

at least three black members of the Memphis Police and Fire Department would have been overlooked. It is also very probable that black citizen "lead" input would have been greater.

B. As To The Security Investigation

The task force was charged to address itself particularly to the question of whether the nature of the relationship between the Bureau and Dr. King called for criminal prosecution, disciplinary proceedings, or other appropriate action. Our responses follow.

1. Because the five year statute of limitations has long since run we cannot recommend criminal prosecution of any Bureau personnel, past or present, responsible for the possible criminal harrassment of Dr. King. (18 U.S.C. 3282). No evidence of a continuing conspiracy was found.

2. The responsibility for initiating and prolonging the security investigation rested on the deceased Director of the Bureau and his immediate lieutenants, some of whom are also deceased and the remainder of whom are retired. They are beyond the reach of disciplinary action. The few Bureau personnel who had anything to do with the King security investigation and who are still in active service, did not make command decisions and merely followed orders. We do not

think they are the proper subjects of any disciplinary action. Some of the activities conducted, such as the technical electronic surveillance, had the approval of the then Attorney General. The Courts had not adequately dealt with what authority rested in the executive branch to initiate such surveillance in the interest of 'national security'. We do not think the "leg men" in the Bureau should be held to an undefined standard of behavior, much less a standard not observed by the highest legal officer of the government.

The Bureau's COINTELPRO type activities, the illicit dissemination of raw investigative data to discredit Dr. King, the efforts to intimidate him, to break up his marriage, and the explicit and implicit efforts to blackmail him, were not fully known to the Department, but were none-the-less ordered and directed by Director Hoover, Assistant to the Director DeLoach, Assistant Director Sullivan and the Section Chief under him.

In our view their subordinates were far removed from decision responsibility. Moreover, we think the subordinates clearly felt that, by reason of Director Hoover's overpowering and intimidating domination of the Bureau, they had no choice but to implement the Bureau's directions. Punitive action against the very few

remaining subordinate agents would seem to the task force to be inappropriate in these circumstances and at this very late date.

3. The Bureau's illicit surveillance produced tapes and transcripts concerning King and many others. These may be sought by King's heirs and representatives. Worse still, they may be sought by members of the public at large under the Freedom of Information Act. We recommend that these tapes and transcripts be sealed and sent to the National Archives and that the Congress be asked to pass legislation denying any access to them whatever and authorizing and directing their total destruction along with the destruction of material in reports and memoranda derived from them.

4. The potential for abuse by the individual occupying the office of Director of the FBI has been amply demonstrated by our investigation. We think it is a responsibility of the Department in the first instance and, secondarily, of the Congress to oversee the conduct of the FBI (and the other police agencies of the government). We endorse the establishment by the Attorney General of the Office of Professional Responsibility on December 9, 1975, as an effective means for intra-departmental policing of the Bureau. We also think the permanent

Senate Select Committee on Intelligence is an appropriate agency of the legislative arm to oversee the performance of the Bureau. Both the Office of Professional Responsibility and the Senate Select Committee should be expressly designated in their respective enabling regulations and resolutions to be a place to which Bureau subordinates may complain, confidentially and with impunity, of orders which they believe to threaten a violation of the civil rights and liberties of citizens and inhabitants of the United States.

5. It seems to us that the unauthorized malicious dissemination of investigative data from FBI files should be more than the presently prescribed misdemeanor (5 USC 552a(i)(1)). A felony penalty should be added.

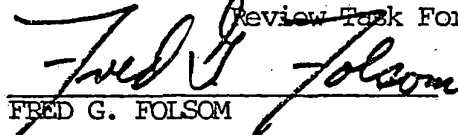
Parenthetically, it should be noted here that it should be made clear that it is improper (but not criminal)

for the Bureau to by-pass the Attorney General and deal directly with the White House.

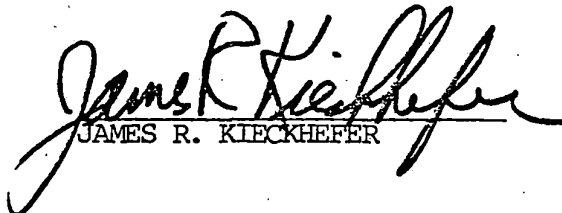
6. The task force recommends that the FBI have no authority to engage in COINTELPRO type activities which involve affirmative punitive action following Star Chamber decisions with respect to citizens or inhabitants (See 18 U.S.C. 241 and 242). We believe that the guidelines which the present Attorney General has established to govern the FBI's domestic security investigations effectively preclude these activities. Those guidelines moreover, appear to us to permit only strictly legal investigative techniques to be employed in full scale domestic security investigations. This too we endorse.


The foregoing comprises our report and recommendations. It is respectfully submitted.

The Martin Luther King, Jr.
Review Task Force


FRED G. FOLSOM


JOSEPH F. GROSS, JR.


JAMES R. KIECKHEFER


JAMES F. WALKER


WILLIAM D. WHITE

January 11, 1977

APPENDIX A

EXHIBIT 1

⊕ = Tact Units
○ = Other Cars



EXHIBIT 2

MULBERRY

AVE.

CRIME SCENE



MULBERRY

Shot

ST.

LORRAINE

MOTEL

E. BUTLER

S. MAIN ST.

410-416

U.S. Fixture Co.

418-420 422 424 424

1

B

A

2

C

PARKING AREA

Fire Station

S. MAIN ST.

U. point south of E. Ave. and S.

424 - Conipe Apartment Co.

② 422 - S. entrance (stairway) to rooming house, 2nd floor

422 - Cohn and Co.

③ N. entrance (stairway) to rooming house, 2nd floor

420-418 - Jim's Grill

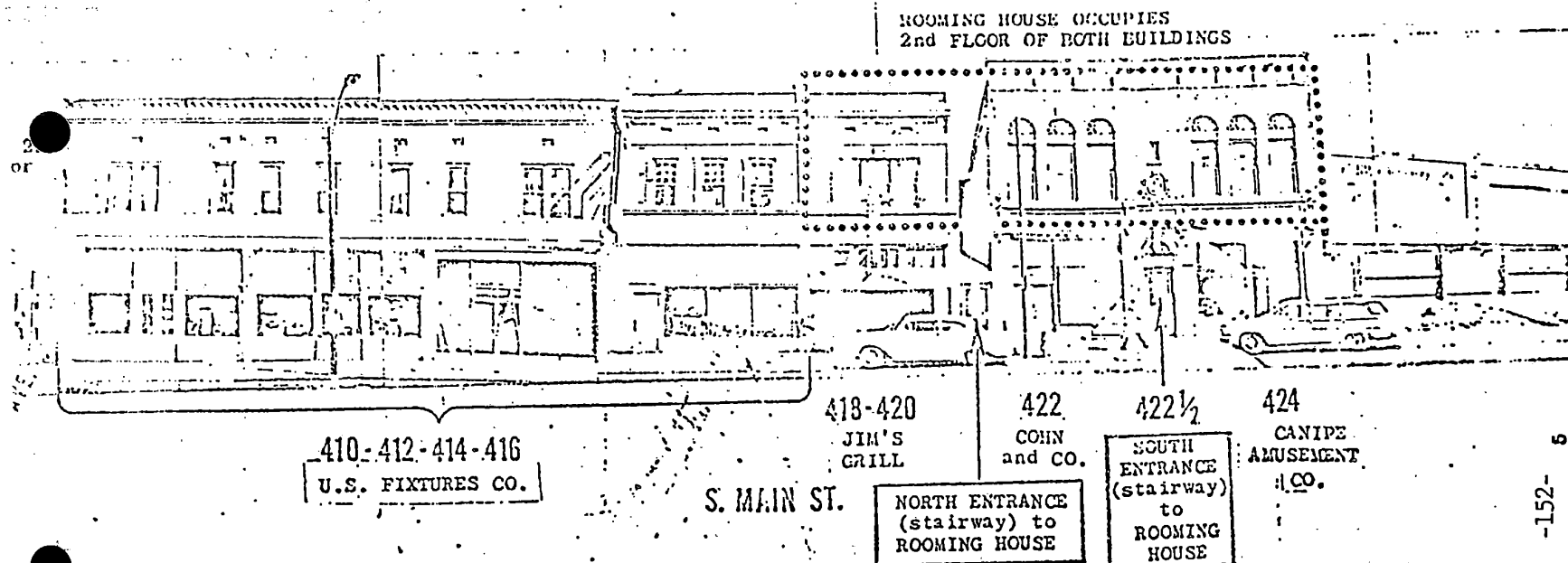
④ indicates 2nd floor area of rooming house from 418-424 with two entrances marked A and B

⑤ Space for 3 cars between fire plug and driveway

⑥ Concrete retaining wall

⑦ White building area here about 4500 sq ft and later

⑧ White building area here between approx. 418-424 pm and 418-424 pm

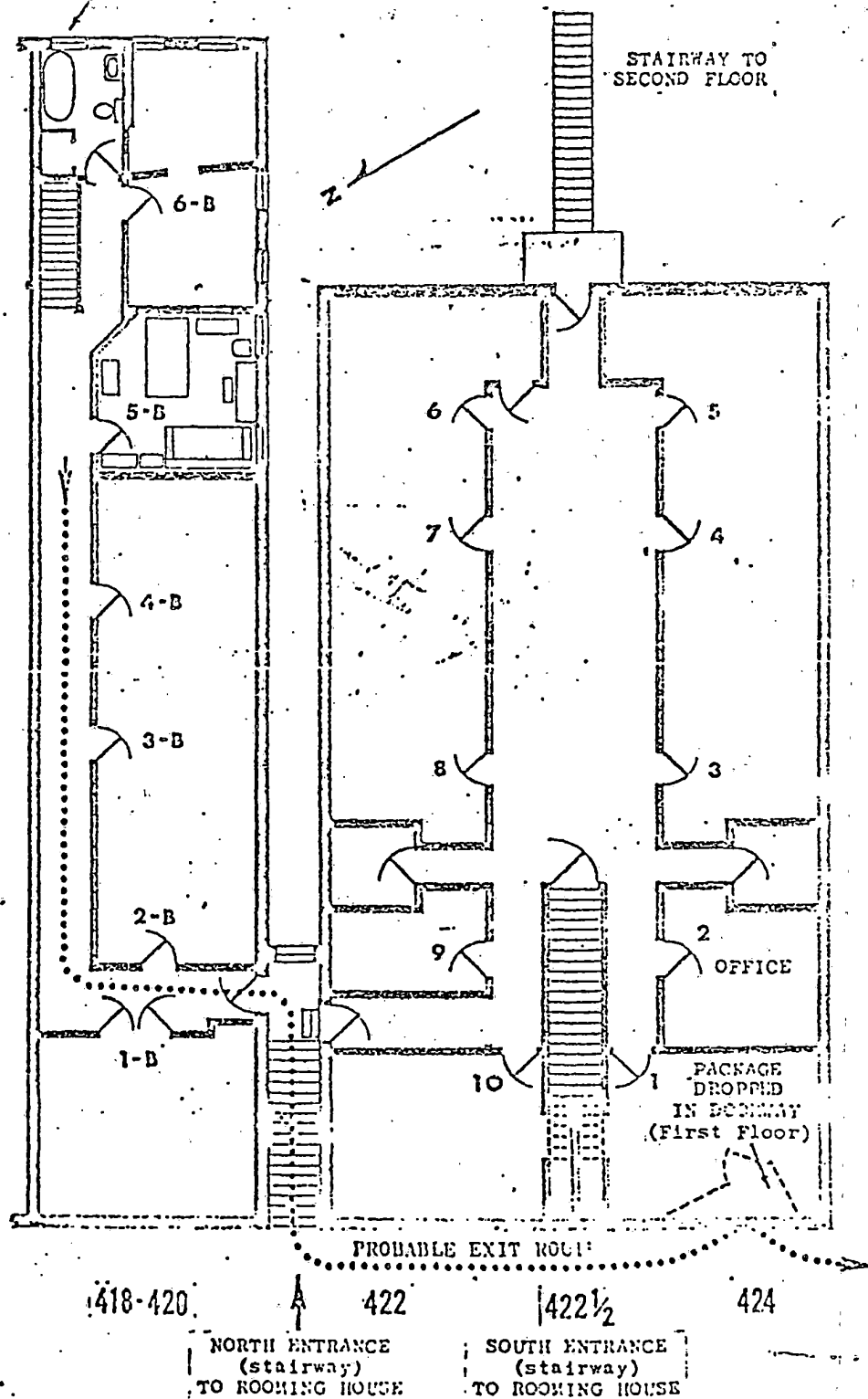


COMPOSITE PHOTO of
410-424 S. MAIN ST.

-152- 5

SECOND FLOOR PLAN of ROOMING HOUSE

BATHROOM WINDOW
FROM WHERE
SHOT WAS FIRED



418-420

422

422½

424

NORTH ENTRANCE
(stairway)
TO ROOMING HOUSE

SOUTH ENTRANCE
(stairway)
TO ROOMING HOUSE

[S. MAIN ST.]

EXHIBIT 3

MISSISSIPPI DEPARTMENT OF PUBLIC HEALTH

PROVISIONAL ()

FINAL (X)

OFFICE OF THE CHIEF MEDICAL EXAMINER

353 Madison Avenue

Memphis, Tennessee 38103

CASE NO. 44-242

COUNTY Shelby

AUTOPSY REPORT

NAME OF DECEDENT Martin Luther King, Jr. RACE N SEX M AGE 35

HOME ADDRESS Atlanta, Georgia
NUMBER OF STREET CITY OR TOWN STATE

COUNTY MEDICAL EXAMINER J. T. Francisco, M.D.

ADDRESS Memphis, Tennessee

DISTRICT ATTORNEY GENERAL Phil A. Canale

ADDRESS Memphis, Tennessee

ANATOMICAL DIAGNOSIS Gunshot wound to body and face with:
Fracture of mandible
Laceration vertebral artery, jugular vein and sub-
clavian artery, right,
Laceration of spinal cord (lower cervical, upper
thoracic),
Intrapulmonary hematoma, apex, right upper lobe

CAUSE OF DEATH Gunshot wound to spinal column, lower cervical, upper
thoracic

NARRATIVE OF FINDINGS Death was the result of a gunshot wound to the
chin and neck with a total transection of the lower cervical and
upper thoracic spinal cord and other structures in the neck. The
direction of the wounding was from front to back, above downward and
from right to left. The severing of the spinal cord at this level
and its total transection was a wound that was fatal very shortly after it
occurred.

The purpose of this report is to provide a certified opinion to the County Medical Examiner and the District Attorney. The facts and findings to support these conclusions are set forth in the report of the State Medical Examiner.

J. T. Francisco M.D.
353 Madison Avenue Memphis, Tennessee

THE CITY OF MEMPHIS HOSPITALS
AUTOPSY PROTOCOL

Autopsy No. A68-252 Service Med. Ex. Hospital No. _____
Name Martin Luther King, Jr. Age 39 Race Negro Sex Male
Date of Admission DOA Date and Hour of Death 4-4-68 P.M.
Date and Hour of Autopsy 4-4-68 10:45 P.M.
Pathologist Drs. Sprunt and Francisco Assistant _____
Checked by _____ Date Completed 4-11-68

FINAL PATHOLOGICAL DIAGNOSISPRIMARY SERIES:

- I. Distant gunshot wound to body and face
 - A. Fracture of right mandible
 - B. Laceration of vertebral artery, jugular vein and subclavian artery, right
 - C. Fracture of spine (T-1, C-7)
 - D. Laceration of spinal cord (lower cervical, upper thoracic)
 - E. Submucosal hemorrhage, larynx
 - F. Intrapulmonary hematoma, apex right upper lobe

SECONDARY SERIES:

1. Remote scars as described
2. Pleural adhesions
3. Fatty change liver, moderate
4. Arteriosclerosis, moderate
5. Venous cut-downs
6. Tracheostomy

LABORATORY FINDINGS:

Blood Alcohol - 0.01%

EXHIBIT 4

JAMES EARL RAY

Some Known Expenditures: April 23, 1967 - June 8, 1968

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
71	5246	Rent for one week at 2731 N. Sheffield; Chicago	\$13.61	4/30/67
74	5448	1959 Chrysler; Chicago	\$200.00	6/5/67
74	5413	1962 Plymouth; East St. Louis	\$209.50	7/14/67
74	5437X	Bourgarde Motel; Dorion, Canada	\$17.28	7/17/67
19	2192	Rent for Apt. at Harkey, Apts., 2585 Notre Dame Street, Montreal at \$75/mo; Montreal	\$150.00	7/19/67
60	4692	Suit at English Scotch Woolen Company; Montreal	\$75.06	7/21/67
19	2192	Book ordered from Futura Books in Inglewood, Calif.; Montreal	\$9.00	7/24/67
17	2068	Correspondence course at Locksmithing Institute in New Jersey; Montreal	\$17.50	7/28/67
74	5402	Grey Rocks Inn from 7/30 to 8/5; Canada	\$195.15	8/5/67
19	2192	Formula for making glass purchase by money order to E.Z. Formula; Montreal	\$1.00	8/9/67
74	5400	Granada Hotel; Birmingham	\$4.50	8/26/67
21	2324	Room and board for one week	\$22.50	8/26/67
6	628	1966 White Ford Mustang; Birmingham	\$1,995.00	8/30/67
21	2324	Room and board; Birmingham	\$22.50	9/2/67
21	2324	Room and board; Birmingham	\$22.50	9/9/67
21	2324	Dance lessons; Birmingham	\$10.00	9/12/67

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
21	2324	Room and board; Birmingham	\$22.50	9/16/67
21	2324	Room and board; Birmingham	\$22.50	9/23/67
9	1135	Camera equipment, Superior Bulk Film Co.; Birmingham	\$337.24	9/28/67
18	2118	Room only; Birmingham	\$17.50	9/20/67
55	1422	.38 Caliber, Liberty Chief Revolver	\$65.00	10/1/67
75	5496	Hotel San Francisco - 10/10; Acapulco	\$6.00	10/11/67
75	5496	Pancho Villa - 10/15; Guadalajara	\$3.20	10/16/67
75	5496	Pancho Villa - 10/18; Guadalajara	\$3.20	10/19/67
69	5150	Hotel Rio at \$4.80/day- 10/19-11/6; Puerto Vallarta	\$91.20	11/6/67
69	5150	Elisa Arellano to rent apt.; Puerto Vallarta	\$48.00	11/ /67
69	5150	Hotel Tropicana at \$7.20 day - 11/7-11/13; Puerto Vallarta	\$43.20	11/13/67
6	668	Rent at 1535 N. Serrano;	\$127.50	11/19/67
6	668	Utilities at 1535 N. Serrano; Los Angeles	\$10.00	11/20/67
52	4143	Appointment with Dr. Mark Freeman; Beverly Hills	\$25.00	11/27/67
52	4143	Appointment with Dr. Mark Freeman	\$25.00	11/30/67
52	4143	Appointment with Dr. Mark Freeman	\$25.00	12/4/67
52	4143	Dance lessons at National Dance Studio; Los Angeles	\$29.00	12/5/67
52	4143	Appointment with Freeman	\$25.00	12/6/67
52	4143	Dance lessons	\$29.00	12/7/67

<u>Section</u>	<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
52	4143	Appointment with Freeman	\$25.00	12/11/67
52	4143	Dance lessons	\$29.00	12/12/67
6 22	745 2325	Dance lessons	\$100.00	12/14/67
52	4143	Appointment with Freeman	\$25.00	12/14/67
74	5399	Provincial Motel - 12/17- 12/19; New Orleans	\$24.00	12/19/67
6 22	745 2325	Dance lessons	\$364.00	12/21/67
22	2325	Locksmithing Institute; Los Angeles	\$15.00	1/8/68
22	2325	International School of Bartending; Los Angeles	\$20.00	1/19/68
22	2325	International School of Bartending; Los Angeles	\$105.00	1/20/68
22	2325	Rent at St. Francis Hotel; Los Angeles	\$85.00	1/21/68
12	1500	Free Press of Los Angeles	\$4.25	1/29/68
22	2325	Locksmithing Institute	\$7.50	1/31/68
12	1500	C.M. Hedgpeth, mail forward- ing service	\$3.00	2/1/68
6	668	Rent at St. Francis Hotel	\$85.00	2/21/68
12	1500	Futura Books	\$6.44	2/26/68
12	1500	Tiffany Enterprises	\$9.98	2/26/68
22	2325	Locksmithing Institute	\$7.50	2/26/68
22	2325	Locksmith Ledger	\$5.25	2/26/68
12	1428	Locksmithing Institute	\$15.00	3/8/68
8	1033	Room/week at 113 14th St.; Atlanta	\$10.00	3/24/68

<u>Serial</u>	<u>Item</u>	<u>Amount</u>	<u>Date</u>
5502	Flamingo Motel 3/22; Selma	\$8.00	3/23/68
1428	Locksmithing Institute; Atlanta	\$7.50	3/28/68
5725	Travelodge Motel; Birmingham	\$8.48	3/29/68
432	Purchase of rifle Birmingham	\$248.59	3/29/68
1033	Room in Atlanta	\$10.00	3/21/68
630	Rexall Drugstore; Whitehaven, Tenn.	\$1.83	4/3/68
327	Rooming house on Main St.; Memphis	\$8.50	4/4/68
46	Binoculars; Memphis	\$41.55	4/4/68
4454	Rent/week at 962 Dundas St.; Toronto	\$9.00	4/16/68
4454	Round trip airplane ticket; Toronto	\$345.00	5/2/68

EXHIBIT 5

JAMES EARL RAY

Known Income: April 23, 1967 - June 2, 1968

<u>Section</u>	<u>Serial</u>	
68	5100	Payroll checks from Indian Trail Restaurant Winnetka, Illinois

May 7	\$ 57.69
May 14	84.89
May 21	84.89
May 28	84.89
June 4	89.63
June 11	89.63
June 18	95.19
June 25	77.53
	<hr/>
	\$664.34

EXHIBIT 6

READING BIBLIOGRAPHY

Bishop, Jim. The Days of Martin Luther King, Jr. G.P. Putnam's Sons, New York, 1971.

Frank, Gerold. An American Death. Doubleday & Company, New York, 1972.

Hoch, Paul, and Scott, Peter, and Stetter, Russell. The Assassinations, Dallas and Beyond. Random House, 1976.

Huie, William Bradford. He Slew the Dreamer. Delacorte Press, New York, 1968.

McMillan, George. The Making of an Assassin. Little Brown & Co., 1976.

Seigenthaler, John. A Search for Justice. Aurora Publ., Nashville, 1971.

EXHIBIT 7

4-709-10
UNITED STATES GOVERNMENT

Memorandum

TO : MR. A. ROSEN *ARM*

DATE: May 22, 1961

FROM : MR. G. H. SCATTERDAY *GH*

SUBJECT:

MARTIN LUTHER KING, JR.;

air
Mr. Tolson _____
Mr. DeLoach _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Ingram _____

(6)

-162-

Memorandum to Mr. Rosen

Martin Luther King, Jr. *

Reverend Martin Luther King, Jr., prominent integrationist who led bus boycott in Montgomery, Alabama, and "sit-in demonstrations," has been associated with National Association for the Advancement of Colored People and Congress of Racial Equality. King has not been investigated by the FBI.

Bureau files reveal: King thanked Socialist Workers Party (cited by Attorney General) for support of bus boycott; attended meetings of Progressive Party (cited by Subcommittee of Senate Judiciary Committee); and was honorary chairman of Young Socialist League campaign on behalf of victims of racist terror. *

King in 1950's mentioned as potential victim of assassination plot and in 1957 attended Communist Party training school seminar and reportedly gave closing speech. King President of

See me have more details

Memorandum to Mr. Rosen

Southern Christian Leadership Conference (to further Negro vote registration) and advised "The Civil Rights law...is meaningless unless we go out and make use of it." King thanked Benjamin Davis, Jr., Communist Party official, for giving blood when he was in a hospital following assault. King in 1960 indicated his support for Committee to Secure Justice for Morton Sobell (cited by House Committee on Un-American Activities (HCUA) as communist front) and in 1961 wrote article in "The Nation" which called for integration of FBI to help speed integration. King attended meetings with integration leaders in Montgomery, Alabama, 5-21-61.

EXHIBIT 8

EXHIBIT 9

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont

DATE: August 30, 1963

FROM : Mr. W. C. Sullivan

SUBJECT: COMMUNIST PARTY, USA
NEGRO QUESTION
IS - C

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

Reference is made to the enclosed material on which the Director has written: "This memo reminds me vividly of those I received when Castro took over Cuba: You contended then that Castro and his cohorts were not Communists and not influenced by Communists. Time alone proved you wrong. I for one can't ignore the memos re King, et al as having only an infinitesimal effect on the efforts to exploit the American Negro by the Communists."

The Director is correct. We were completely wrong about believing the evidence was not sufficient to determine some years ago that Fidel Castro was not a communist or under communist influence. On investigating and writing about communism and the American Negro, we had better remember this and profit by the lesson it should teach us.

I do think that much of the difficulty relating to the memorandum rightly questioned by the Director is to be found centered in the word "influence." We do not have, and no Government agency or private organization has, any yardstick which can accurately measure "influence" in this particular context, even when we know it does exist such as in the case of the obvious influence of

over Martin Luther King and King's influence over other Negro leaders. Personally, I believe in the light of King's powerful demagogic speech yesterday he stands head and shoulders over all other Negro leaders put together when it comes to influencing great masses of Negroes. We must mark him now, if we have not done so before, as the most dangerous Negro of the future in this Nation from the standpoint of communism, the Negro and national security.

On determining membership of Negroes in the Communist Party, we are not confronted with the same problem. We do have here accurate yardsticks for establishing membership. Of course, our standards are very exacting. This means there are many Negroes who are fellow-travellers, sympathizers or who aid the Party, knowingly or unknowingly, but do not qualify as members. These we must not ignore. The old communist principle still holds: "Communism must be built with non-communist hands." Therefore, it may be unrealistic to limit ourselves as we have been doing to legalistic proof or definitely conclusive evidence

Enclosure

Memorandum for Mr. Belmont
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
100-3-75

that would stand up in testimony in court or before Congressional committees that the Communist Party, USA, does wield substantial influence over Negroes which one day could become decisive.

The memorandum which the Director penetratively questioned, while showing in the details the communist impact on Negroes, did suffer from such limitations. These limitations we will make every effort to lift in the future. The great amount of attention this Division is giving to communist activities directed toward the Negro should enable us to do this.

For example, here at the Seat of Government, the Negro - communist question takes up as a whole the time of one supervisor and during the past few weeks four men have been so occupied. Additionally, (1) specialized instructions are regularly given the field on communist infiltration of the Negro; (2) monographs have been written on the subject and widely disseminated; (3) regularly disseminated are memoranda and reports; (4) August 21, 1963, we devoted the entire Current Intelligence Analysis to the communist plans for the Negro March of August 28, 1963, (149 copies of this Analysis were disseminated to 44 agencies of the Government); (5) much material on the issue is given to Agents at In-Service; and (6) an SAC Letter is under preparation in this Division now giving the field the benefit of what we learned from the Negro March on Washington and issuing instructions for increased coverage of communist influence on the Negro.

As the memorandum pointed out, "this Nation is involved in a form of racial revolution and the time has never been so right for exploitation of the Negroes by communist propagandists." Nineteen million Negroes constitute the greatest single racial target of the Communist Party, USA. This is a sombre reality we must never lose sight of. We will do everything possible in the troubled future to develop for the Director all available facts relating to Negro membership in the Communist Party, plus the more complex and difficult to ascertain influence of communist organizations and officials over the leaders and masses of Negroes.

We regret greatly that the memorandum did not measure up to what the Director has a right to expect from our analysis.

RECOMMENDATION:

For the information of the Director.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. C. Sullivan *Es*

DATE: September 16, 1963

FROM : Mr. F. J. Baumgardner *FJB*

SUBJECT: COMMUNIST PARTY, USA.
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
INTERNAL SECURITY - COMMUNIST

Jim
Tolson _____
DeLoach _____
Mohr _____
Tele. Room _____
Holloman _____
Gandy _____

This memorandum recommends increased coverage of communist influence on the Negro. The history of the Communist Party, USA (CPUSA), is replete with its attempts to exploit, influence and recruit the Negro. The March on Washington, 3-28-63, was a striking example of such Communist activity as Party leaders early put into motion efforts to accrue gains for the CPUSA from the March. Well-documented information concerning the Party's influence on a principal March leader, Reverend Martin Luther King, Jr., is but an example. The presence at the March of around 200 Party members, ranging from several national functionaries headed by CPUSA General Secretary Gus Hall, to many rank-and-file members, is clear indication of the Party's favorite target (the Negro) today.

All indications are that the March was not the "end of the line" and that the Party will step up its efforts to exploit racial unrest and in every possible way claim credit for itself relating to any "gains" achieved by the Negro. A clear-cut indication of the Party's designs is revealed in its plans to hold a highly secretive leadership meeting in November, 1963, which will deal primarily with the Negro situation. This meeting is to be preceded by a Gus Hall "barnstorming" trip through key areas of the country to meet Party people and thus better prepare himself for the November meeting.

The entire field is being alerted to this situation in a proposed SAC Letter (attached). The field is being instructed to intensify our coverage of communist influence on the Negro by giving fullest consideration to the use of all possible investigative techniques. In addition, the field is being told to intensify its coverage of those communist fronts through which the Party channels its influence and to intensify its investigations of the many Party members and dupes who engage in activities on behalf of the Party in the Negro field. Further, we are stressing the urgent need for imaginative and aggressive tactics to be utilized through our Counter-Intelligence Program--these designed to attempt to neutralize or disrupt the Party's activities in the Negro field. Necessity for prompt handling of all facets of this matter to insure timely dissemination to the Department and other interested agencies is also being emphasized.

100-3-116

1 - 100-3-76 (CPUSA, Negro Question)

OCT 16 1963

Memorandum to Mr. Sullivan
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
[100-3-116]

The proposed SAC Letter requires key security offices to submit to the Bureau, within 30 days, an analysis of their current coverage of communist activities in the Negro field plus details of their plans for intensification. Also, those 16 offices participating in the Counterintelligence Program on a regular basis are being required to include in their next monthly letters due 10-15-63 their plans to neutralize or disrupt Party activities in the Negro field.

RECOMMENDATION:

If approved, attached SAC Letter go forward apprising the field as above and urging full implementation so that the desired results may be achieved. Also attached for approval are necessary Manual changes.

No. I can't understand how you can go so glibly switch your thinking of evaluation. Just a few weeks ago you contended that the Communist influence in the racial movement was ineffective & infinitesimal. This notwithstanding many memos of specific instances of infiltration. Now you want to load the field down with more coverage in spite of your recent memos deprecating its influence in racial movement. I don't intend to waste time & money until you can

your statement that you are repudiating the previous evaluation

EXHIBIT 10

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Gale ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

9/18/63

MEMORANDUM FOR THE DIRECTOR

While the attached memorandum bears the initials of Mr. Baumgardner, it was prepared from a rough-draft furnished to him by Mr. Sullivan.

It should be understood that Sullivan, Baumgardner, Sizoo and Belmont read the memorandum and agreed with it prior to its submission.

REC-5

100-2-107-2537

Enclosure

22 DEC 5 1963

Clyde Tolson

CT:LCB

2 ENCLOSURE

I have certainly been misled by previous reports which clearly showed Communist penetration of the racial movement. The attached is a transcript of all that we are hearing from the movement and it is a very serious matter.

EXHIBIT 11

To: Mr. A. H. Belmont

Date: September 25, 1963

From: Mr. W. C. Sullivan

Re: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS
INTERNAL SECURITY - C

Mr. Belmont
Mr. Mohr
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

Predication:

Reference is made to the enclosed memorandum dated 9/16/63 and to the attached proposed SAC Letter.

On returning from a few days leave I have been advised of the Director's continued dissatisfaction with the manner in which we prepared a Brief on the above-captioned matter and subsequent memoranda on the same subject matter. This situation is very disturbing to those of us in the Domestic Intelligence Division responsible for this area of work, and we certainly want to do everything possible to correct our shortcomings. We absolutely will not be stubborn about admitting any mistakes we have made or be stiff-necked and unbending concerning our analysis of this matter. The Director indicated he would not approve our last SAC Letter until there was a clarification and a meeting of minds relative to the question of the extent of communist influence over Negroes and their leaders. In this memorandum I will seriously and sincerely try to clarify a most regrettable situation. It is prepared not on official office memorandum but rather on plain bond believing that this discussion need not be made a matter of official record.

Common Agreement:

First, I am sure we all are in agreement on the following which was in both the cover memorandum and the detailed brief attached: (1) for the past 44 years the Communist Party, USA, has spent enormous sums of money and ceaseless efforts to influence Negroes and to make communists out of them; (2) the 19 million Negroes in the country today constitute the greatest single racial target of the Communist Party, USA; (3) Negro leader Martin Luther King, _____ does have as an extremely important advisor _____ (4) we are right now in this nation engaged in a form of social revolution and the time has never been so right for exploitation of the Negroes by communist propagandists; and (5) the Communist Party could in the future make prodigious strides and great successes with the American Negro to the serious detriment of our national security. In addition to the above, the material furnished contained many pages of specific examples of communist policies, programs and activities

Enclosures *sent 9-26-63*

REC-40

Memorandum for Mr. Belmont
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS .

showing communist involvement in Negro racial matters in this nation, relative to which we can all agree.

Essence of the Situation:

The essence of the situation seems to be this: We presented what facts there are in our files in the Brief in question and I know that the Director certainly would not want us to do other than this. The position taken at the time the Brief was written was that, while there is communist influence being exerted on Negroes and Negro leaders, it has not reached the point of control or domination. This historically has been the position of the Bureau in this matter in light of file reviews going back ten to twenty years. *Certainly this is not true with respect.*

The Historical Position:

For example, in a detailed document prepared on Communist Party and the Negro in 1953, we find the statement referring to "the failure of the Communist Party to attract even a significant number of Negroes in the United States to its number." Another example is to be found in an analysis in this same field prepared by the Bureau in 1956 to the effect that communist efforts have been "unsuccessful on a state or national level" in infiltrating "legitimate Negro-fraternal, protest and improvement organizations," although they made limited success in some "isolated chapters." The Director's book, Masters of Deceit, published in 1958, states: "It became obvious that the Party, despite great efforts, had failed to win over even a significant minority of Negroes." In 1960 the Director's statement to The Committee on the Judiciary, United States Senate, reads: "It is no secret that one of the bitterest disappointments of communistic efforts in this Nation has been their failure to lure our Negro citizens into the Party." In 1962 similar public statements were made. On page seven of the Brief submitted to the Director under the date of August 23, 1963, this historical position was restated and it was said, "One of the bitterest disappointments of the communists has been their single failure to lure any significant number of our Negro citizens into the Party." This statement was set forth again in the cover memorandum which the Director marked.

The point I wish to make here is this: The fact that this has been our historical position in the Bureau for many years is no reason to assume that it is the correct position at this time, as the Director has clearly explained. Times and conditions change and, as the evidence mounts, naturally we need to change our position along with this evidence.

Memorandum for Mr. Belmont
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS

Interpretation:

As we know, facts by themselves are not too meaningful, for they are somewhat like stones tossed in a heap as contrasted to the same stones put in the form of a sound edifice. It is obvious to us now that we did not put the proper interpretation upon the facts which we gave to the Director.

Martin Luther King:

We have been aware of the communist influence for nearly two years on Martin Luther King, Jr., head of the Southern Christian Leadership Conference, and in the comprehensive memorandum entitled "Communist Party, USA, Negro Question," dated 8/23/63 we set out information to the effect that a number of Negro leaders in this country have had subversive connections in their backgrounds and that Martin Luther King, Jr., has been dealing with

As previously stated, we are in complete agreement with the Director that communist influence is being exerted on Martin Luther King, Jr., and that King is the strongest of the Negro leaders. As we have stated before in a memorandum, we regard Martin Luther King to be the most dangerous and effective Negro leader in the country. In addition, we know the Party is directing a major effort toward strengthening its position among the Negroes inasmuch as we have information the Party plans to intensify its efforts to exploit the racial situation for the purpose of gaining influence among the Negroes.

Memorandum for Mr. Belmont
RE: COMMUNIST PARTY, USA
NEGRO QUESTION
COMMUNIST INFLUENCE IN RACIAL MATTERS

SAC Letter to the Field

I would like to set forth here briefly why I think that the enclosed SAC Letter, which was returned to us by the Director, should be sent to the field offices. My first reason is this: We need to renew our efforts and keep the pressure on and leave no stone unturned to develop every and all facts which exist in this matter. Some of these facts may not yet have been unearthed by our field offices, and will not be unless we follow up this matter evermore closely with them. My second reason why I think the SAC Letter should be sent is related to the present changing situation in the Communist Party - Negro relations area. During the past two weeks in particular there have been sharp stepped-up activities on the part of communist officials to infiltrate and to dominate Negro developments in this country. Further, they are meeting with successes. This should be no surprise to us because since the Negro march on Washington on August 28 communist officials have been doing all possible to exploit the very troubled racial situation. As they said weeks ago, the end of the Negro march would be the beginning of evermore systematic activities on their part to penetrate and influence Negroes and Negro leaders. They are now in full force acting upon this intention of theirs expressed weeks ago. The field should be alerted to this fact and given instructions to investigate exhaustively new communist - Negro activities. The SAC Letter in question will be a great help toward this end, and it should result in our developing important facts relating to the current changes and pertinent activities going on during the past few weeks in this entire field.

Subject of Deep Concern

May I repeat that our failure to measure up to what the Director expected of us in the area of communist - Negro relations is a subject of very deep concern to us in the Domestic Intelligence Division. We are disturbed by this and ought to be. I want him

- 4 -

-173-

to know that we will do everything that is humanly possible to develop all facts nationwide relative to the communist penetration and influence over Negro leaders and their organizations.

(1) That the Director reconsider giving approval for sending the enclosed SAC Letter to the field.

512.
H

EXHIBIT 12
(Classified)

EXHIBIT 13

*00P. USA - Negro Movement
Day against Communist Influence in Civil Matters*

10/17/63
FILE

Tolson ✓
Belmont ✓
Mohr ✓
Casper ✓
Callahan ✓
Conrad ✓
DeLoach ✓
Evans ✓
Gale ✓
Rosen ✓
Sullivan ✓
Tavel ✓
Trotter ✓
Tele. Room ✓
Holmes ✓
Gandy ✓

MR. TOLSON:

The attached analysis of Communism and the Negro Movement is highly explosive. It can be regarded as a personal attack on Martin Luther King. There is no doubt it will have a heavy impact on the Attorney General and anyone else to whom we disseminate it. It is labeled TOP SECRET. However, even such a high classification seems to be no bar today to a leak, and should this leak out it will add fuel to a matter which may already be in the cards as a political issue during the forthcoming Presidential campaign.

The memorandum makes good reading and is based on information from reliable sources. We may well be charged, however, with expressing opinions and conclusions, particularly with reference to some of the statements about King.

We must do our duty.
This memorandum may startle the Attorney General, particularly in view of his past association with King, and the fact that we are disseminating this outside the Department. He may resent this. Nevertheless, the memorandum is a powerful warning against Communist influence in the Negro movement, and we will be carrying out our responsibility by disseminating it to the people indicated in the attached memorandum.

I am glad that you have organized at last to fight these life-threatening influences.
A.H.B. Belmont
A.H.B. Sullivan

801-X

100-3-110-445

6 OCT 23 1963

EXHIBIT 14

DEC 15 1976

, FGF:JFW:vek

Mr. James Earl Ray
Post Office Box 73
Brushy Mountain Penitentiary
Petros, Tennessee 37845

Dear Mr. Ray:

In May of 1976 the Attorney General of the United States created a task force for the purpose of reviewing the FBI's investigation of the assassination of Dr. Martin Luther King, Jr.

The task force is now in the process of winding up its inquiry before submitting a final report to the Attorney General. However, we feel that our inquiry will not be complete unless we give you an opportunity to state your participation, or lack of participation, in the murder of Dr. King.

Accordingly, we hereby request, through your attorney, James H. Lesar, Esquire, your consent to an interview by members of the task force. If you should agree to talk to us, our time schedule requires us to arrange for the interview to take place not later than December 31, 1976.

Please let us know immediately whether you desire to be interviewed.

Sincerely,

Fred G. Folsom
Director
Martin Luther King, Jr., Task Force

cc: James H. Lesar, Esquire

EXHIBIT 15



Brushy Mountain Penitentiary
Petros, Tennessee 37845

Mr. James H. Losar
Attorney at Law
1231 fourth Street, S.W.
Wash. D.C.

December 20, 1976

re: Ray v. Tenn. cr. Indictment no. 16645;
Shelby county, Tennessee. (1968)

Dear Jim:

In respect to your letter saying that a justice department attorney, Mr. James F. Walker, would like to interview me concerning the above indictment, I agree with your advice opposing the interview. It would appear that this would only be in the interest of the J.D. and their book writing collaborators, e.g., Gerold Frank, George McMillian, et al. If they had wanted to interview the defendant, under oath, justice had ample opportunity in the 1974 H.C. hearing in Memphis, Tennessee, through their surrogate, W. Henry Haile; and I understand no representative from justice appeared as a witness at the hearing.

At the present I believe the only body I should testify before is a jury.

I understand you to say justice has not read any of the trs. of prior hearings & suits. Therefore I'll include in the cc copy of this letter to justice a copy of a Complaint that speaks to the MLK jr. matter with attached Ex--A, althoe I doubt if justice or their publishing associates will be interested in the Complaint contents.

Sincerely: James e. Ray #65477

P.O. Box--73

Petros, Tenn. 37845.

cc: James F. Walker, Esq. J.D. ✓

James E. Ray

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JAMES E. RAY,
Plaintiff

vs.

TIME INC.
GEORGE McMILLIAN
W. HENRY HAILE
WILLIAM BRATFORD HUIE
GEROLD FRANK
HON. ROBERT M. McRAE
BRENDA PELLICCIOTTI
Defendants

Civil Action No. C-76-274.

COMPLAINT

1. ALLEGATION OF JURISDICTION:

(a) Jurisdiction of the parties in the herein subject matter is based upon diversity of citizenship and the amount in recovery.

Plaintiff, acting pro se, is a citizen of the State of Tennessee under "operation of Law" in the subject matter; defendant TIME Inc. (here-in-after, TIME) is a citizen of the State of New York; defendant George McMillian (here-in-after, McMillian) is a citizen of the State of Massachusetts; defendant W. Henry Haile (here-in-after, Haile) is a citizen of the State of Tennessee; defendant William Bratford Huie (here-in-after, Huie) is a citizen of the State of Alabama; defendant Gerold Frank (here-in-after, Frank) is a citizen of the State of New York; defendant Hon. Robert M. McRae (here-in-after, Judge McRae) is a citizen of the State of Tennessee; defendant Brenda Pellicciotti (here-in-after, Pellicciotti) is a citizen of the State of Tennessee. The matter in controversy exceeds, exclusive of interest and costs, the sum of ten thousand dollars.

(b) Jurisdiction founded in the existence of a federal question and the amount in controversy: