

JL re OPR Murkin MFO 44-1987 note Vol 11 on Subs HW 7/18/78

Read on trip to and from dentist. Neither trip nor dentist particularly uncomfortable but cramping of legs and bad air have left me weak and hardly able to stay awake. Hope air conditioner and nitro pill perks me up so I can do other work.

I'm not going to make complete notes because it is not ~~worth~~ worth the time. I've made a few marks and scratches that will probably jog my memory if there is need to make any review.

If these represent all the notes from which OPR wrote its report it is a more remarkable self-indictment than the notes themselves are. meaning all notes on these files.

The FBI could not have whitewashed itself more effectively. Fair coat on CRF, too.

While I suppose a certain amount of this might be attributed to initial subject unfamiliarity and rush and distaste for doing a real job and perhaps some subliminal if not conscious intent to go easy I do find some of it difficult to explain away.

Only eyewitness Stephens as an example. Remember, the entire extradition was based on his affidavit. Now remember, I've read the same files. I find it remarkable that of all of the hundreds of Memphis FBI political files they (at least in this part) review only the two specified by name in my 12/23/75 request.

They quote Little of Stephens and what they do they do not question. The only all that is probative and all that says he lied - was not in a position to see anything. I mean that he was more incapable than merely being very drunk even for him.

They note Stephens' affidavit and do not give its purpose or, unfairly to the FBI, that the FBI did not provide it. CRD did. They also note that when Stephens and Bessie Brewer of the rooming house were shown the real Ray picture by the FBI both made negative identifications. Now this was three months before the extradition, two months more or less before the affidavits were filed and I'm sure a month and a half at least before CRD prepared the Stephens affidavit for him to sign. In short, knowing that he had said Ray was not the man he claimed he had seen the DJ actually prepared an affidavit saying the opposite in the evasive language I spotted and used in Frame-up. It is, in a sense, more than overt lying. They have him suggesting positive identification, couched in language a court would not take as evasive and could be expected to regard as careful.

Ditto with all the evidence and so-called evidence and 100% of the exculpatory. Of which much is visible to subject experts, as they were supposed to be. You'd never dream what the real story of the white Mustang is from these notes, which make reference to the reports. (If you ever have the need I have separate subject files on such individual evidentiary matters. They are not annotated. They are copies only.)

They dismiss the entire matter of the shooting with a single reference to a (conjectured but so described) "triangulation."

My ~~part~~^{point} in these things is limited to FOIA. These people are in a sense much more culpable than those cover-the-ass experts the FBI. There is more than enough truth in the FBI reports for one who owns a copy of their special dictionary. Were there even to be a real investigation the FBI would come out much better than OPR.

I don't know how anyone not a subject expert could make any real use of these notes.

Whoever did the FOIA excising was cued into my work if not the processing of the records I received. The one informer I disclosed knowing to the FBI is the one disclosed by name (and otherwise entirely inadequately) in these notes. But here names the FBI did not withhold are withheld and vice versa. Here they even withhold Curtis' name and all names of all known and identified fellow prisoners.

There is one extensive (relatively) bit withholding- all that entry. If it relates to the item immediately preceding it at least part is public domain.

However, if you contest the individual 7C and D withholding that are not justi-

fied you'll spend the rest of your life at it. Why else do you think the FBI did most of this? They are not stupid or entirely uninformed and I suspect they did use the indexes to the books, while not reflecting it. Why do you think they did not respond when I sent them pages from Framo-Up and the N.Y.O. phone book to prove that the identical info was public domain? They know nothing is going to happen to them so they pull anything if they can perceive an objective.

This Raul Esquivel case reminds me: it is entirely omitted in the note under the investigation of phone calls based on info from Charles Stein. (I find myself wondering more is Charley Stein is than where he is because he got the number in Ray's own handwriting by the typical stupidities of all the Ray/s. A good number where a Raul answered.

They mention the names of Lawrence and Lowe without any identification. These are the two SAs who were in charge of the political intelligence included in the Sanitation Strike/ BOP/Invaders/COME etc files. (My reporter friends knew them as such and I knew prior to getting the files.) I think there is another.)

Reminds me: not uncommon, despite FOIA claims, for agents to be friendly with local reporters. My friend Ronnie used to drive to work with Hosky and a deputy sheriff. Kay was chatting with I think Lawrence and Lowe at the moment King was killed. They were at some public gathering. SAs do not live in cocoons. Any more than local police.

Reminds me: one of these notes disclosed the general content of one of the withheld RCMP reports. There was no need to and there is no basis for it. The real reason the FBI does this all the time it can has nothing to do with protecting sources or relations. They want to hog the credit. Most of what is withheld was reported in the papers of those countries. The FBI in fact tried to discourage the "counties self-promos. They even withheld the name of I think the Superintendent who did hold a press conference to release RCMP investigative materials. (It was all narrated in the guilty plea hearing anyway. There was virtually no other evidence to narrate, was there?)

There is an appropriate section of the new E.O. and it is not a blanket exemption on such information. I asked it as I read the E.O. My recollection is that what I asked of Hartingh, ask the Mounties, give me a copy of your letter and I'll abide by their answer, is entirely consistent with the new E.O. Hartingh agree and then he or those above him refused. So much for blaming it on the "counties.

It is not only that I believe contesting individual withholdings takes too much time and that there are too many. I believe that before this is all over in 1996 and in 0692 it will not be necessary. What they've done is too raw. They indulged themselves too much, too. Like in withholding the name of the Sun-dwon Wm Len Hotel on 7C.

Something happened to the certified mailing of the entire MFO MURKIN files of news clips after it reached W in DC. No wonder Quinn speaks so of their mail!