

Patterson

To Quin Shea from <sup>A</sup>rald Weisberg re King Assassination records 9/5/78  
Informers and claims to exemptions b2 and 7d  
Oliver Patterson and others

It is, I believe, past time for the FBI to make an effort to be consistent, to abandon its political misuses of the FOIA exemptions, and to end its arbitrary and capricious claims to exemption in this (and in other cases).

After an earlier phone call from him in today's mail I received a taped side memoir from <sup>O</sup>liver Patterson (code name Phil) which I will give to Jim Loefer tomorrow. In this tape, prepared on his own initiative and quite separate from me, Patterson goes into his relations with the FBI and through it with the House assassins committee.

I have already appealed the FBI denial of all relevant records, which with him means its deliberate violation of the stipulations it sought and agreed to and about which it has filed pious affidavits.

Patterson states that when he agreed to become an informer for the FBI he was guaranteed confidentiality. When he had not been an informer for several years an agent looked him up and told him to expect to be questioned by the assassins committee and perhaps to expect a subpoena from it. Soon it came to pass. It turns out that the assassins committee learned about Patterson from records the FBI gave it - records still withheld from me although Patterson was spying on the Rays and James Earl Ray's counsel.

I take a simplistic view of all of this - there is or there is not confidentiality. It cannot be both ways.

Now this is at least the fifth such case in this single FOIA matter. Because I have no interest per se in exposing the FBI's informers and keep no separate records on them I cannot be certain there are not more such cases.

Of these five or more I know that not fewer than three became informers for the assassins committee and all three wound up in a relationship with Mark Lane.

If this did not happen to at least two others whose names were disclosed by the FBI that is because the committee did not desire it, not because the FBI did not make it possible.

I have also appealed the Goppert (phon) withholding. Tomorrow I will also give my lawyer a tape of a statement he has made. The assassins committee also learned about him from the FBI. (I have informed you and the Court separately about Morris Davis and Marjorie Feters.)

Patterson tells me that after the initial SA retired he reported to SAs Stan Jacobson and Jim Maggerty of the St. Louis Field Office, which is covered by the stipulations. He also tells me that after Jacobson retired to Tampa early this year

it was Jacobson who conveyed the word to him about the FBI letting the committee know about him. Patterson also says that when he reminded the FBI about its promise of confidentiality he was not given any confidentiality or protection of any kind.

He told me more and I expect will tell me still more. If you are interested in how the FBI gets the kinds of reports it wants in political cases if Mr. Lear is willing you can hear the tape.

I have already requested all copies of all these long-overdue records. If a release is necessary now, after all was made available to the committee, Patterson has told me by phone that he will provide it and I volunteered to him that I would give him copies of all these records, as soon as I receive them. (Initially he was a Kansas City informant on the "Minuteman. I have no special interest in this but I believe that because of the situation in which he appears to be all should be available at least to him. This includes trips he made at FBI expense to spy on the then Ray defence. I believe these records of payment are also necessary in Patterson's interest.)

Because I respect the need for confidentiality of informants I have not really made an issue of this, although I have appealed the "solely" part of b2 as used by the FBI. In cases like this the "solely" standard is inappropriate and inapplicable.

For years the FBI has claimed 7D for the content of newspapers stories, books and even TV broadcasts. It also makes these online for informants it has disclosed. My belief is that the FBI can have it one way only under the Act. My belief is that it cannot disclose the identities of informants for political benefit it anticipates and simultaneously claim the exemption for informants.

It is also my belief that the informant records given to the assassins committee are within my request and within the FBI's own stipulations. None were provided. The St. Louis file was checked against after Patterson surfaced. No such records, relating to Patterson or any other, were provided.

Obviously I have no way of knowing what other informants the FBI has made available to this committee or identified to it or whose reports it has given to it and simultaneously withheld from me. Nor do I have any way of knowing what further misuse this committee and its wild staff will make. (I spare you some details because you have women on your staff.)

FBI practice and discrimination against me, the requester of a decade ago, leave me no real alternative. To the appeals I have already filed I now appeal every withholding in this case under either b2 or 7D, every withholding related to an informer who may be known to anyone else, and for the disclosing of all identities the FBI may have reason to believe are no longer secret or are known to the assassins committee.

Given the records of the FBI and the committee in this and related matters I also ask expedited attention to this before the FBI can have more Comintelpre-type results from what it has done.