

HSCA-Be 3

To Quin Shea from Harold Weisberg, King appeals:  
Oliver Patterson and related matters

10/31/78

In today's mail I received the enclosed Privacy Act waiver from Oliver Patterson. If it is possible for me to get this into Frederick and the mail today I will do so. As I have already indicated, I regard this as an important matter and desire resolution as rapidly as possible and before the FBI can engage in any more Cointelproing.

Patterson wrote me in longhand from the hospital last Friday. His hospitalization was brief. Because his account of his exposure quotes language used by House committee investigator I am confident you would not want to have in your files or for the women on your staff to read, I do not provide a copy. I do <sup>give</sup> ~~xxx~~ you what is relevant to FBI records and their withholding.

The court record shows and I believe I have informed you that quite contrary to its representations in this and other cases having to do with its policy of never identifying informants, the FBI started feeding the House assassins committee bad information by turning an informer over to it who had provided it with only bad information relating to the King assassination. This was Morris Davis. This was quite early in the committee's life. In its elaborate covering up of turning this bad source over to the committee the FBI's own records suggest a Cointelpro operation and a successful one that, if not the first, also is not the last. The other informers used in the same way while a pretense of no more than committee cooperation can be presented also having nothing to do with the crime and no knowledge of the crime. All are consistent with a clever FBI notion of sending the committee down the same road the OPR took, a road to the FBI's liking because it also has nothing to do with the crime. (The OPR's criticism of the FBI was of no consequence. It also happens to be unfair to the FBI which did not perform inadequately in the manner suggested by the OPR. It is a pat formula in which the OPR appeared to have been critical of the FBI and did not criticize its investigation of the assassination, which made it look like the OPR did its job and at the same time the FBI escaped any serious criticism.)

In sending you a copy of the FBI St. Louis record the FBI turned over to the committee, careful to disclose Patterson's name in it, I did call your attention to the fact that the record fails to show filing where it was necessary for the report to have been filed. This should remind you of the Byers matter, where the FBI St. Louis office managed to overlook the proper filing of the "information" allegedly relating to James Earl Ray and threats to kill Dr. King and an alleged payoff. It certainly is remarkable how the FBI can stage the greatest manhunt in its history for James Earl Ray and yet the St. Louis office, which covers the Ray home territory and ~~where~~ where his relatives live, can't seem to file any of its records under any Ray.

There is also an inference to be drawn from timing.

It was just before the magical discovery of the misfiled Byers matter that Patterson was approached by the committee. Two weeks or so before that the FBI told him that the committee had learned about him as an FBI informer and to be prepared for being contacted. When Patterson was seen by Conrad Baetz and Mel Waxman they told him they had "figured out" who he was from the report the FBI had given them. In fact, as you now know, the FBI deliberately avoided withholding his name from the informant contact report of which I sent you the copy of the committee's copy. It is from this, not the report, which would not have identified him if the names had been withheld, that the committee was without doubt that Patterson had been an FBI informant. Of course the names were not withheld from the informant report, which left no doubt even for a dullard mind.

On Wednesday, August 2 Patterson was seen by Baetz, who told him to expect a visit from the FBI because it had told the committee that Patterson's committee "cover was blown." ~~At~~ Patterson says that Baetz told him that FBIHQ had heard from the Memphis Field Office that Jerry Ray and his friends were threatening to kill Patterson for informing.

At about 6 p.m. that evening two agents did look Patterson up. As best I can read the name Patterson provides it is Dennis Mattis. These agents would have been from

the office whose specialty is misfiling and not, filing, St. Louis. Their story contradicts the Beetz/ committee story. Their story is ~~as~~ <sup>that</sup> the committee learned and informed FBIHQ.

I don't know which if either account is close to truthful save in the coming exposure. I can tell you that Patterson was in the St. Louis area and did not lead to his own exposure although he wanted out. I can tell you that Lane was not then in Memphis. (Lane, of course, knew. He taped an interview with the one who exposed Patterson on July 27, but not in St. Louis or Memphis - in the Los Angeles area.) I can also tell you that both of the contradictory accounts are after I began to discuss this on my phone, not with St. Louis, Memphis or Washington. Or with Lane, in Los Angeles or elsewhere.

These are but the more recent of the remarkable FBI coincidences that also relate to non-compliance and withholding and what I think is of special point, its deliberate violations of its own stipulations.

We can expect more - and more Cointelproing. Another informer I identify to you as Clyde who was ~~turned over to~~ <sup>to</sup> the committee and testified, I am confident falsely, to involvement in a bank robbery with a brother of James Earl Ray, probably John.

This, of course, is entirely consistent with what I regard as the official OPR whitewash, which makes the same conjecture and in this area is critical of the FBI. On the basis of all I know it simply is not possible. The FBI was not less than diligent in pursuing these possibilities. It was so diligent in its search of John Ray's car after he was stopped by a road block that the FBI found the tips of gloves allegedly used to prevent the leaving of fingerprints during the bank robbery. What the FBI says it found in a later search of John Ray's car local authorities do not include in their tabulation of what they found in their earlier search of the car.

I am concerned about what I believe is continual Cointelproing that coincides with continual withholding from me despite all assurances, including to the Court and by Department counsel. While I was writing this I discussed it briefly with Jim Lesar. He agrees that we should move for compliance on this in court. I am not

certain of how he will do this but he is in agreement with my belief that if there is no dependable assurance of full and complete compliance in this area well in advance of the coming status call we will want to take this step long enough in advance of it for there to be ample time for Government response prior to that session. If this is not done then the matter will once again be set off for another status call, which has been the history of this case for almost three years.

I trust you will see that my taking the time to inform you as fully as possible is just about all I can do to eliminate what I regard as a serious problem and that I am not reserving this to use under circumstances that could embarrass the Department and its counsel by a surprise move at the coming status call.

Providing full and complete compliance on this aspect immediately presents no real problem to the FBI unless it is determined not to comply.

What is produced also should include a record of Patterson's telling the FBI he wanted out. I believe that in fairness to him this is due him. I am sending him copies of all relevant records I received. While it did not occur to me until this moment, I believe that if there is withholding his access to the records I receive may trigger enough recall so that he may help me establish any continued withholding.

At the time Patterson took the map of which you know from Jerry Ray's possessions he also took my correspondence with Jerry Ray. Patterson has not informed me of xeroxing this for the committee. I think it would be good to know whether or not that was provided to the FBI. And not by inquiry limited to the wrong component(s). Whether or not Patterson still had direct FBI connection at the time he worked as a committee informant his being a committee informant was arranged by the FBI and there was then what I regard as a serious impropriety, his coming to visit me at my home. When I am in court with the Department and the FBI? Have condemned the committee as irresponsible and then my mail is stolen? Together with reason to suspect eavesdropping on my phone, suggested above.