know as a "media circus" and it was not by "newly invented electronic reporters" <sup>6</sup> and in the entire country there were not enough real reporters who reported by radio to call them a "flock." <sup>7</sup> Meachum says

Meachum refers to the nonstop official propaganda against Simpson as "a stream of banal observations, accompanied by ~~with~~ the complete lack of anything happening." That is not true, not in any sense.

Although there was much repetition, what was aired by all the media is what was leaked to convince the nation that Simpson is guilty. It was supposed retails of the crime and of the evidence, the latter supplemented daily or more often. It has since been established that virt<sup>u</sup>ally all that was leaked is false.

The legitimate criticism of the media is that it blindly, unquestioningly repeated all that had been leaked to it without once, to my knowledge, ever~~7~~ telling the people that we are all innocent until proven guilty and that all that was leaked to it was

3  
wrong, very wrong, in a country line outs and under a system of justice like ours.

So, the media joined with errant officialdom in subvert<sup>ing</sup> our system of justice for the excitement that created, without regard to Simpson's supposedly inalienable rights and without regard for the subvert<sup>ing</sup> of our system of justice <sup>by</sup> it.

One as wise and as understanding and <sup>each</sup> wants it believe he is might well have asked what would happen if Simpson's <sup>alleged</sup> ~~law~~ lawyers argued in court that he cannot get a fair trial because all the ~~logged~~ <sup>tainted</sup> evidence has been ~~contaminated~~ and because it is not possible to empanel an impartial jury.

Then Simpson would be freed even if guilty and then the crime would be unsolved.  
*There are such precedents.*

In recent years we have forgotten so much of what made us great and unique, including our radical, for the time, system of justice.

Instead of writing in that context <sup>each</sup> spelunks himself in his endless puffing himself up.

Gil Garcetti tops the latest list of public officials I think deserve impeaching. Without waiting for a grand jury indictment, never mind a trial, Los Angeles's district attorney made devious efforts to convince America O.J. Simpson's murderous guilt was beyond doubt, reasonable or otherwise.

Significant notice should be paid to the way the California official strutted and fretted before network cameras, looking for self-promotion. Mindful of this celebrity era, he sought to corner the fame spraying off the humbled Mr. Simpson.

A few short weeks ago, of course, the politician would have probably been first in line to have a cheek-to-cheek picture taken with the man he now sees as singularly scurrilous killer. Apologists might argue Mr. Garcetti was only playing along in what has become the greatest "media circus" since the term was invented nearly 70 years ago.

On Jan. 30, 1925, explorer Floyd Collins ventured one cave too far. His entrapment was discovered the following day, setting off a massive rescue effort that brought flocking to Kentucky radio microphones and newly invented electronic reporters, followed by flocking sightseers.

All over the nation newspapers pumped out extra editions, struggling to stay even with the public's curiosity. Unfortunately for those who hopped on the gravy train, its ride was short. Mr. Collins' body was brought to the surface on Feb. 16.

Having stumbled into Friday night's climax of the latest media circus, I thought of Floyd Collins. Out of camera range, my mind's eye could see the sky above Mr. Simpson's Brentwood home alive with aircraft, in the manner of London during the Nazi blitz.

Clicking from channel to channel, there poured out a stream of banal observations, accompanied by dull pictures, accentuated by the complete lack of anything happening for most of the time. Under even normally hyperactive circumstances, ABC, CBS and NBC would have left the late night watch to CNN drones.

The repetitive, dreary exercise in live TV had only one reason for being: Every editor and executive feared missing the opportunity to cover O.J.'s suicide. Floyd's legend still lives for the news business.

Mr. Garcetti certainly could not be counted among those wishing for the accused man to make good on his

threats and pump a bullet through his photogenic face. The district attorney's political future depended absolutely on bringing the football superstar back alive.

Had the suspect pulled the trigger on the semi-automatic brandished during that bizarre rambling parade along the San Diego freeway the biggest loser would have been justice, naturally. But the potential suicide carried with it a threat to D.A. Garcetti's career, already reeling from the failure to win a conviction in the famous Menendez brothers' trials.

In a real sense, the ambitious politician's best hope throughout Friday's prolonged ordeal was Al Cowlings. During the long drive and the tense moments that followed, as published telephone transcripts reveal, O.J.'s former team-mate struggled constantly to keep his best friend from blowing his brains out.

By way of reward, Mr. Cowlings was roughly arrested, charged with aiding and abetting flight and slapped with high bail. He should have received universal thanks for holding the accused man around.

Mr. Simpson's suicide would have invoked a firestorm on L.A.'s chief prosecutor and its entire law enforcement community. Doing himself in automatically meant martyr's status for the African American best known to the nation's several generations. Word of his death might have set off more riots.

As it is, outside the black community there exists sizeable numbers yet unwilling to believe the successful and obviously resourceful Mr. Simpson could be guilty of committing the heinous crimes as charged + despite efforts by the district attorney and the press to convince the world of his guilt.

On the simplest basis, the biggest question posed by the tragedy and the charade that followed remains: Considering the money and numerous contacts available, why would O.J. Simpson stoop to murder, when others would be very willing to do the dirty deed?

Even a confession could prompt still more questions that only an open and fully adversarial forum can begin to find the answers for. Events in Southern California that touch upon the fall of one of America's true demi-gods are, in any event, much too complex to be settled by hit-and-run tactics in the media.

L.A.'s D.A. should find a cork to fit his mouth.

L.A.'S D.A.

Roy Meachum

