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OR

SENSTUDY 62-116395-1295 *Enclosure**Behind  
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DATE 11/8/01 BY SP2 BTM/1/16

Mr. W. R. Wannall

JUNE

J. G. Deegan

MARTIN LUTHER KING, JR.

1 - Mr. J. B. Adams  
2 - Mr. J. A. Mintz  
(1 - Mr. J.B. Hotis)  
2/6/76

1 - Mr. W. R. Wannall  
1 - Mr. J. G. Deegan  
1 - Mr. W. O. Cregar  
1 - Mr. J. T. Aldhizer  
1 - Mr. S. F. Phillips

This informative memorandum to record inquiry of Department concerning tapes of microphone surveillances on Martin Luther King, Jr.

On 2/5/76, Supervisor S. F. Phillips, INTD, returned a call to Mr. Quinlan J. Shea, Jr., on the Deputy Attorney General's (DAG) Staff, who said he had been informed by Civil Rights Division Assistant Attorney General Pottinger that Supervisor Campbell was the custodian of the King tapes and Shea desired some information from Campbell. It was explained to Shea that Pottinger was apparently given a wrong impression when he, Pottinger, listened to some of these tapes. Supervisor William Campbell of the Laboratory played the tapes for Pottinger but Campbell's connection with them are primarily of a technical nature. As to the "custodian" of the tapes, Shea was told that in Bureau records they are charged to Section Chief J. G. Deegan and maintained in the latter's office but that if Shea wants to talk to the person most knowledgeable as to the tapes, it was Phillips.

Shea then said that his purpose in calling was a desire to protect the DAG relative to a pending suit wherein someone is attempting to obtain the tapes. He said that it was necessary that he give advice to the DAG to support an appeal regarding a denial of information to the person seeking the tapes. Shea indicated that research resulted in a determination that the privacy issue relating to King himself could not be raised as King is dead but that the Department was exploring the privacy issues as relating to the King family. At this point, Phillips inquired as to whether or not Shea was aware of the efforts which were initiated by the King family through its attorneys to obtain FBI files concerning King. Shea said he was not familiar with this fact and it was suggested to him that he

100-106670

1 - 62-116395 (Senstudy 75)

SFP:mjg  
(10)

NOT RECORDED

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ROUTE IN ENVELOPE

Memorandum to Mr. W. R. Wannall  
Re: Martin Luther King, Jr.  
100-106670

might desire to consult with Assistant Attorney General Antonin Scalia. (It will be recalled that early in 1975, Assistant Director Mintz was present at a conference with Departmental officials, including Scalia and attorneys for the King family because of the family's desire to obtain the FBI's files on King).

Shea said he had no desire to hear the tapes which he frequently referred to as the "sex tapes" but wanted to have some idea of their contents. It was explained to him that while the tapes' contents were primarily of personal activities, they were not to the exclusion of other matters such as discussions of current events, civil rights issues and conversations between King and his advisors.

Phillips inquired of Shea as to exactly what he wanted to know that he would use in his advice to the DAG. He stated that he would like to know whether or not the revelation of these tapes would be embarrassing to the King family and whether or not it would lead to an harassment of the family. He was told that such revelation would be embarrassing but that it was not clear what he meant by harassment. He then asked whether such revelation would likely result in the family being submitted to questions from the press that might be harassing to them. He was told that such revelations would quite likely so result. Concluding, Phillips told him that if he desired any more information, it might be best for Phillips to visit his office. He responded that he did not anticipate any further needs in this matter.

ACTION:

None. For information.