

FBI files reveal ACLU General Counsel received one million dollars for smear campaign against Prof. Galindez. Was he an accessory to murder?

ACLU General Counsel Morris Ernst was paid close to one million dollars to smear a dead man, according to recently released FBI files. *Time* magazine had made similar charges in 1958. FBI files now confirm that the amount may have been much larger than previously reported. Contained in FBI files are statements from the New York Police Department, where Prof. de Galindez was first believed murdered, that the ACLU General Counsel was going to smear de Galindez as a communist.

Why such an effort to smear a dead man? His civil liberties had already been violated, so why is the ACLU General Counsel working on this case at all? The ACLU, registered as a 501C (3) corporation, as a public charity, devoted to civil liberties, is knee deep in one of the most enduring murder mysteries in New York City's history. Galindez' body was never found, but it was widely believed that assassins working for Dominican Dictator Rafael Trujillo were responsible. de Galindez had just given a speech at Columbia University the night he disappeared. He was trying to lead a peaceful path to democracy among Dominican exiles when he was killed.

Why was the ACLU involved at all? The top two officials at the ACLU, Director Roger Nash Baldwin and General Counsel, Morris Ernst, worked for free for decades. If the ACLU were to replace them they would have to raise funds for their salaries. Thus, they maintained their power base at the ACLU by pointing out how much they saved the organization by working for free. ACLU General Counsel Morris Ernst lasted 27 years at the ACLU. Meanwhile, Ernst was laundering millions in fees through his private law firm, unaccountable to no one. Despite his repeated violations of civil liberties, the ACLU board, all friends of Ernst, looked the other way. Everyone on the board was doing it. They refused to be accountable to anyone, and the critics they did have, mostly liberal, were dealt with harshly.

The ACLU was in a perfect place; accountable to no one. They were an arm of the national security state that had grown up around WW II issues. This non-governmental organization, registered as a public charity, could conceivably be audited by the IRS. But the IRS, fearful of being accused of first amendment violations, were always reluctant to get into arguments about the core mission of a non-profit. If the finances were in order, the audit was over. The membership was in no position to question their leaders, although many did. They had no power to enact change in this top down organization, and critics were usually purged from the organization. Thus, the ACLU leadership stayed for years. Roger Nash Baldwin would work for years for free, and no one ever questioned how he could afford to do it.

FBI files reveal that government agencies were working overtime to keep the ACLU principals in check, and trying to protect the reputation of a dead man; without a body, neither the NYPD nor the FBI could exert jurisdiction to solve the murder of Prof. de Galindez. But ACLU General Counsel, Morris Ernst is working full-time to throw both agencies off the trail.

In a letter dated June 5th, 1958, Special Agent, Matthew Crawford of the FBI notified J. Edgar Hoover that a "very reliable underground source" verified that Atty Sydney Baron had received \$500,000 from Generalissimo Rafael L. Trujillo for distribution to Morris Ernst and his associates with an additional

\$250,000 promised if the report had the desired effect. FBI files report progressively higher fees for the ACLU General Counsel Ernst, but also give clear indication that Morris Ernst's additional payments are linked to whether the media buys the story. Another FBI report quotes the NYPD detective as saying he believes Morris Ernst was trying to smear the dead man as a communist agent. Ernst would make later attempts to link him to Castro, but FBI sources would sniff that smear out in an instant, and actually report it before Ernst got the story out on the street. Neither the media nor any government agency would buy the story, except for columnist Drew Pearson who planted the story in the media for his dinner companion, Ernst. The ACLU General Counsel would successfully launch the smear attempt of Prof. de Galindez as a communist connected to Castro, and no one would know that the FBI had cleared de Galindez of any connection to Castro.

FBI sources indicate that the "underground source" for the information against Ernst came from Manuel Bernier, President of the Dominican Patriotic Society. It would not be unreasonable to assume that the underground source provide by Bernier was in the employ of Dictator Trujillo; perhaps some one more honorable than Morris Ernst.

Noted civil libertarian Lucille Milner, in her resignation from the ACLU, cited Ernst's long association with Trujillo as one of the reasons for her resigning, so the ACLU board was well aware that Ernst was Trujillo's legal representative in the United States, and had represented him for years. Her claim was that Ernst always tried to hide his relationship by settling out of court, and using other attorneys for court appearances, if a settlement could not be reached. Thus, his representation would be kept hidden. It was this reason why Milner used the term 'fixer' to describe Ernst, not the brilliant attorney his own press clippings describe.

On April 7th, 1958, the FBI wrote a withering report on Ernst's attempts to blame Castro, who had not come to power yet. The FBI report indicates that Cuban dictator Fulgencio Batista had recently bought arms from his friend, fellow dictator Trujillo in the Dominican Republic, and that the Cubans had planted the story that Galindez' plane had landed in Cuba. FBI officials had determined that Galindez' plane most likely took off from Amityville Airport on Long Island, the place of many horrors, to the Dominican Republic, and likely murdered there. The FBI reports indicate a source at this small airport identified pilot Gerald Lester Murphy with a person who appeared to be drugged as a passenger. Galindez and Murphy have never been seen again. It is unlikely that Murphy knew how dangerous a mission he was on. It would cost him his life. With Murphy removed from the scene, the only connection to Dictator Trujillo had been eliminated.

The alleged trip to Cuba, a fantasy of Morris Ernst, is detailed in FBI files as follows: The 4/7/58 issue of the San Juan newspaper "El Imparcial" contained a copyright story by Drew Pearson....."that verified in a definite manner" that Murphy(Galindez' pilot) landed at an airstrip near Havana on 3/13/56 in a twin-engine Beechcraft N-68110, unloaded cargo of arms and immediately returned to Florida. There was some indication that this story may have been planted by Morris Ernst, who is conducting an inquiry into the Galindez-Murphy matter....."

The FBI officials knew of the close relationship of Drew Pearson and Morris Ernst, that they were frequent dinner companions. Pearson had a reputation for being ruthless in pursuit of a story, and having questionable ethics as well. Ernst and Pearson were good companions. Pearson's writing partner in the most successful newspaper column in history, the *Washington Merry Go-Round*, Robert Allen, was a well paid Soviet spy. Allens' spying was confirmed with the opening of the KGB files, with the collapse of the Soviet Union. Allen's subversive activities escaped detection completely in the hysteria of the 1950's. He was not an ideologue so no attention was drawn his way. He, like Ernst, had an insatiable need for cash.

FBI files again cite the arms shipment to Batista, adding, "It is quite possible that Batista may have agreed to assist the Dominicans in "muddying the waters" regarding the de Galindez-Murphy case in return for this assistance."

In another strange irony of history, FBI officials are watching an ACLU official run amok, violating the dignity of a dead man who had devoted his life to the pursuit of democracy in the Dominican Republic. Ernst is actively working to cover up an assassination of a political leader. But FBI files further suggest that Morris Ernst may have known beforehand that de Galindez was going to be assassinated. It appears that Batista had planned every last detail, right down to the political backlash that would predictably happen in the United States. The FBI agents, much maligned by liberals, appear to be "the boy next door", somewhat naïve, and certainly innocent of any malicious intent. The FBI agents must have known that J. Edgar Hoover and Morris Ernst were frequent dinner companions at this time in history, but the reports pull no punches, and could serve as an indictment of ACLU Counsel Ernst for conspiracy to commit murder, or certainly accessory to murder.

The friendship of Hoover and ACLU Counsel Ernst was ruptured just at the time of the Galindez murder, and FBI documents verify this was the reason. They frequently had dinner together at the Stork Club, usually joining journalist Walter Winchell's table. Winchell was considered even more ruthless than Drew Pearson, and Ernst was known to feed both of them stories. There usually was a quid pro quo. Winchell's mother committed suicide by jumping out of the 10th floor of her hospital room. His son committed suicide in a more violent manner, if that is possible. Mental illness did not skip a generation, and Winchell would bring his perpetually miserable home life to work everyday, bringing misery to thousands of public figures throughout his career. There were often rumors of Hollywood stars that wanted to kill the man, but it could have been self promotion on Winchell's part, who reveled in the dirt he would bring to his news column.

Hoover's distancing himself from Ernst at this time may have been because of overwhelming evidence of Ernst's complicity in covering up a murder. Hoover's men had watched Ernst cross the line for years, but often the cases that Ernst was involved in did not violate federal statutes. Thus, the FBI had no jurisdiction. Further, Ernst had been ratting out any liberal activists who crossed the interests of his many and lucrative clients; usually connected to overseas interests. They needed a lobbyist in America. As a consequence, Ernst did not represent many red blooded Americans; they needed no representation. Ernst simply went where the business was. All the liberals who crossed Stalin, refusing to march in lockstep, meet a particularly ugly ending, usually purged from liberal groups in a character smear, labeled as traitors to liberalism. At the outset of WW II, when Stalin became Hitler's business partner, many American communists were outraged. While Ernst professed to be a staunch anti-communist, other communists professed his real reason for appearing anti-communist. Even the *The Daily Worker*, the communist party newspaper reported that "Ernst was out to save his own skin."

FBI files on March 11th, 1958 reveal that an alleged written confession of the murder of Gerald Lester Murphy was a forgery. Very conveniently, for Dictator Trujillo, the alleged confession was made by a dead man. Octavio De La Maza committed suicide right after confessing to Murphy's murder. FBI forensics tests had confirmed that the writing was not De La Maza's, so one can assume the FBI had a contact in the Dominican Republic that was able to provide an actual sample of his handwriting. The FBI contacts on the island were much better than Ernst's. FBI files further reveal that Prof. de Galindez was also an FBI paid informant, and agents conclude they are pretty certain that Morris Ernst is unaware of this. The FBI lab confirmed the letter was a hoax.

At this point, Ernst's report has the cheesy ring of a dime store novel, with dead men speaking at every turn. Ernst seems to be banking on the assumption that if he just blamed it on the communists, all the federal agencies and the New York Police Department would believe it. He appears to believe in a condescending way, that law enforcement authorities are not as smart as him. FBI files reveal not a single agency believing any aspect of his story.

FBI officials had determined that the plane piloted by Murphy, with Galindez on board as an unwilling passenger, landed in the Dominican Republic. The FBI only had to use logic to conclude that Murphy was killed so there were no witnesses to the demise of the main character in the story; de Galindez. FBI officials had eyewitness testimony in Amityville, NY, and possibly air traffic control information to trace the flight to the Dominican Republic, not in Cuba. The FBI appear to have a reliable source in Cuba as well, confirming that Murphy never landed there, and that Drew Pearson could not possibly know that the flight went to Cuba unless his dinner companion, Ernst had told him.

Castro could not be blamed for this one. Lt Gordon of the NYPD is quoted in FBI files as saying: "I am of the impression that the Ernst committee intends to exonerate Trujillo from any responsibility for the disappearance of de Galindez by labeling him as a communist and a thief who was engaged in secret activities sufficient to cause him to disappear voluntarily or for others to do away with him." Ernst's investigator further charges that the FBI falsified documents. In other files, Ernst blames the CIA. Clearly, all law enforcement authorities are blaming the highest legal counsel at the American Civil Liberties Union of concocting a fiction stranger than "the dog ate my homework". Only George Orwell could write this ending.

But the story is not over. FBI files report that Frank Grottano, Ernst's chief investigator, in his interviews, was impersonating a State Department employee, thus intimidating witnesses, giving the impression that the US government had an interest in the outcome of his investigation. The FBI decided to check his background. However, NYPD authorities indicate that Grottano was a corrupt cop in New York City, drummed out of the force after a sensational trial in December 1943 for violating the Selective Services Act. Grottano was found innocent in the trial by getting awfully lucky. The government's star witness, John Edward Wilson, committed suicide. The NYPD fired him anyway. Ernst could not have found a more qualified investigator for the assignment he was carrying out. Ernst's report would clear Trujillo, with bodies hitting the ground faster than interviewers could get to them. Dead men don't speak; sometimes it is a chorus.

Just months earlier, Morris Ernst had written a cloying letter to J. Edgar Hoover dated Feb 6th, 1958, which indicates that the break in their relationship happened over the Galindez investigation. Ernst appears to be desperately trying to get back in the good graces of Hoover. Morris Ernst does not appear to recognize that it would be tough to explain (for Hoover) that he had dinner with a man who was the prime mover in an accessory to murder charge. If Galindez' body is found, and prosecution proceeds, how does Hoover explain this close relationship? The case was an eye opener for Hoover, and would have been an eye opener for civil liberties activists, had the case been cracked open. To the great credit of the FBI, they worked tirelessly to crack the case.

Hoover would strike Morris Ernst from the special correspondence list, and it would be a decade before they would speak again. Ernst would continue to write fawning letters to Hoover, but the responses would be delegated to a lower level official for a cursory response.