

From 10/28/78 to June 1996 - Stephens

What I here say about the OPR report extends to what remains withheld that was obtained from prisoners and includes those who on their own went public.

Your 10 and 17, page 17, does not address the use, value and actual information of the Long tickler or other means of locating other missing records. In addition, the collection of what was provided to the Attorney General becomes a separate kind of information. It reflects, for example, what he was told and what he may not have been told. The relations between the FBI and that Attorney General were not the closest or the friendliest. Records in the Hoover O & C files reflect the FBI belief that he was an FBI "enemy." If you were not aware of it the FBI did not lodge its conspiracy charge in this case in Memphis because it did not trust the United States Attorney there. Instead it filed it where the crime was not committed, in Birmingham, alleging conspiracy because somebody said that Ray said he was going hunting in Wisconsin with a brother.

As I state above, the reports to the Director were not "written or designated as reports to the Director." The bureaucracy did not work that way. The FBI can identify what was intended for him. Of this what is true of the state of the Attorney General's knowledge is also true. I tell you that I have some of the information provided to him and it withholds from him what tended not to be incriminating while exaggerating what appeared to be incriminating.

Whether or not other information was added to the records in the Long tickler, their arranging by subject and the selection exercised represent important information to me. I think you should compare the present FBI representation to the record I have provided from the OPR's records. It states explicitly that then Supervisor Long did keep separate files by subject. He so told the OPR staff. And this is a separate and specific item of my actual request, for the evidence said to incriminate.

The overtones of this harmonic back to the beginning and to Tab A. Serial 4555 in it forwards what is missing the "affidavit furnished by CHARLES QUITMAN STEPHENS." The handwritten notation on the copy provided is incomprehensible, I believe from the xeroxing rather than the original.

Stephens is the only alleged eyewitness. In fact he was a witness to nothing and was so drunk at the time of the shooting he did not know what was going on. FBI reports include proof of the total falsity of the statements used in the affidavit substituted for a live witness at the extradition hearing. This affidavit was the only basis for placing Ray anywhere near the scene of the crime at any time.

There are at least two other Stephens affidavits and they do not coincide with each other. The missing one may be still a third Stephens affidavit.

Other Stephens records remain withheld. There is a summary report that makes reference to him along with others when shown a photograph of James Earl Ray. In it, without

direct quotation of Stephens, it is represented that he did not make positive identification. In fact Stephens made negative identification. As he was filmed by CBS-TV, looking at the FBI's Ray pictures, Stephens said it was "not the guy" he is said to have claimed to have seen several hours before the shooting.

The vast difference between not making an identification and making a negative identification along with the subsequent use (misuse) of a Stephens affidavit provides ample motive for not providing the original Stephens record as does a contradictory affidavit provide motion for not finding the one attached to Serial 4555. Was it to that no copy remains in Memphis? Or was this noted as "previously processed?"

This is from Tab A, to which you say you will be returning.

None of the foregoing means other than I told you, that regard your effort and report as constructive and in good faith, represent some diligence, too.

However, I do believe that I represent that problems still exist. Not only with the broad questions with which I begin. With the specifics of some of what the FBI has told you.

We have been meandering down many roads for a long time. There appear to be many more roads, each with forks, between us and the destination of compliance.

I am sorry that my wife is not in condition for me to ask her to retype this after editing. This has taken eight ^{hours} ~~days~~ straight from me, precluding my spending any more time on it. I must now get some physical exercise in. I have been sitting longer than I should, too. I therefore hope there is no problem from comprehensibility or typographical errors. (My side-saddle typing is even worse than my bad typing prior to illness.) Please ask if there are questions.

Because there was a large envelope in today's mail from the FBI did not remove this from the typewriter. I received the usual McCraith form letter stamp dated October 26 and captioned "Lee Harvey Oswald (Referrals from third agencies)." I believe it and the enclosures are relevant to FBI intent.

The paragraph added on the appended sheet refers to an Air Force referral and one by "the Civil Division of the Department of Justice." I knew the FBI was distant from the Department but did not believe this extended to considering it a "third agency." I am also told that "the documents are being furnished to you in the same form as the documents were received by the FBI."

What the letter means is merely that I am not provided with the entire record. The attachment identified as 3b skips from the unnumbered first page to page 5.

My requests of the Air Force of April and May 1977 were referred to the FBI that June. Those requests, of course, duplicated my prior requests of the FBI. When all the FBI had to do is forward what the Air Force sent it the FBI delayed from June