

Dear Jim, *Lucas*

11/23/74

After typing the enclosed letter to Bill Gulhausen and while Lil was correcting my types I felt that I had to phone Jim McKinley.

With his permission I have a tape of this for you.

I felt I had the obligation, because of the inherent slanders in Bud's entirely unnecessary letter of the 20th, slanders that apply to McKinley and his people as well as to me, to let Jim know. I read Bud's letter to him.

Because I also believe that Bud is contriving situations to which he knows I'll be impelled to react so that he can later misuse this, either to quit the case now that he is ahead with all the national free publicity or to force me out so that he can have a free hand to pull any cheapshots stuff that may seem expedient, I also raised with Jim the possibility that at some point there will be real needs in the case in which there may be inherent but not explicit benefit to anyone of public spirit who may, should the situation come to that pass, help.

However, I did make it explicit that should this really come to pass, it will be with no quid pro quo, no promise of any exclusives and that should there be literary value first of all I will do no writing and next it would be competitive. Should this come to pass, with me not doing any writing, there cannot be, even in the distant future, any conflict of interest.

One aspect of this that in his greed and selfishness Bud did not consider is that with his history, regardless of his past, Jimmy has come to typify all that is wrong with criminal justice in political cases and all the abuses possible in the penal system. So, aside from the benefit I believe would accrue to Jimmy personally, I do see great social value in the interview of the nature I suggested, based on how it has been to live in solitary for about five years as an alternative to surrendering supposedly inalienable rights.

Regardless of the state of his present relationship with Guicioni, Bud has had a personal relationship with him and in my belief would like to revere it. This makes for an additional conflict of interest for him. But the nasty inference of an intent to do the improper can't be considered outside Bud's history with Guicioni, regardless of whether or not they have patched up the silliness over Caposa.

Particularly because of this, which I forget to tell Jim because I remain deeply upset about this entire matter, I do want to make it a matter of record between us that Jim from the first insisted that there be nothing of a compromising nature and that he told me after I returned from Memphis that his people were of the same mind. By this I mean that he told me he had discussed it with them and I think he said they had consulted counsel. So, I knew of no basis for even the inference of the intent of impropriety on his or their parts.

Nor do I know, as of this minute, of any rational basis for dreaming it up.

With Bud away until after you have to file the papers, with this please put it out of mind. It could never have begun until after the final papers were filed in any event, which makes Bud's letter even more suspect.

Except if Bill wants to talk to me, which I think is not the probability, there will be no further intrusion of this nature in the immediate future.

Bud has less guts than a sick 'possum. Unless he has some devious purpose he'll make no response in any event.

cc Jim McKinley

Sincerely,