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FEDERAL BUREAU

10024543



INVESTIGATION

Bureau File Number

44-3886

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104, 115

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J. H. Marshall 12-14-77
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Vol. 11



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Sacramento, California

December 15, 1976

MURKIN

On December 2, 1976, Alfred William Martinez, 807 Green Wood Street, West Sacramento, California, telephone 372-0780, telephonically contacted the Sacramento FBI office and furnished information which he considered might be pertinent to the investigation of the murder of Martin Luther King, Jr.

On December 7, 1976, Martinez was interviewed at 1401 11th Avenue, Sacramento, California, where he was employed on that date. Results of that interview are set forth:

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44-1574-1959

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 20 1976	
FBI-LOS ANGELES	

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/9/76

ALFRED WILLIAM MARTINEZ, 807 Green Wood Street, West Sacramento, California, telephone 372-0780, was interviewed at 1401 11th Avenue, Sacramento, California. MARTINEZ was working at this location for the Delk-Terminex Company, an insect extermination business.

MARTINEZ advised he was in the Salt Lake County Jail, Salt Lake City, Utah, for two and a half to three months. He advised that he was in this jail sometime during the latter part of 1966 or early 1967.

MARTINEZ advised that during this incarceration he became friendly with an individual named WILLIAM SIMPONIS. He advised that SIMPONIS would be about 60 years old. He believes that SIMPONIS was in jail on a robbery charge. SIMPONIS was ill with emphysema; and had been sent to Salt Lake County Jail to be tried on a charge. SIMPONIS came to Salt Lake County Jail from the Federal Prison Facility at Springfield, Missouri.

At SIMPONIS' request, MARTINEZ wrote several letters for him. MARTINEZ advised that he wrote approximately three letters a week during the period he was incarcerated to an individual identified both as JAMES RAY and EARL RAY by SIMPONIS. MARTINEZ advised he mailed these letters to Memphis, Tennessee, but that he could not remember the address. MARTINEZ advised that he bought the stamps and envelopes for these letters and also such things as candy bars for SIMPONIS. MARTINEZ estimates that he spent approximately \$30.00 on these items for SIMPONIS.

MARTINEZ advised that he had kept a shoe box full of letters that he had received from RAY and some personal items which belonged to SIMPONIS. MARTINEZ advised two of these letters were addressed to him and the rest to SIMPONIS. He advised he lost these items four or five years ago and has not been able to locate them.

Interviewed on 12/7/76 at Sacramento, California File # SC 100-427
by SA BOYD R. L. KEENAN/cw 2 Date dictated 12/10/76

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

SC 100-427

MARTINEZ advised that the contents of the letters he wrote usually consisted of information about when SIMPONIS was going to get out of jail, and how the two of them would get together. MARTINEZ cannot think of any other topics about which he wrote.

MARTINEZ was told by SIMPONIS that he should contact RAY when he got out of jail and that, "They had a job going on; they would need some help on it; that I could make quite a bit of money on it and I wouldn't have to worry about work anymore." SIMPONIS never identified any other individuals involved in these plans, either perpetrators or victims. He advised SIMPONIS hated black people very much, but he never specifically mentioned MARTIN LUTHER KING, JR. or any other blacks that he could remember.

MARTINEZ advised that when he got out of jail, SIMPONIS gave him three letters written by SIMPONIS to be mailed to RAY. MARTINEZ advised that these were sealed, and that he did not read the contents, but that he did send them. MARTINEZ advised he was to maintain contact with SIMPONIS, who would advise him to go to Memphis at a specific time, and that SIMPONIS would have mailed a picture of MARTINEZ to RAY for purposes of identification. When this occurred, RAY was to meet MARTINEZ at the Memphis Airport on a designated date. MARTINEZ advised he never contacted SIMPONIS after he got out of jail in Salt Lake City. MARTINEZ advised that a short time after his release from Salt Lake County Jail, he was arrested for burglary in Canyon City, Colorado, and sent to the Colorado State Prison from May 28, 1967, until the latter part of 1967.

MARTINEZ further advised he wrote letters for SIMPONIS to other individuals. He identified these individuals as follows:

JEANETTE SCOTT, Girlfriend of SIMPONIS
Pioneer Hotel
342 5th Street
Elko, Nevada

(MARTINEZ seemed to recollect SCOTT was part owner of this hotel and was supposed to have a large collection of guns);

SC 100-427

LILLIAN SCHURTER
1274 West Street
Possibly Elko, Nevada
Telephone: TE3-7226;

KALIOPE SOLIATES
1026 West 20th
Possibly Elko, Nevada
Telephone: TE3-3617;

NICK SIMPONIS
Gardena, California
Telephone: 434-8747

(Brother of WILLIAM SIMPONIS, street address
unknown).

MARTINEZ advised that he does not know if the
individual referred to as JAMES RAY or EARL RAY is identical
to JAMES EARL RAY convicted in the murder of MARTIN LUTHER
KING, JR.

The following is a description of ALFRED WILLIAM
MARTINEZ as obtained through observation and interview:

Race	Mexican
Sex	Male
Height	5'9"
Weight	150
Hair	Black
Eyes	Brown
Date of birth	
Place of birth	Canyon City, Colorado
FBI.	83901G
SSAN	
Address	807 Green Wood Street West Sacramento, California
Previous address	3427 40th Street Sacramento, California 1651 Illinois Avenue Canyon City, Colorado

SC 100-427

Mother

ROSE MARTINEZ

1651 Illinois Avenue
Canyon City, Colorado

Employment

Delk-Terminex Company
Arden and Fulton Avenue
Sacramento, California

MARTINEZ is currently on probation for drunk
driving.

FBI

Date: 12/16/76

Transmit the following in _____
(Type in plaintext or code)Via AIRTEL AIRMAIL
(Precedence)

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, SACRAMENTO (100-427) (RUC)
SUBJECT: MURKIN

Re Sacramento teletype dated 12/9/76.

Enclosed for the Bureau are four copies of
an LHM regarding contacts of the Sacramento FBI office
with one ALFRED WILLIAM MARTINEZ, DOB

Enclosed for other offices is one copy of this
LHM.

This matter is being considered RUC as no further
leads exist in Sacramento Division.

- 2 - Bureau (Enc. 4)
- 2 - Denver (Enc. 1)
- 2 - Kansas City (Enc. 1)
- 2 - Las Vegas (Enc. 1)
- 2 - Los Angeles (Enc. 1) *mm*
- 2 - Memphis (Enc. 1)
- 2 - Salt Lake City (Enc. 1)
- 1 - Sacramento

BRLK/cw
(15)

File Stamped
Initials <i>mm</i>
Date <i>1/3/77</i>

~~SEARCHED~~ _____
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~~SERIALIZED~~ _____
~~FILED~~ _____

(Info) Marshall *[Signature]*

44-1574-1960

SEARCHED <i>mm</i>	INDEXED <i>mm</i>
SERIALIZED <i>mm</i>	FILED <i>mm</i>
9 DEC 20 1976	
FBI-LOS ANGELES	

[Signature]

Approved: _____ Sent: _____ M Per: _____
Special Agent in Charge

TRANSMIT VIA: Airtel

PRECEDENCE: _____

CLASSIFICATION: _____

DATE: _____

3-1-77

To: SAC, Albany

From: ~~Director, FBI~~

BUREAUWIDE INFORMATION PROGRAM, 77-5

DEPARTMENT OF JUSTICE TASK FORCE REPORT
ON FBI INVESTIGATIONS INVOLVING
DR. MARTIN LUTHER KING, JR.

Attached is a copy of a three-page news release which was made by Attorney General Griffin B. Bell on 2/18/77 pertaining to the report prepared by the Department of Justice Task Force which conducted a review of our security investigation, as well as our investigation regarding the assassination, of Dr. Martin Luther King, Jr.

There also is attached a copy of the Task Force's report, together with its exhibits. Copies of this report, including its exhibits, have been made available to news media by the Department of Justice.

I have made the following statement in response to inquiries regarding the Task Force's report which have been received at FBIHQ:

"I noted with great satisfaction the conclusions of the task force that the FBI's assassination probe of the Martin Luther King slaying was 'credible and thorough'; that there was no evidence of a conspiracy; and that the report clearly indicates no complicity on the part of the FBI in this assassination.

Enclosures (2)

- 1 - All Field Offices - Enclosures (2)
- 1 - Each Legat - Enclosures (2)

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(Do not type BEYOND THIS MARGIN.)

SEARCHED
SERIAL

44-157-1961

Matheson
HALL
TAYLOR
EL

FBI/DOJ

Airtel to SAC, Albany

RE: DEPARTMENT OF JUSTICE TASK FORCE REPORT
ON FBI INVESTIGATIONS INVOLVING
DR. MARTIN LUTHER KING, JR.

"There are portions of the report which describe objectionable actions on the part of the FBI.

"Guidelines, procedures and our determination to be completely observant of civil rights and the dignity of man will prevent a recurrence of these activities."

If requested to comment regarding any of the conclusions of the Task Force or concerning the contents of its report, you should feel free to quote my above-cited statement. However, you should not expand on my statement or volunteer observations of your own.

In addition, you should not hesitate to refer news media representatives who make inquiries about matters covered in the Task Force report to the Press Services Unit (Ext. 3691) of the External Affairs Division.

Should you receive inquiries regarding the availability of copies of the Task Force report, you should state that the report was released by the Department of Justice and that the FBI has been advised that copies of the report are being printed and will be available for purchase through the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, FEBRUARY 18, 1977

AG
202-739-2028

The FBI conducted a thorough investigation of the assassination of Dr. Martin Luther King, Jr., a Department of Justice task force concluded in a report released today by Attorney General Griffin B. Bell.

The 149-page report was submitted by the task force of the Office of Professional Responsibility following an eight-month intensive review of FBI files and interview of witnesses. The purpose of the study was to examine FBI activities involving Dr. King and to evaluate the effectiveness of the assassination investigation.

The report concluded that the FBI had conducted a painstaking and successful investigation of the 1968 assassination in Memphis, Tennessee.

The task force also found no evidence of FBI complicity in the murder.

The only new evidence that was developed related to details that did not affect the ultimate conclusion that James Earl Ray was the properly convicted murderer.

The task force of five attorneys and two research analysts reviewed more than 200,000 documents from FBI Headquarters and Field Office files and interviewed some 40 witnesses in its study of the King case.

On April 26, 1976, then Attorney General Edward H. Levi directed the Office of Professional Responsibility, headed by Michael E. Shaheen, Jr., to review Department files to determine:

(1) Whether the FBI investigation of Dr. King's murder on April 4, 1968, at Memphis, Tennessee, was thorough and honest;

(2) Whether there was any evidence of FBI involvement in Dr. King's death;

(3) Whether any new evidence had come to the attention of the Department bearing on the assassination which should be dealt with by the proper authorities; and

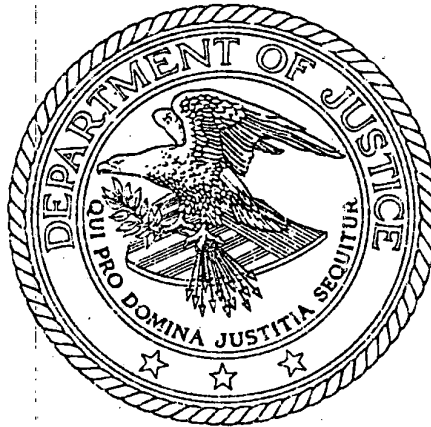
(4) Whether the relationship between the FBI and Dr. King called for criminal prosecution, disciplinary proceedings, or other appropriate action.

After reviewing the murder investigation, the task force turned to the pre-assassination security investigation of Dr. King. The task force found that there may have been an arguable basis for the FBI to initiate a security investigation on Dr. King, but continued that the security investigation should have been ended in 1963 and not continued until his death five years later.

The FBI's COINTELPRO-type harassment of Dr. King and efforts to drive him out of the civil rights movement were found to have been clearly improper.

Mr. Shaheen's report concluded that any criminal action against FBI participants in the harassment campaign was barred by the statute of limitations. The task force recommended no disciplinary action because the chief FBI officials responsible for the harassment are dead or retired.

The task force submitted recommendations for tighter supervision of the FBI's domestic intelligence activities and endorsed the Department's new guidelines in this area. The task force also proposed outright prohibition of COINTELPRO-type activities against domestic intelligence subjects.



REPORT OF THE DEPARTMENT OF JUSTICE
TASK FORCE TO REVIEW THE FBI MARTIN LUTHER KING, JR.,
SECURITY AND ASSASSINATION INVESTIGATIONS

January 11, 1977

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I. INTRODUCTION

A. The Mission Of The Task Force

1. The Problem

On November 1, 1975, William C. Sullivan, former Assistant Director, Domestic Intelligence Division, Federal Bureau of Investigation, testified before the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities. He related that from late 1963 and continuing until the assassination of Dr. Martin Luther King, Jr., King was the target of an intensive campaign by the F.B.I. to neutralize him as an effective civil rights leader. Sullivan stated that in the war against King "No holds were barred." (Senate Report No. 94-755, Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Book II, p. 11). This and other testimony describing this F.B.I. counterintelligence campaign against King reached the public through the news media. As a consequence there was a regeneration of the widespread speculation on the possibility that the Bureau may have had some responsibility in Dr. King's death and may not have done an impartial and thorough investigation of the assassination.

2. The Attorney General's Directive

On November 24, 1975, the Attorney General of the United States directed the Civil Rights Division of the Department of Justice to undertake a review of the files of the Department and its Federal Bureau of Investigation to determine whether the investigation of the assassination of Dr. Martin Luther King, Jr. should be reopened. More particularly it was sought to be determined: (1) whether any action taken in relation to Dr. King by the FBI before the assassination had, or may have had, an effect, direct or indirect, on that event, and (2) whether any action was taken by the FBI which had, or may have had, any other adverse effect on Dr. King. Recommendations for criminal, disciplinary or other appropriate action were requested.

3. The Review up to April 26, 1976

In the next four months, the Assistant Attorney General in charge of the Civil Rights Division, his principal Deputy Assistant Attorney General and the Chief of the Criminal Section of the Civil Rights Division, acting as a review staff, variously read portions of the FBI headquarters file on a person

who served as an adviser to Dr. King, portions of the FBI headquarters security file on Dr. King himself, portions of the FBI headquarters file on the assassination investigation, some Department (as opposed to FBI) files relating to Dr. King, and other Bureau documents including everything on Martin Luther King, Jr., held in the late J. Edgar Hoover's official, confidential and personal files.

By a memorandum to the Attorney General dated April 9, 1976, the Assistant Attorney General in charge of the Civil Rights Division submitted a 51 page report of the Chief of the Civil Rights Division's Criminal Section dated March 31, 1976, embodying the results of the three-man study, limited to the above listed files, and concentrating almost exclusively on the pre-assassination surveillance of, and counterintelligence activities against, Dr. King.

The Assistant Attorney General recommended the creation of a Departmental Task Force to complete the review he and his team had begun. He also recommended an Advisory Committee of distinguished citizens to advise with the task force. The further review proposed included interrogation of material witnesses, reading all the pertinent field office files and reviewing all of the headquarters files relating to Dr. King and possibly to other civil rights activists. A recommendation was made to review tapes secured

by electronic surveillance with a view to determining which of such materials should be and could be legally destroyed. The Assistant Attorney General felt that the FBI should assess the culpability of its agents involved in the wrongdoing by the principals named in the report. His memorandum to the Attorney General concluded that probably criminal redress was time-barred, that civil remedies might be available to the King family but might also be more embarrassing than helpful, and hence that consideration be given to a direct payment by the settlement process or by a private bill to compensate the King survivors, or with the survivors' concurrence, the King Foundation; if this last issue were left to the task force or an Advisory Commission, it should consider the pros and cons and recommend as it sees fit.

The Attorney General forwarded the Civil Rights Division memoranda (and comments thereon from the Deputy Attorney General, the Solicitor General, and from staff members and the Assistant Attorney General of the Criminal Division) to the Counsel, Office of Professional Responsibility. The Attorney General charged the Office of Professional Responsibility with the work of completing the review begun by the Civil Rights Division. His memorandum states:

'My request for the review involved four matters. First, whether the FBI investigation of the Dr. Martin Luther King's assassination was thorough and honest; second, whether there was any evidence that the FBI was involved in the assassination of Dr. King; third, in light of the first two questions, whether there is any new evidence which has come to the attention of the Department concerning the assassination of Dr. King which should be dealt with by the appropriate authorities; fourth, whether the nature of the relationship between the Bureau and Dr. King calls for criminal prosecution, disciplinary proceedings, or other appropriate action.

As the fourth point, I again note that from the partial review which has been made, Mr. Pottinger concludes 'we have found that the FBI undertook a systematic program of harassment of Martin Luther King, by means both legal and illegal, in order to discredit him and harm both him and the movement he led.' Assuming that the major statutory violations relevant to this conduct would be 18 U.S.C. Section 241 and Section 242, Mr. Pottinger's memorandum concludes that any prosecution contemplated under those acts would now be barred by the five-year statute of limitations with the possible exception which would exist if there were proof of a continuing conspiracy.

As to the matter of new evidence with respect to the assassination my understanding is that the Department has never closed the Martin Luther King file and that numerous allegations of the possible involvement of co-conspirators are promptly investigated. The thrust of the review which I requested, however, was to determine whether a new look at what was done by the Bureau in investigating the assassination or in the relationship between the Bureau

and Dr. King might give a different emphasis or new clues in any way to the question of involvement in that crime. At this point in the review, as I read the memoranda, nothing has turned up relevant on this latter point.

The review is not complete. Mr. Pottinger and all those who have commented upon his memorandum recommend that the review be completed. Mr. Pottinger also has made other recommendations upon which there is some difference of opinion. In my view, it is essential that the review be completed as soon as possible and in as thorough a manner as is required to answer the basic questions. In view of what has already been done, and the tentative conclusions reached, special emphasis should be given to the fourth question. In conducting this review you should call upon the Department to furnish to you the staff you need.

My conclusion as to the review conducted by the Civil Rights Division is that it has now shown that this complete review is necessary, particularly in view of the conclusion as to the systematic program of harassment. If your review turns up matters for specific action, we should discuss the best way to proceed on each such case."

B. The Task Force And The Method Of Review

The Counsel of the Office of Professional Responsibility selected three attorneys from the Civil Rights Division, Joseph F. Gross, Jr., James R. Kieckhefer and William D. White, one attorney from the Criminal Section of the Tax Division,

James F. Walker, and a retired attorney Fred G. Folsom, who is currently a consultant to the Tax Division with 37 years of experience in Civil Rights Division (which included homicide cases), Criminal Division and Tax Division prosecutions. As the senior man the latter was designated to head the task force. This committee or task force began its work on May 4, 1976. The committee was further staffed by the addition of two research analysts, Ms. Hope Byrne and Mr. Geoffrey Covert, two secretaries, Ms. Veronica Keith and Mrs. Renee Holmes, and two clerk-typists, Mrs. Leroylyne Murray and Ms. Dana Boyd.

Consideration of a tentative outline for an eventual report based on the chronology of events in the relationship between Dr. Martin Luther King and the Federal Bureau of Investigation brought the task force up against the fact that the field of the history before the assassination had just been plowed twice: once by the Civil Rights Division memoranda of March 31, 1976, and April 9, 1976 and once (among other kindred subjects) by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities (Senate Report, No. 94-155 94th Congress, 2d Session, Books II and III).

By way of contrast, however, the matter of the assassination of Dr. King and the ensuing investigation had been

judged by the Civil Rights Division's Assistant Attorney General and his two assistants primarily on their familiarity with the Department file on the investigation as it had progressed since 1968. The Civil Rights Division's Martin Luther King, Jr., review memoranda reflected that a study had been made of only the first 10 sections of the FBI headquarters file on the assassination investigation and only a random inspection was done of some of the remaining 74 sections. There was no factual discussion or analysis. The conclusion was reached by the Civil Rights Division staff that "the Bureau's investigation was comprehensive, thorough and professional" (Murphy memorandum of March 31, 1976, p. 6). It was determined therefore to begin the task force's study with a complete review of the files on the FBI's investigation of the assassination. It was the consensus of the review team that by approaching the whole task by first examining the character and completeness of the murder investigation an answer could be made to the Attorney General's question as to the Bureau's performance in that regard and also an answer could be indicated to his question going to the Bureau's possible responsibility, if any, direct or indirect, for Dr. King's death.

After the examination of the FBI's investigation of the murder of Dr. King, the review team proceeded to go

back and complete the inquiry into the Bureau's pre-assassination relationship with Dr. King. Necessarily included again in this second stage of our review was the consideration of whether the FBI was in any way implicated in the murder directly or indirectly.

The task force made a particular point of looking at all the material in the FBI headquarters and field office files on the Assassination Investigation, the so-called "Murkin File" (Murkin being an acronym for Murder of King) 1/; the Martin Luther King Security File 2/; the Cominfil-SCLC File (Cominfil being an acronym for Communist infiltration; S.C.L.C., the initials for the Southern Christian Leadership Conference) 3/; the file on Communist Influence in Racial Matters 4/ and the advisor to King File 5/. The "Murkin" file was solely concerned with the murder investigation. The other four files provided a multi-focal view

1/ FBI HQ. 44-38861

2/ FBI HQ. 100-106670

3/ FBI HQ. 100-438794

4/ FBI HQ. 100-442529 and the predecessor file
entitled Communist Party, U.S.A. Negro Question;
FBI HQ. 100-3-116

5/ FBI HQ. 100-392452

of the Bureau's intelligence and counterintelligence activities with respect to Dr. Martin Luther King, Jr. The scheme of citation hereinafter used will be to minimize footnotes, place the source citation in the body of the writing, and designate headquarters files by "HQ" and number and serial and Field Office files by city and number and serial, e.g.: (Memphis 44-1987-153). Exceptions to this scheme will be explained when made.

The more voluminous of the pertinent files in addition to the FBI headquarters files and the Washington Field Office files were located in Memphis, Atlanta, Baltimore, Charlotte, Birmingham, New Orleans, Los Angeles, San Francisco, Kansas City, St. Louis, Omaha, Chicago, Springfield (Ill.), Milwaukee and New York. These were examined in place by visits by task force personnel. The remaining files were xeroxed and forwarded for review in Washington. Pertinent newspaper clipping files maintained by the Department and by the Bureau and its field offices were scanned.

In terms of papers examined, more than 200,000 entries, many with numerous pages concerning both the murder investigation and the security investigation were covered. The five attorneys sitting together originally

and later, as the work progressed, splitting up to work singly or in teams together with the research personnel, considered separate sections of each file compiling notes, commenting on, or reading aloud, or noting for reading by all of the committee, items of significance. Notes were taken, when pertinent items were encountered, on a serial-by-serial basis ("serials" being each separate document entry of one or more pages in the file). The resulting books of notes were then reviewed and used in conjunction with the original-source serials for the development of the statements of fact herein. In addition witness interviews were reflected in contemporaneous memoranda which aided in the development of the facts recited.

Selected portions of the so-called Official and Confidential files which had been kept in the office of the late J. Edgar Hoover, some sensitive files in the office of a Section Chief in the FBI Security Division, and the files of former Assistant Director William Sullivan were reviewed. So also were the pertinent files of the Attorneys General. The task force attorneys reviewed the transcripts of key intercepted telephone and microphone overheard conversations of Dr. King and his associates. These were spot checked

for accuracy against the tapes of those surveillances. A canvass of other investigative agencies was made to determine whether their files reflected that intelligence or counterintelligence requests had been made upon them by the FBI in relation to Dr. King. This included the Defense Department, the State Department, the U.S. Information Agency, the C.I.A., the Secret Service, the Postal Inspection Service, the Internal Revenue Service's Intelligence Division and the Treasury Department's Bureau of Alcohol, Tobacco and Firearms. The material turned up by these agencies was examined, albeit little of consequence was discovered. Relevant portions of the investigation reports of the Memphis Police Department on the King murder were xeroxed and studied.

In addition to official files, the task force personnel considered published material from the public sector dealing with Dr. Martin Luther King, Jr., and his assassination. Included in this category were a viewing of the Columbia Broadcasting System's program on the death of King in its series "The Assassins," a National Broadcasting Company "Tomorrow" program of April 4, 1974, and perusal of books and articles on the Southern Christian Leadership Conference and the role of the FBI in relation to the murder of Dr. King (see Bibliography, App. A, Ex. 6). This lead to some valuable

evidentiary material - principally the oral and written statements of James Earl Ray - which was used to buttress the reconstruction of the facts of the murder and of the FBI investigation.

Some 30 interviews were conducted, principally in the assassination phase of the task force study. They were helpful in supplementing the results of interviews done during the murder investigation.

During the review of the Memphis Field Office files, an on-site inspection of the crime scene was conducted and the exhibits in the office of the Clerk of the County Court for Shelby County, Tennessee, were examined.

II. THE ASSASSINATION INVESTIGATION

A. Events Surrounding April 4, 1968

1. The Poor People's Campaign

To understand the movements of Dr. King during this critical period, it is necessary to briefly discuss the Poor People's Campaign (POCAM), originally called the Washington Spring Project in which he and the SCLC were involved. POCAM was scheduled to begin the first week of April 1968, and involved recruiting some 3,000 poor unemployed blacks from 16 localities in the United States for the purpose of going to Washington, D.C., and petitioning the government to improve their economic status (HQ 157-8428-51).

The plan was to camp on the Washington Monument or Lincoln Memorial grounds (HQ 157-8428-132). During the first and second weeks, demands would be made of congressmen and heads of departments, such as the Secretary of Labor. If the demands were not met, nonviolent demonstrations were to be conducted (HQ 157-8428-109).

Dr. King's planned travel schedule for February and March included trips to 9 major cities and visits to various points in Mississippi, Alabama, South Carolina, North Carolina and Virginia (HQ 157 8428-75). By mid February Dr. King had become discouraged with the lack of progress in recruiting and

training demonstrators (HQ 157-8428-206). During this low point in the POCAM Dr. King was persuaded to alter his plans and to go to Memphis, Tennessee, in support of a strike involving the city's sanitation workers.

2. Memphis Sanitation Worker's Strike

On February 12, 1968, approximately 1,000 sanitation workers employed by the city of Memphis called a wildcat strike. The strikers were represented by Local 1733 of the American Federation of State, County and Municipal Employees who demanded exclusive recognition of the union as bargaining agent, setting up grievance procedures, wage improvements, payroll deduction of union dues, and a promotion system as well as a pension, hospitalization and life insurance program. (HQ 157-9146-XL).

The NAACP intervened in the strike because all of the sanitation workers, excluding drivers, were black. A militant young black power group known as the Invaders was similarly interested in the strike. The group consisted of about 15 members, mostly high school dropouts, and was a cell of a larger group known as Black Organizing Power (BOP) headed by Charles L. Cabbage and John B. Smith. The alleged purpose of BOP was to stimulate a sense of black identity, black pride and black consciousness in young blacks.

The strikers were also supported by a group of black ministers, connected with the Memphis Interdenominational Ministerial Alliance, who adopted the name COME (Community on the Move for Equality). It was members of this group that were instrumental in bringing Dr. King to Memphis. On March 3, 1968, the Reverend James M. Lawson, Jr., pastor of the Centenary Methodist Church, Memphis, and member of COME, stated on a television program (WHBQ-TV) that he wanted to bring Dr. King (and other heads of civil rights organizations) to Memphis in an effort to unify the entire black community behind the demands of the strikers (HQ 157-9146-X23). The intervention of these various black community organizations caused the city of Memphis to be concerned about the racial overtones of the strike and the possibility of violence (HQ 157-9146-X1).

Dr. King made his first visit to Memphis in support of the strike on the night of March 18, 1968. On that occasion, in addressing an estimated crowd of 9,000 to 12,000 people at a rally sponsored by COME at the Mason Temple, he called for a general protest day on March 22, 1968. All blacks were asked not to go to work or school on that day and were urged to participate in a massive downtown march. Dr. King and his party stayed at the Lorraine Motel, 406 Mulberry Street, on

the night of March 18, 1968 and left Memphis shortly before noon on March 19, 1968, ostensibly to go to the State of Mississippi in connection with the POCAM (HQ 157-9146-X39).

The City of Memphis was virtually paralyzed by a 16-inch snowfall on March 22, 1968, resulting in the postponement of the planned mass march to March 28, 1968. Dr. King returned to Memphis on the 28th, arriving at the airport at approximately 10:22a.m. By that time approximately 5,000 to 6,000 people, about half of whom were of school age, had congregated at the Clayborn Temple (located at 280 Hernando St.) for the start of the march. According to the plan of the march, the sanitation workers were in front with the remainder of the people following behind. The march was to proceed north on Hernando to Beale Street, thence west on Beale Street to Main Street and north on Main Street to City Hall.

The march got underway at approximately 11:00a.m. and had proceeded to Hernando and Beale before it was joined by Dr. King. When the front of the march (led by Dr. King) reached Main Street, teenagers and young adults at the rear of the march near Third and Beale (two blocks from the front of the march) ripped the signs off their poles and began breaking store windows and looting. Mass confusion developed and the police moved in to quell the disturbance. The

disruption of the march caused Dr. King's aides to commandeer an automobile, and Dr. King and his party were escorted by police to the Rivermont Hotel operated by Holiday Inns of America. (HQ 157-9146-45). Dr. King left the march at 11:15a.m. and checked into the Rivermont Hotel at 11:24a.m. where he stayed until March 29, 1968. Dr. King and his party were scheduled to return to Atlanta on March 28, 1968, at 9:05p.m. via Eastern Airlines and were scheduled to leave Atlanta the morning of March 29, 1968, for Baltimore (HQ 157-9146-45). Thus, remaining in Memphis on the night of the 28th was a change in plans.

The city ordered a 7:00p.m. curfew and approximately 3,500 members of the Tennessee National Guard were called out to end the violence. During the disturbance four blacks were shot, one fatally; approximately 150 fires were set; and over 300 persons were arrested. Approximately one percent of the marchers engaged in looting and violence and many of these were people who were criminally inclined and who had been in previous trouble. The March 29, 1968, issue of the Memphis "Commercial Appeal" reported that many of the looters and window breakers were black power advocates and that several wore jackets of the "Invaders". However, other sources, including Lieutenant E.H. Arkin of the Memphis Police Department, indicated that

many high school age students had put the word "Invaders" on their jackets for effect and were not necessarily affiliated with the BOP movement (HQ 157-9146-45). The violence and disruption of the march was of great concern to Dr. King because of the possible effect it might have on the planned POCAM. Therefore, he vowed to return to Memphis and demonstrate that he had not lost his effectiveness in leading nonviolent marches.

Dr. King, together with his SCLC staff, returned to Memphis on April 3, 1968, at 10:33a.m. After a press conference at the airport, the group proceeded to the Lorraine Motel, arriving there at approximately 11:20a.m. At about 12:05p.m. Dr. King left the Lorraine Motel for a meeting at the Centenary Methodist Church (Security and Surveillance Rept. of G.P. Tines, Inspector, Memphis Police Department, dated July 17, 1968). Dr. King announced at this meeting that his purpose in returning to Memphis was to lead a mass march on April 8, 1968 (HQ 157-9146-9 p.8).

However, on April 3, 1968, United States District Court Judge Bailey Brown issued a temporary restraining order against further marches in Memphis (HQ 157-9146-9, p.1). Dr. King returned to the Lorraine Motel at 2:25p.m. and sometime that afternoon Federal Marshals served him and his aides with

the restraining order. (Security and Surveillance Rept. of G.P. Tines, Inspector, Memphis Police Department, dated July 17, 1968).

At approximately 4:00p.m. Dr. King and the SCLC staff met with the BOP group at which time Charles Cabbage requested money to institute BOP plans to start a "Liberation School" and a "Black Co-op". Dr. King agreed to use his influence to secure funds for BOP and Rev. Andrew Young agreed to help write up a plan. It is believed these concessions were made to BOP in order to keep them in line and prevent them from following a violent pattern. (HQ 157-9146-9, p.9)

On the night of April 3, 1968, Dr. King spoke to approximately 2,000 persons at the Mason Temple. He emphasized that the scheduled mass march must be held on April 8, 1968, to re-focus attention on the eight-week old sanitation workers strike.

After the speech, Solomon Jones, Jr., serving as Dr. King's chauffeur drove him back to the Lorraine Motel. Dr. King told Jones to report back on Thursday morning, April 4, 1968, at 8:30a.m. because he had to appear in court in connection with a restraining order. (Memphis 44-1987-2322 p.51.)

3. Dr. King's Activities on April 4, 1968

According to Mrs. Georgia M. Davis of Louisville, Kentucky (FBI interview: HQ File 44-38861-2634, p.20) she, Rev. A.D. Williams King, (Dr. King's brother) and Mrs. Lucie Ward arrived in Memphis on April 4, 1968, from Florida and registered at the Lorraine Motel at approximately 1:00a.m. Upon inquiring about Dr. King, they were told that he was attending a strategy meeting at a church. The three then went to the church, but Dr. King was not there.

Returning to the motel, Dr. King's brother, Mrs. Davis and Mrs. Ward conversed in room 207 until they observed Dr. King, along with Reverends Ralph Abernathy and Bernard Lee, getting out of a taxicab in the motel courtyard at about 4:30a.m. Dr. King was invited to room 207 where he visited with his brother, Mrs. Davis and Mrs. Ward until about 5:00a.m. He then went to room 306 where he and Rev. Abernathy were registered. About a half hour later Dr. King went to room 201 where he visited with Mrs. Davis for approximately one hour. Afterwards he returned to room 306 for a strategy meeting scheduled for 8:00a.m.

Solomon Jones, Jr., Dr. King's chauffer, returned to the Lorraine Motel at about 8:30a.m. to take him to court.

However, Rev. Andrew Young advised Jones that he was going to court instead of Dr. King. Therefore Jones was requested to remain at the motel. (HQ 44-38861-2322, p.51).

Dr. King remained at the motel the entire day, returning to room 201 at about 1:30p.m. to visit Mrs. Davis. He was later joined in room 201 by his brother, Mrs. Ward, Abernathy, Lee, Young, and Attorney Chauncey Eskridge. The group conversed until about 5:45p.m. when Dr. King announced they were going to dinner at the home of Rev. Billy Kyles (HQ 44-38861-2634, p.23). ^{*/} Enroute to room 306 to dress, Dr. King saw Solomon Jones, Jr. in the motel courtyard and told him to start the car as they were preparing to go to dinner (HQ 44-38861-2322, p.52).

^{*/} There is a discrepancy in the exact time Dr. King returned to room 306. Mrs. Davis places the time at 5:45p.m. However, in an FBI interview, Rev. Abernathy stated that on April 4, 1968, he and Dr. King did not leave the motel and spent most of the day in room 306. He further stated that he and Dr. King had been gone from their room for approximately one hour or less when they returned to the room at about 5:30p.m. to get dressed for dinner at the home of Rev. Billy Kyles. (HQ 44-38861-2322, p.48).

At approximately 6:00p.m. Dr. King and Rev. Abernathy started to leave room 306. Rev. Abernathy stopped for a moment and Dr. King walked out onto the balcony just outside the door to the room (HQ 44-38861-2322, p.46). He saw Jones standing beside the car on the ground level and began a conversation about the weather. Jones advised Dr. King that he should put on a topcoat as it was cool outside. During this conversation, Dr. King was facing west and Jones was facing east and looking up at Dr. King from the ground level. As Dr. King acknowledged Jones' concern about getting his topcoat, Jones heard a sound which he thought was a fire cracker and Dr. King fell to the floor of the balcony in front of room 306. Jones immediately called for help and a number of Dr. King's aides, who were either in their rooms or standing in the courtyard, rushed to his side (HQ 44-38861-2322, p.52). */

*/ Some critics of the FBI investigation have speculated that Solomon Jones, Jr. set Dr. King up for the assassination by unduly detaining him on the balcony. Nothing in the evidence reviewed by the task force lends any credence to such speculation.

4. FBI Intelligence and Local Police Activities

a. FBI Informants. Robert G. Jensen, the Special Agent in Charge of the Memphis Field Office, and Joseph Hester, case agent for MURKIN, have unequivocally assured the task force that there was no electronic surveillance of Dr. King in Memphis. It was explained that Memphis was not in the mainstream of Dr. King's SCLC activities (Interview of Special Agent Joe Hester, June 23, 1976, App.B). However, FBI agents did observe the sanitation worker's strike activities for intelligence purposes and the Memphis Police Department (MPD) and confidential paid informants did supply information to the field office (Interview of former SAC Robert Jensen, July 7, 1976, App.B).

Our investigation disclosed that there were five paid confidential informants providing intelligence regarding the racial situation to the Memphis Field Office on a continuing basis. The intelligence coverage provided by these individuals related to the activities of the Nation of Islam, Black Students Association of MSU, Students for a Democratic Society, Black Organizing Power, Black United Front, Afro-American Brotherhood, Invaders and the sanitation workers strike. There is

no evidence that the activities of these informants related directly to Dr. King. Moreover, there is no evidence that would suggest that these informants were connected in any way with the assassination of Dr. King. (HQ 134-11867; 170-1841; 170-1922; 170-2530 and 137-4885.)

b. MPD Infiltration of the Invaders. In addition to the paid FBI informants, an officer of the MPD infiltrated the Invaders in an undercover operation. The officer who was later exposed and is no longer with the MPD, was interviewed by the task force. The undercover assignment began in February of 1968 for the specific purpose of infiltrating the Invaders who became active about the same time of the sanitation workers strike. According to the officer the MPD was primarily interested in the Invaders, not Dr. King, because the MPD was concerned about what they might do. The police officer was, in fact, accepted as a member of the Invaders and participated in their activities. On the evening of April 4, 1968, when Dr. King was shot, the informant had been on a shopping trip with Reverend James Bevel and Reverend James Orange. The informant said he returned to the Lorraine Motel at approximately 5:00p.m. and was standing in the motel courtyard at the time Dr. King was shot. He is positive that the shot that killed Dr. King

came from the rear of the buildings which front on South Main Street.

c. MPD Surveillance Detail and Removal of Detective Redditt from Duty. */ From the time of Dr. King's return to Memphis on April 3, 1968, until the time of his assassination, he was under physical surveillance by the MPD. Upon learning of Dr. King's flight schedule, Inspector G.P. Tines of the MPD Inspectional Bureau instructed two black plainclothes officers, Detective Edward E. Redditt and Patrolman Willie B. Richmond, to go to the airport to observe the arrival of Dr. King and to keep him under continuous surveillance in order to see with whom he came in contact. According to Inspector Tines, the surveillance was ordered because Dr. King was a controversial figure and had met with local black militants on his prior visit to Memphis. While at the airport a Mrs. Thomas Matthews pointed her finger at Redditt and told him that she was going to get him. (Report of G.P. Tines, July 17, 1968, Re: Security and Surveillance of Dr. King, App. B.)

*/ The removal of Redditt from duty was cited as one of the bases for the House Select Committee to investigate the assassination of Martin Luther King, Jr.

In addition to the surveillance detail, Assistant Chief of Police W.P. Huston ordered a detail of four men, commanded by Inspector Don H. Smith, to go to the airport for the purpose of providing security for Dr. King. While waiting for Dr. King to arrive, Mrs. Thomas Matthews advised Lieutenant George K. Davis that she had come to the airport to pick up Dr. King and that no one had asked for police to be assigned to him. Inspector Smith also asked Reverend James Lawson where they were going when they left the airport and he replied: "We have not fully made up our minds." Nevertheless, when Dr. King and his party left the airport, Inspector Smith and his men followed them to the Lorraine Motel, arriving there at approximately 11:20a.m. With the assistance of Inspector J.S. Gaglian and two other officers, Inspector Smith and his men secured the entrances to the motel.

Dr. King and his party left the Lorraine Motel at approximately 12:05p.m. and were followed by the security detail to the Centenary Methodist Church where a meeting was held. The detail secured the front and rear entrances of the Church until approximately 2:15p.m. when Dr. King and his group returned to the motel. The security detail then returned to the motel area and resumed their positions until they were ordered to headquarters by Chief J.C. Macdonald

at approximately 5:05p.m. Inspector G.P. Tines stated in his report that he was not conferred with and has no idea why the security detail was removed from Dr. King after 5:05p.m. Former Chief Macdonald has no present recollection of the security detail (Interview of James C. Macdonald, former Chief MPD, December 22, 1976, App. B.) The security detail was not resumed on April 4, 1968, (Reports of Inspectors Don H. Smith and J.S. Gagliano as incorporated in Report of Inspector G.P. Tines, supra.)

As a separate activity from the security detail, Detective Redditt and Patrolman Richmond went to the airport on April 3rd and observed Dr. King's arrival. When Dr. King left the airport they followed him to the Lorraine Motel and learned that he was registered in room 306. Redditt telephoned headquarters and informed Inspector Tines where Dr. King was staying. At approximately 12:05p.m. Redditt and Richmond followed Dr. King and his party to the Centenary Methodist Church where a closed meeting of approximately 30 black ministers was scheduled. Redditt again called headquarters and advised his superiors of his location. Redditt was instructed to leave Richmond at the church and for him to return to the area of the Lorraine Motel for the purpose of finding a suitable place where close surveillance could be kept on the motel. Richmond remained at the Centenary Methodist Church until the

meeting was over at approximately 2:15p.m. Richmond then went to Clayborn Temple where he thought Dr. King would address the sanitation workers prior to a scheduled 3:00p.m. march. However, Dr. King did not make an appearance there. Richmond telephoned headquarters at about 3:30p.m. and was advised that Dr. King had returned to the motel and that Redditt had set up a surveillance post at Fire Station No. 2, located at South Main and Butler streets. Richmond immediately left Clayborn Temple and joined Redditt at the fire station. (Interview of Patrolman W.B. Richmond, April 9, 1968, MPD Statements, State v. James Earl Ray p. 1444).

The rear of Fire Station No. 2 overlooks the Lorraine Motel and provided an excellent vantage point where Redditt and Richmond could observe Dr. King and his associates as they entered and left the motel. On April 3, 1968, Redditt and Richmond remained at their observation post until 6:35p.m. at which time they were relieved by Lieutenant E.H. Arkin and Lieutenant J.V. Papia of the MPD Internal Security Bureau. (Statement of Edward E. Redditt, April 10, 1968, MPD Statements, State vs. James Earl Ray p. 1453).

After leaving their observation post, Redditt and Richmond went to the Mason Temple where Dr. King was

scheduled to address a mass meeting. Shortly after they arrived at the temple, Redditt was approached by Reverend Malcomb D. Blackburn and told that the word was out that he was over in the fire station near the Lorraine Motel spying with binoculars. Reverend Blackburn also advised Richmond that the temple was the wrong place for him because the tension was too high. Fearing they would be exposed, Redditt and Richmond left the meeting at approximately 8:50p.m. (Report of Inspector G.P. Tines.)

Redditt and Richmond resumed their surveillance of the Lorraine Motel from Fire Station No. 2 on April 4, 1968, at 10:30a.m. At approximately 12:50p.m. Redditt received a threatening telephone call from a female who stated that he was doing the black people wrong, and they were going to do him wrong. (Interview of Edward E. Redditt, April 10, 1968.)

At approximately 4:00p.m., Redditt was ordered by telephone to leave the fire station and report to headquarters where he was advised that threats had been made on his life. He was, therefore, ordered to move his family into a motel under an assumed name by Frank Holloman, former Director of Police and Fire, Memphis, Tenn. (Interview of Frank Holloman, September 15, 1976, App. B.) Redditt was taken

home in a squad car, but refused to move his family because of a sick relative. At about the time the squad car arrived in front of Redditt's residence, it was announced on the radio that Dr. King had been shot. After a couple of days, Redditt did not hear any more about the threat on his life. (Interview of Edward E. Redditt, July 8, 1976, App. B.)

In our efforts to trace the source of the threat, we have found that Philip R. Manuel, an investigator with the Senate Investigating Committee, chaired by Senator McClellan was in Memphis on April 4, 1968. While at the MPD Manuel advised them based on a telephone call to his office in Washington, that the Senate Committee Staff had information from an informant in Mississippi that the Mississippi Freedom Democratic Party had made plans to kill a "Negro lieutenant" in Memphis. Manuel left Memphis on a 5:50p.m. flight to Washington and the next day (April 5, 1968) he telephoned the MPD and advised them that the threat was on the life of a "Negro lieutenant" in Knoxville rather than Memphis. (Report of Inspector G.P. Tines, July 17, 1968, supra.)

Philip R. Manuel neither has a present recollection of providing the information regarding the threat to the MPD, nor does he have a memorandum of the event. However, he

confirmed that he was in Memphis and visited the MPD at the time stated and that his office did have a Mississippi source. Moreover, he said the events sounded familiar and he believed the MPD records were correct. (Interview of Philip R. Manuel, September 28, 1976, App. B.)

Although Redditt was relieved from duty at Fire Station No. 2, Richmond remained there and continued to observe who entered and left the motel. At approximately 6:00p.m. Richmond saw Dr. King leave his room and walk to the handrail on the balcony. The Reverend Billy Kyles was standing off to Dr. King's right. An instant later Richmond heard a loud sound similar to a shot and saw Dr. King fall back from the handrail and put his hand up to his head. At approximately 6:01p.m. Richmond telephoned headquarters and reported that Dr. King had been shot. He was instructed to remain at the fire station. Richmond then yelled to members of a MPD tactical squad (which had stopped at the station a few moments earlier) that he believed Dr. King had been shot. He then ran to the front of the fire station and looked north and south on South Main Street, but did not see anyone running or walking, except the men in the tactical squad who left the fire station running in different directions. Shortly thereafter,

Captain J.G. Ray arrived at the fire station and instructed Richmond to go to headquarters and make a detailed report of what he had seen. (Interview of Patrolman W.B. Richmond, April 9, 1968, supra.)

d. Details of Two Black Firemen from Fire Station No. 2.*/ As of April 3, 1968, Norvell E. Wallace and Floyd E. Newsum were the only black firemen assigned to Fire Station No. 2 of the Memphis Fire Department (MFD). Wallace was working the night shift on April 3rd and Newsum was scheduled to report for the day shift on April 4th. Both of these individuals actively supported the sanitation workers strike, attending their rallies and making financial contributions.

In our interview of Wallace (Interview July 8, 1976 App. B.) he stated that at about 10:00 or 10:30 on the night of April 3rd his captain told him that a call had come in requesting that a man be detailed to Fire Station No. 33. He was immediately detailed to No. 33 although it was raining and he was preparing to go to bed. Wallace further stated that while Fire Station No. 33 was understaffed as a whole, there was no shortage of personnel for the pump truck on which he worked. Otherwise, he does not know why he was detailed.

*/ The details of the black firemen from Fire Station No. 2 is a second reason cited as a basis for the House Select Committee to investigate the assassination of Martin Luther King, Jr.