procedures and the scientific data plaintiff requested and was furnished. Most of the questions concerning these procedures and data which plaintiff raises in his affidavit were explained by me to him in the meeting we had on the day plaintiff executed his affidavit, March 23, 1976. At several points throughout this meeting, I asked plaintiff if he had any additional questions concerning the Laboratory procedures and scientific data which he would like explained to him, and I fully responded to all of his questions.

IV The paragraphs listed below are numbered to correspond to the pertinent paragraphs in plaintiff's affidavit:

40 Most items in plaintiff's Interrogatory No. 1 cannot be answered by giving the type of test which would be employed because many of these items themselves demand conclusions which cannot be made no matter what kind of scientific test is employed. For instance, Item (A) asks the type of examination and tests which would be used to determine whether or not bullet or bullet fragments have a common origin. Elemental analysis is used to determine the composition of bullets and bullet fragments. If bullet A has the same composition as bullet B, our report would say that bullet A came from the same homogeneous source of lead as bullet B, or another source of lead with the same composition as bullet B. This does not associate bullet A with bullet B to the exclusion of all other bullets. If bullet A is different in composition from bullet B we point out this fact and say that bullet B could not have come from the same homogeneous source of lead as bullet A; however, we point out that bullets of more than one composition are often represented in a single box of ammunition. There are situations where the composition of a bullet is so substantially different from the composition of another bullet that it can be said that the two bullets could not have come from the same box. Our Laboratory and several other laboratories have demonstrated that several different compositions of lead are often represented in a single box of cartridges. In my meeting with plaintiff on March 23, 1976, he mistakenly commented that if the

"death bullet" was different in composition from the bullets left in the gun the "death bullet" could not have come from the same source of lead as the bullets left in the gun. In this case, more than one composition of lead was represented among the bullets examined. These compositions were compatible with different compositions often found in the same box of cartridges. Item (B) asks what kind of tests would be used to determine which bullet or bullet fragment struck which person or object or which particular part of a person or object. There are no tests available which will specifically associate a bullet or bullet fragment to the exclusion of all other bullets or bullet fragments with a particular hole in a person or object. There are tests available which will determine if a hole in a person or object or a dent in an object could have been caused by being struck by a bullet. In this case, emission spectroscopy was used to determine the composition at the edges of holes in certain garments and this composition was compared with cloth taken from areas distant from the holes. Item (C) asks what examinations are used to determine whether a specific bullet or remnant thereof can be identified as having been fired from a particular rifle. Generally, firearms examinations are also involved in answering Item (D). Item (E) asks what tests would be used to determine whether a specific bullet or remnant thereof can be identified as having been fired from a particular cartridge case. Generally, it is not possible to determine if a particular bullet was part of a particular cartridge before it was fired, to the exclusion of all other cartridges. It is possible to say that a particular bullet could not have been fired from a particular cartridge case if the bullet, for instance, is of a different caliber from the cartridge case. A .22 caliber bullet could not have been part of a .38 caliber cartridge case. Items (G) and (H) involve elemental analysis of smears or fragments which may be around a dent or hole in an object. Elemental analysis cannot associate these smears or fragments with a particular bullet to the exclusion of all other bullets because many times the smears or fragments are too limited for complete analysis, or if the

fragments were of proper size to conduct an adequate compositional analysis these fragments could have been deposited by any bullet which had this composition. Each bullet does not have a unique composition. Item (H) cannot be answered reasonably. If, for instance, a hole or dent was identified as having been made by a hammer, it appears safe to say it was not caused by a bullet. Going back to Items (C) and (D), it is pointed out that many times no conclusion can be reached regarding the possibility of a bullet being fired or not fired from a certain gun. Some of the reasons for not being able to reach a conclusion are that there are not sufficient individual characteristic marks remaining on the bullet, there is an inability to identify consecutive test bullets with each other due to changing barrel conditions, and/or the barrel of the gun is heavily leaded.

43 Firearms examinations, compositional analyses (neutron activation and emission spectroscopy), document examinations, blood examinations, soil examinations, etc., were performed on items of evidence submitted in this case. Plaintiff's April 15, 1975, letter did not request the results or notes on Laboratory examinations other than firearms, compositional analyses, and on cigarette butts he mistakenly claimed were recovered from an automobile in Atlanta.

46 It is doubtful that if I were again to go through the notes generated in the Laboratory, that I would be able to determine what dates various examinations were performed. As I recall, some of the notes were dated and other notes were not dated. Based on my years of experience, I fail to see how the dates of these particular examinations would have any relevance to their conclusions.

47 The fact that the Laboratory reports which have been furnished to plaintiff bear dates one to three weeks after Dr. King was killed is not remarkable. Time is required to conduct examinations of physical evidence and a report cannot be furnished until the examinations are completed. The Laboratory reports do not include the dates upon which various examinations were conducted.

Plaintiff's allegation that a "Reader's Digest" article states that the rifle had been test fired twelve hours after Dr. King's death has no connection with the date of the Laboratory report which included the results of the firearms examinations.

49 Plaintiff made this same claim at the meeting of March 23, 1976, and at the time I explained how he had misunderstood the materials he had been furnished due to his ignorance of the scientific symbol for "similar to." I explained that the firearms expert had indicated in the material furnished plaintiff, that based on his experience and knowledge, the general rifling characteristics of the bullet were the same as those produced by any one of numerous rifles. The firearms expert then listed these rifles. The material furnished plaintiff did not indicate these rifles had been "used" or that there were "any reports or results on these rifles." Based on my educational background and Laboratory experience, and with no disrespect intended for plaintiff, I believe that many of the questions he has raised in his affidavit stem from his lack of knowledge or understanding of even basic laboratory procedures, much less the relatively sophisticated examinations.

54 There is no record of the date on which the three color photographs of Q64 (the "death bullet") were taken. Based on my experience and knowledge gained in the FBI Laboratory, I would assume that these photographs were taken shortly after the bullet was received in the Laboratory.

59 The FBI has no "comparison photographs" of the "death bullet." No photomicrographs were taken of this bullet inasmuch as it was not possible to effect an identification between this bullet and test bullets from the questioned rifle. It seems obvious that where there is no identification between the "death bullet" and test bullets, that no "comparison photographs" would be taken - they would have absolutely no prosecutive or evidentiary value. Plaintiff is correct in his allegation that the prints of Q64 which were given him were made recently. These prints were made in late November, 1975, from negatives which were made in 1968.

60 Competent firearms examiners do not make comparisons between test bullets and a questioned bullet by examining photographs or photomicrographs. The comparisons are made by

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59 The FBI has no "comparison photographs" of the "death bullet." No photomicrographs were taken of this bullet inasmuch as it was not possible to effect an identification between this bullet and test bullets from the questioned rifle. It seems obvious that where there is no identification between the "death bullet" and test bullets, that no "comparison photographs" would be taken - they would have absolutely no prosecutive or evidentiary value. Plaintiff is correct in his allegation that the prints of Q64 which were given him were made recently. These prints were made in late November, 1975, from negatives which were made in 1968.

60 Competent firearms examiners do not make comparisons between test bullets and a questioned bullet by examining photographs or photomicrographs. The comparisons are made by

examining the bullets themselves, using a comparison microscope. It is immaterial that the markings which plaintiff apparently refers to are "obscured by the manner in which the three photographs" were taken.

61 Plaintiff is correct in his allegation that these photographs were not taken for scientific purposes. These photographs have nothing to do with the firearms examiner's opinion concerning the bullet and the gun.

62 These photographs are the only photographs taken of the "death bullet." Plaintiff is correct in his allegation that these photographs are "utterly incompetent for ballistic purposes." These photographs were taken for the purpose of recording the general appearance of the bullet when it was received at the FBI Laboratory.

63 My previous paragraph furnishes the reason for taking these pictures. The pictures were not taken for CBS or as a part of the firearms examination. As I stated previously, and for the reasons I gave, there were no photographs or photomicrographs of the "death bullet" taken for firearms identification purposes.

64 There were no photographs taken of any test bullets fired from the questioned rifle. The Q64 bullet was compared with the test bullets fired from the questioned rifle. For the reasons I previously gave, no photographs were taken of these comparisons inasmuch as no identifications were effected.

65 Plaintiff has been furnished the spectrographic analysis of the bullet jacket of Q64 along with the spectrographic analysis of the bullet jackets from the other cartridges recovered at the scene which have bullets physically the same as Q64. Plaintiff has been furnished the spectrographic analysis and neutron activation analysis of the lead core of the "death bullet" along with the spectrographic analysis and neutron activation analysis of the cores of the bullets physically the same as Q64. No spectrographic examination or neutron activation was conducted on the "empty shell and the powder remaining in it." There was no reason to conduct any compositional examinations on the "empty shell" and powder. Plaintiff has been furnished the

results of the spectrographic examination of the areas surrounding the holes in Dr. King's jacket, shirt, and tie, along with the spectrographic analysis of the fabric taken from areas distant to the holes. As a point of information, had the firearms examiner been able to positively associate the Q64 bullet with the rifle, no compositional analysis would have been conducted on the bullet jacket or core of the bullet or any of the bullets from the cartridges found at the scene of the crime. Normally, compositional analysis has value only when it is not possible to effect an identification between the bullet and the gun. The next best thing to do is to attempt to associate the lead in the questioned bullet with the lead in the bullets of cartridges which may remain in the gun or be recovered from a suspect.

66 The notes that plaintiff has been furnished regarding the compositional analyses are the only notes we have. Due to what I believe is lack of knowledge, plaintiff is placing too much stock in the results of a compositional analysis of Q64 and the bullets from the cartridges left at the scene.

67 The first two sentences of plaintiff's Paragraph 67 are essentially correct. His next sentence concerning the fact that only one element, lead, is present on any of the clothing is also correct, but it is misleading. The minute smears of material which may be deposited on the edges of clothing when a bullet passes through the clothing are very difficult to test for. It is not at all unusual to find only lead, or perhaps lead and copper; in many cases, no foreign material can be detected around the hole in a piece of clothing. Plaintiff has been furnished a listing of elements in the jacket material of Q64 and the other bullets recovered at the scene which were physically identical to Q64.

68 See my Paragraph 67 above.

69 Plaintiff has been furnished all "results" of the spectrographic and neutron activation tests. Also, at the March 23, 1976, meeting he requested and obtained copies of the calculations in the neutron activation tests, although his original request stated he wanted only the results.

70 The quantitative measurements made by the emission spectrograph were not absolute measurements, but were relative measurements, which were the only necessary object of that examination. Plaintiff has been furnished all "results" of the examination.

71 Based upon my knowledge and experience, I am not aware what plaintiff refers to when he comments about "normal practice" in the first sentence of his Paragraph 71. In a review of the neutron activation results, it is seen that only one element, antimony, was measured. The cores of the bullets examined had relatively high amounts of antimony present. The concentration of antimony varied from bullet to bullet, except for a general similiarty between Q64 and Q4. These differences in antimony concentrations are quite typical of differences we encounter in the cores of bullets from the same box of cartridges. As pointed out previously, there is no guarantee that all the bullets in a single box of cartridges will have the same composition.

72 The "stated conclusions" which plaintiff is asking for with regard to the spectrographic and neutron activation tests are included in the copies of the reports which he has been furnished.

73 The material plaintiff has been furnished indicates that spectrographic examinations were conducted on April 19 and April 22, 1968, and apparently also on April 11, 1968. (It is difficult to read the April 11, 1968, date on the notes.) The dates on which the neutron activation examinations were conducted are obtained by referring to the pages of notes which were furnished plaintiff at the March 23, 1976, meeting. The exact reason for not having the reports dated a day or two after the completion of the examinations, since this is not pertinent, is not known. However, it is easily possible for several days to pass between the completion of the analysis and the date of the report.

The above information was obtained by me in my official capacity, and is based on my knowledge and experience, and my review of FBIHQ files as they pertain to FBI Laboratory procedures and data concerning the investigation of the assassination of Dr. Martin Luther King, Jr.

John W Kilty

JOHN W. KILTY
Special Agent
Federal Bureau of Investigation
Washington, D. C.

Subscribed and Sworn to before me this 20th day of April, 1976.

Margaret F. Davis
Notary Public

My commission expires 12/14/78.

UNITED STATES DEPARTMENT OF JUSTICE

OFFICE OF PROFESSIONAL RESPONSIBILITY
WASHINGTON, D.C. 20530

MAY 10 1976

Assoc. Dir. ____
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Dep.-A.D.-Inv. ____
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Spec. Inv. ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

TO: James Ingram
Deputy Assistant Director
Intelligence Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr., Counsel
Office of Professional Responsibility

SUBJECT: Martin Luther King Review

Pursuant to our meeting on Wednesday, May 5, 1976, and your telephone call of today, May 10, 1976, I am forwarding this memorandum with attachments for your information and records.

As you know, the Attorney General has directed this Office to complete the review of all records in the Department, at Bureau headquarters, and in Bureau field offices in any way relating to Dr. Martin Luther King, Jr., his assassination, the Bureau's investigation of his death, in light of the Bureau's "systematic program of harrassment of Dr. King in order to discredit him and harm both him and the movement he led". (See Press Release Attached)

The Attorney General has directed that this review be completed "forthwith" and that my final report to him and Director Kelley provide answers to four specific questions:

1) "Whether the FBI investigation of Dr. King's assassination was thorough and honest;

2) Whether there is any evidence that the FBI was involved in the assassination of Dr. King;

3) Whether, in light of the first two matters, there is any new evidence which has come to the attention of the Department concerning the assassination of Dr. King;

MAY 27 1976

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ASSOCIATE DIRECTOR
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4) Whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecutions, disciplinary proceedings, or other appropriate action".

I know you share with me the urgent need to guarantee that these four questions be addressed by a searching, systematic, full, complete, and determined review of all documents that bear directly or even remotely on the Bureau's intense interest in and investigation of Dr. King in life as well as at death.

You have met the present members of the Task Force assigned to complete this review, and I have advised you that Fred G. Folsom is the Task Force Leader. You should understand that Mr. Folsom's requests for personnel interviews, access, review, or delivery of documents will be made at all times in my behalf and for the Attorney General. Should you have any difficulties I am always available to assist in their resolution.

As I have orally advised you, the Attorney General, Director Kelley, and I attach the highest priority to the successful completion of this review.

If I can be of further assistance, please advise. I wish to thank you for your help.

cc: Edward H. Levi,
Harold R. Tyler, Jr.
Clarence M. Kelley
Fred G. Folsom

OPTIONAL FORM NO. 10
JULY 1973 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

TO : Michael Shaheen

DATE: April 26, 1976

FROM : Attorney General

SUBJECT:

I am forwarding to you the memorandum prepared by Assistant Attorney General Pottinger and by Robert A. Murphy, Chief of the Criminal Section of the Civil Rights Division, on the partial review which has been made of the relationships to Martin Luther King, Jr. In addition, I include the commenting memoranda from the Deputy Attorney General, from Robert Bork, from Richard Thornburgh and the members of his staff, and from Antonin Scalia.

I note that Mr. Pottinger concludes that "we have not found a basis to believe that the FBI in any way caused the death of Martin Luther King" and that "we have also found no evidence that the FBI's investigation of the assassination of Martin Luther King was not thorough and honest."

My request for the review involved four matters. First, whether the FBI investigation of the Dr. Martin Luther King's assassination was thorough and honest; second, whether there was any evidence that the FBI was involved in the assassination of Dr. King; third, in light of the first two questions, whether there is any new evidence which has come to the attention of the Department concerning the assassination of Dr, King which should be dealth with by the appropriate authorities; fourth, whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecution, disciplinary proceedings, or other appropriate action.

As to the fourth point, I again note that from the partial review which has been made, Mr. Pottinger concludes "we have found that the FBI undertook a systematic program of harassment of Martin Luther King, by means both legal and illegal, in order to discredit him and harm both him and the movement he led." Assuming that the major statutory violations relevant to this conduct would be 18 U.S.C. § 241 and § 242, Mr. Pottinger's memorandum concludes that any prosecution contemplated under those acts would now be barred by the five-year statute of limitations with the possible exception which would exist if there were proof of a continuing conspiracy.

ENCLOSURE 44-38861-

As to the matter of new evidence with respect to the assassination, my understanding is that the Department has never closed the Martin Luther King file and that numerous allegations of the possible involvement of co-conspirators are promptly investigated. The thrust of the review which I requested, however, was to determine whether a new look at what was done by the Bureau in investigating the assassination or in the relationship between the Bureau and Dr. King might give a different emphasis or new clues in any way to the question of involvement in that crime. At this point in the review, as I read the memoranda, nothing has turned up relevant on this latter point.

The review is not complete. Mr. Pottinger and all those who have commented upon his memorandum recommend that the review be completed. Mr. Pottinger also has made other recommendations upon which there is some difference of opinion. In my view, it is essential that the review be completed as soon as possible and in as thorough a manner as is required to answer the basic questions. In view of what has already been done, and the tentative conclusions reached, special emphasis should be given to the fourth question. In conducting this review you should call upon the Department to furnish to you the staff you need.

My conclusion as to the review conducted by the Civil Rights Division is that it has now shown that this complete review is necessary, particularly in view of the conclusion as to the systematic program of harassment. If your review turns up matters for specific action, we should discuss the best way to proceed on each such case.

Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, APRIL 29, 1976 AG

In response to inquiries from the news media regarding the Civil Rights Division's review of the Martin Luther King files, Attorney General Edward H. Levi today issued the following statement:

I have directed the Office of Professional Responsibility, headed by Michael Shaheen, to complete a review of all records in the Department of Justice concerning the Reverend Dr. Martin Luther King, Jr. The Civil Rights Division, under the personal direction of Assistant Attorney General J. Stanley Pottinger, completed on April 9 a five-month preliminary review of files at FBI headquarters. As a result of this preliminary review, the Civil Rights Division has recommended that the review be carried forward to completion with an additional examination of records at FBI headquarters and field offices. It is believed that more than 200,000 documents may be involved.

On the basis of this preliminary review, Assistant Attorney General Pottinger stated that his tentative conclusions were (1) there was no basis to believe that the FBI in any way caused the death of Dr. King, (2) no evidence was discovered that the FBI investigation of the assassination of Dr. King was not thorough and honest, and (3) instances were found indicating that the FBI undertook a systematic program of harassment of Dr. King in order to discredit him and harm both him and the movement he led.

44-38861-6[illegible]

ENCLOSURE

In ordering on April 26 the complete review by Mr. Shaheen, I directed that the investigation be completed forthwith and that answers to four specific questions be furnished to me and FBI Director Clarence M. Kelley on the basis of the review of all documents:

-- Whether the FBI investigation of Dr. King's assassination was thorough and honest;

-- Whether there is any evidence that the FBI was involved in the assassination of Dr. King;

-- Whether, in light of the first two matters, there is any new evidence which has come to the attention of the Department concerning the assassination of Dr. King;

-- Whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecutions, disciplinary proceedings, or other appropriate action.

Mr. Pottinger pointed out that the Civil Rights Division has been continuously investigating allegations concerning the assassination of Dr. King as these allegations come to the attention of the Department.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA GEN. REG. NO. 27
5010-106

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. J. B. Adams
1 - Mr. R. J. Gallagher
(Attn: J. S. Peelman)

TO : Mr. T. W. Leavitt

SECRET

DATE: 5/7/76

FROM : J. G. Deegan

1 - Mr. E. W. Walsh
(Attn: J. P. Dunphy)
1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. L. M. Quick
1 - Mr. D. Ryan

SUBJECT: MARTIN LUTHER KING, JR.

MURKIN

Assoc. Dir. / Dep. AD Adm. / Dep. AD Inv. / Asst. Dir.: Admin. / Comp. Syst. / Ext. Affairs / Files & Com. / Gen. Inv. / Ident. / Inspection / Intell. / Laboratory / Plan. & Eval. / Spec. Inv. / Training / Legal Coun. / Telephone Rm. / Director Sec'y

PURPOSE: To advise identities of Department Task Force charged with the responsibility of reviewing our past investigations relating to Martin Luther King, Jr.

SYNOPSIS: Department Security Officer advised 5/4/76 that the Department intended to appoint Department Attorney Fred G. Folsom, Jr., to Task Force charged with current review of investigations relating to Martin Luther King, Jr., and pointed out in the past this individual's brother had been associated with the Communist Party and his mother was reported a communist sympathizer. Department records indicate the Task Force leader in the past voluntarily reported the affiliations of his brother and mother. Intelligence Division officials met with Counsel on Professional Responsibility on 5/5/76 and determined complete identity of six-member Task Force. Counsel advised Task Force leader is 30-year employee of Department who is held in high respect and confidence. Department intends to request FBI issue striped credential and identification tag for Task Force members. The Attorney General has been advised of information concerning Folsom.

RECOMMENDATION: For information.

CLASSIFIED DECISIONS FINALIZED BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 7/11/90

Classified by
Declassify on: OADR

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

APPROVED: Assoc. Dir. / Dep. AD Adm. / Dep. AD Inv. / Asst. Dir.: Admin. / Comp. Syst. / Ext. Affairs / Gen. Inv. / Ident. / Inspection / Intell. / Laboratory / Legal Coun. / Plan. & Eval. / Rec. Mgmt. / Spec. Inv. / Training

CLASSIFIED AND EXTENDED BY SP-3 DB/dkc
REASON FOR EXTENSION FCIM, II, 1-2.4.2
DATE OF REVIEW FOR DECLASSIFICATION 6-26-80

22 AUG 1976

ORIGINAL FILED IN

44-38861

NOT RECORDED
46 AUG 25 1976

100-106670
1 - 121-6629 (Fred Folsom)

DR:lfj
(9)

CONTINUED - OVER

SEE DETAILS PAGE 2

SECRET

CLASSIFIED BY: SP-1 CLK/tgt
REASON: 1.5 (D)
DECLASSIFY ON: X 6

84 AUG 27 1976

Memorandum to Mr. T. W. Leavitt
Re: Martin Luther King, Jr.
100-106670

SECRET

DETAILS: On 5/4/76, D. Jerry Rubino, Chief, Security Programs Section, who serves as the Department Security Officer, contacted SA David Ryan of the Intelligence Division (INTD) to advise that Department Attorney Fred Gorman Folsom had been appointed to a Task Force to review past FBI investigations relating to Martin Luther King, Jr. Rubino advised that in the past Folsom himself voluntarily reported to his supervisor in the Department information relating to the communist background of his brother, Franklin Brewster Folsom. As Rubino intends to request through the FBIHQ Security Coordinator that Folsom be issued a striped credential and identification tag which permits necessary access to FBIHQ building, he desired to alert the INTD to Folsom's background prior to submitting the formal request for identification credential and tag.

Bureau files indicate Fred Folsom is the brother of Franklin Brewster Folsom (Bureau file 100-336509) who originally joined the Communist Party in 1936 and who has been employed by Tass News Agency, the official Soviet news gathering organization. In December, 1973, Franklin Folsom was in correspondence with the People's Republic of China Mission to the United Nations. (S) Fred Folsom's mother in the past was described as a communist sympathizer, a subscriber to a communist newspaper, and friendly with a Communist Party member. BU

Copies of reports of the investigation of Franklin Brewster Folsom have been furnished to the Department. Fred G. Folsom, in 1959, was the subject of a Security of Government Employees investigation and copies of the investigative reports were forwarded to the Department. In March, 1959, the then Deputy Attorney General furnished this Bureau a three-page statement submitted by Fred Folsom covering his activities and those of his brother and mother, together with a statement concerning the degree of relationship existing between him, his mother and brother. Our files indicate that when Fred Folsom learned of his brother's association with the Communist Party he immediately reported it to his supervisor in the Department.

SECRET

 CONTINUED - OVER

SECRET

Rubino advised Fred Folsom has been associated with the Department since 1939, serving as an Attorney in the Lands Division, Criminal Division, and more recently in the Tax Division. In June, 1956, the Department cleared Fred Folsom for access to "Top Secret" information. According to Rubino, Department records indicate Folsom is a highly loyal employee who readily reported the communist affiliations of his immediate relatives when they became known to him.

On 5/5/76, Inspectors W. O. Cregar and J. O. Ingram of the INTD, it being noted the latter is coordinating the review by the Department of our past investigations of King, met with Michael E. Shaheen, Counsel on Professional Responsibility. At this time Shaheen pointed out he was aware of the background of Fred Folsom, who is a 30-year employee of the Department, and for whom he has "profound respect and confidence," and anticipated he would make an excellent Task Force leader. Shaheen advised he would alert the Attorney General to the background of Folsom.

Shaheen has subsequently advised that he has conferred with the Attorney General and advised the Attorney General of the background of Folsom and the fact Folsom would be the Task Force leader.

Shaheen identified the following Department Attorneys who will work with Folsom in connection with the review of the King investigations: Ms. Hope Byrne, William White, Joseph Gross, James Walker, James Kieckhefer. Shaheen also indicated he anticipated this new review by the Department, which is under the supervision of the Office on Professional Responsibility, will commence in the immediate future.

SECRET

SECRET

FD-36 (Rev. 5-22-64)

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FBI

Date: 5/10/76

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Priority)

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, KANSAS CITY (44-760) RUC

RE: MURKIN

Re Kansas City airtel and LHM, 5/7/76.

Enclosed for the Bureau are six copies and Memphis one copy of LHM, containing enclosures described on page four of referenced LHM, dated 5/7/76.

EX-115

2-Bureau (Enc. 6)
1-Memphis (44-1987)(Enc. 1)(Info.)
1-Kansas City
JRG:aa
(4)

ENCLOSURE

REC-1

44-38861-6117

MAY 18 1976

1-CRD
1-CRU
670 G
5/12/76
EJM/jet

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

57 MAY 27 1976

note: Enclosed are enclosures mentioned in re memo.

* U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 346-090 (11)

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Kansas City, Missouri
May 10, 1976

ASSASSINATION OF
MARTIN LUTHER KING, JR.
CIVIL RIGHTS

Reference memorandum dated May 7, 1976.

Attached are the enclosures described on page four of referenced memorandum.

ENCLOSURE 44-38861-

MGMSTLT HSB
2-000904E036 02/0 76
ICS IPMHNGZ CSP
8163567418 MGM TDRN KANSAS CITY MO 408 02-05 0046A EST

western union Mailgram

GOVERNOR CHRISTOPHER S BOND
STATE CAPITOL
JEFFERSON CITY MO 65101

FEB 6 1976

GOVERNOR'S OFFICE

DEAR GOVERNOR BOND
IN ITS JANUARY 26 ADDITION, TIME MAGAZINE CARRIED SOME KEY EXCERPTS FROM GEORGE MCMILLIAN'S UPCOMING BOOK ON THE ASSASSINATION OF DOCTOR MARTIN LUTHER KING JUNIOR, THE FOUNDER OF THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE IN HIS BOOK, MCMILLIAN CHARGES THAT JAMES EARL RAY, DOCTOR KING'S ALLEGED ASSASSIN, PLOTTED AND FINANCED THE MURDER OF THE FAMED CIVIL RIGHTS LEADER BEHIND THE WALLS OF THE MISSOURI STATE PRISON. MCMILLIAN, WHO SPENT 7 YEARS RESEARCHING FOR HIS BOOK, GOES EVEN FURTHER BY SUGGESTING THAT SEVERAL PRISON GUARDS PROVIDED RAY WITH WHATEVER ASSISTANCE WAS NECESSARY TO MAINTAIN A LUCRATIVE PRISON DRUG BUSINESS. MCMILLIAN CLAIMS THAT RAY HAD EARNED OVER 7 THOUSAND DOLLARS BY THE TIME OF HIS ESCAPE AND THAT HE USED THIS MONEY FOR ASSASSINATION PLANS.
WHETHER OR NOT MCMILLIAN'S BOOK IS COMPLETELY RELIABLE IS SECONDARY. THE FACT THAT TIME MAGAZINE, ONE THE NATION'S MOST PRESTIGIOUS AND WIDELY CIRCULATED PUBLICATIONS HAD ENOUGH CONFIDENCE IN MCMILLIAN TO PRINT THE STORY, IS IN ITSELF WORTHY OF OUR ATTENTION. SINCE THE REVELATION THAT J EDGAR HOOVER USED THE FBI IN A VICIOUS ATTEMPT TO DISCREDIT DOCTOR KING, THE HARRIS POLL REPORTS THAT 60 PERCENT OF THE POPULATION BELIEVE THAT DOCTOR KING'S DEATH WAS THE RESULT OF A CONSPIRACY, THE AMERICA PUBLIC, AS YOU WELL KNOW, HAS, WITH MUCH JUSTIFICATION, BECOME CYNICAL AND SUSPICIOUS. THE STORY IN TIME HAS FURTHERED THIS CYNCISIM AND SUSPICION.
IF, AS MANY HAVE COME TO BELIEVE, DOCTOR KING'S ASSASSINATION WAS CONCEIVED IN JEFFERSON CITY AND CONSUMATED IN MEMPHIS, A THOROUGH INVESTIGATION OF RAY'S ILLEGAL DEALINGS AS A PRISON MERCHANT AND HIS SEEMINGLY SMOOTH ESCAPE MIGHT SHED SOME BADLY NEEDED LIGHT ON THIS VERY EMOTIONAL ISSUE.
THE SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE IS THEREFORE MAKING THE FOLLOWING REQUESTS:
1 THAT THE FINDINGS OF THE OFFICIAL INVESTIGATION OF JAMES EARL RAY'S ESCAPE FROM THE MISSOURI STATE PENITENTIARY BE PRESENTED TO SCLC AND MADE PUBLIC.
2 THAT THE STATE ATTORNEY GENERAL'S OFFICE EXAMINE THE CHARGES MADE BY MCMILLIAN IN REGARD TO DRUG SALES IN THE PRISON AND THE POSSIBILITY THAT PRISON GUARDS MAY HAVE AIDED RAY IN HIS ESCAPE.
3 THAT THERE BE PUBLIC DISCLOSURE OF ANY ACTIONS TAKEN BY PRISON OFFICIALS OR GOVERNOR WARREN HEARNES AFTER THEY LEARNED THAT DOCTOR KING'S ASSASSIN WAS A MISSOURI STATE PRISON ESCAPEE.
SCLC, NEEDLESS TO SAY IS HOPING FOR A POSITIVE AND PROMPT RESPONSE.

western union Mailgram

UNITED STATES SERVICE

REVEREND EMANUEL CLEAVER
EXECUTIVE DIRECTOR
SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE

00146 EST

MGMSTLT HSB

STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
Jefferson City

GEORGE M. CAMP
DEPUTY DIRECTOR

January 28, 1976

Ms. Heather Kilpatrick
Time-Life Building
Rockerfeller Center
New York City, N. Y.

Dear Ms. Kilpatrick:

As head of Missouri's prison system, I was disturbed to read the article on the assassination of Martin Luther King in the Time edition of January 26, 1976.

In one section of this article, you used excerpts from George McMillan's unpublished book to make both inaccurate and misleading implications and statements concerning Missouri's corrections system. Concerning James Earl Rays' confinement in the Missouri State Penitentiary, you stated that prison authorities were not helpful in documenting Ray's illegal dealings as a "Merchant." You also stated, "Just the opposite. They can no more admit that they have lost control of the prison, that the prisoners are running it, than they can fly to the moon."

Nothing could be further from the truth than these statements. First of all, Missouri's correctional system has a complete open door press policy allowing complete access to the press at any time except in emergency situations. And I feel that if you were to visit any of our correctional facilities in Missouri, you would learn that we most certainly have not lost control of our institutions. Secondly, the staff here have cooperated completely with Mr. McMillan in obtaining information and most, if not all, information on Ray's confinement in Missouri came from our officials. In addition to this, I was never contacted by Mr. McMillan concerning this situation. Lastly and most importantly, your article referred to conditions of the Missouri State Penitentiary in the early 1960's, but as seen from the above quote from Time, the reader would be led

to believe that these same conditions exist today and they, of course, do not.

I find this assessment most difficult to comprehend especially in view of the fact that to my knowledge neither Mr. McMillan nor the staff from Time Magazine ever came to Missouri since my arrival here in July of 1973 to personally review the situation.

Very truly yours,

GEORGE M. CAMP
Director of Correctional Services
State of Missouri

GMC:ljr

cc: George McMillan
Ned Bradford

STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
JEFFERSON CITY

GEORGE M. CAMP
DEPUTY DIRECTOR

February 26, 1976

Reverend Emanuel Cleaver
Executive Director
Southern Christian Leadership Conference
St. James Gregory United Methodist Church
3000 East Gregory
Kansas City, Missouri 64132

Dear Reverend Cleaver:

Governor Bond has asked me to respond to your Mailgram dated February 5 concerning the James Earl Ray article which appeared in the January 26 issue of Time Magazine. First of all, I have attached a copy of my letter of January 28 to Time Magazine, the contents of which are self-explanatory. You will note that I take exception to the conclusions drawn by Time Magazine as well as some of those attributed to Mr. McMillan.

In response to your particular questions, I have thoroughly reviewed the file of James Earl Ray when he was an inmate in the Missouri State Penitentiary in the early 1960's. I have also reviewed and studied all reports available to the Division of Corrections that might in any way relate to Ray's activities while an inmate and to the escape itself.

My findings are that there is nothing whatsoever to substantiate any conclusion that James Earl Ray financed either his escape or his activities after his escape through any means while he was an inmate at the Missouri State Penitentiary. During the six years that James Earl Ray was an inmate at the Missouri State Penitentiary, he kept primarily to himself and , other than for the fact that he attempted to escape on more than one occasion, he had only one conduct violation during that entire time and that was for the possession of three packages of cigarettes, a ball point pen and one pound of coffee.

During the entire time that he was an inmate, the total amount of money received or earned was $903.39. The majority of these funds were spent in the Inmate Canteen during his years in the Penitentiary.

The inmate that Mr. McMillan quotes extensively - Mr. Curtis - was released from the Penitentiary approximately one year prior to James Earl Ray's escape and was later committed to the Georgia Department of Corrections in July of 1967 to serve 888 years for murder. He is still in their custody.

I have been informed that all of the material available to me at this time was made available to the Federal Bureau of Investigation and I am sure that this material, along with probably much more material, was thoroughly studied at the time of James Earl Ray's trial.

In addition, you might be interested to know that prior to the Governor's receiving your Mailgram, I personally discussed the allegations and conclusions in the Time Magazine article with the author himself, Mr. George McMillan. In the course of our conversation, I pressed him for details regarding drug sales or any other illegal activities in which staff and/or inmates might have been involved. He was unable to give me any specifics but just responded that "it was common knowledge."

In conclusion, I find nothing whatsoever to substantiate the hatching of any conspiracy to kill Martin Luther King on the part of James Earl Ray while he was an inmate in the custody of the Missouri Department of Corrections. If I can be of any further assistance to you, please do not hesitate to call upon me.

Very truly yours,

George M. Camp

GEORGE M. CAMP
Deputy Director

GMC:mac

attachment
cc: Governor Christopher S. Bond

STATE OF MISSOURI
DEPARTMENT OF SOCIAL SERVICES
Jefferson City

GEORGE M. CAMP
DEPUTY DIRECTOR

February 27, 1976

M E M O R A N D U M

TO: JAMES EARL RAY FILE

FROM: George M. Camp

RE: Investigation of the James Earl Ray escape and financing of his activities

As well as reviewing James Earl Ray's file and the files of several other inmates and employees, which are listed below, I talked with former Warden Harold R. Swenson and former Senior Correctional Officer Bernard Poiry regarding any knowledge they might have of the activities of James Earl Ray.

On February 26, Mr. Swenson informed me that to his knowledge Ray was not a "merchant" and that he was not involved in any extensive illegal activities within the prison and in fact was a loner. He noted that the only significant point to James Earl Ray's record was his several attempts to escape from the institution.

On that same day, February 26, I had an extensive discussion with the former Chief Yard Officer, Major Bernard Poiry. In essence, he substantiated the conclusions made to me by Warden Swenson and in his opinion, James Earl Ray could not have earned monies while in the prison to support himself after his escape. He was a loner who attempted to escape on several occasions and apparently had little rapport with other inmates. Major Poiry felt that James Earl Ray was able to escape due to the laxity of employees and not due to any dealings between Ray and employees of the institution. The report written at the time of Ray's escape substantiates this conclusion. Major Poiry stated

that there were a great many employees in the institution who frequently were lax in their duties and that a handful of employees had to pick up the slack for the majority of the employees who did not pay enough attention to custodial security.

In my own mind, having reviewed all of the files listed and to the discussions of Warden Swenson and Major Poiry, it seems quite clear to me that we have no information that one could base the conclusion that James Earl Ray planned and executed his escape with the direct assistance of staff nor that he secreted through illegal means money to support himself after his escape while he was still an inmate at the Penitentiary.

Inmate files reviewed:

James Earl Ray 00416	Joseph Siebert 09111
Ronnie Westborg 71859	Robert Lynn Powell 16960
James Esson 73789	Carl Drake 00189
Gary Wayne Harkins 21231	Billy Mac Miles 07206
George Harold Jones 05516	Donald Ray Johnson 10987
Raymond Curtis 04849	

Personnel files reviewed:

Alfred Burkhardt	James F. Stone
Harold John Schaffer	Lafe O. Gove
Ezra Leroy Shelden	Johnnie Francis Petree
Raymond Harold Morgan	Bernard C. Peschang

GMC:mac

5-113a (Rev. 3-21-73)

Intelligence Division

INFORMATIVE NOTE

Date 5/11/76

As you are aware, the Attorney General (AG) has instructed the Office of Professional Responsibility (OPR) of the Department to conduct a review of our past investigations relating to Martin Luther King, Jr. A Task Force from this Office began its review on 5/10/76 under direction of Fred G. Folsom.

The attached letter from Michael E. Shaheen, Counsel of the OPR, defines the areas of concern in the review which will include perusal of all King-related records in the Department, at FBIHQ and in Bureau field offices. The review must be completed "forthwith" and is to answer the following four questions: (1) Was the FBI's investigation of King's assassination thorough and honest? (2) Is there any evidence the FBI was involved in the assassination? (3) Is there any new evidence which has come to the attention of the Department concerning the assassination? (4) Does the relationship between the Bureau and King call for criminal prosecutions, disciplinary proceedings or other appropriate action?

Attached to the Shaheen letter is a letter from the AG describing the previous review of the King matter by the Civil Rights Division and the basis

1 - General Investigative Division

JTA:lfj

DOJ/FBI

on which the AG decided to order a more complete review. Also attached is the Department's press release dated 4/29/76, announcing the OPR review.

You will be advised of all significant developments regarding the review.

JTA

APPROVED:	Comp. Syst.	Laboratory
Assoc. Dir.	Ext. Affairs	Legal Coun.
Dep. AD Adm.	Gen. Inv.	Plan. & Eval.
Dep. AD Inv.	Ident.	Rec. Mgmt.
Asst. Dir.:	Inspection	Spec. Inv.
Admin.	Intell.	Training

1 - Mr. J.B. Adams
1 - Mr. J.A. Mintz
1 - Mr. T.W. Leavitt
1 - Mr. Ingram
1 - Mr. Deegan
1 - General Investigative Division
1 - Mr. Aldhizer

Airtel

REC-10 EX-115

5/14/76

To: SAC, Kansas City

1 - Mr. McDonough

From: Director, FBI

MURKIN

Enclosed are two copies of a letter from inmate Leslie Allen Achter. Obtain background on Achter from prison records and unless information therein indicates to the contrary, interview him for appropriate details and advise the Bureau promptly of results. Sulhm within five days of receipt.

Enclosures - 2

EJM:mlr (4)

MAILED 11
MAY 17 1976
FBI

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Legal Coun. ____
Telephone Rm. ____
Director Sec'y ____

MAIL ROOM ☒ TELETYPE UNIT ☐

GPO 954-546

Missouri State Penitentiary
Box-900,
Jefferson City, Missouri 65101. May-11, 1976.

Inmate Attorney-At-Law,
Leslie Allen Achter-W-24045.

Director Clance Kelley
Federal Bureau of Investigation
Washington, D.C. 20510.

Dear Director Kelley:
Sir What I am Writing You about I Want You to Send A F.B.I. Agent To ********* Interview Me in Person About James Earl Ray and I do Not Want to see a Agent-From this State I am Very Sure You Know What I am Talking about

Thank You
I am Sincerely
X Leslie Allen Achter
Leslie Allen Achter-W-24045
Inmate Attorney-At-Law.

EX-115

REC-10 44-38861-6

23 MAY 17 1976

Quitel KC ESM 5/14/76

6-52

84 JUN 14 1976

Leslie Allen Achter-W-24045

BOX 900 Inmate Attorney-At-Law
JEFFERSON CITY, MISSOURI 65101

(Hospital 5th Floor Worker)

JEFFERSON CITY, MO
MAY 11
PM
1976

Director Clarence Kelley
Federal Bureau of Investigation
Washington, D. C. 20510.

OPTIONAL FORM NO. 10
MAY 1962 EDITION
GSA FPMR (41 CFR) 101-11.6

UNITED STATES GOVERNMENT

Memorandum

1 - Mr. J. B. Adams
1 - Mr. R. J. Gallagher
(Attn: J. S. Peelman)

TO : Mr. T. W. Leavitt

DATE: 5/11/76

FROM : J. G. Deegan

1 - Mr. T. W. Leavitt
1 - Mr. J. G. Deegan
1 - Mr. S. F. Phillips
1 - Mr. J. O. Ingram
1 - Mr. J. T. Aldhizer

SUBJECT: MARTIN LUTHER KING, JR.

Assoc. Dir. ____
Dep. AD Adm. ____
Dep. AD Inv. ____
Asst. Dir.:
Admin. ____
Comp. Syst. ____
Ext. Affairs ____
Files & Com. ____
Gen. Inv. ____
Ident. ____
Inspection ____
Intell. ____
Laboratory ____
Legal Coun. ____
Plan. & Eval. ____
Spec. Inv. ____
Training ____
Telephone Rm. ____
Director Sec'y ____

PURPOSE:

To provide information concerning a meeting held 5/6/76 to introduce FBI officials to Department Task Force charged with responsibility to review our past investigations relating to Martin Luther King, Jr.

SYNOPSIS:

The Task Force designated by the Office of Professional Responsibility of the Department to review our investigation of King was introduced to FBI officials during a meeting at FBIHQ on 5/6/76. At this meeting, Task Force personnel were briefed on the scope of a previous inquiry of our King investigation by the Civil Rights Division of the Department and on our files and communications system relative to their review. The Department Task Force review will encompass the security investigation of King and our investigation into his assassination. Space for Task Force personnel is being provided in Room 4171 of the JEH Building and their review commenced on the afternoon of 5/10/76.

ORIGINAL FILED IN

RECOMMENDATION:

For information.

APPROVED:
Assoc. Dir. ____ Comp. Syst. ____ Laboratory ____
Dep. AD Adm. ____ Ext. Affairs ____ Legal Coun. ____
Dep. AD Inv. ____ Gen. Inv. ____ Plan. & Eval. ____
Asst. Dir.: Ident. ____ Rec. Mgmt. ____
Admin. ____ Inspection ____ Spec. Inv. ____
Intell. ____ Training ____

100-106670

JTA:seb
(8)

CONTINUED - OVER

NOT RECORDED
46 AUG 25 1976 SEE DETAILS PAGE 2

84 AUG 27 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. Leavitt
Re: Martin Luther King, Jr.
100-106670

DETAILS:

Under the direction of the Office of Professional Responsibility, Department of Justice, a Task Force has been assigned to review our previous investigation relating to Martin Luther King, Jr.

On 5/6/76, a meeting was held to introduce the Department Task Force to FBI officials. Meeting was held between 2:30 p.m. and 4:00 p.m. in the Intelligence Division Conference Room. Those attending from the Department were *Fred G. Folsom, Jr., Ms. Hope Byrne, William White, Joseph Gross, James Walker, James Kieckhefer and Ray Hornblower. FBI representatives were J. S. Peelman and Hal Helterhoff of the General Investigative Division and T. W. Leavitt, J. O. Ingram, J. G. Deegan, S. F. Phillips, P. E. Nugent and J. T. Aldhizer of the Intelligence Division.

After introductions, Mr. Leavitt pledged total FBI cooperation with the Task Force and its review. There followed a briefing by Mr. Phillips on a previous review of the King matter by the Civil Rights Division of the Department. Mr. Phillips then outlined the scope of the files to be reviewed and the filing and serialization system at FBIHQ. Mr. Deegan discussed FBI communications and field office files, emphasizing that the field has some material which is not furnished FBIHQ and is, therefore, not contained in our files at HQ.

Mr. Folsom stated that the Task Force review would begin with FBIHQ files. The review would use as a departure point the assassination of Martin Luther King, Jr., and work in two directions, forward through the investigation

*Task Force leader

CONTINUED - OVER

of the assassination, and backward through our security investigation of King. Folsom requested office space for his Task Force personnel.

The Task Force has been provided Intelligence Division space in Room 4171 of the JEH Building. Their review commenced on the afternoon of 5/10/76.

who was an inmate in 1967, later was hired by the MSP as a guard, but is now back inside the MSP as a convict after another conviction, and he thought it strange that he would be hired as a guard. He theorized that maybe Hedgewood "had something on" the staff at the MSP, which led them to hire him, but he had no information that Hedgewood was connected with James Earl Ray or that Hedgewood had any information about Ray's escape.

FD-36 (Rev. 2-14-74)

FBI

Date: 5/24/76

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL AIR MAIL (Precedence)

Assoc. Dir.	
Dep.-A.D.-Adm.	
Dep.-A.D.-Inv.	
Asst. Dir.	
Adm. Serv.	
Ext. Affairs	
Fin. & Pers.	
Gen. Inv.	
Ident.	
Inspection	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Eval.	
Rec. Mgmt.	
Spec. Inv.	
Training	
Telephone Rm.	
Director Sec'y	

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, KANSAS CITY (44-760) RUC

MURKIN

Re Bureau airtel to Kansas City, 5/14/76.

Enclosed herewith for the Bureau are four copies of an LHM. Also, enclosed for Memphis are two copies of an LHM.

ENCLOSURE

2 - Bureau (Encs. 4)
2 - Memphis (Encs. 2)
1 - Kansas City
THW:cd
(5)

1-CRD
1-CRU
070G
5/27/76
EJM/jet

REC-100

14 MAY 27 1976

Note: Also enclosed is one copy of an LHM dated 5/14/76 at K.C.

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

RECEIVED
GENERAL INVESTIGATIVE
DIVISION 5030 J.E.H.

MAY 25 10 46 PM '76

F. B. I.
U. S. DEPT. OF JUSTICE

REC'D-DIV RIGHTS
F B I

MAY 26 6 46 AM 1976

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Kansas City, Missouri

In Reply, Please Refer to File No.

May 24, 1976

ASSASSINATION OF MARTIN LUTHER KING, JR.
CIVIL RIGHTS

Leslie Allen Achter, Missouri Division of Corrections #24045, was interviewed at the Missouri State Penitentiary (MSP), Jefferson City, Missouri, on May 20, 1976, in response to a letter he directed to FBI Director Clarence M. Kelley at Washington, D.C., on May 11, 1976. Achter's letter reads as follows:

"Dear Director Kelley:

"Sir What I am Writing You about I Want You to Send A F.B.I. Agent To ******* Interview Me in Person About James Earl Ray and I do Not Want to see a Agent From this State I am Very Sure You Know What I am Talking about

"Thank You

"I am Sincerely
"/s/ Leslie Allen Achter-W-24045
Inmate Attorney-At-Law."

Achter had previously volunteered information about James Earl Ray in an interview with the FBI in the matter captioned "WARDEN DONALD W. WYRICK, Missouri State Penitentiary, Jefferson City, Missouri; LESLIE ALLEN ACHTER - VICTIM; CIVIL RIGHTS", as reported in memorandum dated May 14, 1976. In that interview, Achter advised that he was basing the information he offered on reading of reports in the news media on Ray's case, and he had no specific information to offer.

ENCLOSURE 1 - 62-109060-619

ASSASSINATION OF MARTIN LUTHER KING, JR.

A review of Achter's file at the MSP on May 20, 1976 revealed the following information:

He has FBI #216 783 C and is a white male, born [redacted] and he is currently serving a 29-year sentence from Mississippi County, Missouri. He previously had committments to the MSP as follows: PII

Date Received	Charge	Release
March 30, 1956	Burglary & Larceny	June 21, 1957, paroled
October 2, 1957	Parole Violation	May 22, 1958, discharged
June 10, 1959	Assault With Intent to Kill	May 14, 1962, escaped
May 28, 1962	Returned from Escape	January 10, 1966, discharged
January 11, 1966	Began sentence for escape charge	June 28, 1966, paroled
January 13, 1967	Parole Violation	June 1, 1967, discharged
December 13, 1968	Manslaughter	September 10, 1971, discharged

Achter was taken out of the MSP on a court order to testify in U.S. District Court, Central Division, Western District of Missouri, on April 29, 1976, in civil actions #75CV2-C and 76CV36-C, captioned, "LESLIE ALLEN ACHTER, Plaintiff, vs. BILL ARMONTROUT, Associate Warden, MSP, et al, Defendants".

Lt. Golden of the MSP, reported on October 23, 1974 that Achter "is never satisfied unless he has something going on all the time...always agitating other inmates, and generally trying to cause havoc."

There is also correspondence in his file involving answers by the Division of Corrections of Missouri to Senator Thomas Eagleton of Missouri in response to inquiries prompted by letters Senator Eagleton received from Achter.

A Psychological Evaluation dated June 2, 1975 in Achter's file by James B. Gross, M.A., Clinical Psychologist III, includes the following information:

"...Achter admitted that he spends a great deal of time thinking about just how he would conduct the legal defense of James Earl Ray: 'I don't believe I would have any sweat whatsoever, easiest case I have ever seen.' Asked if this case might make him famous, inmate replied with great feeling: ' (obscene) , yes, that would be THE publicity case of the world---that would be a big step in history; I've laid out a number of allegations, I've had the FBI here.'"

Gross noted in his report that Achter claims to be "legal-educated", but actually has had no formal legal training whatsoever, and his evaluation was: "Impression: Schizophrenia, paranoid type."

On Interview on May 20, 1976, Achter stated that he remains interested in the James Earl Ray case, and his interest has been stirred by recent news articles about Ray. He noted that Newsweek magazine had an article recently indicating that Ray was a "dope pusher" in the MSP while an inmate, and he asserted that he knew Ray and knew that he was not a "dope pusher" and never had any money as indicated by the article. He said he recalls Ray ran a few "parlay tickets" on a "penny-ante" scale. He asserted that one Joe Maloney, a newspaper reporter for a newspaper in Kansas City, Missouri, formerly an inmate in the MSP and editor of the inmate newspaper, was never associated with Ray and had no basis for any information he wrote in a recent article he had published in the newspaper on Ray. Achter volunteered that it is his theory that Ray, as a con, would never have pulled the trigger on Martin Luther King and then left the rifle where it would be found and his radio, bearing his inmate register number at the MSP, where it could be found, at the scene. He stated that he has no information as to what actually happened and no information that anyone employed at the MSP was involved in assisting Ray's escape at the MSP. He offered that a former inmate at the MSP named Joe Hedgewood,

who was an inmate in 1967, later was hired by the MSP as a guard, but is now back inside the MSP as a convict after another conviction, and he thought it strange that he would be hired as a guard. He theorized that maybe Hedgewood "had something on" the staff at the MSP, which led them to hire him, but he had no information that Hedgewood was connected with James Earl Ray or that Hedgewood had any information about Ray's escape.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Kansas City, Missouri

In Reply, Please Refer to File No.

May 24, 1976

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"/s/ Leslie Allen Achter-W-24045
Inmate Attorney-At-Law."

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