

David J. Carrow
Emory University Law School
Emory University
Atlanta, GE *

Harold Weisberg
7827 Old Receiver Rd.
Frederick, MD 21702

4/4/87

Dear David,

Your criticism of Martin Luther King Jr.'s survivors on the Today show was a surprise. The viciousness of your attack on them, on Dexter King in particular in your New York Times Op-Ed piece of April 2, shocks because it is based entirely on the ignorance of the crime in which you have persisted from the first and the prejudice that is obvious in what you have and have not done and said.

What are you doing at this juncture, not only covering FBI ass but kissing it so publicly?

When you were here I could not interest you in a single page of the hundreds of thousands of assassination records I had gotten from the FBI nor in the many thousands of its MURKIN and related files although you had some knowledge of the latter records because after I sued and got them they were available to you in the FBI's reading room and you did make some use of some of them, to damage the reputations of the NAACP's Memphis leadership as FBI informers. Any real scholar would have known that when the FBI disclosed those names, as it was prohibited from doing, it was seeking revenge on them, hoping for the wrongful use you made. All who work with the FBI are not its informers.

But you were interested, very interested, in the records I showed you that you were able to and did use to circumvent Judge John Lewis Smith's decision that was so wrongfully restrictive and was openly ridiculed in open court by another judge. That it helped you get the Pulitzer is fine and that you were careful not to disclose how you were able to do this was no trouble. I've been making all I got by all those FOIA lawsuits available to all. I was a bit disappointed, though, when you discouraged University Publications from making the MURKIN and related files available on microfilm when I proposed that to them.

In this you saw to it that the FBI's own records disclosing that it did not investigate the King assassination and never intended to would not be generally known or available. This is what those records leave without any question at all.

Please excuse my typing. It cannot be any better. The infirmities you may recall from when you were here have multiplied and I'm now 84.

Based on your pristine ignorance of the fact here you are, now a professor in a law school, with your special interpretation of our Constitution and basic law - that anybody you consider guilty should not get the trial we are all supposedly guaranteed because he does not need a trial to confess!!

This is your stated position.

As you knew before you were here, I was James Earl Ray's investigator ^{in the 1970s}. I did the investigating for the successful habeas corpus and then I did the investigating for the two weeks of hearings in federal district court in Memphis in the effort to get Ray the trial he never had.

We alleged, truthfully, that Ray had not had the effective assistance of counsel and that his guilty ^{plea} had been coerced. With senior counsel abroad it fell to Jim Lesar and me to exercise the limited and severely obstructed discovery permitted and to prepare for the hearing. We divided the work. Jim handled the law, I the evidence, the fact.

With the country's most famous criminal lawyer how does one show that he did not render effective assistance as counsel?

I decided that the only way we could do that would be to try the allegations made against Ray. We did that, there was the most vigorous cross-examination, we excoriated Ray, disproving most of the charges against him, and this forced the judge, who did not dare overstep and cause the terrible storm that would follow, to state that guilt or innocence were not material to what was before him!

The case we put in and the inability of the prosecution to do a thing about it are a permanent record for history. The transcripts of those hearings were available to you here but you had no interest. Your professional life is much more secure if to begin with you do not question the ^{assassination} official mythology and now you insist that it is true and must be undisturbed by the normal workings of our system of justice.

We showed that the rifle the FBI referred to as the death rifle was not and could not have been used in the crime. We also showed that the prosecution could not place Ray even in the city of Memphis at the time of the crime. (As a professor in a law school it should interest you to know that the federal government filed what it knew were dishonest if not perjurious affidavits to procure Ray's extradition but obviously this does not interest you and you prefer your state of ignorance as the sole basis for your charges against Ray and against Dexter King.)

As you should know, Congressional committees are not bound by the rules of evidence and there is no cross-examination. They can put on what they like and they can proceed in secrecy. This is what the House assassins did that you refer to as real when it was entirely unreal.

The House assassins committee began with the intent of ^{supporting} supporting the official mythology in both cases. This was not only obvious to me at the outset when I was invited to confer with it, it was stated, literally, by one of the

committee's lawyers on the King side of its supposed investigation. From then on I had ^a nothing to do with that committee.

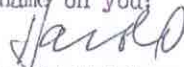
The FBI suckered it by giving it what it got from one of the many professional law-violators who fed it junk they hoped it might like enough to get them some kind of break. There must be at least 50 instances of this in the FBI's MURKIN records. George McMillan was suckered by one who made all he gave McMillan up. The Committee liked the story from the professional felon Russell Byers who sought and got a break from providing the fiction the committee went for and you repeat. The allegation is that there was a racist St. Louis conspiracy to kill King and that a man by then safely dead had put up \$50,000 for this. Even if true this was ^{never} ~~never~~ connected with Jimmy or any other day other than in the committee's imagination. That it was allegedly in St. Louis and that the brother Jimmy never got along with, John, was in St. Louis, is all the connection the committee could contrive.

Common sense is never a consideration with any of you, you, personally here in particular.

You say in the Times that Jimmy had "repeated" contacts with his brothers John and Jerry "before Dr. King's killing." For the year prior I know of not a single contact with John and of a couple with Jerry ~~alone~~ only. You assume that Byers nonsense, along with the committee, but you ignore the fact that if Jimmy Ray had had any of that supposed \$50,000 he ^{would} never have been caught. He did get to Portugal, but not with any of that money. He used what he got when he robbed a Canadian whorehouse in the belief that would not be reported to the police. In Portugal he ^{was} only \$100 short of fare to then ^{racist} Indonesia which had no extradition treaty. Had he gotten any of that alleged St. Louis money he'd have been safe, away and beyond extradition.

When you are as professionally ignorant on this as you are why you open your mouth is a mystery to me, other than that any attention helps the sale of books. You had access to all I have that I got from the FBI and as the result of my work and you did not and would not look at a page of it. (While discouraging the access of others with University.) You asked me not a question. Yet here you are with a lusty campaign against the survivors in their hope that ~~abolished~~ the system of justice can be made to work as it is supposed to work. The conclusion of your Times piece is an outrageous indecency. You actually align Dexter King with "what white terrorists have done to black America for decade after decade." Have you no shame at all? No self-respect at all? This because he wants there to be what most law-school professors would agree there should be, a trial.

Shame on you!


Harold Weisberg

That you would do what you did, get all that attention when you knew you spoke from ignorance, is not easy to understand. You endanger your reputation in this and absent some compelling motive that makes no sense at all. This is a subject in which there will continue to be interest and there is ever so much more that is official information and is readily available that goes much farther than in this I've taken the time for. Other than in the mythology of the House assassins committee there is no support for what you say. There is none, absolutely none, in the FBI's records. As it conjectured the crime the shooting was impossible. It was so uneasy about what its records reflect it would not give them to the state prosecution! The prosecutor had to complain to the Department to get a fraction of them.

It may interest you to know that the FBI was so contemptuous of the House assassins committee that it recorded its intention to give them as little as possible and at most to let them have ^{only} a fraction of what I'd already put in the public domain via the FOIA litigation! It even disclosed those records to me!

Yet with no more support than those clowns you engage in this evil and in that jeopardize your own reputation and seek to corrupt our tragic history!