

Dear Phil,

MASS

12/16/76

I hope you will understand my disagreement, that any story you can do can help Ray now, and my forthrightness. I know I can depend on your preserving confidence.

On my opinion of Ray as of now confidence is essential. He is flipped out. He does not look it, those who know him and the strange (to people like you and me) ways that are the norms of their lives he is pretty much as he was. He is not. I cannot ignore this and I must tell you.

At the same time I must tell you that I have nothing to do with whether or not Jim will give his permission to interview Ray. He will know by a crabon of this that as I have always been, with few exceptions, having to do with his in-jail conditions and limited to that, I am opposed. You realize that of all the hours I have spent with him I have written no single article, made no public statement about anything he ever said to me. I practise my own preaching.

There is no single case of which I know except these couple he was opposed to and I persuaded him to agree to, on his in-jail conditions, where any interview, any article that attracted any attention, any letter he ever wrote any public figure, was not used against him. He has a way of saying things that can be taken to mean other than what he had in mind. An example of this is a letter he once wrote Senator Eastland. Huie's use I do not have to explain to you.

You do not say whether you wrote before or after the Supreme Court denied his petition cert. That makes a difference, as I tell you frankly I think it will in his attitudes. It may well drive him to the more foolish. I can't be part of anything of this sort, intent being immaterial. I do not question your intent.

You should also understand that I am the only one who ever leans on him. I have done it to the point where he is p'ed off at me now. I will do nothing to relieve this. So I am probably the last person who could influence him in favor of it. He would be unwise to do this in any event because he has large cash offers of which he has not told me and of which I have learned in other ways. Why should he throw away \$10,000 when he is broke for what you think you can offer?

If as I still consider possible from my own work there is a trial, there will be a question of credibility. Every word he utter is saved, pasted in a book and indexed. In his moments of desperation he has done more than enough to ruin his credibility. If I am asked my opinion will be there is nothing to be gained by running any more risks. "An example of which you may be unaware is in your first sample question, about reading medical books. Do you have the slightest notion of the misuse a Henry Haile could make of any answer? Yet I am sure you consider it innocent. The same could be true of the also innocent, "Do you keep in contact with your family?" The answer is that he does, but not as you or I would. What is normal for them is not for most people.

At the evidentiary hearing the prosecution actually got away with making something of his efforts to keep in good physical condition when he was in the tank.

All his mail is interdepted. I think it would be a good idea if you sent copies to Lesar, or to me to read and give him. He is under obligation of the court and should know.

He is absolutely correct in saying that most of the media has opposed his being tried.

However, I am seeing Lesar tomorrow and I will give him your letter and this.

On book distribution, I had nothing to do with the Dutton deal. O&D are reorganized, no D, and are a Dutton subsidiary. I do know that the possibilities through commercial distributors are costly. I have given Whirlwind, such a company, some of my books to distribute simply to get them around and to reduce the work my wife and I have to do with mailing. If I break even on mechanical and shipping costs alone I'll be lucky. If you can get a publisher to do it you may be better off. There I cannot help. However, when it comes to the printing I can be. When you are ready let me know. I'll beat your local price by much and won't get a commission, either. Best,

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Dec. 13, 1976

Dear Harold:

As I rummaged through my old MLK/JER files, I came upon your mailing pieces for WHITEWASH books and FRAME-UP ("extraordinarily gripping," said Publishers Weekly). One day I hope to own all your books. I note FRAME-UP was distributed by Dutton. What % do you pay them? I have a show-business book I'm collaborating on; it's to be self-published and my co-author is asking about distribution.

I had a letter from James Earl this past week, responding to a request for an interview. One thing he wrote: "...with a couple exceptions, representatives of the communications industry have been the most active in opposing a jury trial in the case." True?

Can you, via Jim Lesar, help me on an interview with James Earl--either an in-person interview or one done by letter. A special kind of interview I'll explain. James Earl is scrupulous, in his letter to me, about clearing with counsel.

I don't want to ask anything that would prejudice James Earl's case--not even asking about his religious beliefs. Certainly not asking what he thinks about capital punishment and the Gary Gilmore case. Nor about James Earl's own case. Here are possible questions:

WHAT DO YOU READ? (BESIDES LAWBOOKS? AND MEDICAL BOOKS?)

DO YOU KEEP CONTACT WITH YOUR FAMILY? (STRIKE THIS IF PREJUDICIAL)

WHAT DO YOU DO AT PETROS? HOW GET ALONG WITH FELLOW INMATES?

HOW IS YOUR HEALTH? ANY EYE PROBLEMS? OTHER MEDICAL PROBLEMS?
HOW ARE THE PRISON MEALS? WHAT ARE YOUR FAVORITE FOODS? BEVERAGES?
(& OTHER QUESTIONS YOU & LESAR MIGHT SUGGEST.)

If James Earl answers such questions, I think it could indirectly help in your goal of getting him a full hearing.

James Earl asked me what company I'm with. As a free-lance, I'm not with any. But I'd do this: clear my copy with you-all; let you guide me on newspapers or mags to be queried about publishing story; and then I'd get a commitment from the publication accepting the interview not to do substantive editing.

Thanks for any help you can give.

Best,

Phil

P.S. In my interview request to James Earl, I enclosed a clipping on medical rights of prisoners, & some postage stamps. I think he appreciated it.