

Ms. Mary McGrory  
The Washington Post  
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Dear Ms. McGrory,

I regret your this morning's column as I think before long you will, too.

The last thing we need is more to inflame the situation that the prosecution and the media combined to inflame from the first.

What we do need is for our basic institutions to work as they should and for them to be trusted by deserving that trust.

I was never a Simpson fan, never saw him play football even on TV, never saw him cover a game, and saw him only on Hertz commercials.

When I could not avoid that murder, those murders, I was struck immediately by what in an earlier time, when we were closer to the concepts and practises of our beginning beliefs, got other sensational cases thrown out of court. You may remember the Sam Shephard and Bille Sol Estes cases. With Simpson those inflammatory leaks could have come only from public authority and they had the clear purpose of prejudicing all potential jurors. They prejudice most of the country's whites, too.

That the police were leaking justified immediate suspicion it had its own purposes in doing that.

But none of the media reflected any questions about any of this that was so wrong and it was played big and over and over again.

I've done all the basic and factual work in two earlier sensational cases, the JFK assassination and that of Martin Luther King, Jr. In the latter I was for a while the sole defense investigator. That was for the habeas corpus and for the subsequent evidentiary hearing. Paul Valentine, who was a friend before then, covered it for the Post. I do not know what he may still remember but the preparation for the hearing fell to Jim Lesar, later my FOIA lawyer, a young lawyer who had never appeared before a jury, and to me. We divided the preparation so that Jim would handle the law and I the evidence. I located and prepared the witnesses and in court Jim did most of the questioning. With the country's then most famous criminal lawyer the one who put Ray away, how could we prove ineffective assistance of counsel? I go into this because it leads to what follows. I decided that we would try the case alleged against Ray. And we proved, subject to cross-examination by the state, which had the FBI behind it (the FBI having done most of the investigating and given it to the prosecution), that the case alleged against Ray did not exist! The judge held that guilt or innocence were immaterial to what was before him, whether Ray had had the effective assistance of the counsel who did not develop what I did because he made no effort to, and Ray did not

get his hearing trial.

It was clear that the FBI had phoned evidence, misrepresented ~~it~~ it, withheld it and that its Lab work was particularly dishonest.

In the JFK case, and this gets even more to what it would not allow to impeach the Lab agent in the Simpson case, the offenses Whitehurst attributed to that same Lab agent are picayune. In my most recent book, NEVER AGAIN! (in the sense this should never happen to us again) I published three FBI photographs of the FBI faking evidence- when a President was assassinated. In court I made myself subject to the penalties in alleging perjury to the FBI Lab agent in that case. The government's successful defense in court if not in fact is that I could make such allegations and infirm because I know more about the case than anyone working for the FBI! I charged the FBI with perjury the same way, subject to the penalties of perjury myself, at least a half dozen more times and I was never charged. And no judge gave a damn. Or any department lawyer.

It may not be easy for you to believe but the clear and undeniable fact after my publication of it, in the official evidence itself is that there was absolutely no case against Oswald. As with Simpson and Ray, he was not and could not be placed at the scene of the crime at the time of the crime. With Oswald the actual official evidence proves he could not have been. Had the most solid evidence that Ray was not an could not have been. While there is ever so much more of this I think it is enough to make the point that in all these sensational cases the government agencies involved knew they had at the least this serious problem and in all of them the governments' response was to lie and to fake evidence.

When the Whitehurst story broke and DJ said it would investigate I wrote Janet Reno. I've not even an acknowledgement and there is nobody in the ~~KKK~~ DJ who will think of ever really taking a look at the FBI in its abuses.

If you would like a copy of my NEVER AGAIN! so you can see some of this, all from and with the official evidence, I'll be glad to send it.

When all these wrongs perfected so to speak, in the earlier JFK and King cases were reproduced in the Simpson case I wrote the western Maryland AP correspondent who knows me telling her that I could from the top of the head tick off identical wrongs relating to the alleged evidence from the JFK case record. She reported that to her Baltimore desk and then told me it had referred my offer to the chief AP correspondent on the Simpson case, Linda Deutsch. Who was and remains silent, even now after it is so clear that there was so very much wrong with the alleged evidence in the Simpson case.

Her stories and those of the Post were less than impartial. While TV began with a fair choice of lawyers who took opposing positions, soon those who were not prejudiced against the defense disappeared. We got a steady dose of those who favored

the prosecution. Some, like those who originated the Channel 50 shows, were self-important dopes who were of unhidden prejudice. They even argued for the prosecution.

And all the <sup>time</sup> there was the most prejudicial leaking that could have come <sup>only</sup> ~~out~~ from public authority. Including as you may remember, what was not known elsewhere, that the stocking allegedly found in Simpson's bedroom had been subjected to DNA and it showed <sup>victim's</sup> ~~his~~ blood. That it was sent for testing was not know and the results were not yet back. So, there is only one way in which the results could have been known- because those who put that blood there knew it.

Often as the picture of those stockings was on TV and in the papers, nobody in any of the media asked any questions about it, like did the housekeeper leave them there? Or if found, if they were found, after she cleaned up, how could he have taken them off when the bed had not a wrinkle in it?

Do you think that a man falling against a wall would hit it three times so strongly that it suggested an earthquake to Kato? Or would have hit it three times in a single fall?

There are so many questions the media ignored and along with the angled reporting all served to fix the public and the journalistic mind in prejudice against Simpson.

You, too, <sup>and</sup> ~~because~~ you are not a prejudiced person.

What we need now begins with fair discussion of all the issues and a belated attempt to clean the police up. In LA some 40 recommended for firing by the Christopher commission are still policemen.

Meanwhile, every police department in the country knows how successful the faked cases and the official lies were in the JFK and King cases. (And I remind you that in my 1975 Book, Post Mortem, I published a secret transcript ~~of~~ of a conference between the police and the judge in the Bobby Kennedy case on how they would preserve the evidence they then proceeded to destroy! That same LAPD.)

It will be ~~terrible~~ if more violence follows but I think that even well-intended writing like your/today's column contributes to that possibility. In this day of the so-called militia who existence was ignored for decades by all the media. How-to literature was distributed by some of those types 30 years ago to my knowledge by possession of it.

It was so obvious I told my wife before the decision was announced that if the jury acquitted after so brief a deliberation it found reasonable doubt and I had forecast that to the AP at the very beginning of the Simpson proceeding. If it was that obvious to me can it be that there was not a single person in the media who saw it?

Do not take time to respond. Best wishes, Harold Weisberg