

The following is the bottom one-third-plus of the MLK Conspiracy Trial Transcript, Volume 9, from November 30th, 1999, the source for which is at: <http://www.thekingcenter.com/tkc/trial/Volume9.html>

**Testimony of Mr. William Schaap,
attorney, military and intelligence specialization,
co-publisher *Covert Action Quarterly*,
on the role of the U.S. Government in
the assassination of Martin Luther King
MLK Conspiracy Trial Transcript - Volume 9
November 30, 1999**

THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

CORETTA SCOTT KING, MARTIN
LUTHER KING, III, BERNICE KING,
DEXTER SCOTT KING and YOLANDA KING,
Plaintiffs,
Vs. Case No. 97242-4 T.D.
LOYD JOWERS and OTHER
UNKNOWN CO-CONSPIRATORS,
Defendants.

PROCEEDINGS
November 30th, 1999
VOLUME IX

Before the Honorable James E. Swearengen,
Division 4, Judge presiding.

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MR. PEPPER: Plaintiffs call Mr. William Schaap to the stand.

WILLIAM SCHAAP, Having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION BY MR. PEPPER:

Q. Good afternoon, Mr. Schaap.

A. Good afternoon.

Q. Would you state your full name and address for the record, please.

A. My name is William Schaap. My address is 143 West Fourth Street, New York, New York.

Q. Could you give us a summary of your professional background, please.

THE COURT: Before you do that, spell your last name.

THE WITNESS: I'm sorry. S C H A A P.

THE COURT: Thank you.

A. I'm an attorney. I graduated from the University of Chicago Law School in 1964. I've been a practicing lawyer since then. And I'm a member of the bar of the State of New York and of the District of Columbia. I specialized in the 1970's in military law. I practiced military law in Asia and Europe. I later became the editor in chief of the *Military Law Reporter* in Washington for a number of years. And in the 70's and 80's I was staff counsel of the Center for Constitutional Rights in New York City. I also in the late 1980's was an adjunct professor at John J. College of Criminal Justice of the City University of New York where I taught courses on propaganda and disinformation.

Q. (BY MR. PEPPER) Have you also been involved in journalism and publishing?

A. Yes, I have. Since 1977 or '78, in addition to being a practicing lawyer, I've also been a

journalist and a publisher and a writer specializing in intelligence-related matters and particularly their relationship to the media. For more than 20 years I've been the co-publisher of a magazine called the *Covert Action Quarterly* which particularly deals with reporting on intelligence agencies, primarily U.S. agencies but also foreign.

I published a magazine for a number of years called *Lies Of Our Times* which specifically was a magazine about propaganda and disinformation. And I've been the managing director of the Institute for Media Analysis for a number of years. I also, for about 20 years now, I think, was one of the principals in a publishing company called Sheraton Square Press that published books and pamphlets relating to intelligence and the media.

Q. Do you also write? Have you authored articles and works?

A. Yes, I do. I've written, oh, dozens of articles on -- particularly on media and intelligence. I've edited about seven or eight books on the subject. I've contributed sections to a number of other books and had -- I've -- many of my articles, of course, have appeared in my own -- our own publications, but I've also had articles appear around the world including *New York Times*, *Washington Post* and major media like -- like those.

I've appeared a lot on radio and television as an expert on intelligence and the media. I'm slowing down a bit now because I'm getting older. But I used to do a lot of speaking at universities and colleges around the country and debating government officials and people connected to organizations that supported the CIA and the other -- FBI and the other intelligence agencies.

Q. Have you ever testified as an expert witness in the area of governmental use of media for disinformation and propaganda?

A. Yes, I have. I've -- I've testified as an expert in that field in both state and federal courts in this country. I've testified in foreign courts. I testified once before the United Nations on that subject and once before the U.S. Congress.

Q. Mr. Schaap, I'm going to show you a copy of a -- of your own CV. It's a summary of your professional qualifications. I want you to confirm its accuracy.

A. Yes, that's -- that's my CV that I prepared.

MR. PEPPER: Your Honor, we move admission of Mr. Schaap's CV and move that he be accepted as an expert witness in the matter at hand for the issues of government use of media or disinformation and propaganda purposes.

THE COURT: Objections?

MR. GARRISON: I have no objection.

THE COURT: All right. (Whereupon said document was marked as Trial Exhibit Number 28.)

Q. (BY MR. PEPPER) Mr. Schaap, in the course of your research, have you had occasion to study the use of the media by government agencies?

A. Yes, I have. I've studied many government reports on the subject. Many, many books have been written about it and articles. In fact, I've written many of those articles.

Q. Can you give the Court and the Jury a brief summary of the subject indicating the extent to which this type of activity by government still takes place?

A. Yes, I can. I -- I won't go into ancient history, but it should be noted that -- that governments around the world have secretly used the media for their purposes for many hundreds of years, probably thousands. But certainly from the 16th and 17th century in England on there has been a great deal of research about the use by governments -- a secret use of the media.

For our purposes though, the -- particularly relating to the U.S., the most significant and the first major deliberate program in this country was during World War I when President Wilson set up an organization called the Committee For Public Information under a public relations executive -- a man named George Creole. The purpose of this committee was to propagandize the war effort against Germany. This was created immediately after the U.S. entered World War I in 1917. And in propagandizing the war effort and war news, it was the policy of this committee to have no compunctions about falsifying the news whenever it was felt that that was necessary to help the war effort.

Q. Can you give us an example of the type of falsification of the news that you're talking about.

A. Yes. They -- the Committee For Public Information purported very often to release documents, supposedly genuine documents, to the press in order to substantiate whatever particular position the -- the Wilson government might have been taking at the time. And one of the most famous that happened early in its creation in 1917 was a disinformation campaign to suggest that the Russian revolutionaries, Lenin in particular and Trotsky, were actually German agents being paid by the Kaiser.

The Government and Creole's committee made up the story. They made up -- created phony documents. They passed it all to friends in the major newspapers. And almost immediately this was front page news around the United States and around the world.

Q. I'm going to show you a *New York Times* headline of that era and see if that's the kind of falsification you're talking about.

A. Yes, this is -- the rest of the text is from an article where that headline appeared. But that was on the front page of the *New York Times* in 1917. And later it transpired that the documents were -- were forgeries that had been created by Mr. Creole. And, of course, it was obvious by the current course of history, the Russian revolutionaries were hardly friends of the Kaiser.

Q. Yes, indeed.

A. Much less employees.

Q. Can you continue with your summary, please.

A. Yes. After World War I, the U.S. continued to be the -- or actually became the world's leader in the control of information. Britain had been more pre-eminent before World War I. But at the end of the war, the U.S. was really in control of all the world communication media. And disinformation was used by the government sporadically during the inter-war years. It was particularly used in the red scares of the 1920's and the creation of disinformation suggesting various opponents of the government were communists.

But it wasn't a major aspect of government policy until the advent of World War II. And that was when deliberate disinformation or a structure for emitting deliberate disinformation became very, very important.

Q. What happened at that point in history to bring about that resurgence?

A. Well, at the very beginning of World War II there were really two schools of thought competing, both of which had government agencies. One that was set up was called the Office of War Information which was a civilian organization although it worked closely with the War Department, as it was then called. And it was headed by a man named Elmer Davis who was a very famous reporter -- journalist.

His philosophy was that the agency should tell the American people exactly what was happening -- tell them the truth. If we lost a battle somewhere in Europe or the Pacific, we should tell the people we lost that battle. If we won a battle, we'd tell them we won it. But he believed that in the long run we would do best by reporting the truth.

But at the same time another key organization that developed during World War II was the Office of Strategic Services, the OSS, which was headed by a military man, William Donovan, who was known as Wild Bill Donovan, who believed the saying that George Creole had -- his philosophy from World War I, which was that you should lie to the people whenever it's necessary, whenever you think lying will help maintain morale and win the war.

This struggle was taking place, of course, in the context of World War II. And Donovan won both with President Roosevelt and afterward with President Truman. His philosophy that disinformation was a powerful -- a valuable weapon for a country to have, and that the disadvantages of lying to the American people were outweighed by the advantages of being able to manipulate the media.

So when the war was over, the Office of War Information was dissolved. The OSS was transformed into the CIA. And the CIA was now existing in peace time, mind you. World War II is over, and now the CIA is set up with this information as a major part of its work and, in fact, as most of the reports later pointed out, the largest single part of the CIA's operations.

The -- within the government at least, the acceptability of lying to the public became very widespread and acceptable even in time of peace. There had been people who felt, well, it's one thing when you're at war. But even in time of peace it became acceptable, and it spread from other agencies, including the -- the FBI which also began to engage in media manipulation in a very, very large way.

Q. So in addition to being a war time strategy with respect to the security of the nation and the -- the promulgation of -- of falsehoods in times of war, this tactic started to be used in peace time.

A. Exactly. That was the major difference. Certain things were -- were much more acceptable or expected over the course of history in time of war and were generally supposed to stop when the war was over. Now, there were people who argued in the late 40's that the Cold War was a war just like a hot war, and that was the war that was on, and that was why we had to do this.

But what really happened is there were not battles being waged between soldiers. There was not a hot war going on anywhere, and yet the -- the infrastructure that had been set up to spread disinformation to be able to lie became institutionalized and became operating at a greater and greater level.

Q. Mr. Schaap, how is it that some individuals like yourself have become more aware of these kinds of practices in our lifetimes while the mass of the population has not?

A. Well, it's mostly because -- by coincidence there were a number of factors that came together, mostly in the 1970's, leading to major congressional investigations of these activities leading some newspapers to fund serious in-depth investigative reports. And in the middle and late 70's there were a series -- a huge series of congressional reports on intelligence activities, a whole section of which was devoted to media activities.

And then there were major exposes in the *New York Times* and the *Washington Post*. It was sort of the Watergate mentality, I guess, that allowed this to happen. There was a window of a few years when exposing government misconduct, particularly past government misconduct -- and as far as the government was concerned, the older the better. But at least there was a window of opportunity where this was acceptable even within the mainstream, the establishment press. It was not frowned upon as much as it might have been at other times both before and since.

Q. Before we go into some specific instances of this and details, can you explain to the Court and Jury really how does disinformation work? And why is it so -- why is it so successful?

A. Well, you have to understand first the target of propaganda -- of disinformation. The consumer of the false news so to speak is -- in what we're talking about is the American public in general and sometimes the public overseas. Disinformation is almost always by -- by definition, about things that the average person has no separate personal knowledge of, otherwise it couldn't really work. I mean, you can't fool the people you're talking about. You can fool the other people who don't know about it. You're not trying to fool the people you're talking about.

The simplest example is during the Vietnam War when there was a massive bombing campaign and the U.S. was bombing Cambodia. President Nixon and Secretary of State Kissinger repeatedly made public statements that we were not dropping bombs in Cambodia. Well, you couldn't fool the Cambodians who looked up and saw the bombs falling in their back yard. They knew you were bombing Cambodia. But the American people by and large accepted these statements as truth, and in fact that was a disinformation campaign that was later admitted.

You're -- really we're talking about things that the public has no separate knowledge of. And it's also reinforced by the fact that Americans generally tend to believe what their government tells them, to believe that government officials on all levels generally tell the truth. And that -- if you have that, that absence of skepticism, it's a major plus for the disinformationists.

And, also, it's very, very unusual around the world other than in the United States. In most other countries, particularly in Europe, it's much more the opposite. People tend on average to be very skeptical of their government. If the Italian government issues a statement, the average Italian on the street will say it's probably a lie until you can prove to me otherwise that it's not a lie. Because governments lie. That's what they -- you know, they sort of expect them to do that whereas Americans don't expect that.

The average American would hear something from the government or hear the news on television and assumes that what they're hearing is the truth unless they're shown otherwise. They assume that almost nothing is ever a conspiracy. In Europe it's very much the opposite. Anything happens. They tend to think it's a conspiracy unless you show them that it wasn't a conspiracy.

I mean, after all, "conspiracy" just means, you know, more than one person being involved in something. And if you stop and think about it, almost everything significant that happens anywhere involves more than one person. Yet here there is a -- not a myth really, but there's just an underlying assumption that most things are not conspiracies. And when you have that, it enables a government which has a propaganda program, has a disinformation program, to be relatively successful in -- in having its disinformation accepted.

The other reason why it -- why it works even though as we -- as we know, somewhere there are people who know it's not true. Somewhere they know you're lying about something. But another reason it works is that disinformation is very, very effective over time. The longer that you, whoever you are, can control the spin on a story, the more that spin becomes accepted as the absolute truth. And in this country the government has a great deal of power and influence over that spin.

Q. Why is it so effective over time?

A. Well, this is an area where I had to consult with other experts because it turns out really to be a neurological function. And that was first explained to me by a -- a professor at Harvard Medical School. And it has to do with the way the human brain remembers things, the way we learn things, the way we create patterns and associations and reinforce -- well, I don't know how you -- it sort of like channels in the brain when certain things trigger certain

collateral thoughts.

And when you associate one thing with another over time, just the mention of the one brings the association of the other. What this will sometimes mean is that even when something is later exposed as a lie, if it was accepted as a truth for a long time, the exposure of it as a lie is not believed. It's in one ear and out the other.

The best example that we know in my field is one that John Stockwell reported on. He was a CIA officer in Angola -- for Angola. But they were based -- the CIA station was based in the Congo. And when the Cuban troops were sent in to help the Angolans fight the South Africans during the early and mid 70's, the CIA's task was to try to discredit the Cubans and do whatever it could to make people around the world think it was a terrible thing that the Cubans were helping the Angolans.

So Stockwell's group in Congo sat down, and one guy says to the other guy, let's think of something terrible to say that the Cubans did. And another guy says, hey, why don't we say they're raping Angolan women. That would be a great thing to say. The other guy says, terrific. And they call in their media experts, and they start sitting there at their desk at the CIA office and they start typing out these news stories about how a group of Cuban soldiers raped a bunch of Angolan women in some operation. And then they write Story Number 2 which is that the villagers got incensed and decided they didn't want the Cubans anymore, and they were going to find the fellows who did it and arrest them. And in Story Number 3 the villagers captured the Cubans. In Story Number 4 they were tried by a jury of the women victims and they were later executed with their own weapons.

And they made a series of about 12 newspaper stories in a row. And with one phone call and one visit, it went over the wire services, it went into Europe, it went into the United States, it went around the world. And for about a six-month period there were all these stories about the horrible Cuban rapes in Angola. And what that does is when you hear -- the average person hears Angola or Cuban, they'll think rape of the women. And if they hear rape of the women, they will think Angola or Cubans. And if you get Angola, they'll think Cubans and rape of the women.

And these patterns build up so that that becomes the truth embedded in your mind. Four years later John Stockwell quit the CIA and wrote a book exposing it. Wrote a big piece for the *New York Times* about how the entire Cuban/Angola story was a fabrication. And he sat there at the desk typing it. And the day after that story appeared, there was still 900 million people around the world who thought the phony story was true.

Because when year, after year, after year you hear that something was the case, one story -- one day saying, hey, the whole thing was a lie, and it doesn't register on their brain. It can't beat those -- those patterns that have been built up.

Q. Let's go back now taking an example -- let's go back now to the general area of intelligence because all of this activity is useless unless there's a structure into which it fits and into which it can be put out. Can you deal with the kind of structure of media operations that puts out this kind of disinformation. How extensive is it?

A. Yes. We can be -- we have a lot of information about the CIA. We have a certain amount of information about the FBI, a certain amount about military intelligence. And the reason for this is because there were those congressional investigations that I mentioned before. There have been reports published, particularly from the Church Committee in the late 70's, where they published volume after volume describing the extent of media operations by the CIA and -- and other agencies.

They -- the exact amounts of money that were being spent were -- were not divulged by those initial reports because that was considered to be classified. The intelligence budgets are always classified except at the same time every few weeks you'll read something in the newspaper where they say, the classified budget, which is approximately 25 billion dollars, and so on and so on and so forth.

So what we -- what we have learned from these reports is that -- the first thing was that about a third of the whole CIA budget went to media propaganda operations.

Q. Well, if a third of the CIA's budget went to media propaganda operations, how much would that be approximately?

A. We're talking about hundreds of millions of dollars a year just for that. I mean, the intelligence budget -- now everything together is according to these -- all these reports that say it's secret, but it's about 25 to 30 billion dollars a year.

Now, a lot of that is high-tech stuff. It has nothing to do with what we're talking about -- satellites and so on. But the stuff that goes to the CIA is several billion. And when you factor out overhead and things like that, you have got your operational amount. Most of the estimates suggest that -- that hundreds of billion -- hundreds of millions of dollars -- close to a billion dollars are being spent every year by the United States on secret propaganda.

Again, we have fairly good figures for the CIA because it at least has been admitted in the past that they did do this stuff. They admit they do it now except they say they don't do it within the United States. But they admit that that's part of what they do.

The FBI is much harder to -- to get figures for because they don't generally admit to conducting media operations. And unless and until something gets exposed and they have to admit that particular operation, they -- they deny to an extent where it's really hard to try and estimate how much money is being used by the FBI and by the military intelligence agencies. But it's sort of clear that hundreds of millions of dollars a year are being spent by various aspects of the government on deliberately creating and spreading lies.

Q. Before we get into the specifics of media operations related to the Martin Luther King case and James Earl Ray, can you give us -- just to finish the background, can you give us some idea of the influence that the CIA and the FBI have had over the media.

A. Yes. Again, this was something that very specific figures came out in the 70's and 80's, and we don't know the precise figures. Today we have no reason to think that they are significantly less than when they came out. But when the Church Committee reported on the CIA media operations, for example, beyond friends in the press, beyond having people who

were just generally -- thought along similar lines, it turned out that they had thousands of journalists in their employ. Not merely friendly, not merely agents, not merely someone you could pass a story to, but people who might have appeared to the outside world to be a reporter for CBS was in fact a CIA employee getting a salary from the CIA.

And that was repeated thousands of times all around the world. They also owned outright, the CIA -- about that time 250 or more media organizations. That's wire services, newspapers, magazines, radio, TV stations -- all around the world that they owned outright. The actual shareholder of the company turned out to be some CIA front.

The Church Committee, unfortunately, did not name very many of these organizations because those that got named, of course, had to close down immediately. But it was learned that -- even things like the *Rome Daily American*, which was a major English language newspaper in Rome, for 20 or 30 years had been owned by the CIA. This was published and, of course, the paper closed the next day.

But most people didn't realize the extent of the intelligence media organization. It's fairly incredible. They sort of brag about it. When you read the books about the history of the CIA, one of the heroes was the first man in charge of media operations, a man named Frank Wisner. And they referred to his organization as the Mighty Wurlitzer. And there's this image of this guy sitting at one of those giant organs, you know, with seventeen keyboards and you're playing this -- sort of like The Phantom of the Opera in that scene, and there was the guy running the CIA media operations all around the world. And he really was because every single city of any size on earth, he had some employee who was -- supposedly worked for a newspaper or a magazine or a radio station or a wire service, and they could get stories anywhere.

Q. Can you give just one or two more specific examples.

A. Yes. There was one -- actually in an article that was published written by a former CIA officer named James Willcot, who was not in the propaganda division, he was in finance. But he was so amazed he wrote a little article about this. And he was stationed in Japan one time when there was a big debate raging there over whether nuclear power ships should be able to dock in Japanese ports. It's been a very touchy issue -- at least since Hiroshima it's been a very touchy issue in Japan -- even peaceful uses of nuclear power.

And the U.S. line was to promote the docking of nuclear power ships because the U.S. had more and more of them. So they wanted the Japanese papers to editorialize in favor of this in the debate that was going on.

And Jim said he looked and he saw this guy at a nearby desk sit down and type -- this is a CIA officer, an employee of the U.S. Government -- type an editorial and then wave goodbye to everybody, left the office. The next morning that appeared as the editorial -- the lead editorial in the largest newspaper in Japan. Now, that level -- they didn't go to a friendly publisher and say, gee, we would sort of like it if you could maybe do something a little bit favorable to this issue. They wrote the editorial, they handed it to the guy. And the next day in Japanese it appears in the paper.

Another thing showing the influence here in this country was during the Vietnam War. I don't know if -- well, some people might. People my age will remember it. There was -- *Life* magazine that had a cover picture of a North Vietnamese stamp that showed the Vietnamese shooting down American planes. And it showed U.S. planes with U.S. markings being burst into flames and crashing and U.S. pilots being killed. And it was a pretty bizarre and gruesome set of postage stamps.

And there was a whole story in there basically trying to give the line that the Vietnamese were glorifying the killing of Americans. And they thought it was so great to kill Americans that they were putting it on their postage stamps. The only thing that was later learned is that these were not North Vietnamese stamps. They were CIA forgeries. Had never been real stamps. And the CIA was able to have them appear on the cover of *Life* magazine as if they were the real thing.

That level of influence is something that many people don't realize. And when you read the congressional reports, page after page after page, it's absolutely astonishing how, given the urgency and given that they have hundreds of millions of dollars at their command, they could get almost anything to appear almost anywhere.

Q. What about the FBI and domestic propaganda?

A. Well, the FBI, there's much less documentation, again, because the official position is that the FBI doesn't do this. Whereas the official position is the CIA does do it although they tried not to talk about it. But what did come out in the congressional reports primarily is that a major FBI division that was called the crime reporting division was theoretically supposed to keep track of how federal crimes were being reported. Why that was their business, I don't know. But that's what its theory was.

But in fact what it was doing was a whole division set up to keep track of journalists and reporters and magazines and newspapers to decide who could be counted on to write stories that the FBI wanted written, who would slant stories the way they wanted it.

The question of whether these particular reporters were actually FBI employees, like so many were CIA employees, is unclear. That's never been admitted by the government that the FBI actually took its own employees and had them get a job as a correspondent on the newspaper, whereas we know the CIA did that in many, many places. There's no reason to think they couldn't have done it other than the fact that it hasn't yet been -- been exposed.

But in any event, there were significant pressures available to the FBI to -- to use their friends. And the Church Committee report gives -- gives many, many examples -- copies of memos from Hoover on down where there would be a thing attached and say, get this information to our friends at the Copley News Service, get this information to our friends at *Reader's Digest*, get this to our friendly *AP* reporter and so on.

And then, of course, they would show the clipping indicating that in fact someone had gotten it to their friends, and it would then go over the wires or appear in stories.

Q. Let's turn now to the use of the media in this type of campaign against Martin Luther

King, Jr. But before you do that, could you tell the Court and the Jury, what are the sources of -- underlying your testimony -- this aspect of it.

A. Yes. I did a goodly amount of additional research and preparation and contemplation of appearing here. And there really are two main sources. The first, of course, is the various congressional reports that we have talked about. In addition to reports about the general operations or misconduct of the CIA or the FBI, there have been specific studies -- I don't know if they have been mentioned in this case, but there have been specific studies relating to Martin Luther King, Jr., both with respect to attacks on him while he was alive and also specific reports with respect to his murder.

There was an entire volume published from one of the Senate investigations on the FBI media campaign against Dr. King. [See *Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities of the United States Senate*, 94th Congress, 2nd Session, 1976, Book III, Dr. Martin Luther King, Jr., Case Study -- rator] And there was a House Committee that published a volume investigating his assassination. And these, of course, are the -- the most important sources for what I'm talking about and what other people have written about because they have a great deal of government documentation in them which no private journalist could ever get their hands on.

There are things in there that even the best of research wouldn't be able to obtain. But the congressional committees had subpoena powers and were able to amass thousands of documents, most of which were photocopied and attached to their reports.

Q. For our purposes here, as well as those sources, what other sources have you used?

A. Well, I've also, of course, reviewed many books that have been written on the subject -- hundreds of articles. And I've -- I've done briefcases full of clippings that were major stories written about Dr. King, particularly in the last few years of his life. And then the -- most of the coverage in the first few years of the James Earl Ray case. Both before and after his guilty plea there was intensive coverage, as you can imagine.

And throughout the 60's and into the early 70's, there was quite a bit of coverage, and those clippings that I've been able to find I've reviewed. Some of the sporadic coverage in the 80's and 90's I've also been able to assemble and review, although the level of that coverage has decreased very much over the last decade or so.

Q. What do the congressional reports -- if you can summarize them, give some instances, what do the congressional reports tell us about the FBI's use of the media in general but then particularly as it relates to Dr. King?

A. Well, in general, the first thing they show is that throughout its history, the FBI has made relations with the media a key area. Not so much infiltrating employees as the CIA did, but cultivating very, very deep connections throughout the American media. They had the entire division of the FBI -- the crime reporting division was dealing solely with developing friendly journalists, developing ways in which you could get what you wanted to appear in the papers to be there and what you didn't want not to be there on a level that was -- nobody realized until these -- these reports came out.

The crime reporting division was keeping track of virtually every journalist in America that wrote anything that had to do with the FBI. And whether everything was being classified as friendly or unfriendly, it -- of course, it was somewhat complicated because it generally meant: Did J. Edgar Hoover like what they wrote or not like what they wrote? And practically -- the opinion of nobody else at the FBI mattered while Hoover was alive.

But he kept charts on every significant journalist as to who was helpful. And when you look through the reports and the documents that have come out, you will see statements by Hoover and his immediate subordinates get this information to friendly journalists. Get this to our friend at *U.S. News and World Report*. Get this to some friendly reporters in Memphis. And you just see all that sort of stuff.

Interestingly though, this information -- it never mattered whether the information was true or false. That was not what it was about. You find FBI planting information that's true, you find them planting information that's false. The critical thing was if they had the friend at that media place, that friend was going to run what they wanted without investigating it.

Q. Could you just cut through -- tell us what the Church Committee said about CoIntellPro reports and explain to the Court and the Jury what were the CoIntellPro activities.

A. CoIntellPro was Counter Intelligence Program, and that was the -- the major FBI program to counter what it conceived to be threats to American democracy. And it was, at least in my opinion, rather paranoid in what it considered threats. It had divisions trying to operate against communists, against socialists, against the New Left, against the Old Left, against what they referred to as Black Nationalists, what they referred to as hate groups. They had a separate section just on the Nation of Islam. They had a separate section on the Civil Rights Movement. They had a hybrid program on CommInfil which was to deal with the possibility that communists were infiltrating non-communist groups.

So they had one section trying to disrupt groups they felt were communist influence or dangerous, and another one trying to infiltrate groups or find out about groups that they thought other people were infiltrating.

Basically they -- and, of course, you have to understand, "counter intelligence program" was really a misnomer. Because counter intelligence normally means you're trying to find things out. Counter intelligence officers in war time and in espionage are supposed to be finding out information. But these were active committees, not passive. And what counter intelligence programs were, were overt attempts -- sometimes very, very complicated operations to disrupt organizations which they felt were a threat regardless of whether the organizations were committing any crimes.

I mean, the irony of this is that while the FBI theoretically was supposed to limit itself to investigating crimes, and federal crimes at that, it basically took the position that, you know, thinking bad thoughts was a crime. Or if you didn't like the current government of that day, that was a crime. And if J. Edgar Hoover decided the group should be disrupted, then CoIntellPro would sit down and figure out how to disrupt it.

Q. Where was Dr. King in this constellation? Where did they -- how did they regard him?

How was he targeted?

A. Well, he was just about the top of the list in terms of J. Edgar Hoover for reasons that are still unclear. Many books have been written about J. Edgar Hoover, and I don't think anybody quite understands what made him tick. He hated Dr. King. He made no bones about it. I mean, he would -- he would send letters using -- referring to him as garbage, referring to him as slime.

When Martin Luther King was awarded the Nobel Peace Prize, he wrote a long diatribe about how that was the most ridiculous thing he ever heard of in his life, and in fact started a whole thing to disrupt the Nobel Peace Prize program. But he and the SCLC, as Dr. King's organization, were by themselves a major target of the FBI from early on. He certainly was being investigated in the 50's. It wasn't until the early 60's that it really intensified.

But Hoover was much more public about Dr. King than almost any other individual. He would be public about "the communists" or "the terrorists" or whatever. But Martin Luther King he specifically used -- used the most horrendous language to describe him. And once went on a -- the only time he ever gave a press interview called him -- called Martin Luther King the most notorious liar in the history of the United States.

Q. Okay.

A. And he was saying that because King had had the temerity to say that the FBI agents in the south weren't being terribly helpful to blacks who were having problems with the racism there.

Q. Can you give an example of some of the media operations that the FBI and Hoover mounted against Dr. King's organization.

A. Sure. The first really significant ones were -- were to -- to suggest that the Southern Christian Leadership Conference was communist infiltrated and communist dominated. They -- the FBI had prepared dossiers on King and on everybody who was working with him and had two people who were close to Dr. King who had at some time in the past had some affiliations with communists.

You should understand, because this came out later, they had no evidence whatsoever that either of these two people was at that time a communists or that either of these two people was trying to impose some communist line on Dr. King, but they decided to say that anyway.

And they prepared dossiers on these two -- one was a white lawyer, Stanley Levinson, the other was a black organizer named Jack O'Dell. And what they did is they -- the same way, get us a friend at this paper, get us a friend there. They started planting stories. And I think I've --

Q. Let me -- let me --

A. -- given you one of the key ones.

Q. Yes, let's pull up on the stand one of the stories -- screen one of the stories that they planted.

A. That's the second page. I think the headline is -- right. This was a major story about -- about Jack O'Dell and an attempt to -- I mean, they were attempting to discredit Dr. King and the organization. They were not -- they were not trying to just get rid of O'Dell because that would be better for the organization. But they spread this -- this particular clipping, I believe, is from *The Atlanta Constitution*. But it says in it that -- it makes reference to prior articles in the *St. Louis Globe Democrat*, in the *New Orleans Times Picayune*. The story which was essentially based on the FBI spreading this -- this information appeared all over the country.

Q. Other than a general attack, is there anything -- anything else significant about this -- this article?

A. Well, actually, this is a good one because it demonstrates some of the techniques they used. The most significant one is being fuzzy whenever you can. It has -- in there it talks -- it refers to O'Dell and says: "Has been identified as a member of the National Committee of the Communist Party."

And that -- this is sort of the passive tense to avoid saying what -- what you know. When you say someone has been -- you don't say who identified him. You don't even say whether this identification has been confirmed. You don't say whether it's true or false. I mean, you know, one person anywhere can say something about anybody, and then you say he has been identified as a such and such.

That's very important, particularly because we -- that's in the present tense. It says: "Has been identified as a member of the communist party." We know now that at the time, when the FBI gave this information to its friend, they knew that was untrue. Because they knew -- whatever might have been ten years before, they knew at that time that he was not a member of the Communist Party and yet they sent out this information saying he has been identified as a member of the Communist Party.

Q. Was this a part of a broader effort on the part of the FBI to discredit the Black Movement and to tie the Civil Rights Movement to communists generally and communist infiltration?

A. Very much so. It was one of the -- the few instances where -- where Hoover actually testified before Congress and allowed the testimony to be public. He -- the line was that the -- the Black Movement -- the Civil Rights Movement was being exploited by communists. And this particular clipping is another example -- again, this is from the *New York Times* -- of this program. These are all -- despite the fact that many of them have bylines, although this one does not have a byline, these are all based on material packets -- press packets almost that were prepared by the FBI and given to their -- to their friends in these -- in these stories.

And in this case, it's even more significant because this was part of a campaign that was so organized that Hoover got his friends to write stories about it before his testimony became public so that when the testimony then became public, as it did for this one, people would

know about it. One of his very, very close friends was Stewart -- Joseph Alsop, who was a syndicated national columnist back then. And this was Alsop's column about the terribly sad fact that the Civil Rights Movement in America was totally being run by the communists.

This, again, was based on whatever the FBI handed him and asked him to publish. This was just one week before the other story where the -- where the testimony became public.

Q. There was an escalating battle between Hoover's FBI and Martin Luther King's SCLC and the Civil Rights and then anti-war activities. What -- how did it intensify from the standpoint of media operations against Dr. King?

A. Well, the first real escalation was in sixty -- in late '64 when I mentioned before that Hoover gave a press conference and called King the most notorious liar in the country. This was sort of a -- it was shocking that he said it, it was shocking that he said it in the context of a public meeting with journalists. And it appeared all over the country. And the whole conference was reprinted in *U.S. News and World Report* with a short response from -- from Dr. King.

That was the start of -- of a campaign which continued right up until -- until King's death. I mentioned before that during the Nobel Peace Prize period of time this was in -- the nomination was in late '64, and he received it in January of '65. Hoover had the FBI do everything they could to minimize -- he couldn't stop the Swedish and Norwegian governments from giving him the prize. But he did everything that he could to try to stop it from being honored here.

There was a major banquet in Dr. King's honor in Atlanta when he came back from receiving the prize. Hoover got the editor of the *Atlanta Constitution* personally to go around and try and persuade various people not to attend the banquet. There were also a series of articles around this time trying to show that -- that King was being influenced by communists which were being -- again, we learned this from reports.

The FBI, as the CIA, was actually writing the articles anonymously and then trying to get their friends in papers to print the article under somebody else's name. And there were a whole series, some of which actually did get printed, some of which didn't. There were also -- I won't go -- I mean, there are big -- hundreds and hundreds of pages of reports detailing all the things that the FBI did.

They -- one of the most outrageous was a doctored tape recording that was prepared that purported to -- to be a recording of Dr. King engaging in raucous and possibly sexual activities with various people. It turned out to be -- most of it was totally fraudulent. And what wasn't fraudulent did not have to do with anything torrid going on. It was all put together. And the tape -- in fact, the tape was originally used -- and this is one of the things that the House Committee found the most outrageous -- in an attempt to try and drive Dr. King to commit suicide.

Shortly before he went to get the Nobel Prize, the tape was mailed to him with a long letter basically saying, if you don't kill yourself, we're going to make this public. Nothing ever happened because he was getting so much mail that this thing that somebody thought was --

somebody made a tape of one of his speeches. And they put it in the back room, and they didn't get to look at it until about nine months later, long after he had come back.

And then they saw the note trying to get him to commit suicide. And then, ten years later, we discover that it was the FBI who wrote that note and made that tape and mailed it to Dr. King.

THE COURT: Let's take a few seconds and stretch.

(Brief break taken.)

THE COURT: Bring in the Jury.

(Jury In.)

Q. (BY MR. PEPPER) Mr. Schaap, you've described an awesome power that exists in government influenced and controlled, sometimes owned, media -- print, audio, visual media entities -- and how that infrastructure gets focused on opponents of the United States such as Martin Luther King. Do you see how this incredible power was brought against Dr. King and intensified against him during the last year of his life?

A. Yes. I think the -- the main reason for that was very, very specific. There was one speech that Dr. King gave in April of 1967 at Riverside Church in New York City where he came out against the war in Vietnam. And if you remember back to that period of time, this was a fundamental debate gripping every aspect of this country, the pros and cons of the involvement in Vietnam.

And when Dr. King came out against the U.S. involvement there, this was immediately accepted by J. Edgar Hoover as proof that he was a communist, proof that he was a terrible person.

Q. But didn't this have the effect of unifying all the forces -- all of the intelligence forces of the United States, and so now just -- it was not just an FBI matter, but it -- it seemed to spread to military intelligence, central intelligence and other areas too, didn't it?

A. Absolutely. Once Dr. King made that statement, the CIA in particular considered him and his movement fair game. Even to the extent that their operations were limited to foreign policy, the -- again, because of the congressional investigations, we know that the CIA, which people thought did not operate domestically within the U.S., had a huge domestic program called Operation Chaos which was designed to counter opposition to the Vietnam War.

And even though they later admitted it was illegal and later admitted they shouldn't have been doing it, there have been whole books of congressional reports about all the Operation Chaos activity in the United States, and what they called Black Nationalists were a specific target of that -- that campaign.

Q. Did this continue into 1968 in his activities with the Sanitation Workers' Strike in

Memphis and planning for the Poor People's Campaign in Washington?

A. Absolutely. The campaign against Dr. King's activities went up to the very last day of his life. In particular, on the -- his involvement with the strike in Memphis, the FBI decided at that point to try to spread stories that he was encouraging violence. One of the -- the key articles was in the *Christian Science Monitor* at the end of March of '68 and, again, gives all of the -- the themes that the FBI wanted -- wanted planted, particularly about violence.

The article uses bizarre language for something about a small strike in a medium-sized town that, you know, was something but was not like an earth-shaking event. This was the Sanitation Workers' Strike. And this story refers to it as a potentially cataclysmic racial confrontation. Not quite World War III, but along that kind of language. and this was just before Dr. King was killed -- were -- were suggesting that he was closely allied with violent forces.

Q. Mr. Schaap, this Court and Jury has heard testimony from a former *New York Times* reporter who was told by his national editor -- *Times* reporters in this courtroom notwithstanding -- told by his national editor, Claude Sitton, to go to Memphis and nail Dr. King. Those were the words Earl Caldwell used in his testimony here. Is that the kind of thing you're talking about?

A. Oh, absolutely. Hoover was -- you see from the memos in the report -- and Lord knows what we don't know and haven't seen -- was sending people out everywhere to talk to all of their friendly media contacts to get King. And they would usually deliver packets of information, much of it false, to be used as part of the -- of the campaign. They also were -- used a lot of interesting tactics.

And you see in these stories a lot of fuzzy -- I mean, the story that's on the screen, for example, has a sentence in it near the end where it says: "Many blacks have mixed feelings about Dr. King." I mean, this is a -- they teach you in Journalism 101 not to use sentences like that. What does it mean "many blacks"? Many -- everybody had mixed feelings about everything. If you want to do it, you say who has what feelings. But the whole thing was to try to say he's violent, he's hanging around with violent people, and basically the blacks in this country shouldn't support him.

Q. What was this operation like -- this media blitz, this media disinformation campaign? What was it like after Dr. King was killed?

A. Well, for one thing, the attempts to discredit Dr. King -- particularly the FBI attempts -- did not stop after his death. They continued to send out their little dossiers and reports and phony information to try and discredit his memory. They also -- in the beginning when, of course, the assassin had not yet been caught or, rather, no one yet had been caught and charged with the assassination, had to give the impression that the FBI was doing a great job.

I mean, one of the criticisms that was unavoidable is when Hoover had already publicly attacked Dr. King in all these magazines and said he thought he was a liar and thought he was the worst problem facing the United States and so on, it became a problem for the FBI then to try and convince America that they were doing everything in their power to

apprehend his killer. And to do that, they had to pull out all the stops and get all their friendly columnists writing story after story that they were doing everything they could. And also subsequently to try and add to the stories that they were convinced that James Earl Ray was the lone assassin.

Q. Let me put up this article. This story relates to a Jack Anderson column.

A. Yes. This is interesting for what it reveals later. This was a story that came out in 1975. That's actually an interesting example of Jack Anderson criticizing a group of people, of whom he fails to mention he was one at the time. It's something that happens often when columnists decide to clear the -- clear the slate.

But he was reporting at this time about how the FBI had waged the campaign against Dr. King, how he knew about it, how he knew about all these gross accusations that were being -- being handed out. It's -- I mean, the story is only interesting because why didn't he say it at the time is one's first thought. But at least he stayed abreast of some of it. He also was able to -- to explain that a number of rumors about Dr. King had been proven to be not true. What he didn't know at the time because the Congressional Report came out a little bit later -- what he didn't know is that even the FBI at the time they were spreading the stories when Dr. King was alive knew that the stories were not true.

Q. Now, at the same time they were trying to discredit Dr. King and continued to discredit his name after he was killed, they were trying to enhance the -- the manhunt and the law enforcement work during that time.

A. Yes. Not only enhance, but use hyperbole that was pretty bizarre. Although, of course, you can understand the pressures that were on them when no one had been caught. Drew Pearson, who was a very close friend of Hoover's, had a nationally syndicated column and wrote one basically designed to try and kill the rumors that Hoover wasn't trying hard because he didn't like King.

And in it Pearson says he is convinced that the FBI is conducting perhaps the most painstaking exhaustive manhunt ever before undertaken in the United States. Why -- how he would know is beyond us, but that's clearly what Hoover told him to say. They also -- I don't have the clipping here. But they also had another one of their very close operatives, Jeremiah O'Leary, who was then with the *Washington Star*, did an article for the *Reader's Digest*. And he went one beyond Pearson and said it was the greatest manhunt in law enforcement history in the world. So he was now saying this wasn't only the greatest manhunt in America, it was the greatest manhunt ever, anywhere.

There were -- there are a whole -- and, of course, when Ray was arrested, then there was a state of sort of self-congratulatory columns done by the same friends of the FBI showing what a wonderful job they had done.

Q. Are there any other aspects of this coverage after Dr. King's death that were clearly media operations?

A. Well, there certainly are in my opinion. At this point, once we get beyond the things that

have been admitted in the Congressional Reports, I'm drawing my conclusions based on my own experience and expertise. But it certainly seems clear that there were media operations around -- not only that the FBI had done a wonderful job, but also on the -- the campaign to demonstrate that -- not only that James Earl Ray had done it, but that he had acted alone.

Q. What are the possible operations that you actually see?

A. Well, there -- you see in stories, again by friends of the FBI, statements like: It looks like the theory that there was a conspiracy is untrue. The FBI has exploded the theory that there was a conspiracy. The -- even people who had -- see, they -- they got caught a little bit because in the beginning they were planting stories that had conspiracy -- I mean, there was a story that the FBI planted at the very beginning saying that Dr. King had been killed by the husband -- by an irate husband of a lover of his.

Now, later -- ten years later we saw that this was invented and that they had made up this story. But then they were sort of stuck. Because if you're saying that Ray was hired by somebody else to do it, that's a conspiracy. So then they had to drop that story because now the line was there was no conspiracy. Now they're saying -- and the same people. Pearson mentioned that story and then later on denounced the generally prevalent theory that the murder involved a conspiracy without pointing out that he was one of the people who were part of the original prevalent theory.

Even -- particularly, actually, after the guilty plea, when it got -- there was no longer a judicial proceeding going on about which they could feed the stories they wanted to, they still felt a compulsion to periodically come up with stories that there was no conspiracy, there was no plot. This one on the screen being another one of these -- these examples.

Q. This is the continuation of the lone killer, lone nut gunman that was -- had to be perpetuated throughout the period of James Earl Ray's incarceration?

A. Absolutely. It never -- because Ray insisted virtually from the day of the plea that there was a conspiracy, they felt compelled to -- to continue to plant these -- these stories. They -- they went on for a number of years at a very intense level, and then it sort of petered off.

But in the first year after the plea of guilty, Anderson wrote a number of columns saying there just wasn't any conspiracy. Max Lerner wrote columns saying Ray was the killer, there's nothing to the conspiracy theory. And when -- another example of how they -- they fuzzied it was even at the time of the plea, there was a story on the -- in the *Washington Post*, which I think I've given you a copy of, where they said: No evidence of any plot, Jury is told.

Now that isn't really what the Jury was told. But if you read the story, it was that the prosecution was not presenting any evidence of a plot, which is very different from saying -- of course, they didn't present any evidence that there wasn't a plot either. Yet if you look at that headline, it looks like something has been said and done in court showing a jury there was no -- no plot. And that's not what happened. It wasn't -- it wasn't discussed either way.

And they -- they -- there was a story I believe the next week in the *Washington Post* where

the title of the story was: "Ray Alone Still Talks of a Plot." Which, again, journalistically was ridiculous. Because there were millions upon millions of Americans talking about whether there was a plot. And a story which, you know, tries to create the impression that James Earl Ray was stark raving mad and was the only person in America who thought there might have been a plot.

That campaign went -- and, in fact, they then said, well, what we really meant was that he's the only person who is officially involved in the proceedings and thinks there's a plot, everyone else doesn't. And even that wasn't true because the next day there was a story in the papers that the -- the judge here -- the judge at the time, Judge Battle, wasn't sure and thought maybe there had been a plot and certainly made it clear that under Tennessee law if further -- if co-conspirators came up or were arrested or indicted, they would be subject to -- to trial.

Q. Let me pass this article to you and ask you to look at that, Mr. Schaap. That's an article that appeared in the *New York Times*, Column 1 on the 17th of November, 1978, right at the time when the -- both Ray brothers were being questioned and examined in public before the House Select Committee on Assassination. And that article speaks of an independent investigation by the *New York Times* and the FBI and the Select Committee, into an Alton, Illinois, bank robbery -- an investigation which never took place because it's now been established. Is that an example of the type of disinformation that one finds in an attempt to train the public minds?

A. Oh, absolutely. Given the fact that subsequently it was shown that they were not suspects in that robbery, it -- the first thing it means is that the -- the reporter is saying some things which had to have been simply fed to him and not checked. Because if you're saying something happened, which in fact very, very basic journalism would have proven didn't happen, you are either doing it on your own to spread some disinformation, which is extremely unlikely, or you're being asked to put a spin on something that you know is going to -- to be coming out.

The -- again, I'm -- I don't know what happened in Alton, Illinois. But if, as I understand there's been testimony, it is clear that the Ray brothers were not suspects in that case, this story is clearly disinformation because it's designed to make it appear not only that they were suspects in that case but that they did it, and to make it appear that two investigations confirmed that whereas, since we know it wasn't true, it's impossible that either investigation could have confirmed it.

Q. Let me ask you finally -- this has been a long road -- how you regard -- what is your explanation for the fact that there has been such little national media coverage of these -- of this trial and this evidence and this event here in this Memphis courtroom, which is the first trial ever to be able to produce evidence on this assassination -- what has happened here that Mighty Wurlitzer is not sounding but is in fact totally silent -- almost totally silent?

A. Oh, but -- as we know, silence can be deafening. Disinformation is not only getting certain things to appear in print, it's also getting certain things not to appear in print. I mean, the first -- the first thing I would say as a way of explanation is the incredibly powerful effect of disinformation over a long period of time that I mentioned before. For 30 years the

official line has been that James Earl Ray killed Martin Luther King and he did it all by himself. That's 30 years, not -- nothing like the short period when the line was that the Cubans raped the Angolan women. But for 30 years it's James Earl Ray killed Dr. King, did it all by himself.

And when that is imprinted in the minds of the general public for 30 years, if somebody stood up and confessed and said: I did it. Ray didn't do it, I did it. Here's a movie. Here's a video showing me do it. 99 percent of the people wouldn't believe him because it just -- it just wouldn't click in the mind. It would just go right to -- it couldn't be. It's just a powerful psychological effect over 30 years of disinformation that's been imprinted on the brains of the -- the public. Something to the country couldn't -- couldn't be.

Q. Not only -- excuse me. Not only psychological, but weren't you also saying neurological?

A. Yes. I'm not a doctor. But what I understood is that these -- the brain's patterns of thinking are a physical aspect of the human brain. That's how we develop patterns of thought, how we develop associations.

And then, of course, the Mighty Wurlitzer we talked about is still there, it's still playing its tune. And even though you might think 30 years is a long time, that almost everybody who might get in trouble is probably dead by now, that's -- that's how it works. People obtain influence, people make vast sums of money through this propaganda. Those people pass that influence on to others, they pass the money down the line, and all of that can be at risk for a very, very long time.

There are documents from the investigation of the assassination of Abraham Lincoln that are still classified. Don't ask me why, but they were originally sealed for 100 years. And then in 1965 President Linden Johnson said, well, it's so close to the Kennedy assassination, if people read the Lincoln documents, it might make them think funny things about Kennedy, so he classified them for another 50 years. So now the grand children of anybody around Lincoln was around are long dead, and these documents are still -- still classified. And we're talking today about a case that's 100 years more immediate than Lincoln. And the establishment is still the establishment.

Q. Mr. Schaap, thank you very much for joining us this afternoon.

A. Thank you.

MR. PEPPER: Nothing further, Your Honor.

THE COURT: Just a moment. Mr. Garrison?

MR. GARRISON: Your Honor, I have no questions of this witness.

THE COURT: You have nothing. Very well. Sir, you may stand down. Thank you very much.

THE WITNESS: Thank you, Your Honor.

(Witness excused.)

(Court adjourned until December 1, 1999, at 10:00 a.m.)