

3/1/75

Mr. Jim McKinley,  
7309 NW Maple Lane  
Kansas City, Mo. 64151

Dear Jim,

Yesterday Jim Lesar told me to expect to hear from you.

Should you call the things you might want me to say I'd prefer not to say on the phone now. I don't know if I am tapped, although I believe periodically I have been. But I do know that now would be a time of greater than average interest. Besides other factors I have the FBI in court again and the CIA knows I'm taking them there.

What I would suggest is what I began suggesting in Memphis and repeated often enough: come here. It is the only alternative when you did not arrange for a speech by me there. If Jim had not told me of your possible interest yesterday I'd have made calls on my own. I do not know whether there would be the interest, but I do know that I will not be able to wait long in seeking something firm.

I'll come to one possibility in a minute. Before then I desire to remind you of credentials this judge has now validated for me. You saw enough of the hassle I had with Bud to recall whether or not I saw ahead clearly. What I feared has come to pass. I predicted it to Bud, his partner, Bob Livingston and perhaps to Jim. I never fight with Jim so it may not have come up then. You'll find it also in my correspondence with Jimmy Ray, where I had to be careful because I knew that Haile was getting copies of all of it.

I can't and I don't say that I expected this decision. I can say I feared it and I can give you now dozens of forecasts as I read this judge. You should recall some from my angry letters. From the first everything thing I did was centered around this fear and making what has come to pass impossible. If what I had obtained proof of had been used and done as I'd asked, even with what I knew of this monstrous decision without having read it I can believe I would have made this decision impossible.

Because of this we had a unique approach, my idea and my work. Not being a lawyer I can't say it is without precedent. I do say I know of none. It failed because the judge had made up his mind in advance but it did not fail in court and I think it would make a unique story. I am quite willing to do it in the form of an interview in which I will make and prove redundantly a long series of serious charges that add up to what should be of more than casual interest to Heffner today: judicial frame-up added to prosecutorial and federal framing, all deliberate and all now proven. I am not a bit unwilling to risk the wrath of this judge and I do expect to be in Memphis again.

You may not have realized it, but the way I addressed effectiveness of counsel was to address how counsel handled the evidence and in doing this totally exculpated Ray by destroying 100% of the evidence alleged against him. It was subject to cross-examination and it was not cross-examined. It was subject to rebuttal and no rebuttal was made. The essence is in Frame-Up. To date I know of not even a pretended refutation by anyone and I wrote pretty harshly of many. I was in direct confrontation with Haile, Dwyer and Frank. None even tried. Foreman, as I told you, fled it. Not many books have this kind of history.

Jim is going to write his own J'Accuse. Playboy also can. I am not now under the restraints I was from the protective order.

I try to do very much. It gives me too little time for too much, so I write in haste, usually without taking time to reread and correct. Often I seem to be saying what those who have not lived my life and done what I have done consider impossible. You may not find it persuasive if I boast of a track record. You can check it, however, and I invite it. The way I have said some of what you have read may have prompted negative reactions. Nonetheless I repeat what I told you in Memphis: there are unprecedented journalistic opportunities here. This decision magnifies them. It presents a dream situation to a Heffner and a Playboy, if they and you have the balls and are willing to make a slight and not costly effort to learn.

You may also remember that I said I wanted to be debriefed on tape because there would be too much that other work would soon force from my recollection. It is now too late for that but I'll remember enough and I did take time for some notes.

I'm not going to go into all of it now.

I'll add a sales pitch to this pre-dawn, off-the-top-of-the-head effort. I have the first cold in years and I'm not going to want to walk to the mailbox any more than I must. This will go out when I go for the morning paper.

While my investigating in the field of political assassinations (with some on the spooks and Watergate) has been eminently successful, I am an analyst more than an investigator. I was good enough at it as a young man to be a troubleshooter in an agency of troubleshooters, OSS. Jim will tell you that time after time I tell him where to go for what and he finds it. The most recent case deals with a story planted in the New York Times of six days ago, designed by a revanchist Nixonian to gild the Hoover halo and make a villain of Earl Warren and other "liberals." I asked Jim to ask a man I named for some documents, that man gave Jim the documents, that said exactly what I said they would say, Jim met me half way Wednesday and the next day I aired them on TV in Washington.

I think that Jim will tell you this is commonplace and if and when you are here I'll entertain you with some untold Watergate/spooks stories already written in the almost completed draft of my Watergate book that I had to lay aside first for this Ray work and then for the demands of Whitewash IV once it was printed.

One aspect of what I do is figure out what has to have happened and then seek proof of it.

So, I could begin an interview with, "The prosecution that framed James Earl Ray and saw to it that the killers of Dr. Martin Luther King would remain unknown and unpunished killed the judge who was part of that framing when the judge saw his chance of getting out cleanly at the time the judge also saw the whole frame-up coming apart." I could then add, "Immediately the judge's office was purged of all evidence of the judge's complicity - all that could in any way lead to others. I'd add names, times, specifics, say what remained and prove it and tell what they mean - that even then it was not possible to remove all the proofs and what remained. I have some first-person on tape. It is as real as it is farout and it is almost all new immune, as it is all my work, save that Jim was in on it and with me for the interview I taped just as we were leaving Memphis when we were there to exercise discovery, just Jim and I.

I had figured out what had to have happened. Once I learned that Bud was not opposed to it I worked nights on it while Jim went over the papers we obtained during the days on discovery. As I recall it took only two nights of long drinking without leaving the motel to get all the leads I needed. Jim then put in a discovery motion and a couple of weeks later Jim and I exercised that discovery and got the needed proof. My notes are complete enough and the records are preserved and now I think available. But they need not be. We have this solidly other ways.

This is only the beginning. Want a story that can have the ~~xxxxxx~~ medical examiner discredited and should lead to perjury charges? I've got it airtight. I'm expecting Jim to use this in the appeal. No conflict. This was the beginning of the basics of the frame.

Haffner ought now be wanting to do some fighting back, a belief I indicated in an earlier letter to which you made no response. If he does, with this and with other work I have already done and with the changes in situations we can break this case and the JFK one wide open, no mean journalistic accomplishment. And understand I'm talking about naming names and producing official proofs. (Not of naming assassins.)

Waldron phoned me when I was in New York last week taping a Black journal show. We didn't get to speak until Tuesday. He said he'd be phoning me later this week. He is covering the Gurney story. I had planned to ask him if he saw a Times Sunday mag piece in the judge story. I still will when we speak but I'll stipulate you and Playboy have first crack. So I'd appreciate a prompt response. This can't wait now. Best,