UNITED STATES GOVERNMENT

Memorandum

TO: Mr. DeLoach

FROM: Rosen

DATE: August 21, 1968

SUBJECT: MURKIN

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. McGowan
1 - Mr. Long

This is the case involving the murder of Martin Luther King, Jr.

With reference to the dissemination to the Department of investigative reports in this case, such reports fall into two categories: a) reports containing information of evidentiary value pertinent to the prosecution of the Federal violation involved; and b) reports containing the results of the extensive fugitive investigation conducted to locate and apprehend the subject, James Earl Ray.

All reports pertinent to the prosecution of the Federal violation involved, and in which the Department has a legitimate interest, have been disseminated promptly to the Department and there has been absolutely no delay in doing so.

The remaining reports contain the results of our extensive fugitive investigation to locate and apprehend Ray. Copies of these reports were not disseminated to the Department since they relate solely to the fugitive aspects of the case, and contain no evidentiary material or information of value to the Department in the discharge of its prosecutive function relative to the Federal charge involved.

There are twenty such reports involving approximately 2,000 pages. They contain background data and results of extensive interviews and/or other investigation conducted to locate Ray. Although they do not relate to the prosecution aspect of the case, they will none the less be furnished to the Department in accordance with Mr. Pollak's specific request.

EX-109 REC-21 - 3 Pt 1 - 5115

In this connection, by letter dated July 12, 1968, received at the Bureau July 15, 1968, Assistant Attorney General Fred M. Vinson, Jr. of the Criminal Division requested we review the records of the Missouri State Penitentiary pertaining to Ray, and summarize references to Ray's family background; education; physical, medical and psychiatric examinations and disciplinary proceedings. (E confi-

Enclosure

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dentially came to our attention before Vinson's memorandum was written that British prison authorities had asked Vinson for information of this type in connection with their responsibility to maintain Ray's custody and the extradition proceedings.)

We had, of course, reviewed such records in the initial phase of the fugitive aspect of the investigation, and the results had been set forth in the fugitive reports dated May 15, 1968, and June 14, 1968, submitted by our Kansas City Office. Copies of these reports, which contained in full the information requested by Vinson in his letter, were furnished to him on July 19, 1968. Since the Attorney General had requested that information relating to the case be furnished to both Vinson and Assistant Attorney General Stephen J. Pollak of the Civil Rights Division, copies of the pertinent reports were also furnished to Pollak.

It should be noted Vinson did not furnish Pollak a copy of his (Vinson's) July 12, 1968, letter to the Bureau and consequently Pollak is apparently completely unaware the pertinent Kansas City reports were furnished to him and Vinson in answer to Vinson's specific request. This is another typical example in the Department of the left hand not knowing what the right hand is doing and explains why Pollak has gone off half cocked in erroneously accusing us of delay in disseminating the reports in question.

As a further example of this lack of coordination between Pollak and Vinson as relates to this case, it is noted that after Ray was turned over to state authorities in Tennessee we inquired of Vinson by letter whether the Federal process against Ray should be dismissed since the extradition order did not cite the Federal Civil Rights charges and it was our understanding that Ray could not, therefore, be prosecuted on Federal charges. A copy of our letter was furnished to Pollak.

Vinson in reply advised us that he felt the Federal process should be dismissed; however, Pollak, apparently unaware of Vinson's position, subsequently advised us that he felt the process should not be dismissed pending disposition of the state murder charges against Ray. It was necessary for us by memorandum to point out the discrepancy in the two views and request clarification in the matter.

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Memo Rosen to DeLoach
RE: MURKIN

ACTION:

Attached for approval is an appropriate letter to Pollak straightening him out in line with the above.

This is typical of the inefficiency currently existing.

Reports & AG, CRD, Crim Div
8/28/68
5pm