

he

Voluntarily or involuntarily - Ray has always claimed involuntarily -

Ray entered a plea of guilty the morning of March 10, 1969.

The country was shock^{ed} more so because his lawyer was Percy Foreman, ~~reputedly~~ the most successful criminal lawyer in American history. That Foreman would ~~file~~ ^{indeed} negotiate and enter a plea of guilty helped persuade that Ray was ^{indeed} guilty. Foreman had a long and successful career of getting murderers off.

"Tongue-Tied Justice" The New York Times called it in a blistering editorial the next morning. The Times expressed the nation's indignation and outrage with eloquence:

Pick up from F-U 79-80

editorial

~~Un~~herent in this and the many other/cries of anguish and complaint is the assumption of Ray's guilt. For most editorial writers the only question was had Ray acted alone.

There is a significant and ignored clue in this Times editorial: "It is not enough to say that the State accepted the guilty plea/ and agreed to end the case because the death penalty ~~had~~ had not been used ~~in Tennessee~~ since 1961 in Tennessee."

with execution impossible

Yet the supposed "compromise" resulted in the maximum possible sentence - 99 years.

In Tennessee a life sentence can mean as little as 13 years. Under a 99-year sentence Ray was ^{virtually} assured he'd never get out of jail.

Why would ~~the King of the Courtroom,~~ so spectacularly successful a defense lawyer "negotiate" the maximum possible sentence and then claim he was happy to have saved Ray's life?

It makes no sense. The mystery lingers.

Extra space

For most people the crime remains unsolved.

What is known ^{of the evidence} is what officials allege^{ed} and ^{and} what they leak^{ed}. Both have been taken up

by the press and by writers of sycophantic books. In the promotions of these books their authors reached large audiences, sometimes more ^{persuasively} effectively because of their claims to ^{although they retold the official account.} independence and the pretense of it. As the Times editorial stated, we do not have the

although they retold the official account. ¶

What to now is not known is the untold official story, the secrets of the secret files I obtained ^{them} by suing the FBI and the Department of Justice ⁴ and obtaining ^I ~~them~~ ^{These secrets} by court action.

(decade-long inquiry,
There is also the results of my own ~~inquiry~~ ^{inquiry} in part as Ray's investigator.

I conducted the investigation ~~for~~ ^{and I am satisfied was} in his efforts to obtain a trial after the guilty plea he claims was coerced ~~&~~ involuntary.

But neither ~~was~~ is what the Times described as the adjudicated truth, as the guilty-plea hearing also was not.

9 If the offices of public defenders did not negotiate deals for the accused they represent these offices also would be overwhelmed, unable to function. The backlogs of the courts would be unimaginable. Whether the ~~the~~ defense is by a private lawyer with little chance of being paid for his time except from public funds or by the offices of public defenders, the actualities dictate negotiations for a deal. ~~Guilt or innocence become immaterial.~~

The deal means a guilty plea. It may be to but a single charge. The sentence may be but a fraction of the time that could be meted out on all counts. ~~Guilt or in-~~ ^{or} innocence become immaterial. And all those other charges, all those unsolved crimes are

adjudicated truth. *2A*

~~The aborting~~ ^{avoiding} of a full and open trial, with all the alleged evidence cross-examined vigorously, ~~with vigor,~~ aborted the workings of the American system of justice.

Instead of a trial there was a deal. Under the deal Foreman agreed to what the prosecution alleged and Ray agreed with Foreman. The prosecution then made an uncontested ~~and / for / for /~~ representation of what it called the evidence that was sufficient to convict.

Plea-bargaining, as ~~it~~ ^{this} is called, is rubber-stamp justice. As crimes proliferate and court dockets get more crowded plea bargaining ^{has become} ~~is becoming~~ commonplace. Today, without plea bargaining, ~~prosecutions~~ ^{one} would be overwhelmed. They could not begin to try all the cases.

Hailed as a boon to the accused, as in many instances it may be, what is little understood is that it is a godsend to the police as well as to ~~prosecutions~~ ^{or}. When the police have a suspect it is not uncommon for them to load onto him other unsolved crimes in the same neighborhood or of similar nature. To avoid having to try these cases, prosecutors ^{also} heap ^{on} all possible charges ~~atop the initial one~~. Faced with an indigent defendant and a multitude of charges lodged against him it is the exceptional defense counsel who does not seek to make a deal with the prosecution. *2B*

~~The deal means a guilty plea. This also means that all the unsolved crimes laid to each defendant~~ ^{are} ~~is~~ tabulated as solved by ~~the police~~ ^{and prosecutors}. The conviction record of the prosecutors become impressive. Their heavy work load is reduced.

If these factors did not enter directly into the Ray case the practise of plea bargaining ^{by} public defenders did. ~~Judge Preston W. Battle gave Ray to understand that~~

Ray's first lawyers were the Arthur Haneses, senior and junior. He fired them on the eve of trial scheduled for November 11 (check date) 1968. In approving Foreman as replacement counsel ~~xxxxx~~ Judge Preston W. Battle gave Ray to understand that he would not approve another change in counsel. Battle also appointed the Shelby County Public Defender to be co-counsel because Ray had no independent funds. ^{Ray} ~~He~~ was indigent if Foreman was a multimillionaire. ~~Ray thus had a situation in which if he fired Foreman he was saddled~~ ^{Rather than helping Ray Battle put him in a new bind: if Ray}

The Memphis Public Defender's ^{office} negotiated pleas of guilty in a high eighty percent of its cases.

with other counsel not of his choice. ~~and~~ Moreover, ~~the percentage of cases bargained by that public defender's office was eighty percent.~~ To Ray this meant four chances out of five of not going to trial or ^{if} going to trial with counsel ^{he did not want and} who did not want to try cases.

34

In his case, as Ray understood, ^{correctly,} the prestige of the FBI was very much involved.

While the crime was committed in ~~the~~ Memphis and the prosecution was by the Shelby County District Attorney General, ^{most of the investigation was by the FBI. It} there was virtually no investigation by the local police. ~~The~~ ^{police} ~~FBI~~ moved in immediately and ^{receiving the benefit of its manpower} the locals were overjoyed at the help of the FBI, with its ~~and other~~ unequalled resources, ~~and financing.~~

The assassination of Dr. King was in every way a very costly crime to Memphis. But among the least of the costs was the money the ^{of Memphis} City spent investigating the crime. It ~~spent about the same amount in~~ ^{attempt to} ~~keep~~ ^{ignore in an unsuccessful attempt} the supposed star witness, ^{talkative} Charles ~~quitman~~ ^{Charles ~~quitman~~ a drunk,} Stephens, out of circulation and out of trouble. ^{Stevens} rebelled at confinement as a material witness because it denied him ~~bourbon~~ ^{bourbon}. 3B

The official investigation of the King assassination was conducted and controlled ^{largely} by the FBI. Memphis officialdom was gratified and relieved.

Memphis police did conduct some local investigations. The FBI trusted the Memphis police so little ^{even} FBI agents ^{made} their own pictures of the scene of the crime after this had been done by the Memphis police. FBI agents also duplicated the interrogations of witnesses. ^{Each} had a special involvement in the crime that each had to defend against. There was an immediate conflict between these special involvements and law enforcement.

9 The FBI and the local police

Each also was caught up in the crime because it had happened when the nation expected that each would prevent any such tragedy.. Each therefore had the immediate need to solve the crime or to appear to have solved it.

This exactly duplicates the situation in Dallas, Texas on November 22, when President John Kennedy was assassinated. Shortly before that assassination a vicious attack had been made on Kennedy's ambassador to the United Nations, Adlai Stevenson. As with Dr. King following the March 28, 1968 violence Kennedy's advisors strongly ^{urged} him not to go to Dallas, into what they regarded as ^{a dangerous and} antagonistic ~~an~~ environment.

9 Whatever his reason Ray has always wanted to testify in his own defense. This was, as Arthur Hanes Sr. testified in the evidentiary hearing of October 1974, one of the causes of disagreement between them. Hanes would not give Ray this assurance prior to the developments of trial.

It spent more money ~~for~~ in an unsuccessful effort to keep its so-called star witness, Charles ~~William~~ Stephens, out of trouble and ~~sober~~.

A year after the crime Chief of Police Henry ~~lux~~ ~~re-released~~ announced how the police had ~~spent~~ ^{the case} money in ~~what~~ the Memphis Press-Scimitar called its "costliest ever" ~~case~~.

For the homicide squad this came to a mere \$14,677 for 3,144 ~~hours~~ man hours. Guarding ~~the~~ Stephens ~~took~~ ^{cost more than twice this, \$31,684 of} 7,530 hours, or \$31,684. Most of the costs were from other guarding, like police assigned to help the sheriff guard the jail. But even this cost less than ~~the~~ overtime ~~for~~ police at the time of the guilty-plea hearing, when trouble was expected.

(Quoted here from Memphis FBI Field Office File # 44-1987 -Sub-C-364, or MFO 44-1987-Sub-C-364. The ~~clippings file of the Memphis Filed Office,~~ ~~from the local papers,~~ is of six bound volumes.)

The FBI compiled six bound volumes of clippings from the local papers.)

(Mount Clipping in Space Below)

King Case Costliest Ever for Police

by **MANNING BERNKSEN**
Press-Scimitar Staff Writer

When a rifle shot rang out on the evening of April 4, 1968, bringing death to Dr. Martin Luther King Jr., the result was the most expensive murder case in the history of the police department, it was revealed today.

Chief Henry Lux released figures showing that the homicide squad devoted 3,144 man hours to the investigation, at a cost of \$14,677.

Then the department assigned men to the guard detail assisting the sheriff's department, in the 24-hour

day guarding of James Earl Ray in the county jail, at a cost of 13,872 man hours and \$57,934.

Another guard detail had to be assigned to the guarding of a key witness, Charles Stevens, for a total of 7,530 man hours between Aug. 24, 1968, until March 11, 1969, at a money cost of \$31,654.

Cost of overtime during the last few days prior to the trial when police were mobilized on an overtime basis to guard against any possible trouble, was \$64,428.

Total cost of the homicide investigation and the various

guard details added up to \$164,577.

These figures do not include the money spent by the sheriff's department in the guard detail, alteration of the jail to accommodate Ray or costs of preparation for the trial.

Police have estimated that it cost the department

(Indicate page, name of newspaper, city and state.)

PAGE 3

MEMPHIS PRESS-SCIMITAR

MEMPHIS, TENN.

Date: 4-1-69
Edition: CHAS. H. SCHNEIDE
Author:
Editor:
Title:

Character:
or
Classification: MEMPHIS
Submitting Office:
 Being Investigated

*King Bureau
4-3-69*

44-1987-Sub-C-364

SEARCHED.....INDEXED.....
SERIALIZED *llh* FILED *llh*
APR 3 1969
FBI - MEMPHIS

In Dallas also it was expected that the local and national police would protect the President against harm.

In fairness to all police it should be understood that prevent^{ing} an assassination if ^{is impossible} the assassin or assassins are determined enough ~~is impossible~~. What is not impossible, however, ~~it~~ is catching the assassins. Having failed to prevent an assassination, all police are driven to be able to claim to have captured those responsible for such horrible crimes.

Complicating all of this was the special machismo of J. Edgar Hoover and his imparting of it to the entire FBI.

Hoover, who was adept at public relations, came to believe his own propoganda, that he was the greatest crime-fighter ^{or ever} of all time and his FBI was the greatest law-enforcement agency of all time, ^{that} ~~too~~. It could have been but it ^{was not} ~~has never been~~. Hoover's propoganda was based on statistics, ^{To this he added} ~~to which he in time was able to add~~ blackmail, real or potential, of just about everyone in any position of power. He compiled statistics he used to prove the FBI's effectiveness simply by ~~going~~ ^{going} after the easier crimes and leaving entirely untouched such criminal institutions are organized crime, the mafia and other large components, of which there are many. 4A

~~XXXX~~ Confronted by such terrible crimes as the assassinations of President Kennedy, Dr. King and others, Hoover's primary need was control. Subordinate to this was the need to appear not to control, not to be responsible, while at the same time being in a position to ^{take} ~~have~~ credit for the solutions, real or unreal, ^{for himself} ~~inure to him~~ and the FBI.

One of the ^{Hoover/FBI} means of exercising control is information. ^{to a large degree they} Hoover could and did control what could be known in these assassinations. But in each case someone else was in ultimate responsibility. In the John Kennedy ~~the~~ assassination it was the Presidential Commission. In Memphis it was the local prosecution, local authority.

Regardless of what one believes about any of these crimes, understanding them and assessing what is represented as the fact and all the fact ~~in each case~~ requires understanding of the actuality, that the FBI ^{has} ~~(in each case)~~ exercised control. ^{to now and to} an unrecognized degree it ~~exercised~~ ^{has} close to total control.

on This

(Among the many excellent sources of ~~the post-Hoover era~~ are the hearings and reports of the Senate Select Committee on intelligence, ^{*(eg. inco.)*} known as the Church committee; The Lawless State, by Mortin H. Halperin and others of the Center for National Security Studies, published by Penguin; Fred J. Cook's The FBI Nobody Knows, McMillan; ^{*and*} FBI, by Sanford Ungar, Little, Brown. ^{*od these*} Cook's alone is of Hoover's lifetime. Chapter 3 of The Lawless State is an excellent encapsulation of the Church committee's ^{*the*} investigation of the Hoover-FBI persecution of Doctor King, largely from Book III of the committee's final report.)

did and
 It does this positively and negatively, by controlling what can be known and by ~~also~~ controlling what is known. It also controls ~~the~~ ^{that} disinformation of its own creation and of its indiscriminate gathering. ^{an all-encompassing} It is like a vacuum cleaner, ^{int} suck up every bit of gossip and slander and storing it for future use. This was abundantly proven in the hearings of the Select Committee of the U.S. Senate on Intelligence Agencies, better known as the Church committee, after its chairman, Senator Frank Church. (The investigation was approved in the first session of the Ninety-Fourth Congress. The first hearings were held September 16, 1975. The hearings and reports were published by the Government Printing Office.)

When it is criticized the FBI knows no inhibition. It recognizes ^{neither} moral nor ethical nor legal limit. When its vast power is added, there is virtually no one it cannot reach and influence. Within my personal experience this includes ~~the~~ presidents and Attorneys General as well as the Congress.

My first book, Whitewash: the Report on the Warren Report, was the first book on the official investigation of the JFK assassination. Most of the official investigating was done by the FBI, ^{it} ~~which froze even the Secret Service out.~~

It is not possible to examine the ~~official~~ work of the Warren Commission without being critical of the FBI's record. I was critical of it on an as yet unrefuted factual basis. I say this after examining the FBI's own files on me and on this. ^{5A}

In the JFK assassination the FBI froze ^{out} even the Secret Service out, although the Secret Service had jurisdiction from its responsibility for presidential protection. I published proof of this in my second Book, WHITEWASH II: THE FBI-SECRET SERVICE COVERUP, p.39 (WW II:39) This proof came from the Secret Service's own files. (File CC-2-34030.) When the Secret Service reached the Klein Sporting Goods Company in Chicago, the ~~day~~ company that sold the allegedly fatal rifle, it found that the FBI had been there and had told all Klein personnel to speak to nobody. It took a half a day for the Secret Service to persuade ~~the~~ Klein officials to speak to it.

With me and with others who later wrote other books ^{The FBI} took a different approach. In secret and through leaks it vilified us. Through ^{media} ~~the~~ leaks it reached the people of the country as well as officialdom. In secret it reached officials as it did not dare attempt

On 5,A footnote.

My requests under the Freedom of Information Act are subversive to the FBI. It has them filed under a "100" filing code, meaning what the FBI considers "Internal Security." It has some filed under "44", which represents ~~Civil Rights~~, coming from my work on the King assassination. The same kind of practise extended to its multitudinous files on Dr. King. ^{Some under} They are called black hate groups as well as racial matters; they are ^{" " " "} under bombings and other violence; ^{" "} they are under "communism." The FBI's prejudices extend to even its filing systems. #

which is what Dr. King and his efforts represented to Hoover.

~~add Hoover's protection of "left hand"~~

in public, where refutation is possible.

When in late 1966 the conclusions of the official investigation and of the work of the FBI were under strong criticism that was receiving wide attention the Lyndon Johnson White House became concerned. ~~Hoover did not dare give~~ ^{Further fuel the controversy by giving} bad information about the crime to the President, who might use it at a press conference and have it fly back into his face. ~~He therefore~~ ^{Instead Hoover} took the tack of defaming those who dared criticize him. Until the Congress passed the Freedom of Information and the Privacy Acts he was able to keep all this dirty work secret. It required years of effort before I could obtain any of the official records on me because the FBI and other agencies have the power and the disposition to violate the law. They do this with impunity, the prosecutor not prosecuting himself ^{and the courts being} ~~calumniated~~ ^{Attached to his Hoover's}

tolerant, assisting spread of FDI blackmail

November 8, 1966

Not being able to refute any of my book Hoover defamed me to the President. ~~It is~~ ^{calumniated} ~~his~~ ^{Attached to his Hoover's} letter ~~to~~ ^{to} Marvin Watson, ^{Special assistant to the President}

GA

~~to President Johnson, Hoover had memos on seven of us who by then had written books.~~ ^{from} ~~What he~~ ^{what} said of me ranged from the merely exaggerated, misrepresented and deceptive to outright fabrications the intent of which was to portray me as a "Communist" and in general as totally undependable - one out to overthrow the government.

Illustrative is his charge that I held "an annual celebration of the Russian revolution. This celebration involved a picnic at his residence attended by 25 to 35 unknown people." To deter use of this falshood and my refutation of it Hoover added the pretse that it was "national security" information. It and other such slanders are classified "SECRET."

6A

Hoover had one of these many vilifying memos. (In the "Internal Security" file is is a "Not Recorded" Serial. The serial number in one of the JFK files is Serial 4250.)

Nothing could be more ~~vicious or more opposite~~ contrary to reality.

The Russian revolution was in ⁱⁿ November. These picnics at my farm, not my "residence," were in September, following the high Jewish holidays. They were arranged not by me but by *They marked the end of a long period of prayer and fasting* a rabbi. They were not in celebration of anything. ^{into the country side} They were a pleasant trip for military personnel of the Washington area and their families, particularly their kids, under the auspices of the Jewish Welfare Board. They provided ~~a day in the countryside~~ and the opportunity to be with and pet tame farm animals, to see rare waterfowl ^{and their young,} to watch eggs being laid and chick ^{being} hatched and to gather ^{foundle downy} fresh-laid eggs and ~~play~~ with baby chicks.

^{this was} In this Hoover and FBI viciousness there are but two truthful statements; ^{was included} ~~that it was a picnic~~ and the approximate number of people. ^{and they brought their lunches and ate picnic style.} But ~~by these means, by control~~ ^{7A} controlling what the President could know and did know, Hoover controlled all. If this required fabrication and the nastiest kind of character assassination, Hoover and those under him were up to it.

^{7B ->} The examples of control that go in the other direction are without limit in my own publication of the once-secret records of the Warren Commission and the federal agencies. In other cases the FBI has been able to prevent publication of its deepest secrets. Here again my experience is personal.

Lee Harvey

Hoover's account as well as that of the Commission is that Oswald had fired all the shots in the JFK assassination. For some reason ^{unexplained reason} ~~awarded~~ with great care he also is supposed not to have fired when the shooting was easiest, while the motorcade was approaching, on Houston ^{Street}, and not to have started firing until long after the motorcade has turned into Elm Street. Elm Street curved ^{downhill. It is} and present a steeper ^{more difficult} ~~sharp~~ angle for any shooting. ~~It is~~ After the turn onto Elm Street there was a period of time during which trees obscured the motorcade from ~~the~~ sixth-floor window on the Texas School Book Depository ^{Building}, ~~from which~~ ^{from that window} in the official version all shots were fired.

A Before the Commission Hoover

By these scurrilous means, a word Hoover ~~it~~ applied to me in secret memos, he was able to control what the President could and did know and thus what he thought, the President's decisions and policies. *Hoover # controlled*

1B Those under him were anxious to feed Hoover anything nasty that would curry his favor and appeal to his ~~prejudices~~ ^{*prejudices*} prejudices and conceits. They were determined to "stop" me and my writing. ^{*This word*} The word "stop" is (in a January 23, 1967 memo ~~from~~ ^{*of the one who drafted the letter*} from W.D. Griffith of the Laboratory. The ~~dictator's~~ ^{*He is*} initials are LLS. These happen to be those of Lyndal L. Shaneyfelt, a ~~since-retired agent~~ ^{*in one of my FOLF codes*} one of four ^{*agents*} who retired at a time that enable the FBI to claim to a court that as former employees they need not respond to the processes of that court. ~~in that of my hands against the FBI~~ To "stop" me LLS/~~Mr. Jenca~~ suggested that "the Bureau may wish to explore the feasibility of having a libel ~~suit~~ action brought against Weisberg in SA Shaneyfelt's name." (Not Recorded Serial in #100-351938.)

This apple-polishing ploy was explored at length by the top FBI legal authorities. In a memorandum of January 31, 1967 they decided that indeed Shaneyfelt could sue because he was not ~~an official whose acts~~ a "public official," the language of the controlling libel decision, New York Times, Inc. v Sullivan. This went to the assistant and associate directors, all those around Hoover. (Not Recorded Serial, #100-351938)

Assistant Director John P. Mohr, to whom the memo was addressed, added this handwritten note, "Suggest we leave it up to Shaneyfelt as to whether he should sue."

Shaneyfelt decided against suing. Had he sued all his work would have been subject to examination in court, something he would not dare. When I learned of this in 1977 I wrote him a waiver of the statute of limitations if he would still care to sue. He did not respond.

NOTE - (After Hoover's death and that of his closest associate, Clyde Tolson and after Mohr retired from being the Number 3 man in the FBI ^{*Mohr's*} his own grafting and false swearing became ~~news~~ public knowledge. The Washington Post of September 30, 1976 reported a Justice Department investigation ^{*of his having*} that he "had a \$5,000 wine rack built in his home ^{*by FBI personnel using*} using government-owned materials." ~~xxxxxxx~~ The Post of December 2, 1976 reported that Mohr was named as an unindicted co-conspirator in a fraud case "growing out of a probe of" other "financial irregularities within the FBI."

at Mohr's direction an

False swearing emerged in a Post story of July 22, 1976, ~~having to do with an affidavit~~

FBI secretary signing ^{ed} Tolson's name "to documents giving Mohr control over both Tolson's finances and the estate of J. Edgar Hoover." Hoover had left Tolson "an inheritance of

more than \$500,000." ^{while} The secretary did sign Tolson's name ~~and~~ her forging of it was

"witnessed" as Tolson's ^{signature} (by "Two other high FBI officials, Nicholas P. Callahan and James

B. Adams." Adams succeeded to Mohr's Number 3 spot. Callahan was Number 2 as Associate

Director. He later testified that he doubted the authenticity of the Tolson signature

that he "witnessed.") end note **7X**

Loaded as it was with ~~years of gathering~~ this kind of "nefarious" files - the word is Hoover's as applied to me - these people - I would hesitate to use Hoover's "rodents"-

The FBI

send [✓] excerpts to the Special Agent in Charge of the Memphis Field Office ^{He was} with instructions ^{add to}

~~that~~ he convey the infamies to Tennessee authorities and report back in writing. (add *some*

footnote.) At the time I was Ray's ^{SI} investigator, not writing any book. It requires little

imagination to conceive that if the FBI and the State Attorney General did not ~~read~~

provide the character assassination to the ~~#~~ judge ~~the/loca/~~ his country-club friends of

the Memphis prosecutor's office did. It was a poisonous injection into the system of justice,

adversely influencing all those reached by it. It was another means of FBI control.

left turn footnote.

7X

No matter what Hoover was infallible. He never made a mistake. Ever. And there was the entire FBI to ~~prove~~ "prove" it for and to him.

At 2:10 p.m. September 13, 1966 I made a radio broadcast in Washington. ~~that began~~
~~It~~ It lasted an hour or more. But before the ~~day~~ ^{FBI} working day was over M.A. Jones has sent a perfectly-~~typed~~ retyped memorandum to the then associate and assistant directors "disproving" my accurate statements. ~~Jones used more words than I do here.~~ ^{That's just.} I had quoted Hoover's testimony before the Warren Commission ^{7X! here!} ~~who~~ was asked "Why didn't the assassin shoot prior to the car turning left off of Houston Street." In Jones' words, "Weisberg commented that Mr. Hoover answered this by saying: 'There was a tree in the way'; however according to Weisberg, there are no trees on Houston Street."

That there indeed were no trees on ~~Houston~~ Houston Street did not deter Jones a bit. "Weisberg is completely off base on this point," he wrote in one of the kindest things anyone in the FBI ever said of me ^{any of the} in hundreds of pages that I have obtained. "The motorcade, as it turned left off of Houston Street, entered the park and from the window of the bookstore (sic) trees did block the view of the motorcade prior to entering the park. The director's testimony is accurate." (#100-351938-9.)

Because there were trees on another street, after the motorcade left treeless Houston Street, Hoover's inaccuracy became accurate.

note

(The wonder is that Jones dared refer to a left turn. According to ~~a~~ ^{dy} witty FBI agent, Joseph C. Schott, who retired in 1971, ~~in his book No Left Turns~~ ^{wrote a book about Hoover's fables in} published by Praeger, Schott reported that after ~~being~~ ^{minor} being in an accident ~~when~~ ^{which damaged the} ~~left turn~~ ^{Hoover} ~~on~~ the left side of his car he issued an order that when he was being driven all left turns be avoided.)

As soon as he returned from the tragedy in Dallas President Johnson directed Hoover to conduct a special investigation of the assassination. A week later Johnson established his Presidential Commission, the Warren Commission. Meanwhile, the FBI continued to conduct investigations. It also continued to prepare the report ordered in Johnson's original action. Under date of November 9, 1963 it filed that report with the Commission, through channels.

It is an elaborate, attractively-prepared but entirely incomplete case against Oswald. In its five bound volumes it makes ^{only} passing reference to the details of the crime ~~itself~~ ^{itself}. These are so scant that it has but a couple of sentences on the actual killing. In these the FBI managed to avoid mention of one of the President's known wounds, that in the front of his neck, and of a shot known to have missed the motorcade entirely.

Prior to the report reaching the committee it reached the press. There were sensational stories, all prejudicial to any subsequent impartial investigation, all angled to fix upon the nation the notion that the supposedly alienated Oswald was the lone assassin.

That this leaked was, of course, scandalous. It required an investigation to determine how so big a secret had leaked. The FBI conducted the investigation - as it turned out without reporting who did the leaking. The FBI was investigating itself. It had done the leaking to control the Commission, what it would have to face as well as what it could know and could do.

The Commissioners were put out at having read ~~accounts~~ in the public press accounts of the report to it that it had not yet read in the original text.

It ~~was~~ held executive or secret sessions. Originally/all were classified TOP SECRET and withheld. I have been seeking these under the Freedom of Information Act and ^{the transcripts of two complete sessions and some pages} thought the Act have received some. ~~Two others and parts of two additional secre-~~ of two others remain withheld. As of this writing I am suing for their release.

At the time of the leak of Hoover's five-volume report the Commission held an executive session at which it questioned Nicholas Katzenbach, the ^N/Deputy Attorney General. Katzenbach told the Commission that only Hoover, who pretended to ~~be~~ investigating the leak

with vigor, could have been responsible for that leak. (Pick up direct quote and cite transcript by date.)

The Commission never published the five-volume FBI report. It is in the Commission's files at the National Archives, where it is identified as CD1. (CD indicates "Commission document." In some instances, with the same sequential numbers, the files are designated "CR" for "Commission Record.") This particular transcript is now available at the Archives, as it is in my files.)

With the report and his leaking of it Hoover intimidated the Commission, giving it to understand that if it said other than he wanted said he would leak against it to the press. He also laid down the line it was to follow, with the same "or else," having him to contend with.

And, although some were not by the FBI, throughout the life of the Warren Commission there continued to be an endless series of leaks all angled, all fixing the national and media mind, all controlling the Commission and what it dared do or even consider doing or saying in its final report.

It may seem incredible that Hoover and his vaunted FBI could investigate the assassination of a President and give a supposedly exhaustive five-volume report without account for all the known shots and for all the known wounds but it is the actuality if not the TV representation of the FBI in political cases. (These two brief references to the JFK assassination itself in CD1 are reproduced in facsimile in ~~WHITWASH: THE REPORT ON THE WARREN REPORT~~, p.195/) use - Ken 1/22

10
The first mention is "...three shots rang out. Two bullets struck ~~the~~ President Kennedy, and one wounded Governor Connally." What follows is that the motorcade rushed to Parkland Hospital."

On the President's wounds: "Medical examination of the President's body revealed that one of the bullets had entered just below ^{his} the shoulder to the right of the spinal column at an angle of 45 to 60 degrees downward, ~~and~~ that there was no point of exit, and that the bullet was not in the body."

The first was one of the two alternatives if there were to ^{be} the pre-determined lone-assassin conclusion: it omits reference to the missed shot and avoids the awkward, untenable and in fact impossible conclusion that a single magical bullet had ~~geed~~ and ~~haved~~ its way through the bodies of both victims, zigging and zagging in a manner that would be laughed out of a work of fiction.

The second avoids the known wound in the front of the President's neck. ^{It} also is based on what the autopsy doctors said the night of the autopsy, in the presence of FBI SAs Francis X. O'Neill and James W. Sibert. (Post Mortem 535)

The alternative was the magic bullet, one that inflicted all seven non-fatal wounds on both victims, going from right to left inside the President's neck without striking bone and then going back to the right to take twice as steep a trajectory downward and still again to the left as it smashed Governor Connally's rib, his right wrist and then penetrated his thigh, where it deposited a large fragment not removed in his emergency surgery. From this career it is ~~all~~ required to have emerged in ~~prist~~ virtually pristine condition, entirely unscratched and only slightly fall flattened toward the rear. (POST MORTEM 602)

If this was too much for Hoover and the FBI, the Commission finally decided it could not get away with ignoring the front-neck wound and the minor injury to James ^{L.} Tague from a bullet that missed.

Its desperate invention of the single-bullet theory came later.

But as long as the Commission toed the "Hoover/ no-conspiracy line he was publicly untroubled by a different means of making that pre-determination seem possible.

However, the Commission was scared to death of him and what he could do to it.

After ignoring published reports that Oswald may have been an FBI informer for about a month the Commission ~~was~~ faced a situation that made ignoring this report impossible.

The reports reached Dallas County District Attorney Henry Wade, a former FBI agent.

Within my experience and observation Henry Wade is a first-rate district attorney. He ~~was~~ enjoys hunting and is a good shot. He has never doubted that John Kennedy was killed as the result of a conspiracy.

Wade promptly notified Waggoner Carr, State Attorney General and head of an aborted "Texas Court of Inquiry" on the assassination. Carr immediately phoned J. Lee Rankin, Commission General counsel and de facto boss. This was at 11:10 a.m. January 22, 1964, Washington time. He and Warren sweated the report out all day and then called an emergency session of the Commission for 5:30 that afternoon.

(By means of FOIA I obtained the to-then secret transcript and published it in Post Mortem, pp. 475-87.)

After some discussion Rankin spelled out how Hoover, who had already leaked his major report, had them hog-tied. He pointed out that "the FBI is very explicit that Oswald is the assassin," and "they are very explicit that there was no conspiracy." he added that this was unusual, that "in my experience of almost nine years" - he had been Solicitor General in the Justice Department - "They claim that they don't evaluate, and it is uniform prior experience that they don't do that." He then added that the FBI had reached this conclusion although "they have not run out all kinds of lead" bearing on conspiracy." Dulles agreed with both statements and Rankin repeated "But they are concluding there can't be a conspiracy without these [leads] being run out."

His fear of the FBI was expressed in these words, if they asked the FBI about this "they could probably say - - that isn't our business." (POST MORTEM S' 485)

Only on paper was the President or his Commission Hoover's boss. The Commission

was not about to tangle with him.

Before the session ended Rankin returned to the report that Oswald had been an FBI informer:

...when the Chief Justice and I were just briefly reflecting on this we said that if it was true and if it ever came out and could be established, then you would have people think that there was a conspiracy to accomplish this assassination that nothing this Commission did or anybody could dissipate." (PM 486)

This Commission expression of preconception in secret was even more explicit/when there was another "TOP SECRET" session of which I obtained the suppressed transcript ~~ix~~ by suit, in C.A. 2052-73. Then Rankin was this blunt:

"We do have a dirty rumor that is very bad for the Commission, and the problem and it is very damaging to the agencies that are involved in it and it must be wiped out insofar as it is possible to do so by this Commission." (WWIV 48)

Hoover was not being investigated when there was an urgent need to investigate him. Instead ~~the~~ what reflected on Hoover and the FBI "must be wiped out." panicky How ~~terrified~~ the Commission was, over Hoover and the question of conspiracy, was hidden with its hidden words of January 22. Immediately following Rankin's telling them they could not "dissipate" the conspiracy question Commissioner Hale Boggs interrupted to ~~exclaim~~ lament, "You are so right." Dulles groaned, "Oh, terrible." Boggs got his tongue tied up in his apprehensions, "Its implications of this are fantastic, don't you think?" Dulles' last ~~exclamation~~ exclamation was "Terrific."

They worried for another page of transcript when it all ended with agreement on Dulles' proposal, "I think this record ought to be destroyed." (PM 486-7)

The stenotypist's tape escaped the memory hole and a decade later it was transcribed for ~~for~~ me under FOIA compulsion.

Hand in hand we have Hoover's control and the official policy that fact or no fact, regardless of evidence, in the political assassinations there is no conspiracy. Always a lone nut.

This is the way it was when Hoover controlled the King assassination investigation. Once he had evidence he could lay to "Galt," they Ray, he wanted no more, regardless of

the deficiencies of that evidence and the existence of contrary evidence.

It was this Orwellian: Hoover controlled history. Big Brother rewrote it instead of recording it.

Unintessential in this is the FBI Laboratory. In both assassinations it controlled all the scientific testing. This means it controlled what was tested and what was not tested, what was compared and what was not compared. In neither case did the lab or the FBI prepare a consolidated report on the results of such tests as ballistics or the

ballistics-related, from the available evidence. Or from its word in court. I sued it for these results and reports in both ~~xx~~ assassinations. *

The Warren Commission never received any of these lab reports in any meaningful form. It received no testimony on the spectrographic examinations By SA John F. Gallagher, who was in charge of those tests. That he also performed neutron activation analysis on some of the same evidence is not even mentioned in the Warren Report. It was a big secret. (See Post Mortem, Part IV.)

Hoover gave the Commission no meaningful reports on these basic tests and the Commission of lawyers was content. It thus had no way of knowing even what testing was done. It had only some second-hand and less than faithful opinions on what the tests showed.

* C.A. 2301-70 and C.A.75-226

I obtained FBI "raw material" from the lab work that the Commission never saw. It was not able to have any independent confirmation of the FBI's interpretation of those tests it did perform- which was not all that could have been performed.

Hoover exercised the same kind of control in the King assassination and in Memphis. The master bureaucrat was able to manipulate the Attorney General when he ~~decided~~ ^{decided} to try to establish a fig-leaf of federal jurisdiction. At the same time he was able to withhold all he wanted to withhold, including from the local prosecution.

Hoover and his henchmen did not like the United States Attorney in Memphis. So instead of filing a conspiracy charge there under the civil-rights act they filed it in Birmingham. The Attorney General was never informed. He read it in the papers. The

internal FBI explanation is that it could not trust the United States Attorney in Memphis, where the crime was committed. (Cited to documents in Inv file and to OPR.)

To obtain the FBI's evidence after the FBI took ^{over} the King assassination investigation District Attorney General Phil Canale had to complain to the Department of Justice. By the time he received what Hoover let him have it was almost the time originally scheduled for trial.

(Pick up from Civil Rights compliance file, Canale and Vinson letters.)

While none of this relieves the Memphis prosecution of any responsibility it does get the to the reality, a little-understood reality about the FBI, one that remains largely unrecognized and ~~little-known~~ despite all the disclosures about the FBI in recent years. It is boss. It lets other have what it wants them to have, whether it be a local prosecutor or the Attorney General of the United States. Attorneys General come and go; Hoover abided almost forever, The FBI will be here forever, far into the future run by Hoover's selectees whoever is Director, far into the future doing as Hoover ordained be done. Most local prosecutors and police will continue to depend upon it for help, particularly laboratory help and help in other jurisdictions.

The situation of the FBI with respect to the press is similar. The FBI's method of control is identical. The difference is that literally it cannot and does not control their press. Its method is manipulation, which amounts to an approximation of control. The FBI controls what it will and will not say or release. It is a prime news source, not only in Washington but in all local jurisdictions. It can and it does favor competitors. It can and it does leak, much as it denies this. It leaks to those it favors, placing others in a competitive field at a great disadvantage. Withall it preserves a posture of deniability.

It was no secret among Washington reporters that the leakers-in-charge at the FBI were Cartha DeLoach and T.E. Bishop. But by the rules of the profession ~~the~~ reporters do not disclose confidential sources. So the stories do not identify reporters' sources. Only if the FBI wants to be known as the source is it so identified.

Having obtained by suit well over 20 pages of once-secret pages of FBI records in the King assassination - about 20,000 pages of FBI Headquarters records alone - I can pinpoint some of the planted stories intended to prejudice the case against Ray and to convince the world that he was a loner. Once again that there was no conspiracy.

It attributed his selection of the Galt alias to selections from the names of Ayn Rand characters. The FBI's headquarters research on this was a major effort. It then distributed typed copies of this research widely among its field offices. As an investigative tool this was meaningless. In fact it was false. But in actuality it made ~~xxx~~ news stories to the FBI's liking so it let the falsehood out and received wide attention with it.

The idea came from reports that Ray spent his time in jail reading, that he read Ayn Rand and alone and unassisted merely took the names of her characters.

The idea was that Ray had read Ayn Rand and thought he would use her characters. The idea came from reports that Ray spent his time in jail reading, that he read Ayn Rand and alone and unassisted merely took the names of her characters.

(Pick up citations from Galt file)

All the time it was fostering stories of its greatest manhunt in history. This covered its failures. It did not capture Ray and he was captured only by accident anyway.

Statistics have always been a Hoover public relations method. With the Congress and with the press he had statistics. One part of it always included the large amount of unpaid work the faithful agents put in. During the King case its offices were required to file regular statements listing the time, the costs, the mileage and the unpaid hours. Whether the time was wasted or not - and by far most of it in the King assassination produced nothing of worth or even relevant - it made for high praise of the FBI. Failure thus became success.

Hoover was not inclined to favor those he did not like regardless of their journalistic influence. He and his were not at all reluctant to plan and to seek to arrange for books to their liking. And authors and publishers. Modesty was never permitted to become a fault. It is not without cause that Hoover and all his employees referred to FBI headquarters as "Seat of Government," acronym acronym "SOG."

Here are some examples from the FBIHQ files Number 44-38861.

His likes and dislikes were determined by attitudes toward the FBI. Those who were critical of it or of him were enemies, regardless of their influence. The FBI did keep records, too. No decisions were made without a recommendation from below which included the attitude of each media component toward the FBI. The FBIHQ Murkin file ^{number 44-38866} abounds in illustrations. It overflows with submissions from field offices of articles and editorial and columns, each on a special form and each containing the field office's description of the prior expressions of attitude toward the FBI. In each case the name of the editor was included. Not uncommonly there was a suggestion that a letter over the Director's signature would be appreciated. I have seen such letters framed and on walls.

Hoover and his closer assistants were not at all reluctant to plan the kinds of books they wanted written in seeming independence of the FBI. They debated which author they would prefer for their book, even which publisher. Simultaneously they pretended not to have been helpful to the very same authors.

Modesty was never a Hoover or an FBI fault. It is not without sincere belief that they all, including the lowliest clerks, referred to Headquarters as "SOG," meaning Seat of Government. Hoover's control was such that he was, when he wanted to be, the Seat of Government.

Here are some examples of the foregoing from the FBI HQ Murkin files: