

UNITED STATES GOVERNMENT

Memorandum



- Tolson _____
- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen _____
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____
- Holmes _____
- Gandy _____

TO : Mr. DeLoach

DATE: June 25, 1968

FROM : A. Rosen

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Malley
- 1 - Mr. McGowan
- 1 - Mr. Mohr
- 1 - Mr. Conrad
- 1 - Mr. Casper
- 1 - Mr. Gale
- 1 - Mr. Sullivan
- 1 - Mr. Trotter

SUBJECT: MURKIN

This is the matter involving the murder of Martin Luther King, Jr., with particular reference to transporting subject Ray, to the United States upon the issuance of the extradition order.

Fred Vinson, Assistant Attorney General, Criminal Division, asked that I see him as he planned to go to London tonight. He was interested in the problems incident to the transportation of the prisoner and wanted to raise certain questions.

He inquired about the type of aircraft and indicated that commercial aircraft could not be considered. He said it became a question of chartering a plane or using of military aircraft. I pointed out to him that under no circumstances would a charter plane seem acceptable. The problems attendant to any commercial aircraft, including a charter plane would certainly exist. The only logical way would, therefore, seem to be a military aircraft where departure conditions and arrival conditions would be subject to much more control.

In this connection he said that he had understood a Naval field was available at Memphis. He advised me representatives of the Bureau of Prisons had been in Memphis and had checked on the facilities of the sheriff's office. It was also ascertained that the Naval facilities would accommodate military aircraft. I pointed out to him that we had checked on this and that the field could handle any size aircraft. I also advised him that there was an alternate landing point at Memphis operated by the National Guard which, of course, could be used in case of an emergency. It can handle any type aircraft.

We discussed medical assistance on the plane en route to the United States. He asked whether Public Health Service doctors familiar with prison routine would not be desirable. I advised him that I thought a military doctor familiar with military jargon and military routine would seem preferable.

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He mentioned that he had a note concerning the search of the prisoner and travel from the prison to the air field in London. He said this would have to be worked out in London. I advised him that Minich has already checked into available facilities there.

I pointed out to him that exit controls from England as well as clearance once the prisoner arrived in the United States would also have to be prearranged. He said he felt this would be no problem in England that he would work this out. Insofar as arrival in the United States, he said that he would work this out with Ray Farrell, Commissioner, Immigration and Naturalization Service.

Insofar as food, restraining devices, he assumed that we would handle this. I advised him this has already been considered and Minich is aware of this.

Vinson wanted to know how many men we plan to have in London to handle the prisoner. I advised him that Special Agent George Zeiss and Harold Light, our Assistant Special Agent in Charge at Quantico, would be available to assist John Minich in the transportation. I reiterated that I assumed this would be on a military aircraft and consequently the three Agents could devote their entire time to the handling of the prisoner during the flight.

Vinson mentioned that he was considering the manner in which he would obtain a military aircraft and he felt that the most desirable way would be to talk to the General Counsel of the Air Force whom he referred to as General Doolittle whom he said was entirely trustworthy. Vinson pointed out that in this connection he had not been discussing any of the transportation with anybody in the Department and closely held his facts as to the manner in which the prisoner was going to be transported. He said he was keeping the Attorney General informed and consequently felt that it would not be desirable to contact anybody else at this point in the Air Force unless it was necessary. He said the General Counsel was responsible to the Secretary of the Air Force and would have no difficulty in getting aircraft.

I asked Vinson what steps would be taken to insure that the prisoner would be turned over to us without delay. He said this was a

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matter which he would handle personally and felt there would be no difficulty in getting the necessary documents, whatever they might be for such transportation.

He said it was his best judgment that the extradition would be held on 6/27/68 which would mean that the mandatory waiting period would end on 7/12/68, this is fifteen days after the hearing. The prisoner would have a right to file a request for habeas corpus during that period. If he filed it on the last day of the fifteen day period it would be 7/12/68. It would then go into the Divisional court where it would generally be disposed of within five days. There is a possibility, however, that it can still be taken further according to Vinson. The prisoner would have a right to seek an appeal to the House of Lords. This would be a rare instance and such an appeal would be similar to an appeal from our lower courts to the Supreme Court which is in the nature of a writ of certiorari.

Vinson's best guess is that the prisoner will be ordered extradited between July 15 and August 1.

Vinson indicated that he had had a question put to him about having one of Chief Holloman's men accompany the prisoner back to the United States. He wanted to know our feelings concerning this. I told him that I saw no need for extra passengers and that it would be highly undesirable to take anyone along who was not actually responsible for the transportation of the prisoner. It was also pointed out to him that by making one exception this could very well set a bad precedent and throw the doors open for other requests. It was our experience that only those persons responsible for the transportation should be part of the mission. He did not pursue this further.

He said that he had not reached a decision as to when the Sheriff's Office of Shelby County, Tennessee, would take custody of the prisoner. He said he recognized the plane could touch down at the Naval Air Station and then it would be necessary to transport the prisoner from the Naval Air Station to the jail. He said a decision would have to be made concerning this.

He said that he planned to be back in the United States in about five or six days and would then be in touch with the Bureau.

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ACTION:

Minich will be immediately advised of Vinson's comments so that he may be fully aware of this discussion.