

Dear Dave,

9/7/84

After my yesterday's morning therapy I resumed a very big job of spraying 24D on poison, briars and extensive ground ivy, which, with the tender care of the boys who have been helping me, have proliferated beyond belief. I found out when there was no choice, I had to spray the pines, that I can do this. But yesterday's was a bit much because I did more than before and, as I learned today, my blood had thickened again. But I felt pretty good yesterday, was caught up on other things, and had some time to get to what has been on my mind for some time, a different possible beginning for The King Conspiracies.

Today I reversed the order and before spraying drafted a bit more. I got to where I wanted a thin file, 3 records, and made several trips to the basement to search for it. Without finding it.

There will not be any more time today for its about suppertime and I'm weary, tomorrow we are busy socially most of the day and evening, and Sunday also company.

So, instead of correcting and getting farthurr, I'm sending you a carbon for an opinion: what do you think of strating it this way?

The records I sought would follow next. They relate to the pre-assassination Memphis threat to kill King when he returned - when he was killed. JL will, I hope, recall when I wrote him about those records after the crazies in DJ told the court, and perhaps also the appeals court, which I think I recall, that they are irrelevant.

The Memphis 100-4105 file is its King subversive file. I'm looking for 149-121.

If you want me to explain why I'm thinking of beginning it this way, let me know.

Nothing much new. I've not heard from Jim for almost two weeks. He's been busy, I'm sure, in trying to abort the scheduled amending of FOIA to in effect immunize the CIA.

Suddenly we have what is like an early fall, temperature down for several day, only a little above 40 at daylight today. I guess its been cooler there.

Had the scheduled checkup where the cancer was removed from my right ear. Dr. quite pleased. No sign. There are a number of non-malignancies he burns off every time I'm there, this time no exception. Not a big deal, only slightly uncomfortable and that no for long. I have a reason for going into this, more for Elizabeth and David than for you. Oh, yes, this time he also checked the backs of the hands and zapped them in several places. He explained again that these malignancies and non-malignancies that can turn malignant, as on my ear while it was being medicated, are from sun. Not one burn, not even necessarily from burning. From the total amount of sun on tissue, over the year, in my case many years. I'm not suggesting that they hide from the sun, but I am suggesting that they keep their distant futures in mind while they are young and not do as all young people did when I was young and still do, just get sun for the sake of tanning. Sunbathing can be good for some things, like healing, but they get enough when they swim, etc. The natural amount in normal activity is one thing but just taking the sun to tan ought be a nono.

Best to you all,

9/6/94

Chapter 1

April 4, 1968,

At 6:01 p.m., as he was leaning over the black metal railing of the Lorraine Hotel, chatting with associates in the parking lot below, a single shot killed Dr. Martin Luther King, Jr.

That was in Memphis, Tennessee.

Two weeks to the day later, James Earl Ray, a petty criminal with no history of any violent crimes and an escapee from the Missouri State Penitentiary, was charged by the Federal Bureau of Investigation with that killing.

That was in Birmingham, Alabama. Not Memphis, where the crime was committed. Birmingham, where no crime was committed.

Why Birmingham, where no crime was committed, and not Memphis, where the "black Messiah," the black Nobel laureate, man of peace, of nonviolence, was assassinated?

At the time this troubled the press little, for everyone was relieved that, after two weeks, the FBI seemed to be getting somewhere.

At the time, too, the FBI had its reasons, although it was careful to keep them secret, even from the attorney general himself - and even though he is, supposedly, over the FBI, which is but one of many parts of the Department of Justice.

The FBI's reason, kept secret for years, is buried in more than 60,000 pages of until-then secret FBI records I obtained in one of the longest of all the many Freedom of Information lawsuits.

The FBI's reason, as it stated its reason in records ~~it~~ it never expected to be seen by anyone, is that the United States Attorney in Memphis was not to be trusted.¹

The chief prosecutor for the area, the man responsible for all federal cases within the jurisdiction of that federal court, the man selected by the President and the Department of Justice, whose appointment had to be and had been approved by the Congress, was untruthworthy - to the FBI.

The FBI which was extraordinarily careful not to let anyone else know, not the Attorney General and not the President and not the people through the press, that it regarded the Memphis United States Attorney as ~~unworthy~~ unworthy of trust, not to be entrusted with the prosecution in this most costly and most terrible of crimes.

Its real reason, carefully kept out of its records, will become apparent.

Under federal law murder, ordinarily, is not a federal crime. The assassination of King could, however, be a federal crime under the civil rights act, but only if it was the end product of a conspiracy to deprive King of his civil rights by assassinating him.

Without alleging that there had been a conspiracy when it had not a shred of

proof of any conspiracy, the FBI had no jurisdiction. It would have been legal for it to provide some services to local authorities, but then it would not have had control of the case, and control is the name of the FBI's game in political cases.

In this case, because the FBI had waged a bitter and incredible indecent and illegal campaign against King, it had even greater need for control.

It had planted defamatory stories about him in the press, J. Edgar Hoover, longtime FBI director, had characterized him as the greatest liar in the country, it had wiretapped his home, his office, his Southern Christian Leadership Conference offices, his hotel rooms when he travelled and spoke, and it even bugged his home and office without authorization and without seeking authorization.

It had sought the attorney general's approval for some wiretapping by virtually blackmailing the later to be assassinated Robert F. Kennedy with the complete fabrication that King was dominated by Communists. But it didn't even bother to ask him to agree to its bugging.

The extent of its operations against King and the astounding amount of tax money spent in this campaign that became an ^{unrestrained} FBI vendetta, remained secret until my FOIA lawsuit was in its fifth year. Then, after an assortment of FBI lies to her over a period of months did not mislead her, Federal District Court Judge June L. Green compelled it to disclose to me the FBI's records which reflect the unprecedented effort of a federal agency, the FBI, to ruin a preacher it did not like and whose views were anathema to it.

An inventory only - and an entirely incomplete inventory at that - of merely the listing of the files of the FBI's 59 field offices, runs to 402 pages. And this is but a listing of the enormous collection of records of the FBI's spying and other persecutions of the martyred King.

This ~~listing~~ inventory was contrived by FBI Headquarters to appear to be complete, but it wasn't. Control being the name of the FBI's game, it gave the appearance of completeness while assuring incompleteness by FBIHQ's directives to the field offices.

The instructions to the field offices, without mention of the FBI's multitudinous reels of tapes of its spying on King, was intended to order the field offices not to include them and not a single field office did include any of them. Not a single reel when in fact there was so many reels of tapes that, according to the sworn testimony of a former FBI special agent who had personal knowledge, in Atlanta alone the electronic spying operation yielded so much tape the FBI rented ~~an apartment~~ ^{an apartment} ~~which~~ ^{at that operation that} also kept the entire thing secret from those not directly involved in its efforts to ruin King.

Only a week before he was assassinated, the FBI had pulled one of the dirtiest of its vicious tricks on King. The FBI plants stories and leaks all the time and then lies and claims innocence. I was able to reconstruct its machinery for this through FOIA litigation and it is beyond question. The particular nastiness of the week before the assassination followed violence in Memphis, violence from which the Memphis police removed King to a distant hotel for safety. Knowing this, that neither King nor anyone in his party had selected that white-owned hotel, the FBI planted stories that portrayed him as a coward and as a fourflusher for not staying at the black-owned Lorraine. And it did this knowing full well, as its own records state explicitly, King had always stayed at the Lorraine, on at least eight occasions to the FBI's knowledge.

The FBI had other and secret reasons for asserting and keeping control of the case. It had had King under intermittent surveillance as he travelled to Memphis, yet he had been assassinated. And much more serious and until now secret, it had been warned in advance that he would be assassinated!

And it had done so little after being told that King would be assassinated, it didn't even warn him or any of his associates.

This, too, the FBI kept secret and when I learned about it lied persistently to Judge Green to withhold those records in that lawsuit. Through its counsel, William Cole, of the Justice Department's Civil Division, it stoutly maintained, in his word, that the entire file was utterly irrelevant. Even though the file itself was titled as a "threat" against him!

If citizens lie and the lie is material and under oath, that is the felony of perjury. When Department of Justice lawyers lie to federal courts, that they lie is ignored and their excesses are regarded as merely diligent practise of the adversary system of justice.

In order to keep its advance knowledge that King would be assassinated secret even if it were required to search for records relating to the crime, the Memphis FBI, after filing the first records in this existing file, merely established a new file and pretended that all its records were in this new file.

So, the FBI had many reasons for keeping control of the case.

And it had to allege a civil-rights conspiracy to assert jurisdiction which could give it control.

But it had no evidence of any conspiracy at all. Absolutely none.

And in order to obtain approval for its conspiracy charge it had to have ~~xxx~~
~~xxxxxx~~ this approval in the jurisdiction in which it filed those charges.

It knew very well that it could not get wavy with that in Memphis, therefore
away
it did not dare try. This is what it did not trust the United States Attorney over,
not anything at all untrustworthy in his record.

Ray had bought a rifle in Birmingham. the week before King was assassinated.
There were several witnesses to this purchase. Another customer in that store told
the FBI that Ray had said, when he retru returned the smaller caliber rifle back
for a .30-06 Remington Gamemaster pump gun that he was going to hunt deer in
Wisconsin with an unnamed brother. The FBI siezed upon this, the ~~xxxxx~~ report
that Ray paid he planned to hunt deer - in Wisconsin - to allege a conspiracy to
assassinate King!

Incredible as this may seem, it is no less incredible that the FBI persisted from
the outset that Ray was a lone assassin - that there never was any conspiracy at all!

But it got away with its baseless charge in Brimingham, kept clear of the
"untrustworthy" United States Attorney in Memphis, and was able to control the case.

Actually, it has entered the case immediately, without aut orization from the
general,
attorney, authorization it claimed to have but was unable to produce in my FOIA
suit. The records establishing that it did enter the case immediately were originally
filed in that allegedly "irrelav "irrelevant" Memphis file Cole lied to Judge Ureen
to keep out of my hands, the file of ~~xxx~~ of its advance warning that Dr. King would
be killed when he returned to Memphis.

Nothing is too Byzantine for the FBI, which is Byzantine in political matters
and when it fears embarrassment. Its first law is "cover the Bureau's ass." The
second, as former special agents have told me, is "cover your own ass."

Robert G. Jensen, special agent in charge of the FBI's Memphis filed office,
covered his own ass with several memos to file I finally got.

Then for two months of its most massive manhunt, the FBI never got close to Ray. In fact, it had nothing at all to do with his capture. He blundered into the hands of Scotland Yard in England.

Getting Ray back to the United States to be tried required extradicting him. This, too, got Byzantine.

The extradition treaty is explicit, political crimes are not extradictable.

The FBI had alleged assassinating ~~Dr~~ King was a civil rights conspiracy, a political crime, and in this it had the ex poste facto approval of the Department of Justice.

Therefore, having escaped to England, Ray was not extradictable.

But the FBI had to have him and have him stand trial, as did the rest of the government and the country.

So, the Department of Justice merely lied to the British court, which welcomed its lying and would have ordered Ray extradicted under any circumstances, treaty or no treaty, and assured the British court that Ray's was not in any sense a political crime.

But just to make sure that Ray was extradicted, the Department of Justice included an additional charge that became still another violation of the extradition treaty. The treaty requires that the man extradicted be tried only on the charge for which he is extradicted. The Department of Justice added the charge that Ray was an escapee, an extradictable charge.

He was not, however, extradicted on that charge. But if he had been, he could not legally have been tried for assassinating Dr. King!

The London court accepted the Department's obvious lie that assassinating Dr. King was not a political crime and Ray was extradicted.

If all of this were not complication enough, were not the violent raping of law and treaty obligation, it got even more complicated, more of an abuse of our system of justice, as it would have been of any system of justice, when a ~~man~~

successful and wealthy writer, William Bradford Huie, of Hartselle, Alabama, contracted with Ray's lawyer for the exclusive rights to Ray's story, which he interpreted to mean ~~an~~ a confession exclusively to him, and the lawyer contracted to place Huie's rights above Ray's.

This lawyer, Arthur Hanes, Sr., has quitted the FBI because he found it too liberal. He was mayor of Birmingham, Alabama, when its police chief turned dogs trained to be vicious and firehoses on black demonstrators peacefully. Hanes also represented racists, like the Klansmen charged with killing the Michigan housewife and mother, Mrs. Viola Liuzzo, when she was part of the freedom marches in the south.

So tight was the FBI's control it knew the content of Ray's communications with his lawyers after Ray was extradicted to Memphis. It had copies of his letters to the trial judge before they entered the mails. For nine months Ray was not able ~~to~~ even to urinate or wash in private. He was, as the Department itself arranged, under 24-hour closed-circuit television surveillance, with an accompanying sound system which picked up every sound he made, even when he slept.

The FBI's control extended even to the investigation, although the charge on which Ray was to have been tried was a state charge and was to have been in the local courts. The details of this are a major part of this book.

Extra space, go back and amplify and document.

Any honest book on the King assassination necessarily is also a book on the FBI, an FBI few Americans know and understand. While this understanding can come from the FBI's own records here published and analyzed for the first time, because so few Americans have had occasion to know the real FBI in the self-portraiture of its own records, which so few Americans have ever seen and I alone have seen in the form in which they appear in this book, I begin with its own political control and domination of both the investigation and of what people could know and believe.

Although no FBI record I have seen records the precise moment or by whom Memphis SAC Jensen was informed that King had been shot, he learned only minutes, at most, after it happened. He immediately P phoned FBIHQ. It, in turn, was back to him rapidly.

If the FBI's records are to be trusted, there was no FBI SA at the scene of the crime, despite its receipt of a real threat and despite the responsibilities that are its because of the civil rights act.

When Jensen was questioned by the Memphis prosecutor both were concerned that details ~~may~~ not be on the record. Jensen was not asked and he did not testify to the source of his first knowledge that King had been shot. He then placed the time at 6:05. He also did not testify that FBIHQ had ordered him to take control of the case. He testified merely that after he informed FBIHQ he sent his own agents out at 6:30. (Frameup 140)

Indefinite and evasive as it was, Jensen's testimony also was untruthful. It is not he who received the phone call, according to his own contemporaneous cover-my-ass memo to "FILE 100-4105" but one of a pair of special agents he had engaged in ~~domestic intelligence~~ spying on black activities, not law enforcement matters:

(Use in facsimile)

Note that the information received by the ~~FBI~~ Memphis FBI office was only that ~~King had been shot~~ "KING had reportedly been shot. Not that he had been killed, not even that there was no doubt about his having been shot. Note also that of all the FBIHQ divisions Jensen could have called, he phoned its domestic intelligence division, the division that had persecuted and spied on King.

Jensen's next cover-my-ass memo to the same file indicates that he did not hear from FBIHQ until after he had sent his agents out on the case, at 6:35:

(Use in facsimile)

Of all the FBI officials who might have phoned Jensen, it was Cartha DeLoach, who ~~was~~ headed the Orwellian-titled "Crimes Records Division" but who actually was

Hoover's chief propagandist and lobbyist. DeLoach presided over the multitudinous leaks it invariably denied leaking. ~~King's campaign~~ The FBI's campaign against King under him was of unprecedented extent and viciousness.

DeLoach appears to have lied to Jensen in ordering him to tell the press "that we are investigating at the specific request of the Attorney General." There is no such request from Attorney General Ramsey Clark, the FBI was not able to produce any such requ record when a search was made for it in ~~my~~ my FOIA sub~~t~~, and when, much later, the FBI first heard from anyone in the Justice Department it heard from the Assistant Attorney General in charge of the Civil Rights Division.

And this when it did not know that King was dead or even the extent of his injuries.

After the FBI realized it had to hide its forewarning it established a new main file to hide that fact. But before then Jensen, ~~designated~~ before the secretary typed his memos, ~~xxxx~~ designated filing in 100-4405. In the FBI's file classification system, 100 is a "subversive" file, "** Subversive Matter (individuals); internal security (organizations); Domestic Security Investigations." The FBI's attitude is reflected that a threat to kill King, even after the attempt, was filed under King as an alleged subversive.