

OP file

Mr. G. Robert Blakey
House Select Committee on Assassinations
House of Representatives
Washington, D.C. 20515

10/30/78

Dear Mr. Blakey,

In writing you two days ago I pointed out that you are really very amateurish when you try to be self-serving. In today's mail and by a phone call I did not expect I learned more about this today.

You may remember that when you called John Ray to an executive session Jim Lesar asked me to be present for any help I might provide. You had me put out of the room. When Mr. Lesar went to examine the transcripts of prior executive sessions involving his clients, he made notes. You had his notes physically taken away from him. These procedures are hardly calculated to enable correction of any error in the transcripts. Except for those many ones your Members made, those I think may not be exactly accidental "errors."

What Members know and believe is largely controlled by the staff because the Members are too busy to be active investigators. With the kind of dictatorial control you exercise this means what you see to it what they do and do not know and can believe. You know the committee might not survive the loss of another chief counsel. I understand you have reminded the committee of this.

Not having an authentic subject expert present in the hearing room with John Ray and Carol Pepper limited the correction of committee errors Mr. Lesar could make. If you don't suppress that transcript it will reflect enough. Not letting Mr. Lesar have even his notes served the same purpose.

This is to say that your real purpose had no relationship to any legitimate need to protect the privacy of either Mrs. Pepper or John Ray, both of whom wanted me to be present, as their counsel had asked. Nor could it keep secret anything that came up. All three discussed those matters with me.

In today's mail I have the second (at least) committee executive session transcript, each copy given officially to the person who provided the copy by the committee. I have nothing stolen from you and no means of obtaining anything like that.

Also in today's mail I have 10 or 12 pages of FBI records your committee, officially, gave to the person who provided these records to me. Now it also happens that the FBI did not want these records out because it withheld them from me in one of my FOIA cases in which they are relevant.

Secrecy is your selective practise. You keep things from me to cover yourself and the misdirection of the committee you have succeeded in pulling off. Likewise with your refusal to let me have copies of what you have already put into the public domain. With that you have another possible purpose, service to those to whom you owe much - those I sue under FOIA. Not what one would expect of a genuine and sincere professor of the law, which would be to let the adversary process work.

The phone call was from Oliver Patterson. I had written him to ask about his having a copy of a letter I wrote Jerry Ray. Your informant, if you were not aware of it, came here just before his executive session testimony. He had gone to Georgia to transport Jerry Ray to Washington. The public record holds nothing that leads me to believe that you will regard the coming of a committee informant to my home as improper, although I am the cited source of several stories of factual criticism of the committee.

Mr. Patterson informs me that all of what belonged to him and to Jerry Ray was in the trunk of his car, that he was met in Washington by your Mel Waxman and Conrad Baetz, that these two had the keys to the trunk, opened it and removed what interested them and that it included my letter. They handed my letter to Mr. Patterson to read to them, all the time pretending disinterest and never once stopping his reading of this letter in which I also express opinions about your committee.

I believe Mr. Patterson. Thus I believe him when he tells me that he did not give the committee prints of pictures he took when he was here. But my, my, how it does look - for a professor of law to believe that Congress serves proper legislative purposes by using informants and then these informants intercept private communications involving an outspoken critic of you and your committee - and even takes photographs of him and Jerry "ay together.

Mr. Patterson is unclear on the details of the backgrounding on me he was given by your staff. I'd appreciate hearing from you if you can ascribe a proper legislative purpose to any official backgrounding of an informant with me the subject of that backgrounding.

Mr. Patterson is quite clear that "r. Baetz told him I am a "paranoid, senile old man." From what I have heard about Mr. Baetz, going back to his reported assignment to the cuspidor detail in the Madison County Sheriff's office, what would disturb me is any favorable opinion he might express. But I do wonder about the propriety of any backgrounding relating to any member of the prior James Earl Ray defense team. If you do not want to offer comment as a professor of law then I would welcome it from the Chief Counsel and Director of the committee. Unless, of course, you would prefer to present all of this to the chairman who might respond as chairman.

In any event, it now is quite clear that your refusal of copies of public records you have published and will publish is pretextual and thus is inappropriate for either a professor of law or a committee counsel and director. It also is apparent that in this you cover yourself and those to whom you owe much, those who withheld under Freedom of Information and court process. It likewise is without any doubt that you have given confidential FBI records away, as I shall inform the Department, to which I will also provide copies.

Sincerely,

Harold Weisberg

P.S. Mr. Patterson's memory is incomplete or Mr. Baetz remembered less of the direct quotation of Mark Lane on me as a "paranoid, senile old man" that Lane generally uses. There was a time, as you must know, when he and you all were in bed together. So to speak. Particularly with your subcommittee chairman whose TV appearances Lane helped him prepare. Of the other descriptions my favorite is cantankerous.

Route 12 - Old Receiver Road
Frederick, Md. 21701

October 28, 1978

G. Robert Blakey, Chief Counsel and Director
Select Committee on Assassinations
U. S. House of Representatives
3369 House Office Building, Annex 2
Washington, D.C. 20515

Dear Mr. Blakey:

If you taught law students the way you wrote your letter of October 24, I can understand the Chief Justice's comment on the incompetence of lawyers better than I could before receiving your letter.

If a nonlawyer can presume to give advice to one who insists on being referred to as Professor, then I think the beginning of your convoluted first sentence is an unwise description of pursuing a Congressional investigation under the pretext of a legitimate legislative purpose.

The final words in this long sentence are more suitable for use before a jury you want to prejudice. While I am required to work when I am too tired and at a pace I would prefer to be not as rapid, I doubt that I ever said, in my letter of October 7 or anywhere else, that I found anything you or the committee have done to be "of use to the public." If by any remote chance I so misspoke myself, then this is my correction of it.

There can be values in some of what you saw no value in. This perhaps explains your refusal to provide copies of the public record when I was specific in telling you I want it for use in court.

Some of what you refuse to provide me you gave to the press. As I told you, I heard some of it broadcast, which is a pretty public use.

Those of your staff who run the xerox machines are hardly those who are "currently working long hours" on "the final report" and "to prepare for the upcoming public hearings on the assassination of Dr. Martin Luther King, Jr." (You have separate subcommittees, separate staffs, and I asked for JFK public records, not those on the King case. Your JFK hearings are not until December.)

If either the House or the Committee rules prevent your providing me with xerox copies of the public record, you fail to say this while contorting yourself to imply it. Without the most radical change in the policy of the Congress since I had the responsibility for making the public record available, you do not reflect it faithfully and invoke the Committee and House rules in what amounts to false pretense.

What you are really afraid of is any use that could expose what you are doing prior to your dumping of an indigestible mass of preconceptions on what will amount to a captive press because of time pressures. I had no such thing in mind but maybe I will think about it and find some means of doing something about it prior to your coming news-management stunt of withholding copies of everything until you can present a report that nobody can check against its alleged sources. Which are carefully enough selected in advance in any event.

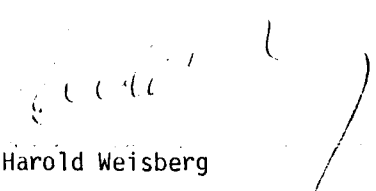
Mr. Blakey - 2

If what you put into the public record does not immediately then go into the public domain, please correct me promptly because if there is a convenient opportunity I may convey this to a reporter and I do not want to err.

If I am not incorrect, then all your who-struck-John is no better than a law professor's Rube Goldberg contraption for refusing to provide me with xerox copies of the public record for which I offered to pay in advance. All I asked for requires no more than giving a clerk public records to xerox and mail. You know that it is not possible because of my condition for me to go to your offices and merely read records there, as it also is not possible for me to file with any court what I can do no more than read.

If you really must write self-serving letters, why don't you turn the task that clearly is too much for you over to one of the bright kids you have hired with the largest investigative appropriation in Congressional history? A kid on your staff might have had more concern for your reputation than your own letter reflects.

Sincerely,



Harold Weisberg

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Select Committee on Assassinations
U.S. House of Representatives
3389 HOUSE OFFICE BUILDING, ANNEX 2
WASHINGTON, D.C. 20515

October 26, 1978

Mr. Harold Weisberg
Route 12 - Old Receiver Road
Frederick, Maryland 21701

Dear Mr. Weisberg:

In connection with the Committee's investigation of the circumstances surrounding the assassination of President John F. Kennedy, this is to respond to your letter of October 7, 1978. I am gratified that you found our hearings of interest and of use to the public.

Pursuant to the Committee and House Rules, all the testimony which was presented in public session is available at the current time for your inspection at the Committee offices. This information would include the testimony and reports of Doctors Baden and Guinn, as well as exhibits used during their testimony.

The Committee staff is currently working long hours not only to write the final report on our hearings in the Kennedy assassination, but also to prepare for the upcoming public hearings on the assassination of Dr. Martin Luther King, Jr. This expenditure of effort means we simply do not have the available time to respond to individual inquiries for copies of testimony or exhibits. All public hearings and the reports of our consultants will be printed in the Committee's final report to the Congress and, consequently, available to the entire public. As I have indicated, should you need particular aspects of it before that time, you are welcome to inspect it at the Committee offices. We cannot, however, provide you with copies of any particular documents, testimony or reports at the current time.

Concerning the narration I gave prior to Dr. Baden's testimony, the Committee would, of course, appreciate any substantive comments you may have on this, or any other subject, at any time. Please address all such comments in writing to myself at the Committee offices.

Mr. Harold Weisberg
October 26, 1978
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Thank you for your continuing interest in the Committee's
work.

Sincerely,

G. Robert Blakey
Chief Counsel and Director

GRB:jjw