

Harvey file

Mr. Frederick D. Hess
Criminal Division
Department of Justice
Washington, D.C. 20530

4/9/81

CRF-2546

Dear Mr. Hess,

With your letter of the 6th were records from the 51-15-113 file, all pertaining to the FBI's destruction of a pre-assassination threatening note from Lee Harvey Oswald in which he threatened extreme violence, in one version, blowing up the Dallas field office.

You make extensive claim to Exemption 5 and I have some question about this.

I do not doubt that in some instances the claim may be justified. I do not believe that page after page has nothing reasonably segregable, I do not believe there was any balancing test (none is claimed) and I do believe that much can be released without harm to the deliberative process. This is an important historical case and the subject matter of the withholding may well be more significant ^{than} you are in a position to know.

It is not only that a large number of FBI people, including at FBIHQ, knew about the illegal act in the destruction of the letter and were silent, not only that this letter was important in any investigation, it also is the fact that the letter was destroyed to cover the FBI. After the assassination.

The FBI story, which comes close to fitting the present flap over Hinckley's prior arrest with three pistols at an airport, was that it did not inform the Dallas police about Oswald's presence in Dallas and did not inform the Secret Service about him because there was nothing in his record or its records to indicate that he had any predisposition toward violence.

Quite obviously, any threat against the FBI gave the lie to this pretense, and a threat to blow it up? ? ?

Retired SA Gordon Shanklin, a lawyer now practicing law, without reasonable doubt did perjure himself, whether or not prosecution would have amount to bootstrapping a prosecution. There is a question about others, besides the other law violations indicated in the records provided. The FBI has disclosed a large volume of records without, to the best of my recollection, disclosing that prosecution of Shanklin was being considered.

Because so many FBI people violated laws and suppressed significant evidence when the assassination of a President was being investigated, this matter assumes even greater importance and the people have a right to know all possible details.

If you are not willing to release more of this information I request that you refer these claims to Guilian Shea of the FOIPA appeals office and now, before there is the possibility of other improper processing, which will mean more work, cost and trouble.

Sincerely,

Harold Weisberg