

The Commercial Appeal, Memphis, Tuesday, June 20, 1978

# Judge Considers Records Request

Probate Court Judge Joseph W. Evans yesterday took under advisement a request from the House Select Committee on Assassinations for the medical records of a Memphis woman alleged to have been in the rooming house from which the shot which killed Martin Luther King was fired.

The woman, Mrs. Grace Walden, was committed to Western Mental Institute in Bolivar, Tenn., shortly after the murder, and author-attorney Mark Lane has charged that the commitment was intended to silence testimony which would have thrown doubt on the guilty plea of James Earl Ray.

James L. Wolf, a staff attorney for the House committee, said its members believe the records could have been obtained by subpoena, but Dr. Morris Cohen, superintendent of the hospital, had asked that a court order be obtained so he would be relieved of possible liability. Cohen did not attend yesterday's hearing.

"It is in the public interest that the committee have full and complete access to the medical records of Mrs. Walden to determine whether or not her commitment was in any way connected with the assassination of Dr. King," Wolf said in a petition filed yesterday.

Lane and Memphis attorney Duncan Ragsdale, co-guardians of Mrs. Walden, argued that turning over the records to the House committee would be an invasion of her privacy and would not be in her best interest. Mrs. Walden has been released from the hospital and is living in California.

Besides, they argued, the records of her treatment at Western hospital would be immaterial to the committee's investigation. The important records, they said, would be those from City of Memphis Hospital which would show the reasons for her commitment. Evans, however, sustained objections to questions about records from the Memphis hospital as irrelevant to yesterday's hearing.

Furthermore, the attorneys said, information from records obtained by the House committee would likely be leaked to the media, resulting in embarrassment for Mrs. Walden as she attempts to live quietly in California.

Former policeman Ed Redditt testified as a witness for Lane and Ragsdale. He said that even though he had been refused a copy of his testimony before the committee, a Memphis television newsman had a copy of it later.

Rev. James Lawson, a former Memphis pastor who is now pastor of a Los Angeles church, said Mrs. Walden has been attending his church and he has seen her on other occasions. Mr. Lawson said he believes she is trying to put the 10 years at the mental hospital behind her and begin a new life. Publication of information about her medical records would be "very harmful" to her, he said.

The two attorneys asked Evans to require, if he decided to give the records to the committee, that committee members and staff waive congressional immunity to civil suit for damages, thus making them responsible for keeping the information in the records confidential.

Noting the importance of the decision both to Mrs. Walden and the committee, Evans asked for written opinions from the opposing attorneys.

However, at the request of Lane and Duncan he issued a temporary order forbidding the hospital to furnish the records to anyone other than Mrs. Walden's guardians, Lane and Ragsdale. The two attorneys were given copies of the medical records at the end of yesterday's hearing.