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Services for Ray planned in Nashville

By Shirley Downing
The Commercial Appeal

The body of James Earl Ray, convicted assassin of Dr. Martin Luther King Jr., was to be cremated Sunday in Nashville, and a memorial service is tentatively planned in about three weeks in Nashville.

News reports on Sunday erroneously said the funeral might be held at a church in Memphis, said Ray's brother, Jerry Ray of Smartt, Tenn.

Ray, who pleaded guilty to the 1968 assassination of the civil rights leader, died Thursday in a Nashville hospital from liver disease. He was 70.

After pleading guilty, Ray spent the past 29 years maintaining his innocence. He wanted a new trial and counted King's family and associates among his supporters.

Jerry Ray said Rev. James Lawson, a King friend and former pastor of Centenary United Methodist Church in Memphis, has been invited to conduct the services. Lawson could not be reached at his California home Sunday.

It was Lawson who brought King to Memphis on behalf of striking sanitation workers in 1968. Lawson had also become friends with Ray in prison, officiating at his marriage in 1978.

King's family and friends will be invited to the services, but Ray said it will be about three weeks before everyone can arrange their schedules.

Ray said he will pick up his brother's ashes today and take the ashes to Ireland and scatter them, as Ray had requested.

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Bipartisan coalition seeking to oust Judge Joe Brown

By Kriste Goad
The Commercial Appeal

Power brokers in Shelby County's Democratic and Republican parties are joining forces to help oust controversial Criminal Court Judge Joe Brown.

John Farris, treasurer and former chairman of the local Democratic Party, and Lewis Donelson, former chairman of the local Republican Party, will serve as co-chairmen of the committee to elect prosecutor Terry Harris to Brown's judicial post in the August county general election. Farris and Donelson will share the chairmanship with Brinkley Gaia, a Republican activist and wife of Republican political consultant and analyst Gerald Gaia.

Brown, 50, was elected to the newly created Division 9 judgeship in 1990 with 39 percent of the vote in a three-way race.

Since his election Brown has meted out controversial sentences to criminals, been featured and criticized for those sentences on national news programs such as ABC's *Nightline* and been removed from the James Earl Ray case because an appeals court said he "demonstrated the appearance of bias" in overseeing Ray's claims that he was framed for Dr. Martin Luther King Jr.'s 1968 murder.

In a rare ruling, the Tennessee Court of Criminal Appeals last month ordered Brown to be "prohibited from participating in any further proceedings regarding James Earl Ray."

The ruling cited statements by Brown that alleged political

motives by prosecutors and seemed to favor Ray's efforts to get out of prison.

Ray died last week in Nashville, but the fallout from his case is what has made Brown the No. 1 target for a judicial ouster by the Republican Party. Local Republicans this year tried to failed to institute partisan judicial primaries in Shelby County, a move that Democrats argued against.

Brown said the reason some people want him off the bench is because he has stepped on some toes in the name of what he calls fairness and justice. He said his opposition to the privatization of prisons and prison labor — something he called "nothing more than slavery" — also is behind some of the discontent with him.

"I think what you're looking into is the people who get on the talk show and talk about how doomed the presidency is and then turn around and he

has a 60 percent approval rating," Brown said. "There's a lot of noise with very little substance. What Joe Brown has been about for eight years is fine tuning the justice system so it does what it's supposed to do. I have had polling. I have a very high approval rating."

"Here in Memphis you have a small group of people not used to doing things a little differently."

Farris, who has filed as a candidate for the state Democratic Party Executive Committee, said party affiliations

have nothing to do with wanting Brown off the bench.

"I think overall my philosophy on the judiciary is more conservative than Judge Brown," Farris said. "The local party is not nominating candidates, we're not holding a primary for the judges. The judges are all running as independents. Terry Harris is, to my knowledge, not running as a Republican. I don't know what his past voting record is."

Harris, 37, is an assistant district attorney in Atty. Gen. Bill Gibbons's office. Gibbons, who

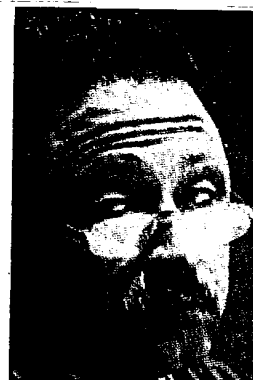
was appointed by Gov. Don Sundquist in 1996, last year appointed Harris head of a new, multiagency Anti-Gang Team.

Mike Carpenter, Harris's campaign coordinator, said the race will "be aggressive in the sense that we're going to work the long hours and do all we need to do to make sure Terry wins."

Harris is expected to receive the GOP endorsement.



Terry Harris



Joe Brown

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FBI/DOJ

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James Earl Ray's funeral Thursday

NASHVILLE (AP) — The brother of James Earl Ray, the confessed assassin of Martin Luther King Jr., says Ray's funeral will be held Thursday.

Jerry Ray said Monday night the funeral will be at the Metropolitan Interdenominational Church in Nashville at 10 a.m.

He said William Pepper, his brother's lawyer, would provide other information about the funeral today.

James Earl Ray died of liver disease last month. His body

was cremated.

Though he pleaded guilty to killing King and avoided the death penalty, Ray recanted and managed for almost 30 years to keep his claims of innocence before the public, largely through court appeals and other legal petitions.

Jerry Ray said his brother's ashes will be at the funeral, and will eventually be flown to Ireland, where his ancestors were from.

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Church didn't want to endorse Ray's claim of innocence

NASHVILLE (AP) — A minister at one of two black churches that declined to hold a memorial service for James Earl Ray said some of his members thought doing so would endorse Ray's claims of innocence in the murder of Dr. Martin Luther King Jr.

Rev. James Thomas of Jefferson Street Missionary Baptist Church in Nashville said he'd agreed last week to hold the service at his church.

"Then I began to feel the spirit of this congregation," Thomas said.

First Baptist Church Capitol Hill, which played a historic role in the civil rights movement of the 1960s, also declined to host the Ray memorial.

But Rev. Edwin Sanders, pastor of Metropolitan Interdenominational Church that will host the memorial service for Ray at 10 this morning, said the service fits his predominantly black congregation's mission of "reconciliation and inclusiveness."

"We acknowledge him (Ray) as a child of God," Sanders said. "His guilt or innocence is something that, at this point, God knows."

The funeral will be conducted by James Lawson, a pioneer in the civil rights movement and a longtime defender of Ray.

Lawson, who helped organize the lunch-counter sit-ins in Nashville in 1960, said Ray had asked him several times to conduct his funeral.

"This will not be a traditional funeral, and my message will not be a traditional message," Lawson said. "It will be appropriate for the occasion."

Ray, 70, died April 23 of liver failure caused by chronic hepatitis. He was serving a 99-year sentence for killing King in Memphis in 1968.

Lawson, now a United Methodist minister in Los Angeles, has maintained for years that Ray was "set up" to take the blame for King's death.

Though he pleaded guilty to killing King and avoided the death penalty, Ray almost immediately recanted and spent nearly three decades trying to gain a trial.

Jerry Ray said his brother's ashes will be at the memorial service. They will eventually be flown to Ireland, home of their ancestors.

King's relatives, who supported James Earl Ray's efforts for a trial, have been invited to the funeral. They will be represented by Isaac Farris Jr., nephew of the slain civil rights leader and chief operating officer at the King Center.

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B-2
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Ray's brother files claim for rifle in King slaying

NASHVILLE (AP) - Jerry Ray, James Earl Ray's brother, has filed a claim in Davidson County Probate Court for the rifle prosecutors believe James Ray used to kill Martin Luther King Jr.

Jerry Ray, the executor of his older brother's estate, also filed an accounting of the convicted assassin's assets, estimated at \$223,000.

Of that, \$200,000 is Jerry

Ray's estimated value of the rifle.

Other items include a transistor radio that Jerry Ray values at \$10,000 or more, binoculars and clothing.

All of the assets, except for some clothing, are in the possession of the Shelby County Criminal Court clerk in Memphis.

James Earl Ray died April 23 in Nashville of liver disease while serving a 99-year prison sentence for King's 1968 slaying in Memphis.

Jerry Ray's request for the rifle and other items that his brother allegedly left behind at the crime scene appears to conflict with a 1994 state law, which allows local prosecutors to turn evidence in "historically significant" cases over to museums.

Shelby County Dist. Atty. Bill Gibbons said last month he plans to transfer the rifle and other items linked to James Earl Ray to the National Civil Rights Museum in Memphis once a recently announced federal investigation is over.

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John Ray says he can solve King case

"I don't care about James Earl Ray — he's dead. I don't care about the King family. I'm just interested in the money."

By Marc Perrusquia
The Commercial Appeal

ST. LOUIS — For 30 years he denied it.

But John Ray now says government investigators were right when they accused him of helping brother James Earl Ray make a daring prison escape in 1967 that set the stage for Dr. Martin Luther King Jr.'s assassination a year later.

John Ray says he'll tell more about King's murder — for a price.

"I can solve the whole case right now," said Ray, who says he's willing to talk now that brother James is dead. But he said the government may need to give him a "six-figure" payment to tell what he knows.

Breaking ranks with the Ray family's longstanding claim that James was framed, John Ray says James not only was involved in King's assas-

sination but also a second racial murder he would not discuss.

"I don't care about James Earl Ray — he's dead. I don't care about the King family," John Ray said, explaining his motives for talking now. "I'm just interested in the money."

Ray is pinning his hopes on a new investigation by Atty. Gen. Janet Reno into King's April 4, 1968, sniper slaying in Memphis. Reno announced last week that she's opening a limited investigation into two conspiracy claims — neither of which involves John Ray — but said investigators would go wherever the facts lead.

But if Ray is banking that his story will be taken at face value, he may be in for more than he bargained. Because

when it comes to credibility gaps, John Ray is a canyon.

Now 65 and retired from a life of crime, Ray spent much of his adult life behind bars for a variety of robbery and theft convictions.

Government lawyers considered perjury charges against Ray in 1978 after he testified to a congressional committee that he knew nothing about the assassination or James's prison escape. Yet many who've studied the assassination believe that if anyone knows secrets for why King was murdered, it's John Ray. "John Ray probably is the last living soul in this country that knows what happened to Martin Luther King," said Conrad 'Pete' Baetz, an investigator for the

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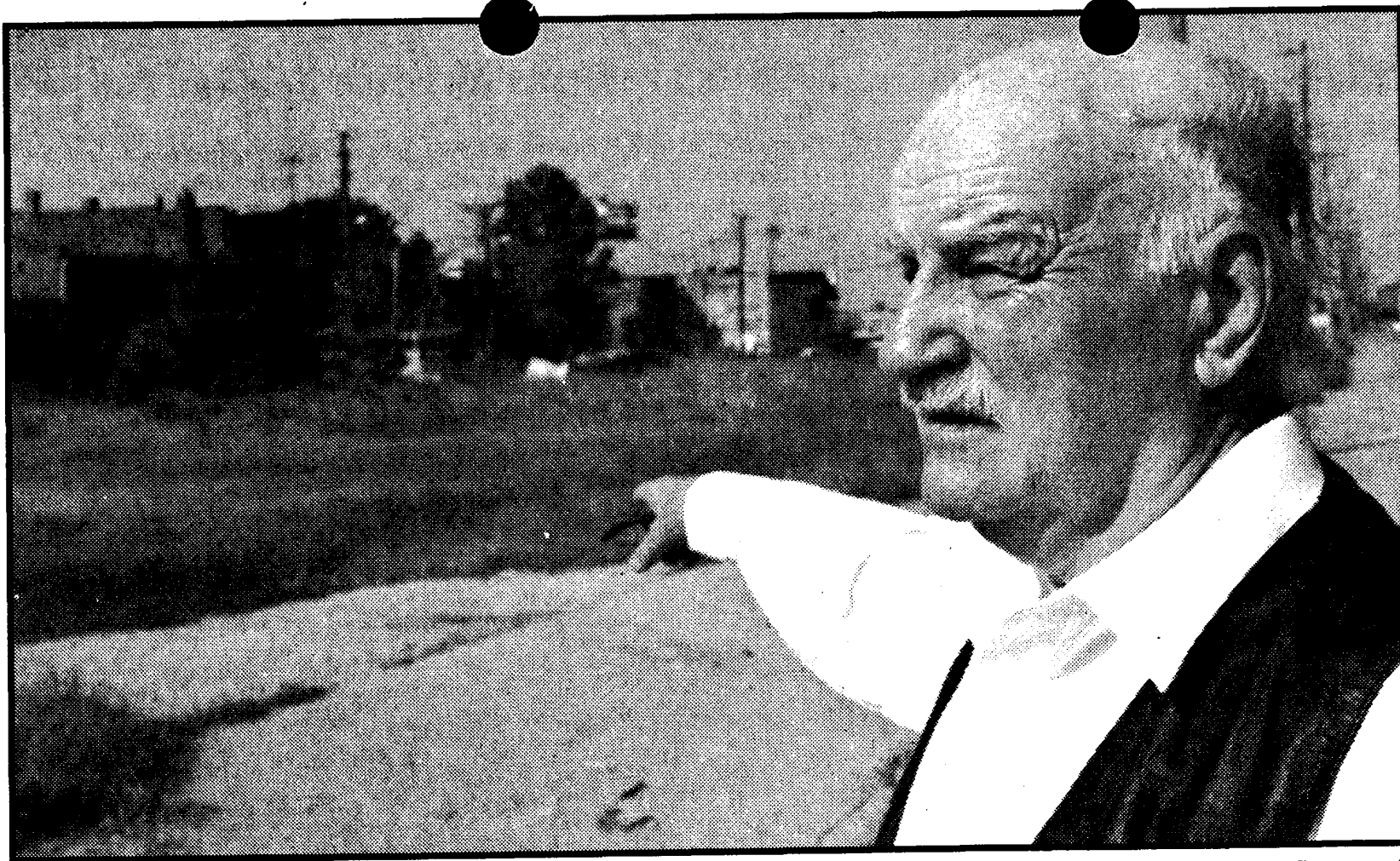
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MEDIA REP.

FBI/DOJ



By Marc Perrusquia

John Ray points to where he says he hid brother James Earl in East St. Louis, Ill., after James's 1967 prison escape. John says he'll solve the King assassination case if the money's right.

House Select Committee on Assassinations' two-year review of King's murder in 1977-78. "If he gives up the information — and he's *truthful* — it will bring closure."

HSCA concluded in 1979 that, despite distracting claims of high-level government conspiracies, James Earl Ray shot King. The committee believed there was a conspiracy involving Ray's family and an attempt to collect a \$50,000 bounty offered by two racist St. Louis businessmen.

Shelby County Dist. Atty. Gen. Bill Gibbons last week said the "unanswered questions" Reno should explore are "whether or not James Earl Ray's brothers were also involved in any way."

Although there's good reason to be skeptical of John Ray's accounts, the Justice Department should consider his comments in its investigation, said historian David J.

Please see RAY, Page A12

Garrow, author of the Pulitzer prize-winning biography of King who has closely followed developments in the assassination case. "This could be a significant step forward because this is the first time either of the two brothers admit participating with James in a crime in that period," Garrow said.

For years, brothers John and Jerry Ray claimed they had no contact with James between the time of his escape and the assassination, although Jerry Ray later admitted meeting with James on matters not of a criminal nature.

Still, it's unclear if the Justice Department would explore John Ray's claims. A spokesman said Friday that Barry Kowalski, lead attorney in the King investigation, was leaving town for several days and was unavailable for comment.

As for Ray, he still denies involvement in King's murder. But he says he will sign an affidavit detailing his knowledge of the assassination if the government would first place money in escrow for him. He said he'd also take a polygraph test. Records long held by the government also may corroborate his account, he said. "She (Reno) knows I'm not telling no windbag story."

A focal point of John Ray's account lies across the Mississippi River from his St. Louis home, in the decaying river town of East St. Louis, Ill.

His brother James hid in East St. Louis for several days after his escape from the Missouri State Penitentiary in Jefferson City, Ray told a reporter this month. "That's where he got some money and a gun," he said, pointing to a vacant lot overgrown with weeds.

In 1967, the property was the site of a mob-run tavern, with a two-story pool hall and apartment building in the back.

James Ray maintained he was alone when he made his April 23, 1967, escape from Jeff City, where he was serving 20 years for robbery. In testimony before Congress and in a book he later authored, he claimed that after his escape, he wandered for several days along railroad tracks before hopping a freight train to St. Louis.

"He wasn't walking down no railroad tracks," John Ray insists. "He was right here."

John Ray told his story over the course of an eight-hour interview this month. Unlike his brother Jerry Ray, 62, who has kept a dial-a-quote media presence throughout the years, John Ray is more private and seldom heard from.

He is an eccentric man who alternately calls himself "Sheriff Shamrock" and "Bloody Jack." He sports a baseball cap featuring a gold law enforcement-style star and the words "Sheriff of the North Pole."

With a speech impediment similar to the voice of cartoon character Elmer Fudd, he spoke of his family's long-held racial views and his own personal struggles, including a career in bank robbery and a disability brought on by diabetes and his two partially amputated feet.

He said he is coming forward now because, with James's death in April from liver disease, there is nothing left to protect.

"Once this comes out, it will direct a path away from the FBI to another source," he said, dismissing conspiracy



James Earl Ray

theories of government involvement in King's death. "This would prevent Jesse Jackson ... and the King family from blaming the FBI."

Ray said he helped his brother try to escape at least a couple times. Once, he said, he crawled up near the prison walls at Jeff City and buried a pair of civilian pants and a shirt for James, but his brother didn't make it out. Records show Ray made an unsuccessful escape attempt in 1966.

In the escape that succeeded, John said James alerted him with a letter written in code. John then visited James in prison the day before the escape. Prison records verified that meeting.

Armed with documentation of the meeting and the fact that James Ray used John's Social Security card and alias immediately after his escape, HSCA lawyers tried to show that James Ray's brothers helped him and kept in contact in the months before King's murder.

Yet John Ray testified in 1978 he didn't learn of James's escape until after King's murder a year later, when he "read about it in the paper." He told the FBI weeks after King's murder that he hadn't seen James in years.

Ray now says he drove to Jeff City in his Plymouth Valiant with criminal associate Jack 'Catman' Gawron, now deceased. "He said he had the guard paid off. So I went down there," he said.

Ray said he and Gawron picked up James almost immediately after he burst from the back of a truck traveling between prison facilities. Authorities believe James hid in a large bread box, an account he eventually confirmed after maintaining for years that he had scaled the wall. James Ray spent his first night loose at Gawron's house, sipping highballs, before John took him across the river to see criminal associates who could "put some money in brother James's pocket," John Ray said.

Ray claims James took a second-story room behind the Pad-dock Lounge, an East St. Louis tavern run by legendary mobster Frank 'Buster' Wortman. Making connections to hoodlums with low-rung links

to Wortman's organization, James lay low for awhile in Chicago before returning to cash in on his East St. Louis opportunities, John said.

Records show James worked several weeks as a dishwasher in Chicago before returning briefly to the St. Louis area, then heading on a puzzling trip to Canada the summer of 1967.

Authorities have theorized that James and John Ray were responsible for an unsolved bank robbery in July 1967 in nearby Alton, Ill., that netted \$27,000. Those funds helped finance James's travels to Canada, Mexico and the American South, authorities believe.

Although he was convicted of a similar bank robbery in 1970 and admitted to a reporter he did in fact pull a bank job in 1980 for which he was acquitted, John Ray still denies robbing the Alton bank.

Instead, Ray contends, James went to Canada to pull a "jewelry heist" and was going to head overseas but returned to the United States when he caught wind of another job: killing King. "That's the fork in the road. That's where the conspiracy came in," John Ray said. "This is where everything breaks open."

Ray said his brother may have had multiple motives for killing King. Authorities have long held he was motivated by racism and low self-esteem.

Admitting that neither he nor his brother was "fond of" blacks, John said racism was less a motive than James's "general animosity toward anything." Bitter over his discharge from the Army years earlier for ineptness, James despised authority, John Ray said. But he was motivated by something else. "Money is another part of it," Ray said.

Testing Ray's accounts can be a tricky job.

He peppers his stories with names and vivid recollections. With a pen, he drew a floor plan of Wortman's East St. Louis premises that was judged accurate by locals familiar with the property. But it's not surprising that the Rays, who frequented the river towns on both sides of the Mississippi and pulled numerous crimes in them, would have been familiar with Wortman's place.

"Anybody who lived in this area and was interested in the night life went to East St. Louis," said local historian Bill Nunes. He said the town was "wide open" then for all-night drinking, gambling and prostitution.

... (John Ray) is an eccentric man who alternately calls himself "Sheriff Shamrock" and "Bloody Jack." He sports a baseball cap featuring a gold law enforcement-style star and the words "Sheriff of the North Pole."

John Ray's account of the prison escape also bears examination.

A Chicago woman who rented James a room a week after the escape told author William Bradford Huie in 1968 that Ray "had foot trouble when he came here. He could hardly walk for several days." The account seems to support James Ray's contention he had walked for days along railroad tracks.

Investigator Baetz said he believes Ray didn't meet up with John immediately and did have to walk before his brother picked him up.

Had John Ray admitted involvement in the escape to

Congress in 1978, he wouldn't have faced criminal liability because the statute of limitations for aiding an escape had expired in 1970.

Either way, some see sinister connections in the Ray family's efforts to distance themselves from James's pre-assassination activities.

HSCA established links among the Ray brothers in the weeks before King's murder. Among them, James Ray told a Birmingham gun salesman that his "brother" had advised him on the purchase of the rifle.

John and James Ray, both convicted felons who couldn't vote, also became active after the escape in grass-roots activity in the presidential campaign of Alabama's segregationist governor, George Wallace. From Los Angeles, James helped register voters for Wallace, while John, then running a tavern in St. Louis, distributed Wallace campaign literature. John Ray now says he did so only because of pressure from local police who supported Wallace.

John's Grapevine Tavern was across the street from a house frequented by Wallace supporters, including segregationist patent attorney John Sutherland. FBI reports showed Sutherland allegedly offered a criminal \$50,000 in 1966 or '67 to have King killed. Individuals linked to that offer also had connections to the state prison where James Ray served time. John Ray said he never knew Sutherland and had no involvement in a right-wing conspiracy to kill King.

Still, Baetz said John Ray's account presents a "valid lead" for the Justice Department but cautioned that Ray often "intertwines fact and fiction." He said he's skeptical because Ray is omitting any admission of involvement in King's murder.

"He's got a kernel of credibility there because he is finally admitting and putting James in it," he said.

Garrow said Justice officials should at least listen to Ray and administer a lie-detector test.

His claims have "at least facial plausibility. . . . And in the King case, facial plausibility has been in short supply."

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EDITORIALS

KING PROBE

Will it pin down what Ray brothers knew?

WHATEVER element of mystery still clouds the assassination of Dr. Martin Luther King Jr. 30 years later is unlikely to be swept away by a fifth government investigation into the murder, just ordered by Atty. Gen. Janet Reno.

Such prospects certainly are not aided by the announced focus of the "limited" probe. It includes highly dubious conspiracy claims by a former Memphis café owner whose story keeps changing, and a former Federal Bureau of Investigation agent who says he pocketed incriminating evidence from assassin James Earl Ray's car and didn't tell anyone about it for three decades.

Why follow up on stories that have been discredited? Dr. King's family, shortly after Ray's own recent death, expressed concern about persistent conspiracy tales during a meeting with President Clinton — who out of "enormous respect" for the family turned the matter over to Reno for review.

King's widow, Coretta Scott King, had wanted a much more sweeping probe. Reno pledges that investigators from the Justice Department's civil rights division will follow the facts wherever they lead.

If this investigation is indeed going to be more than a pro forma, politically tainted accommodation of a revered victim's survivors, a more productive route into conspiracy theory might lead to the family of James Earl Ray.

Shelby County Dist. Atty. Gen. Bill Gibbons recommended last week that Reno should determine whether Ray's brothers had any involvement in the killing, as has long been claimed by a variety of investigators. Both the talkative Jerry Ray and the formerly silent John Ray have denied such involvement.

But in an eight-hour interview last month with Commercial Appeal reporter Marc Perrusquia, John Ray finally admitted helping brother James escape from a Missouri prison prior to the King murder. He says his brother was involved in King's death and another racially motivated murder, and has offered to tell all for a "six-figure" payment, now that James is dead.

Authorities seem as skeptical of tales by this career criminal as they are those of his loquacious brother Jerry. And John Ray may more readily deserve prosecution for obstruction of justice than a cash payoff if he really has concealed knowledge about a murder.

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At any rate, the Ray brothers seem more likely to know about the King assassination than the two men whose conspiracy tales are being checked out. Café owner Loyd Jowers once claimed to have received \$100,000 to arrange King's murder, and later told the King family that Memphis police officers planned the killing in his restaurant.

Donald Wilson, who was a rookie FBI agent when King was killed and is now a Chicago-area businessman, said last March that he found slips of paper in Ray's white Ford Mustang in 1968. He claimed the scraps hinted at the involvement of others in the murder; he reputedly kept the papers in a bank vault all these years. Retired agents involved in the case said they had never heard of Wilson.

It is reasonable to ask why another investigation is necessary. Other probes left little doubt about James Earl Ray's guilt.

The most likely good to come from such a review would be a final resolution of unanswered questions about the involvement of others in the assassination. If either of Ray's brothers can provide credible information, here's their chance.

MEDIA REP.

FBI/DOJ

(Mount Clipping in Space Below)

Gibbons to Reno: Add Ray brothers to King probe

By Marc Perrusquia
The Commercial Appeal

Shelby County Dist. Atty. Gen. Bill Gibbons has asked the Justice Department to investigate whether James Earl Ray's brothers were involved in the 1968 assassination of Dr. Martin Luther King Jr.

In a letter to U.S. Atty. Gen. Janet Reno, Gibbons said actions by John and Jerry Ray pose a legitimate mystery that should

be explored.

"I strongly urge the Justice Department to take a close look at the activities of James Earl Ray's brothers and their possible involvement in this tragedy," said Gibbons.

Reno announced last month she's opening a limited investigation into King's slaying by a sniper on April 4, 1968, in Memphis. The investigation, prompted by a meeting between King's family and President Clinton last spring at the White

House, focuses on two conspiracy claims that many consider dubious. Neither includes Ray's brothers.

Gibbons's letter, dated Sept. 3 and released Thursday, provides a formal plea to his earlier public comments. In the letter, Gibbons characterizes concerns about Ray's family as "the primary unanswered question" behind King's murder.

A congressional committee concluded in

Please see KING, Page A5

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1979 that James Earl Ray had voluntarily and intelligently pleaded guilty to King's murder and that he was the sniper who shot King as the civil rights leader stood on the balcony of the Lorraine Motel.

The House Select Committee on Assassinations (HSCA) also concluded there was a "likelihood of the involvement of one or both brothers in the assassination." HSCA found evidence during a two-year investigation that two St. Louis businessmen had offered a \$50,000 bounty on King's life, and investigators believed the Ray family may have caught wind of that offer.

Gibbons, who in March completed his own seven-month probe into conspiracy claims, said his office lacked the resources to investigate the Rays. In the letter to Reno, Gibbons asked that the Clinton administration "actively" support efforts to unseal records from HSCA's two-year King probe.

Justice Department spokesman Myron Marlin said Thursday from Washington that Reno has received Gibbons's letter. Officials planned to review it "to determine how best to proceed," said Marlin.

Reached by telephone, both Ray brothers denied involvement in King's murder.

"I wasn't part of a murder conspiracy," said John Larry Ray, 65, of St. Louis. Ray, who recently claimed he has information on King's murder that he'd sell to the government, said he was "not a bit" worried about an investigation: "If I was concerned . . . I wouldn't be opening my mouth. That would be stupid."

Gerald 'Jerry' William Ray, 63, of Smartt, Tenn., said, "I welcome them to look at anything I ever did in my life."

Both brothers testified in 1978 hearings in Washington that they had no intimate knowledge of King's shooting.

Gibbons's request came days after John Ray said in a story published in The Commercial Appeal that he helped James escape from a Missouri prison a year before the King murder.

Authorities long contended John Ray aided James in his April 23, 1967, escape from the state prison in Jefferson City, Mo., where he was serving 20 years for robbery. John Ray denied it in 1978 testimony.

He said in an interview last month he would tell more about King's murder if the government would pay him. The details, he said, include information on a plot to kill King and about James Earl Ray's involvement in a second racial murder.

Amplifying those comments this week, John Ray stressed that his knowledge comes from a "confession" brother James made to him years after King's death. James Earl Ray died in April of liver disease.

John Ray said James never admitted shooting King, yet gave details and the names of two others supposedly involved in the murder. The information is not positive proof that James Ray killed King, but "would enhance his guilt so much people will probably take it he's involved," said John Ray.

He contends his brother told him details while both were temporarily housed at the Shelby County Jail in 1974 to attend a federal hearing here in which James Ray tried to have his guilty plea reversed.

Records show John and James were in the jail simultaneously for at least five days in October 1974. John Ray, then serving a federal sentence for bank robbery, was brought here by U.S. marshals and testified that his brother had been coerced into pleading guilty.

John Ray said he and James shared the same cell during his stay here, a claim questioned by retired chief jailer Harry Parker. "I don't think it would have been possible," said Parker, 69.

Another former jail official, however, said James and John Ray could have been kept in the same cell to protect them from other inmates. "That would have been a good place to put (them)," said Billy J. Smith, 66, who supervised James Ray's 1968 incarceration at the jail and retired in 1986.

The Ray brothers' knowledge of the assassination has long been a critical issue. John and Jerry Ray claimed for years they had no contact with James between the time of his escape and the assassination, although Jerry later admitted meeting with James on occasion.

The HSCA raised concerns about James Ray's contacts with his brothers. Those concerns included evidence that Ray's family may have funneled money to finance his travels through the United States, Canada and Mexico.

Witnesses said James Earl Ray mentioned a brother in connection with a mysterious trip he made to New Orleans shortly before King's slaying. Ray also told a Birmingham gun dealer that "my brother" provided advice on the purchase of the rifle used to kill King. James Ray also used brother John's Social Security card and alias during his first

weeks on the lam.

So plentiful were the links between James Earl Ray and his brothers that the committee concluded that John or Jerry — or a composite of both — was



Jerry Ray

probably the mysterious Raoul, who Ray claimed had financed his travels and framed him for the King assassination. Investigators never located Raoul.

Over the course of an eight-hour interview in St. Louis last month and in phone conversations with a reporter this month, John Ray has made several puzzling comments about the assassination.

John Ray said he fled St. Louis after King was shot, hiding out for a few days across the river in East St. Louis, Ill., as his brother James headed for Europe.

"I went over there because I didn't know what was coming down," he said, offering no fur-



John Ray

ther explanation.

FBI reports show agents interviewed members of the Ray family the day James was identified as a suspect in King's murder, yet couldn't locate John for another three days. The HSCA concluded that, while the FBI conducted a thorough hunt for King's killer, it failed to conduct an adequate conspiracy investigation. For one thing, it failed to check John Ray's alibi on the day of the murder.

John Ray's recent claims have driven a wedge between the two surviving brothers, who long contended publicly that James Earl Ray was framed.

"That's all bull," said Jerry Ray, calling John's claims "crazy talk." "The only thing that it does is put the heat on everybody."

Jerry Ray, who forged an al-

liance last year with King's family and has met several times with King's son, Dexter, said John Ray is just trying to make a buck. However, Jerry did confirm that John aided in James's escape.

"John did go pick James up, that's true," Jerry said. Author George McMillan said in a 1976 book that Jerry told him John helped James escape and then

drove him to Chicago, but when government investigators began asking questions, Jerry denied that, too.

Credibility is a concern for John and Jerry Ray, both ex-convicts who've given conflicting accounts through the years.

But John Ray, convicted in the past of bank robbery, bur-

glary and auto theft, insists he has evidence to back his claims and said he'll take a polygraph.

"He (Jerry) is the one who don't know anything," John said. "Nobody has told him anything. He's gabby."

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(Indicate page, name of newspaper, city and state.)

(Mount Clipping in Space Below)

Jowers seeks suit dismissal in King case

Former Memphis cafe owner Loyd Jowers has asked a judge to dismiss a lawsuit filed by Dr. Martin Luther King Jr.'s family alleging Jowers was involved in a conspiracy to assassinate the civil rights leader.

King's family filed a wrongful death suit this month in Shelby County Circuit Court after Jowers told them in videotaped meetings that he had intimate knowledge of King's 1968 murder in Memphis. Jowers has said publicly he was involved in King's murder, but his accounts have varied with different tellings.

Filing a written response to the suit Tuesday, Jowers denied any involvement in a plot to kill King, but said "other persons" may have been involved. Jowers "reserves his further pleading to identify additional co-defendants, when they are known," attorney Lewis Garrison said in the response filed on Jowers's behalf.

The response also seeks to dismiss the suit on grounds it is barred by statutes of limitations.

An investigation this year by Dist. Atty. Gen. Bill Gibbons concluded Jowers's claims weren't credible. His claims are under review by the Justice Department.

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Edition: *The Commercial Appeal*

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Classification: *CR-1987*

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FBI/DOJ

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King family wants his clothing back

The family of Dr. Martin Luther King Jr. is seeking the return of personal effects and clothing that the civil rights leader possessed when he was assassinated here in 1968.

A motion filed in Criminal Court seeks the black business suit that King wore when he was shot by a sniper April 4, 1968, while standing on the balcony of the Lorraine Motel. The motion also seeks a stained T-shirt, handkerchief, socks, loafers and other items still locked in an evidence vault here.

No hearing date has been set.

The motion was filed by lawyers Wayne Chastain and William Pepper on behalf of King's widow, Coretta Scott King, and the Kings' four children. Chastain and Pepper also represented James Earl Ray, King's confessed assassin. Ray died last year of liver disease.

— Marc Perrusquia

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ME 44-1987-C-823

Indexing:

Dr. King trial testimony uncovering missing links

by Tony Jones

Tri-State Defender Staff Writer

Dexter King says he is amazed at the amount of untold information which has come forth in the trial of Lloyd Jowers, who is facing a civil suit brought by the Kings naming him as a conspirator in the murder of their father and patriarch, Dr. Martin Luther King Jr.

In a virtual rewriting of history, the trial to decipher Jowers' involvement in the alleged human mechanism that actually triggered the murder of the fabled champion for African-American civil and economic rights in the court of Judge James Swearengen.

Jowers, an Arkansas citizen, has come forth to officially testify that he was a middleman in a conspiracy allegedly linking now-deceased Memphis businessman Frank Liberto, the Mafia, possibly several offices of the federal government

in a cover-up by the Memphis Police Department. Jowers owned the rooming house and bar from which James Earl Ray supposedly fired the shot that killed King.

According to Jowers' attorney Lewis Garrison, he had sought the King family's assent to meet with Jowers for many years, but it was only recently that the family had become receptive.

"I'm more certain than ever that there was a conspiracy in the killing of Dr. King," said Garrison. "I think Mr. Jowers played a very small part in it and that he's been honest with the family in telling what he knows and they appreciate it. It's taken probably close to 10 years to get a meeting with them. I've been representing him for more than 25 years and I believe him."

Garrison said Jowers "was given some money to pick up from Frank Liberto. He had done it before and had no knowl-

SSA Brown

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edge that Dr. King was the target. He had done this before many times."

One theory still unresolved is that Liberto was allegedly a link between Mafia sources in New Orleans that arranged the murder.

At press time Wednesday, Dexter King had given testimony about his feelings of whether President Lyndon Johnson could have been involved in a plot to kill his father.

The questioning attorney said that he had made the statement in a movie, but King said that his statement was edited incorrectly. Paraphrasing his answer, he said, "I did not state that I believed President Johnson had direct knowledge, but that if there was a high level of government involvement, I stated that it would seem impossible for him not to have knowledge of such a level of involvement. It is a known fact that the FBI was actively involved in a surveillance campaign against him."

King says the number of witnesses with fresh information has been amazing. "I just hope that there is not so much information that it becomes overwhelming to the jury. I have been following this for three years and I feel overwhelmed at times, so I can imagine how it must feel to people just becoming aware of it. There have been more than 70 people that have come forth with documentation and testimony that had never been heard before."

He says that he believes Jowers. "I have to go with my gut instinct in many of the cases of people offering information. I have a background in criminal justice and from working with inmates for 24 hours around the clock I can tell when someone is trying to con me. A lot of that you can't quantify."

King says he was skeptical of Jowers initially. His attorney William Pepper, author of *A Time To Kill*, the latest book considered credible in uncovering the truer facts of the assassination, helped sway his misgivings. "I was very much skeptical of Jowers. Why would he be telling me this? Why would he be coming forth at this time? But Attorney (William) Pepper had informa-

tion corroborating Jowers' involvement so we thought it best to move forward."

Surprisingly, he does not want the sealed official record of the assassination and investigation revealed. "I'm not so sure that opening the files is the solution. My biggest fear and my family's concern is that once this information gets out, right, wrong or indifferent, it would become sensationalized. You will have historians and scholars debating this for decades, like the Kennedy assassination. But unlike the Kennedy assassination we have living witnesses. People have been sent to the electric chair for much less."

Ultimately, "I would like the jury to rule in our favor and find Mr. Jowers liable for his part and ultimately that the truth will be in the permanent record for all to see. This theory of the shot coming from the window just didn't happen."



Attorney William Peeper escorts Dexter King from the courtroom following his testimony. (Photo by Glen Yaun)

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Conspiracy in King slaying, jury rules

Says government, cafe owner involved

By Bill Dries
and Marc Perrusquia
The Commercial Appeal

A Circuit Court jury found Wednesday that onetime downtown cafe owner Loyd Jowers and the government at several levels conspired to assassinate Dr. Martin Luther King Jr.

The jury took less than an hour and a half to reach its verdict in the wrongful death lawsuit and award \$100 in damages to King's family. The family filed the civil lawsuit against the 73-year-old Jowers in October 1998.

No branch of the government is specifically held liable in the verdict. The decision carries

no criminal charges or penalties and does not reverse James Earl Ray's 1969 guilty plea to the assassination.

Jowers was not in the courtroom. He missed much of the trial because of health problems. He was excused from attending the trial after a doctor said he suffers from "severe cerebral arteriosclerosis."

In 1968, Jowers owned a grill on the ground floor of the South Main rooming house where the shot that killed King was fired. He claimed in a 1993 ABC-TV interview that he played a part in a conspiracy to kill King, and was handed the still smoking gun by the assassin.

King's son Dexter and former King aide Andrew Young testi-

fied that Jowers told them the same story in two meetings — both recorded. His story has varied in recent years. Jowers had earlier denied any involvement, and still later took the fifth amendment when questioned under oath for depositions.

Onto that story, William Pepper, attorney for the King family, grafted theories about government involvement that went beyond surveillance of King that federal officials acknowledged in the aftermath of the Watergate scandal of the 1970s.

Dexter King claimed the verdict rewrites history and closes a legal chapter on the case as

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far as the family is concerned.

"I think that this is history being created," King told reporters as he left the courthouse. "Anyone who would question whether the truth would come out, this is the last form of democracy that's still alive where you have independent jurors rendering a verdict. So, we're very happy."

Lewis Garrison, attorney for Jowers, said the verdict confirms in a general way what many Americans have suspected for decades, but downplayed his client's role in any conspiracy.

Garrison said, "I don't think anything's changed. We've thought all the time that the government was involved along with the police department. The jury agrees with that."

In many cases, witnesses, whether testifying from the witness stand or by depositions that were read in court, gave conflicting accounts of their activities.

King's other son, Martin Luther King III, attributed the changes to intimidation and threats either from government sources or individuals.

"I don't know how a jury reconciles it," he said during a break in testimony Tuesday. "There are people who are threatening people's lives. It's very, very serious. I think any human being would be inclined to change what they said as factual if they were threatened by different elements."

Two jurors said they had no problems reconciling what they heard.

"It was a cut and dry case ... There were a lot of people involved — everyone from the CIA, military involvement in it, Jowers was involved in it, I felt," said juror David Morphy as he left the courthouse.

"I felt the same way," said juror Robert Tucker. "Even though Jowers may not have knowingly knew that that is exactly what he was doing, he had a part in it. He handled the money. He handled the guns."

Others on the jury of eight men and four women, which was split evenly along racial lines, declined comment as they left the courthouse.

An investigation by the Shelby County District Attorney General's Office found last year that Jowers's accounts weren't credible and likely were motivated by a desire to make money from a book or movie deal.

John Campbell, the state prosecutor who fought Ray's many attempts for a new trial prior to his death in prison last year, said he believes the verdict was based on a one-sided presentation of evidence.

"What does a jury do under those circumstances when everybody agrees, and all they want the jury to do is just basically approve it," asked Campbell, who did not participate in the trial.

"They've been provided a very narrow view of Dr. Pepper's conspiracy theory. They have not seen all the warts. They have not seen a lot of the conjecture that came up in '93 and '94 with witnesses who apparently were not called at this trial."

The burden of proof in civil cases is not "beyond a reasonable doubt," the standard in criminal cases.

In civil cases, the plaintiffs must prove their case with a "preponderance" of the evidence — whether something is "probably true" and "more likely true than not true," according to instructions to the jury read by Judge James Swearngen before they began deliberations.

Dexter King, who was the only member of the King family in the courtroom for the verdict, showed no reaction as the verdict was read, but later hugged Pepper, the attorney for the family and former attorney for Ray.

King said before the verdict that his family would not pursue court action against the government if the jury found in their favor.

"This is kind of a final chapter ... as far as legal remedies go. We hope to put this behind us and move on with our lives. This is a time for reconciliation, healing and closure," he said.

The \$100 was a token amount suggested by the King family that both sides in the lawsuit agreed to. King said the money will be donated to some kind of welfare fund for sanitation workers represented by the American Federation of State, County and Municipal Employees. The union represented striking sanitation workers in 1968, when King came to Memphis in their behalf.

Garrison never specifically denied that his client was involved in a conspiracy and said in opening statements that he agreed with 80 percent of Pepper's case. Unlike Pepper, he stressed his belief that Ray was involved because he was continually evasive when asked questions about specific aspects of his journey to and from Memphis in 1968.

(Mount Clipping in Space Below)

KING TRIAL

Conspiracy verdict won't advance quest for truth

THE BURLESQUE of the law that ended in a Shelby County courtroom this week had nothing to do with a search for "the truth" about the assassination of Dr. Martin Luther King Jr. in Memphis 31 years ago. It is more likely to retard than to advance that goal.

A Circuit Court jury's verdict that the civil rights leader's slaying was the product of a vast conspiracy defies the compelling findings of numerous previous investigations — federal, local and private. Their conclusions: A racist criminal named James Earl Ray murdered King. The confessed killer committed that heinous deed alone. Even though Ray recanted his confession, federal and state courts have upheld his conviction eight times.

None of the "evidence" presented at the three-week civil trial — much of it self-contradictory and based on hearsay — credibly challenged those determinations. After the verdict, one of the jurors called the case before the jury "cut and dried." In fact, the jurors were given nothing much to decide.

Jury trials are supposed to be adversarial proceedings, in which truth emerges from jurors' careful consideration of competing arguments and theories offered by opposing counsel. If the King trial exposed any apparent conspiracy, it was between the lawyers for the plaintiff and the defense, who essentially sought to persuade jurors of the same thing.

King's widow and children last year filed a wrongful-death lawsuit against Loyd Jowers, the retired owner of a downtown café. Jowers claimed in a television interview in 1993 that a Memphis produce dealer had paid him \$100,000 to hire an assassin other than Ray.

Jowers, who previously denied involvement in King's death, has repeatedly changed his story, including the identity of the gunman. He flunked a nationally televised polygraph test. Local prosecutors accused him of seeking to turn a buck by peddling his tale. In the end, jurors in the suit against Jowers — who didn't testify — awarded the King family the damages it asked for: \$100.

Despite the inconsistencies in Jowers's account, King's survivors and their opportunistic lawyer, William Pepper, used his lurid yarn as a vehicle to advance their own conspiracy claims. And Jowers's lawyer said he accepted "80 percent" of

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FBI DOJ

Pepper's theories, agreeing there was a conspiracy but disputing the extent of his client's participation in it.

Pepper represented Ray in his unsuccessful bid for a new trial before he died in prison last year. The lawyer alleged at the civil trial that the conspiracy connected Jowers to the federal government, the Memphis Police Department and the State of Tennessee. At other times he has named the FBI, the CIA, the U.S. military, news media, supporters of the Vietnam War and opponents of civil rights in his catalog of plotters.

King's family says it hopes that this week's verdict will force a new investigation of the assassination. Family members say they want history books to adopt the conspiracy theory reflected in the verdict.

But a Justice Department official said Thursday that a nearly completed review of King's death by the department's civil rights division is not likely to result in criminal prosecution. That investigation, ordered last year by Atty. Gen. Janet Reno, includes an examination of Jowers's claims.

Certainly King's family has every reason to mistrust the FBI, given the bureau's loathsome harassment of King at the direction of J. Edgar Hoover. The bureau still needs to be called to account for that misconduct, but the embrace of incredible conspiracy theories will not bring that about.

The government ought to respond to this week's verdict — not to affirm it, but to refute it. For example, it is time for the release of sealed documents related to the 1979 report of the House Select Committee on Assassinations. Those papers could help shed light on allegations that Ray's brothers were somehow involved before or after the assassination, and that Ray had hoped to collect a bounty placed on King's life by white supremacists in St. Louis.

Dr. King's murder traumatized the nation and dealt a grave setback to the crusade against racism and poverty that he had led. It also cast a shadow on Memphis from which the city has not fully emerged more than three decades later.

Family members say they hope this week's verdict will allow them and the nation to "move on." Sadly, though, it seems more likely to contribute to further darkness about the King murder than to dissipate it.

(Mount Clipping in Space Below)

Jowers's claims, contradictions find 12 believers

By Marc Perrusquia
The Commercial Appeal

Finally, Loyd Jowers is believed.

For six years, the former cafe owner claimed in ever-evolving accounts that he knew of a plot behind the murder of Dr. Martin Luther King Jr..

He persisted, even after failing a nationally televised lie-detector test and facing allegations in a government report that he'd dreamed up his story in the hope of making a buck.

On Wednesday, 12 people agreed with him. A Shelby County Circuit Court jury found that Jowers and "unknown conspirators" within the government were liable for King's April 4, 1968, assassination in Memphis.

Jowers, 73, never testified

and wasn't present for the verdict. Frail-looking and rail thin,

Jowers sat through early parts of the trial but reportedly was too ill to continue making appearances in court.

Conspiracy theorist and lawyer William Pepper, who convinced the King family to file its wrongful death suit against Jowers, claimed the verdict as validation of his contention that King's murder was the result of a sweeping conspiracy involving the federal government, Memphis police and Mafia figures.

Prosecutors responsible for keeping confessed assassin James Earl Ray in prison until his death last year, watched the



Loyd Jowers

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civil trial from afar and called it a one-sided affair. It featured witnesses passing on second- and third-hand hearsay with little cross-examination from Jowers's lawyer, Lewis Garrison, they said.

So, can Jowers be believed? What follows is a summary of his claims and contradictions through the years:

April 4, 1968: Jowers tells police shortly after the 6:01 p.m. assassination that he knew nothing about the shooting. At the time, he operated Jim's Grill, a South Main Street cafe below the rooming house from which prosecutors believe Ray fired the rifle that killed King. Jowers said he heard a noise that "sounded like something that fell in the kitchen."

Feb. 10, 1969: One month

before Ray pleaded guilty, the District Attorney General's Office learns of a witness who alleged that Jowers was involved in King's murder. Betty Spates, a waitress at Jim's Grill, claimed Jowers found a gun behind the cafe and may have shot King. Two days later, Spates told prosecutors she was offered \$5,000 to make up the story. Spates said the bogus tale originated with King supporters.

Dec. 16, 1993: Jowers tells ABC news reporter Sam Donaldson in a nationally televised interview that he received \$100,000 from now-deceased Memphis produce dealer Frank C. Liberto to arrange King's murder. The FBI had investigated and discounted in 1968 a tip involving Liberto. A congressional committee that re-examined King's murder a decade later concluded in a published report in 1979 that Ray shot King and that there was no merit to alle-

gations regarding Liberto and numerous other conspiracy accounts.

Dec. 19, 1993: Frank Holt, a homeless fruit-picker whom Jowers said he had paid to shoot King, denies any involvement. The Tennessean newspaper in Nashville reported that it found Holt in Florida and gave him a lie-detector test, which he passed.

Jan. 25, 1994: Spates tells the Tennessee Bureau of Investigation that money motivated her renewed claims that she'd seen Jowers enter the back of the cafe with a rifle in 1968. "Lloyd Jowers and his attorney, Lewis Garrison, said I blew \$300,000 in royalties we could have split" by sticking with the story, Spates said in a sworn affidavit.

September 1995: Ray's lawyer, William Pepper, claims in a book that Jowers was swept up in a wide government conspiracy to kill King. Pepper wrote in *Orders To Kill* that a former

Memphis police officer under hypnosis retrieved repressed memories, including the name, Earl Clark, a deceased police captain. Jowers would name Clark as the triggerman in subsequent accounts.

March 27, 1997: Persuaded by "new evidence" from Pepper, King's younger son, Dexter, meets with Ray in prison and tells him he believes Ray is innocent.

March 27, 1998: The Shelby County prosecutor's office concludes after a seven-month probe that there is no credible evidence to support Jowers's claims. Jowers's story appears to have been motivated by a desire to make money, the investigation found. A final report said Jowers took a "very active role in getting people to make statements that implicate him."

April 22, 1998: *Prime Time Live*, the ABC network news show that first aired Jowers's account in 1993, reports that

Jowers failed a lie-detector test. Jowers's latest account, which he shared in two meetings with the King family, is that a police officer shot King from behind Jim's Grill, then handed the still-smoking rifle to Jowers.

Aug. 26, 1998: U.S. Atty. Gen. Janet Reno announces she is opening an inquiry into claims by Jowers and a retired FBI agent who offered separate details about a possible plot. The inquiry, which remains open, came after a personal plea by King's widow, Coretta Scott King, to President Clinton.

Oct. 2, 1998: King's family files a wrongful death suit against Jowers in Shelby County Circuit Court.



**Martin
Luther King Jr.**

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Few expect impact in King ruling

By Marc Perrusquia
and Bill Dries
The Commercial Appeal

Emotions bubbled and opinions differed widely Thursday, a day after a Shelby County jury decided there was a government conspiracy behind the 1968 assassination of Dr. Martin Luther King Jr.

In Atlanta, King's family embraced the verdict as a long-awaited moment of truth and

closure, while others questioned the legal soundness of the 3 1/2-week civil trial in Shelby County Circuit Court.

"It certainly has made the Tennessee state judiciary look like a laughingstock," said King biographer David J. Garrow.

The trial, which featured rampant hearsay and several claims that had been discredited in past investigations, will have "zero" impact on history, Garrow said.

A Justice Department lawyer, meanwhile, said he expects that no criminal prosecution will result from an ongoing inquiry that Atty. Gen. Janet Reno launched last year into lingering conspiracy claims surrounding King's April 4, 1968, shooting in Memphis.

Several months before filing a wrongful death lawsuit against former Memphis cafe owner Loyd Jowers and "unknown conspirators" last year, King's widow, Coretta Scott

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King, asked President Clinton to reopen the probe into her husband's murder. Reno agreed only to look into Jowers's claims and those of a retired FBI agent.

A 12-member Circuit Court jury ruled Wednesday that Jowers and other unnamed persons within the U.S. government were liable for King's murder.

Jowers, 73, has claimed for six years that he knew intimate details of a plot to kill King and

that the gunman wasn't confessed assassin James Earl Ray.

The jury awarded the King family \$100, an amount agreed on by both parties.

The civil trial verdict allows the Kings and their lawyer, conspiracy theorist William Pepper, to say that a jury has finally declared that the "government" participated in the civil rights leader's assassination.

Whether that assertion carries any weight remains to be seen.

Wednesday's verdict did not deal with James Earl Ray in any way. Ray's bid to take back his 1969 guilty plea to the murder ended with his death last year. The conviction remains intact.

Prosecutors, who observed the trial through news reports, called it a one-sided affair that lacked the adversarial contest of a typical civil trial. Jowers's defense counsel, Lewis Garrison, raised few objections and conducted little cross-examination of witnesses.

New questions, meanwhile, surfaced about whether Garrison fought very hard to seek dismissal of the suit before it came to trial.

Although Garrison said last year that the King family's complaint should be dismissed because it is barred by the statute of limitations, he didn't file a formal motion or argue that matter in court until near the trial's end.

Judge James E. Swearngen ruled that Garrison's "11th-hour" bid came too late.

Tennessee has a one-year limit on filing wrongful death actions. The time limit doesn't necessarily start running from date of the death, but can begin when new information is discovered.

Jowers first went public with his claims in December 1993, when he told a network news show that he received \$100,000 from now-deceased Memphis produce dealer Frank C. Liberto to arrange King's murder.

Garrison said Thursday that his research showed that the statute of limitations issue was a question for a jury to decide, not a judge. He said his timing wasn't late, either.

"I couldn't very well have filed a motion to dismiss it until there was some proof (evidence entered in court)," Garrison said.

Although Garrison told the jury he agrees with "80 percent" of the King family's claims about a conspiracy, he said he vigorously fought to show that his client wasn't a willing party to a plot.

Part of the trial strategy, Garrison said, involved calling current and former prosecutors to testify that they believed Ray was solely responsible for King's murder. But those prosecutors convinced appellate judges to quash subpoenas that would have forced them to testify.

"Why didn't they come and help me in this case?" Garrison

asked. "I don't know why they want to hang me out to dry when they had a chance to come and testify."

Discord surrounding the trial, however, had little apparent impact on King's family, who said the proceeding brought a measure of closure and justice.

"Anyone who sat through almost four weeks of testimony from 70 credible witnesses would know that the truth is here. The question is: What will you do with that truth," said Dexter King, a son of the slain civil rights leader.

The jury's finding of a conspiracy is not new.

A congressional committee concluded in 1979 that King's death probably resulted from a conspiracy involving Ray, two of his brothers and two St. Louis businessmen who offered a reward for killing the civil rights leader.

However, the House Select Committee on Assassinations also concluded that no federal, state or local branches of government were involved in King's murder.

Finding that government

agents played a role, though not clearly defined, marks the difference between the congressional conclusions and the jury's verdict.

The verdict form sent to the jury simply asked whether "the government" was involved and did not specify a branch or agency or individuals.

But the jury heard lots of speculation about the military, the FBI and the Memphis Police Department from witnesses called by Pepper, who once served as Ray's defense counsel and who convinced the Kings to sue Jowers.

Pepper said he is not being paid legal fees for representing the King family. The family has helped pay his expenses, which he estimates at \$50,000.

Virtually all of the major figures of the civil rights movement believe a conspiracy of some sort possibly involved the government either actively or in the role of spying on King and others. But they differ on who might have been involved.

King aide and former Atlanta mayor Andrew Young testified that he believed Jowers was

involved in a conspiracy.

Rep. John Lewis, who marched with King in the 1960s, said Thursday that a new, thorough investigation is needed.

"Who participated in the conspiracy and why? Did law enforcement agencies? Did individuals at the state level in Tennessee? Did members of the U.S. intelligence community?" asked, Lewis (D-Ga.).

Despite lingering conspiracy concerns, others question the trial's integrity.

Early in the trial, Rev. James Lawson testified that he knew details of a plot behind King's murder.

Lawson told the jury a story that has become part of King assassination myth:

A maid overheard a prominent Memphis businessman tell his wife at the supper table that King was soon to be mur-

dered.

"I won't mention his name," said Lawson, a former Memphis minister who invited King to the city in the spring of 1968 to support striking sanitation workers.

Lawson also contended he knew the mystery behind another of the case's legends involving two white Ford Mustang sports cars. Ray used a Mustang to flee the scene. A second white Mustang reportedly was seen by some.

"I know that there were two white Mustangs. I've met the drivers of both of them," Lawson told the jury.

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King verdict historic but not really one for the books

Won't change texts, says expert

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By Bill Dries
The Commercial Appeal

History books won't be re-written and museum exhibits won't change just because a Shelby County jury this week found that there was a conspiracy to kill Dr. Martin Luther King Jr.

That's the opinion of the directors of a national textbook research agency and of the National Civil Rights Museum in the wake of the verdict in a wrongful-death lawsuit filed by King's family.

The jury found that former cafe owner Loyd Jowers, 73, and "the government" were involved in a conspiracy to kill King. It also ordered Jowers to pay the family \$100.

The verdict did nothing to change James Earl Ray's conviction as the assassin.

"I think that this is history being created," Dexter King, son of the civil rights leader, said minutes after the verdict.

King family attorney William Pepper said he was going to suggest that the family contact textbook companies to urge them to change their accounts of how King's life ended.

"The history books are not going to be rewritten," said Gilbert T. Sewall, director of the American Textbook Council. The independent research center, based at Columbia University in New York, reviews textbooks and curricula — history and humanities textbooks in particular.

"There's a lot of ground to cover in these books and I think that even the idea that such a jury claim would be appropriate for textbooks makes me scratch my head."

King's life should be included in any overview, he said. But history texts give a broad overview of events that is meant to encourage students to explore topics that interest them in more detail.

"There can be momentary excitement over a local, state or

international incident. But you have to ask yourself, 'Is this something that is at the core of the national experience politically or economically or culturally?'

"This kind of detail simply doesn't come into play," he said of the specifics of the assassination.

Visitors' questions about King's assassination in part prompted the National Civil Rights Museum to plan an expansion that will include the South Main Street rooming house where Ray was a guest on April 4, 1968. The grill Jowers owned occupied the ground floor.

The museum, which opened in 1991, is built on the site of the Lorraine Motel, where King was staying when he was shot.

The museum expansion, which will include an exhibit on the assassination as well as the social events of 1968 leading up to King's death, is scheduled to open in early 2001, said NCRM executive director Beverly Robertson.

"Clearly what the trial did indicate is that Jowers was implicated in some form of conspiracy, but it in no way cleared Ray ... so I think we will still deal with Ray as a part of that as we had always planned to do," Robertson said.

"We will simply now augment what we were planning to do by adding the findings of this trial." Those findings will be part of an archival area. "We have always planned to communicate information on the official investigations," she said.

"More importantly, what we plan to deal with is the legacy of the civil rights movement 30 years later ... certainly the anchor of the expansion for us. It's what has happened and what has it meant for people to sacrifice and stand on the courage of their convictions."

To reach reporter Bill Dries, call 529-2643 or send E-mail to dries@gomemphis.com

(Mount Clipping in)

'70s look into death of King ruled out officials

By Bill Dries
The Commercial Appeal

There are "loose ends" to be pursued in the murder of Dr. Martin Luther King Jr., but government involvement isn't one of them, said the chairman of the House committee that investigated his murder.

Last week, a Shelby County Circuit Court jury found there was a conspiracy to kill King involving former cafe owner Loyd Jowers and "the government." The jury awarded the King family \$100 in damages from Jowers, who owned the grill on the ground floor of the rooming house where the shot that killed King was fired.

Former U.S. representative Louis Stokes (D-Ohio), chairman of the House Select Committee on Assassinations in the late 1970s, said he is still sorting out accounts of the testimony that led the jury to find that there was a government conspiracy.

"We had enough concrete evidence to effectively convict James Earl Ray," Stokes said of the HSCA's work. "I don't think there's anybody in the country that thought he was innocent after I finished with him on that cross-examination. We didn't leave any doors opened, I think, in terms of whether the government was involved. I think we closed that door."

The committee concluded King was assassinated by James Earl Ray as part of a plot that likely involved Ray's brothers, Jerry and John, and two St. Louis businessmen, John H. Sutherland and John Kauffmann. Kauffmann and Sutherland, who were dead by the time the HSCA began its probe, allegedly put up a \$50,000 bounty for King's death.

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SSA Brown 1
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This month, the Memphis jury in the Jowers case heard testimony from former U.S. representative Walter E. Fauntroy (D- Washington), who headed the subcommittee of the HSCA that looked into the King assassination. Another subcommittee investigated the 1963 assassination of President Kennedy.

Fauntroy said that, with another six months of investigation, the committee "may well have gotten to the bottom of everything" but it was pressured to wrap up its probe.

When Fauntroy started to talk about the alleged bounty by Kauffmann and Sutherland, he was cut off by William Pepper, attorney for the King family.

Among the loose ends Stokes wanted pursued was the testimony of a police informant who told the committee that he overheard conversations in a St. Louis motel run by Kauffmann about plots to kill King. The committee concealed the identity of the informant referring to him only as Witness A. He said he often overheard criminals in the motel bar saying, "We can always make \$20,000 or \$30,000 for killing Martin Luther King ... for John."

The Commercial Appeal discovered in 1998 that Sutherland had more extensive links to segregationists and right-wing militants than the HSCA knew of in 1979. A retired Missouri sheriff's deputy also confirmed for the newspaper in March 1998 that he learned of a possible plot by Kauffmann shortly after the assassination from Robert R. Sanders, an in-

King

Formant he identified as the HSCA's Witness A.

The committee found a 1974 FBI document in which Russell George Byers, an ex-convict, told agents that two St. Louis businessmen offered him money to kill King. Byers testified before HSCA that Sutherland made the offer and that Kauffmann introduced him to Sutherland.

"While we found that (the

FBI) did an excellent job in terms of pursuing a fugitive, we really raked them over the coals about the fact that they concluded right from the beginning that there was not a conspiracy and therefore never conducted an investigation relative to a conspiracy," Stokes said Friday. "We felt that that was ineffective law enforcement and was negligence on their part."

Revelations in the 1970s about FBI surveillance of King and attempts to discredit him have also kept conspiracy theo-

ries involving the government alive, he said.

"I think that the wrong deeds on the part of the FBI are something that sticks in people's minds even today," Stokes said. "I think all of that gives way when people raise the question again. It's easy for people to say maybe so. There's no evidence of it, it's just surmisal."

To reach reporter Bill Dries, call 529-2643 or send E-mail to dries@gomemphis.com

(Mount Clipping in Space Below)

FBI must share some of blame for King death

■ The King family would be better served by publicly campaigning to open the bureau's files.

By Earl Ofari Hutchinson

THE conclusion by a Memphis jury that Dr. Martin Luther King Jr. was the victim of a conspiracy seemed to vindicate those who have long protested that King was the target of organized crime and the government.

One of those who has worked the hit-victim angle especially hard is William Pepper, former attorney for James Earl Ray, the convicted killer who died in prison last year. In a civil suit brought by King's family, the jury agreed that Ray was a Lee Harvey Oswald-type patsy and that the order to kill King came from organized crime figures. The most damaging charge by Pepper, who represented the Kings in this suit, was that two teams of Army snipers lurked outside King's Memphis motel room the day he was killed, and they also had orders to open fire on him.

Ray himself stoked the conspiracy flames by saying that he was framed and recanting his guilty plea. When these allegations were set against the backdrop of the FBI's decade-long war on King and suspicions that it didn't tell all in its investigation of the assassination, it was more than enough for conspiracy theorists.

Despite the Memphis verdict, the evidence is irrefutable that Ray was the triggerman. His fingerprints were on the alleged murder weapon. He was at the crime scene and he confessed.

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Media Rep

Over the years Ray told different people different things about his activities and whereabouts at the time of the murder. That's why his protests of innocence and frame-up a quarter-century later sounded like a guilty man desperately trying to cash in on the notoriety of the case.

The King family and those who sincerely want to get to the truth about the King murder would be better served by publicly campaigning for the FBI to open its files, which were ordered sealed for 50 years by a federal court in 1977. If the court refuses, then public pressure should be put on Atty. Gen. Janet Reno to in-

crease the scope of the limited investigation that she ordered at the behest of the family and appoint an independent counsel to investigate the King assassination fully.

That investigation would have to start with the FBI. It still has not answered many questions about the secret war it waged against King from the late 1950s to the day of his murder.

According to public documents, former FBI director J. Edgar Hoover and the Justice Department tried to tie King to the Communist Party. The assault on King was more than Hoover acting out his paranoid obsessions with a man whom he considered a subversive; it was a war against the black movement. And Hoover decided that the cheap and dirty way to win was by discrediting the most respected and admired symbol of that movement.

FBI agents deluged King with wiretaps, poison-pen letters, threats, harassment and smear sexual leaks to the media.

During its investigation of the assassination, Hoover claimed that the FBI did not find a single fact to indicate any conspiracy; Ray was the "lone nut" assassin. But the many questions the FBI probe did not publicly answer about Ray's possible links to white supremacist groups and the role of government agents who were at or near the Lorraine Motel the day King was killed have created deep public suspicions that Ray didn't act alone.

THE MEMPHIS JURY didn't uncover any hard proof that the government, racist groups or organized crime figures directly ordered King's murder. An independent probe might at least allay some of the lingering suspicions that government agencies didn't tell the complete truth.

But even this wouldn't be enough to absolve the FBI of its disgraceful and illegal campaign against King. The climate of suspicion and hostility it created toward the civil rights movement made it possible for Ray to murder King. And ultimately the FBI must share some of the blame.

(Mount Clipping in Space Below)

The Jowers-Case Bombshell

Will last week's "conspiracy" verdict change history — or merely feed a fiction?

In an act which, in the words of one of the victorious lawyers, could conceivably "change history," or at least muddle it, a jury of six blacks and six whites took less than three hours last Wednesday to find that a conspiracy was behind the 1968 assassination here of Dr. Martin Luther King.

At 3:23 p.m., while almost nobody in the outer world was paying attention, the jury — arguably also a cross-section by gender and social class — entered the courtroom of Circuit Court Judge James Swearengen and found for the family of the late Dr. King, who had filed a wrongful death suit against retired Memphis restaurant owner Loyd Jowers. The jury awarded the Kings a financial sum of \$100 — a sum they had specified in accordance both with Jowers' indigence and with their own contention that justice, not money, was what they sought.

It was an amount so nominal that it wasn't even a slap on the wrist. It was so meaninglessly mild, in fact, that if you wanted to be cynical, you could maintain — as some observers indeed did — that it was part of a prior arrangement between the two ostensibly litigating parties.

Consider: Lewis Garrison, the attorney for defendant Jowers, and the supposed point men defending Jowers against a conspiracy, was the same Lewis Garrison who, six or seven years back, was serving, in effect, as Jowers' P.R. man in an approach to various news media on behalf of a conspiracy theory very much like the one alleged in this trial.

With Garrison's active participation, in fact, Jowers did cadge an interview with Sam Donaldson of ABC News back in 1993, and some footage ended up on the air in which a gnarled, somewhat foggy-looking Jowers claimed he had been a middleman in a conspiracy to kill Dr. King. Wow!

But, as they used to say in a famous euphemism in novels: Nothing Happened.

Nothing happened because nobody else in the mainstream media could take it seriously. Nor could any mainstream legal body, notably not the District Attorney General's office under John Pierotti or his successor, Bill Gibbons. Both D.A.'s investigated the charge, and both saw it as utterly lacking in evidence.

William Pepper, main attorney for the Kings in this wrongful death suit, as he was for the late James Earl Ray in several fruitless efforts to gain a new trial for the confessed assassin of Dr. King, next conceived this ploy, according to his critics: Sue Jowers for doing what Jowers had already claimed to do, get a jury to hear this bizarre contest between two sides both alleging the same premise, and finally get a jury to certify some version of that premise. Case closed. "Conspiracy."

Although, both nationally and locally, the trial and its outlandish circumstances happened more or less under the radar screen of public attention, these were indeed the Believe-It-or-Not facts of the matter.

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Add to them the fact that members of the King family — widow Coretta, sons Dexter and Martin Luther King III, daughters Yolanda and Bernice — had long since not only bought into Jowers' fantasy but had also become chummy with James Earl Ray before he died of liver disease and remained friendly with Jerry Ray, a certified ex-con and racist like his brother.

Jerry Ray, in fact, even showed up and sat with the Kings in the courtroom one day (as he had several times when Pepper and company were struggling to get a new trial declared for James Earl Ray). Like his late brother (whose funeral eulogy was preached by the Rev. James Lawson, a civil rights veteran and longtime King-family ally), Jerry Ray is inevitably greeted and treated by the Kings as a certifiable victim.

Rumors persist that the King family is involved in a pact with filmmaker Oliver Stone requiring the production of a dramatic scenario concerning a conspiracy to kill Dr. King. The Kings and Stone deny it; it is verifiable, however, that they have conferred to discuss film rights.

Definitely, this is not our fathers' Oldsmobile.

SSA Brown
Media Rep

longstanding testimony and bona fides of King friends like Memphis' Rev. Samuel Billy Kyles.

Kyles was interrogated at length by lawyers for the Kings who seemed to be trying to make the case that he, too, was a conspirator — having in some unexplained manner screened for the Real Killer to enable a clear shot at Dr. King on the balcony of the Lorraine Motel, a black-owned local establishment where the famed civil rights leader and Nobel Laureate had come to lead a march on behalf of striking sanitation workers.

According to Pepper and members of the King family, the assassination was intended as a preventive measure on the eve of Dr. King's scheduled Poor People's March on Washington, which he was to have led in the early summer of 1968.

"It was ridiculous," said a clearly mortified Kyles after the trial. The widely respected Memphis minister alleged that Pepper had sworn enmity against him after he had refused to concoct false testimony during the 1993 TV mock trial. But he managed what sounded like an honest magnimity. "At least, if the Kings have reached closure, that's worth something."

John Campbell, the assistant D.A. who had carried the state's burden during several of Pepper's efforts to gain a

Members of the King family had long since not only bought into Jowers' fantasy but had also become chummy with James Earl Ray and remained friendly with Jerry Ray, a certified ex-con and racist like his brother.

new trial for Ray, scoffed at the conclusion of the civil trial, saying there was "no credible evidence" of a conspiracy involving anyone besides Ray — much less an enfeebled fringe character like Jowers, who had operated a greasy spoon in the vicinity of the Lorraine (which has since been converted to the National Civil Rights Museum).

Campbell's boss, D.A. Bill Gibbons, went further: "There are a lot of people, on both sides in this trial, who have every reason to be ashamed of themselves." Gibbons suggested that the true motive behind the proceedings was "to create a project to make money."

On Friday in Atlanta, one day after the verdict here, members of the King family held a press conference and contended they needed no further investigation by the federal government or anyone else. (That was a good thing, in that the Justice Department indicated it had no interest in pursuing the Jowers case.) "We know what happened now," said Dexter King.

It remains to be seen, of course, what sort of future exists for the scenario depicted in the just-concluded civil trial — the one that seems to satisfy Dexter King, if virtually no one in the media or in the local and national legal communities, where the verdict and the process itself were more scoffed at than not. ■

(John Branston contributed to this report.)

A WORD ABOUT WILLIAM PEPPER:

An English-born barrister who had a nodding acquaintance with Dr. King, he began representing Ray in 1986 but did not become well known until 1993, when he staged in Memphis a mock trial of Ray for television. The mock jury "acquitted" Ray. In 1995, Pepper's book, *Orders To Kill*, alleged a conspiracy involving high-ranking government officials and elements of Army intelligence.

Pepper came something of a cropper when, appearing on the ubiquitous ABC network in 1997, he repeated an allegation from his book concerning an alleged conspirator who was deceased. The very much alive former Green Beret Billy Ray Eidson showed up on live TV to confront Pepper and has since sued Pepper for libel.

Undeterred, Pepper and various associates — underwritten by the King family, emotionally if not financially — went on to petition the Shelby County District Attorney's office for an investigation of conspiracy theories. Nothing came of it. The D.A.'s office concluded that all the conspiracy claims were unsupportable and that Jowers himself had tried to get people to implicate him.

Still undeterred, Pepper launched the just concluded legal process on behalf of the Kings. He presented some 50 witnesses during the 23 days of the trial to buttress his contention that a conspiracy had existed between Jowers, two other Memphis men, the Mafia, and agencies of the federal government (notably the Army and the CIA). Other than Jowers himself, all the individuals named were unfortunately (or conveniently) deceased.

In any case, the jury bought the theory, no doubt helped along by the fact that Garrison in his closing summation argued that his client — now clearly ailing from

the effects of both a brain edema and malnutrition and incapable of substantive testimony himself — may have played a part in a conspiracy, if only in "a minor role."

After the verdict was announced, Garrison disclaimed any intent of appealing. Pepper, on the other hand, expressed a hope that the Justice Department would use the impetus of the verdict to launch a new investigation of the killing, and he offered his own voluminous files to that end.

Said Pepper after the verdict: "Today a jury of 12 men and women decided that there was a conspiracy. ... What the jury ruled changed history. Make no mistake about it!" Added Dexter King: "I'm just so happy to see that the people have spoken. ... It really does show that the judicial process works. The verdict speaks for itself."

The contention of the plaintiffs had been that Jowers' role in the assassination was that of a contact man between the high-level planners of the assassination and James Earl Ray, the designated "fall guy" who was later apprehended as a fugitive in Europe and convicted of the killing in 1969. Pepper said that Jowers also had the job of disposing of the actual murder weapon — a 30.06 rifle of the same caliber as the Remington Gamemaster left at the scene by Ray (at the time of the assassination a convicted bankrobber and escaped convict) but of different make.

Ray had pleaded guilty but kept fighting for a new trial until his death last year, contending that he had been misled by his attorney at the time into making an inappropriate plea.

Ray is the only person so far charged with Dr. King's murder. Pepper, however, had named three other individuals besides Jowers that he said were involved in the conspiracy — Memphis police officer Earl Clark, Memphis auto dealer Frank Liberto, and New Orleans mob figure Carlos Marcello. All are now deceased.

Among the witnesses brought to the stand to support the conspiracy theory was Memphis Criminal Court Judge Joe Brown, also well known as "Judge Joe Brown" of a widely popular syndicated TV show. Brown, a self-styled expert in ballistics, said of Ray's 30.06 Remington, "This gun could not hit the broad side of a barn. This is not the murder weapon."

Although members of the King family and their legal team were clearly elated by the verdict, a sense of gloating was conspicuously absent from their reaction.

The tone was set early in the proceedings by daughter Yolanda King, now a film producer in Los Angeles, who had said, "History needs to be set straight. I was 12 years old when Father was shot. It took a huge toll for a long time. I just pretended he was away. You never get to the point that you ever get over it. This process helps the healing. If Jowers is found guilty, my faith will not allow me to feel negativity. He was just a part of the negative climate of America at the time."

The three-week trial had received on-and-off attention from both the local and national media. It was reasonably well staffed, but reporters' skepticism concerning its premises was evident from the start, especially when the plaintiffs' legal team attempted to cast doubt on the

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(Mount Clipping in Space Below)

Jowers, owner of cafe near Lorraine, dies at 73

Claimed he hired
King's assassin

By Bartholomew Sullivan
The Commercial Appeal

The former Memphis cafe owner who claimed to have hired the assassin of Dr. Martin Luther King Jr. has died in Union City, Tenn.

Loyd Jowers, 73, who was found liable along with other "unknown conspirators" in King's 1968 assassination by a Shelby County Circuit Court jury last December, died at the Baptist Memorial Hospital Saturday after lapsing into a coma.

Jowers, who had been living in Tiptonville, had lung cancer and had recently suffered a heart attack, his longtime lawyer, Lewis K. Garrison, said.

Jowers ran the bar and grill near the Lorraine Motel and said he hired King's assassin — but not James Earl Ray — at the request of a local produce dealer with ties to a New Orleans Mafia don. Jowers refused to say more without a grant of immunity from prosecutors.



Loyd
Jowers

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Jowers's version of events figured prominently in Ray's lawyer William Pepper's book *Orders to Kill*, which set forth a massive conspiracy involving the FBI, local police, military intelligence and organized crime. That account caught the attention of the King family who were persuaded that it was true. King's younger son, Dexter, subsequently visited Ray in prison, embraced him and announced that he and his family believed Ray was innocent.

Jowers's alleged role in the assassination conspiracy dates to within minutes of the shooting on April 4, 1968. Jowers operated Jim's Grill, a South Main Street cafe below the

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rooming house from which prosecutors say the fatal shot was fired. On April 4, he told police investigators he knew nothing of the shooting, but had heard a noise that "sounded like something that fell in the kitchen."

A month before Ray pleaded guilty in early 1969, after being held for weeks in a specially prepared jail cell, a waitress from Jim's Grill stepped forward with information that Jowers was involved in the murder and had found a gun behind the cafe. The waitress later told authorities she'd been paid to make up the story.

In December 1993, Jowers told ABC news reporter Sam Donaldson in a nationally televised interview that he received \$100,000 from the late Frank C. Liberto, a Memphis produce merchant, to arrange King's murder. The FBI had investigated and discounted in 1968 a tip involving Liberto.

A congressional committee re-examining King's murder a decade later found that Ray shot King and that there was nothing to allegations involving Liberto. It said that while the FBI had clearly violated his rights, neither it nor any other government agency was involved in the murder.

A few days after the ABC interview aired, The Tennessean newspaper in Nashville found the homeless fruit-picker Jowers said he paid to kill King. The Florida man denied any involvement.

Pepper's *Orders to Kill* appeared in 1995. In March 1998, the Shelby County prosecutor's office concluded a seven-month probe of the Jowers claims finding no credible evidence supported it, and that its likely motivation was to make money.

Jowers subsequently told King family members that a police officer shot King from behind Jim's Grill then handed the still-smoking gun to him.

In 1998, King's widow, Coretta Scott King, made a personal plea to President Clinton to open an inquiry into the controversy still swirling about the case three decades later, and in August of that year U.S. Atty. Gen. Janet Reno announced that a limited probe

Lewis K. Garrison, who has represented Jowers for the past 25 years, said that he met with his client within the past few weeks and that, at death's door, he was still insisting that he has told the truth.

into claims by Jowers and a retired FBI agent about a possible plot was under way. The results of that inquiry are expected to be released shortly.

Garrison, who has represented Jowers for the past 25 years, said that he met with his client within the past few weeks and that, at death's door, he was still insisting that he has told the truth.

"Nobody wanted to attach any truth to what he said," Garrison said. "He was doing it because it was right."

Garrison said Jowers never benefited financially from the story and came forward at considerable risk — including the possibility of being indicted and going to jail.

According to Garrison, Pepper and others convinced of a conspiracy, King's planned Poor People's March on Washington scheduled for later that spring — during an election year and at the height of anti-war sentiment — was such a potentially historic watershed that its leader had to be stopped. King took time away from planning the march, which was to begin in Marks, Miss., the following month, to intercede in the Memphis Sanitation Workers strike.

Jowers will most likely end up only a footnote in history, and perhaps that's where he belongs, Garrison said.

"Bear in mind, he was a very small part," Garrison said.

If his business hadn't been in a strategic spot, he'd never have been involved at all, he said.

"I think he was a very brave individual and, in time, his conscience got to him," he said.

Jowers requested cremation, but details of the arrangements were incomplete Sunday evening. Murphy Funeral Home in Martin has charge.

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Justice rejects King conspiracy theories

By Marc Perrusquia
The Commercial Appeal

A Justice Department report released Friday finds no credible evidence to support recent conspiracy claims regarding the 1968 assassination of Dr. Martin Luther King Jr. in Memphis.

But the report stirs fresh questions about surveillance that federal authorities kept on King and other activists near the time of the assassination.

One former Army intelligence agent told Justice investigators he climbed atop a roof seeking photograph opportunities of King's visitors at the Lorraine Motel days before the civil rights leader was shot on the motel's balcony. But the report concludes that, while surveillance of King was regrettable, no reliable evidence exists linking the military or government agents to King's murder.

Overall, Atty. Gen. Janet Reno's 21-month probe knocks considerable holes in claims raised by conspiracy researcher William F. Pepper, the late Memphis cafe owner Loyd Jowers; and Donald G. Wilson, a former FBI agent.

Reno launched a limited inquiry into Jowers's and Wil-

KEY FINDINGS

A 21-month Justice Department probe of Dr. Martin Luther King Jr.'s 1968 assassination found that:

■ Claims of a murder plot by former Memphis cafe owner Loyd Jowers lacked credibility and were contradictory in "virtually every key" aspect.

■ There is "nothing to substantiate" claims by former FBI agent Donald Wilson that he found papers in confessed assassin James Earl Ray's car indicating a conspiracy.

■ An Army intelligence officer said he'd planned to take covert pictures of King's entourage at the Lorraine Motel days before King's murder, but investigators found nothing to support claims of government involvement in the assassination.

son's claims following personal pleas from King's family to President Clinton in 1998.

Persuaded by Pepper, a one-time defense lawyer for confessed assassin James Earl Ray, the Kings sought one final investigation into the civil rights leader's April 4, 1968,

SSA Brown *[Signature]*Media *[Signature]*

slaying outside the Lorraine, now the National Civil Rights Museum.

After a controversial jury verdict in Memphis in December, the Justice Department expanded its probe, which involved interviewing more than 200 witnesses and reviewing records of past investigations. The Kings, represented by Pepper, won a civil judgment against Jowers and other "unknown conspirators" in a trial criticized by many as lacking legal soundness.

Evaluating Pepper's trial contentions of a sweeping government conspiracy, the federal inquiry found no evidence to support any of his claims.

"Critical analysis of the hearsay allegations, particularly in light of significant information not introduced at the trial, also demonstrates that none of the claims are credible," the report's four-page executive summary said.

Pepper could not be reached for comment Friday. The King family declined comment.

Jerry Ray, the confessed assassin's brother who forged a strange alliance with King's family in recent years, told the Associated Press: "The American public and the King family believe James was innocent, so it doesn't matter to me what

the politicians say."

The inquiry, conducted by the Justice Department's civil rights division, punched numerous holes in Jowers's claims that he'd helped arrange King's murder.

Pepper persuaded the Kings to sue Jowers after a nationally televised interview in 1993 in which the former cafe operator claimed he received \$100,000 from a reputed Mob figure to arrange King's murder. In 1968, Jowers ran a greasy-spoon restaurant below the South Main rooming house where Ray checked in and, prosecutors said, monitored King's movements with binoculars before shooting him.

Jowers said he obtained an assassin — and it wasn't Ray — for the job, but changed stories about who the killer was.

"Jowers has contradicted himself on virtually every key contention, including: the identity of the alleged assassin; his role in the plot; the role of others; and what happened to the murder weapon," the Justice report said.

Jowers, 73, died last month after battling lung cancer. His attorney, Lewis Garrison, said Jowers insisted to the end he was telling the truth about a plot to kill King.

Yet Jowers, who said he'd talk to prosecutors if granted immunity from prosecution, rejected Justice officials who wanted a statement — or proffer — of his allegations, a standard step toward immunity.

"His failure to provide a proffer demonstrates that he was unwilling to put forth a final, definitive version ... but instead has sought immunity merely to lend legitimacy to his otherwise unsubstantiated story," the report said.

The inquiry also found "nothing to substantiate" former G-man Wilson's claim that, in 1968, he found two slips of paper in a white Ford Mustang that Ray abandoned in Atlanta hours after the assassination. Wilson was a rookie agent in the FBI's Atlanta office when King was murdered.

Wilson, who told his story in 1998 at Pepper's urging, claimed he never turned the evidence over to his supervisors but hid it in a vault for years.

One of the slips of paper is a partial page from a 1963 Dallas telephone book. The page included a phone number linked to Jack Ruby, the Dallas strip-club owner who in November 1963 shot and killed Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Ruby died of cancer a year before King's murder.

Written in a margin on the slip was the name "Raul," an apparent reference to the man Ray claimed had framed him. Ray pleaded guilty to shooting King with a hunting rifle but later claimed he was framed by a man he knew only as Raoul, a contention Ray maintained until his 1998 death in prison

from liver disease.

Scientific analysis of Wilson's papers suggested they weren't authentic, but the origin of the slips couldn't be determined, the report said. Also, photos of Ray's Mustang taken when it was discovered show the passenger door was closed, not ajar. Wilson claimed the papers fell from an opening in the door.

Yet, in what is certain to touch off another round of conjecture, the inquiry found that an ex-Army agent visited the rooftop of a fire station across the street from the Lorraine days before King's murder. James Green, a former investigator with the 111th Military Intelligence Group, said he and another agent went to the station five days before King's murder, the report said, "to scout for locations to take photographs of persons visiting the King party."

The agents left after about 45 minutes because the roof was too exposed and never returned to the Lorraine's vicinity, Green told investigators.

Speculation about a military conspiracy grew in 1993 when Stephen G. Tompkins, a former reporter with The Commercial Appeal, wrote that an eight-man Green Beret "A-Team" or sniper unit, was in Memphis on "an unknown mission" near the time of King's assassination. Other agents had a vehicle "crammed" with electronic equipment, he wrote.

Tompkins resigned from the

newspaper shortly after the article appeared and assisted Pepper for a 1995 book, *Orders To Kill*, which claimed the Pentagon and other federal agencies conspired to kill King because of his opposition to the Vietnam War.

A group of retired Special Forces soldiers later challenged the pair's accounts, producing a retired officer who Pepper claimed had been murdered years earlier to silence him. Col. Billy Eidson denied involvement in King's murder and won a settlement last year from the book's publishers after a libel suit.

Another investigation by The Commercial Appeal found in 1997 that the Army had sent 10 or more plainclothes agents from the Atlanta-based 111th Military Intelligence Group to Memphis in the days before and after King's murder.

Several of the retired agents said they saw no Green Berets here and described their mission as non-sinister, assertions re-emphasized in the Justice Department report. The report described the 111th's mission as "low-tech" — agents used pay phones and relied on police for information — finding no evidence of a direct surveillance on King.

The agents came to Memphis to apprise the Pentagon of any civil unrest that might have required federal troops to quell. At the time of King's murder, Memphis was enveloped in a disruptive, six-week garbage

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The 1968 slaying of Dr. Martin Luther King Jr. in Memphis left an indelible mark on this city. To put the case and its legacy in perspective, and for a electronic version of the Justice Department's report, visit www.gomemphis.com.

workers' strike that had frayed nerves and stirred tempers among the city's white leaders and the striking workers, most of whom were black.

In closing arguments in the Jowers trial, Pepper told the jury that two men on the fire station roof the morning of the assassination were an Army "psychological operations team" who "photographed everything throughout that day" right up until King's 6:01 p.m. shooting and beyond. Pepper claimed the pair even snapped pictures of an assassin, who wasn't Ray, hiding in bushes.

Justice Department lawyer Barry F. Kowalski, who prosecuted two Los Angeles police officers for the 1991 beating of motorist Rodney King, headed the inquiry.

The probe was the fifth official investigation into King's murder.

(Mount Clipping in Space Below)

KING REPORT

It debunks assassination conspiracy tales

A NEW Justice Department report affirms the conclusion of four previous official investigations over several decades: No credible evidence supports allegations of a plot to kill Dr. Martin Luther King Jr. in Memphis 32 years ago. That finding buttresses the report's recommendation that a full reopening of the case is not warranted.

Those who are determined to believe that a government conspiracy caused the assassination of the civil rights leader and anti-poverty crusader — including, regrettably, members of Dr. King's family — are not likely to be mollified by the report. How, they ask, can the government be trusted to investigate itself?

But to those who are prepared to review it objectively, the report by the Justice Department's civil rights division makes a persuasive case that recent conspiracy claims do not stand up, despite last December's verdict to the contrary in a sham trial in Shelby County.

The report, the product of a 21-month investigation that included hundreds of witness interviews, determined that King's confessed murderer, a racist criminal named James Earl Ray, was neither a fall guy nor a participant in a vast plot. A man named "Raoul," whom Ray later insisted had framed him, was "merely Ray's creation," the report said. Ray died in prison in 1998, asserting his innocence.

Similarly, the report dismissed the claims of Loyd Jowers, a Memphis café owner who said in 1993 that he was part of a murder conspiracy that grew to include "Raoul, the Mafia, Memphis police officers, figures involved in the Kennedy assassination, U.S. military personnel (and) African-American ministers close to Dr. King." Jowers, who died last month, "contradicted himself on virtually every key point," Justice Department investigators said. Nor did physical evidence support

his story, the report said.

The report found "nothing to substantiate" the assertions of former FBI agent Donald Wilson, who said he removed documents from a car Ray abandoned in Atlanta hours after the assassination and kept them hidden for 30 years, until an unidentified person with alleged White House connections stole them. It notes that Wilson refused to cooperate with the Justice Department review even after he was offered immunity from prosecution, and that Ray had no memory of the papers, which supposedly linked Raoul, the FBI and the assassination of President John F. Kennedy.

The most unsettling finding of the report is that King evidently was under U.S. Army surveillance at the time of his death in Memphis. But even though such

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spying — and FBI harassment of King at the instigation of J. Edgar Hoover — were outrageous invasions of King's privacy, they do not make a case for government participation in, or orchestration of, an assassination conspiracy.

The Justice Department official who headed the investigation that produced the King assassination report previously prosecuted Los Angeles police officers who had beaten motorist Rodney King. Suggestions that the report is the result of a racially motivated government coverup simply do not add up.

If the federal report does point to the need for further government action, it is for the release of still-secret documents related to the 1979 report of the House Select Committee on Assassinations. Making those papers public could do even more to debunk persistent, if incredible, conspiracy theories. For the nation and especially for Memphis, which remains under a shadow from King's death, such revelations could only help.

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The verdict's in

Title: The verdict's in King
lawsuit was a sham

King lawsuit was a sham

■ A new report crushes William Pepper's claims of a conspiracy in the King assassination, showing them to be reckless at best and, at worst, fraudulent.

"Our faith in the United States of America is shaken to the core."

— William F. Pepper in *Orders To Kill*, his 1995 book alleging a sweeping government conspiracy and cover-up behind the assassination of Dr. Martin Luther King Jr.

By Marc Perrusquia

The Commercial Appeal

WHAT a fraud. Six months ago, conspiracy researcher William F. Pepper stood in a Memphis courtroom and announced to the world he'd just solved the 1968 murder of Dr. Martin Luther King Jr.

Pepper, a lawyer who once served as defense counsel to confessed King assassin James Earl Ray, persuaded King's family to file a wrongful death suit against former Memphis café owner Loyd Jowers and other "unknown conspirators."

Concluding a one-sided trial that featured rumors, tainted evidence and third-hand hearsay — but, curiously, little in way of opposition from the defense — a jury bought Pepper's arguments:

A cabal of federal agents, mob figures and Memphis cops framed Ray in a plot mind-numbing in its planning, intricacy and scope.

"Make no mistake," Pepper confidently told reporters, "this verdict does nothing less than rewrite American history."

But a new report crushes Pepper's claims to fine dust, showing them to be reckless at best and, at worst, fraudulent.

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After interviewing more than 200 witnesses and inspecting thousands of documents over 21 months, the Justice Department issued a 138-page report that, by my count, debunks no fewer than 11 of Pepper's most recent assertions. Among the rubble are insinuations that government agents photographed the "real" assassin, that a cab driver witnessed the shooting and then was murdered himself, and that three religious leaders colluded in the plot to kill America's most prominent civil rights leader.

Scientific testing, meanwhile, found that documents supporting one allegation probably had been forged — not a first in the Pepper conspiracy-claim legacy.

Thus turns another page in the pathetic, sordid story that started three years ago when Pepper, preying on the King family's pain, suffering and legitimate distrust of the government, persuaded the family to embrace his paranoid and convoluted view of the April 4, 1968 assassination.

Reviewing the case two decades ago, a congressional committee

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found that the FBI had violated King's rights by bugging his hotel rooms and trying to sabotage his career. That repugnant treatment provides the underpinning for many conspiracy theories.

Yet the committee found overwhelming evidence of Ray's guilt, but no evidence of a high-level plot. Any conspiracy, it concluded, involved Ray as the gunman, a couple of relatives who may have assisted him, and a bounty that racists had placed on King's life.

Pepper keeps trying to rewrite that finding. Unfortunately for him, the Justice Department report, requested by Atty. Gen. Janet Reno after King's family made a personal plea to President Bill Clinton, unravels the latest round of conspiracy assertions with ease. Well-researched and thorough, the report is remarkable in its restrained language and evenhanded treatment.

Yet a careful reader will see how trickery and deceit were used to manipulate a jury, the Kings and the American public.

"Murdered" witness

During the trial, Pepper called former Yellow Cab driver Louie Ward, who testified to a sensational, and sinister, story:

A co-worker, Paul Butler, witnessed the assassination while he was picking up a fare at the Lorraine Motel. There, while standing on the balcony, King was shot by a sniper. Driving Car 58, Butler also saw a man, supposedly the real assassin, run from a bushy area behind a rooming house, jump down a retaining wall and get into a waiting police car.

Days later, Butler, too, was murdered, Ward testified, apparently

"threwed out of a high-speed automobile."

In closing arguments Pepper embraced the story as a smoking gun for cover-up. Contending the cabbie was killed for being "in the wrong place at the wrong time," Pepper gave the jury copies of a 1968 city directory that listed Butler's wife, Betty, as a widow.

But Pepper didn't tell the jury that he had information that Butler actually died in 1967, eight months before King was shot.

Pepper first told the Paul Butler story in *Orders To Kill*, published in 1995 and again in 1998 by Warner Books, which printed the book as part of a deal with the King family. Pepper wrote that Ward came forward with his account in 1994, but initially could not recall the assassination witness's name. Under hypnosis, Ward pictured a name: Paul. A Yellow Cab dispatcher then recalled that Paul Butler once drove for the firm.

"According to social security death listings Paul Butler died in August 1967," Pepper noted in *Orders To Kill*. "He obviously could not have been the driver of car 58 on April 4, 1968."

The Justice Department report simply notes the precise date of Butler's death: Aug. 2, 1967. Obituaries checked by this writer show Butler died on that date at Methodist Hospital after a five-month illness.

Hidden evidence

At a press conference in 1998, Pepper introduced Donald G. Wilson, a former FBI agent who had another incredible story:

"As a rookie in the FBI's Atlanta office in 1968, Wilson said, he

found — then hid — slips of paper from Ray's abandoned Ford Mustang that seemed to point to a conspiracy. One of them, a partial page torn from a 1963 Dallas phone book, listed a handwritten, partial phone number for "Raul." Ray long had claimed he'd been framed by a shadowy smuggler he knew only as Raoul.

Heralding the development, Pepper told reporters that Wilson's paper "indicates quite clearly the existence of the man who James Earl Ray has always said was his controller, his handler." But during the Jowers trial a year later, allegations about Raul abounded, yet Wilson didn't testify and there was no reference to his papers. Why the reversal?

Perhaps it was Pepper's trial strategy, but more likely Wilson feared he'd be prosecuted for false statements if he went forward with his story.

By the time of the trial, scientific testing by the Justice Department had revealed the Raul paper likely was manufactured. Concerns focused on a penciled notation, "Raul 214." The dash after 214 — an apparent reference to a Dallas area code — extended to the edge of the torn page as if once it were linked to the rest of a phone number. Microscopic analysis found the penciled dash extended over the tear.

"As a result of all the examinations and experiments," the Secret Service found, "it can only be concluded that the entry ('Raul 214-') was placed after that tear."

The "suspicious circumstances" of

the paper suggest it "was designed to create the false impression that James Earl Ray once possessed Raul's full telephone number," the Justice Department report said. The document also appeared to try to link Ray to Jack Ruby, who shot Lee Harvey Oswald in 1963, but died a year before King's murder.

This is at least the second time that documents endorsed by Pepper as evidence of conspiracy turned out to be bogus. Historians said in 1997 that a set of military orders that purportedly dispatched an Army sniper team to Memphis on the day of King's murder were fraudulent. The papers, reproduced in Pepper's book, form the very heart of his claims and are the source of the book's title, *Orders To Kill*.

Of snipers and photographers

Pepper claimed in his book and at trial that two Army cameramen stationed on the roof of the firehouse across from the Lorraine snapped photos of the killer — who wasn't Ray — hiding in bushes behind the rooming house.

"That means, ladies and gentlemen, that there is a film of everything that happened ... buried somewhere," Pepper told the jury.

Wrong again. Photographs taken by a newsman within seconds of the shooting reveal no one on the firehouse roof. They show police and fire officials pouring out of the back of the firehouse in response to the shot, but no one atop the station's flat, exposed roof.

Pepper's account does have a kernel

of truth. At trial, he called former Memphis fire captain Carthel Weeden, who said he let two Army photographers on the roof the day of the assassination. Weeden later conceded to the Justice Department that his memory could be inexact. Government investigators located a former military intelligence agent who said that he and a second agent went onto the roof five days before the assassination but never returned.

No evidence surfaced to support Pepper's claim that the two agents were a "psychological operations team" connected to the secretive 902nd Military Intelligence Group, which reported directly to the Pentagon. Records show no one from the 902nd was in Memphis on April 4 or the days before and after.

The agent on the roof was with the relatively boring Atlanta-based 111th Military Intelligence Group, which was assigned to monitor public rallies and civil unrest. Senate hearings in the 1970s found that military surveillance at times intruded on the rights of private citizens, but no evidence surfaced of plots to kill King or other citizens.

Further, Pepper's source for the "two men on the roof" tale now disavows the information. Stephen G. Tompkins, a former reporter for The Commercial Appeal, told Justice Department investigators that he obtained the story from a "slimeball" who was asking for money, saying he "did not believe the account."

Tompkins also disavowed another story he'd given Pepper: that an Army sniper team had rifles trained on King the moment he was shot. The story had caused trouble before: Two New York publishing houses that printed

Orders To Kill paid settlements in a libel suit last year after falsely implicating a retired soldier in the supposed plot.

Still, Pepper went forward with a version of the tale in the Jowers trial. When Tompkins refused to testify, Pepper, who already had the ex-reporter's interview notes, introduced them as evidence but didn't tell the jury of Tompkins's disavowals.

The list goes on

Space doesn't allow me to detail all of Pepper's many discredited assertions, but among the most significant:

■ The New York Raul: Pepper sued a New York man named Raul in 1995, fingering him as the mystery man who framed Ray and steered him around North America. The Justice Department found the man was simply an autoworker. Work records and interviews showed he couldn't have been involved in the King and Kennedy assassinations.

■ Immunity offers: Don Wilson and Loyd Jowers, now deceased, recently said they stood by their conspiracy accounts. But both rejected immunity offers from the Justice Department. As anyone savvy in criminal law knows, immunity offers can be a two-edged sword: While exempt from prosecution for past acts, the subject can be prosecuted for perjury or making false statements if it's proven he or she lied.



Photo by A.J. Wolfe

Attorney William Pepper looks on as Coretta Scott King shares a moment with Coby Smith, a witness in the wrongful death suit.

(Mount Clipping in Space Below)

Ray case archives go public

Civil Rights Museum is new home

By Deborah M. Clubb
The Commercial Appeal

James Earl Ray's voice is in the National Civil Rights Museum.

It's preserved on a stack of flat red "45's" recorded by a special machine when Ray pleaded guilty to fatally shooting Dr. Martin Luther King Jr.

Those recordings, along with Ray's rifle, binoculars, passports, British suit, Portuguese hotel receipt and African airline brochure, were shown publicly Tuesday for the first time outside a courtroom. The event signaled the formal transfer of the items from local government and court officials to museum leaders.

Dist. Atty. Gen. Bill Gibbons and Shelby County Clerk Bill Key officially relinquished care of 39 boxes of materials that had been in the care of previous clerks and attorneys general for three decades.

"Rather than simply stored at the Criminal Justice Center, Mr. Key and I felt it was much better to have them at the Civil Rights Museum in order to help the public's understanding of the historic and tragic event some 32 years ago," Gibbons said. "Now they are in the right place and where they need to be."

Some objects and replications of paper items will be displayed when the museum expands into two nearby buildings, including the former boarding house from which Ray fired upon King. Those buildings are located across Mulberry from the Lorraine Motel where King was

staying, now the site of the museum. That expansion could open about a year.

The entire archive will be made available to researchers sometime in 2002, said the museum's curatorial services manager, Barbara Andrews. It is complete with FBI and Memphis Police investigation reports, an index of every witness interviewed and the transcript of Ray's hearing leading to his guilty plea.

"This is a significant asset, not only to this museum but to the city of Memphis and to the world," Andrews said.

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A future fund-raising campaign will finance adequate permanent storage and archiving of the materials, Andrews said. The only climate-controlled space in the museum is a small library because the facility was not originally envisioned as a research archive, she said.

The museum already has had international calls from researchers, said museum executive director Beverly Robertson.

Key, who spent hours in a storage vault with Andrews to inventory, box and label the mate-

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rials, said he was most impressed with a map Ray used to track the places he went to stalk King in the weeks before the shooting.

"I must say, I'm kind of glad to get this with you," Key said.

The only pieces from the file retained by the attorney general's office were morgue photographs of King. The civil rights leader's clothing and jewelry were returned to his family.

Asst. Dist. Atty. Gen. John Campbell is eager for the public to see the evidence and other materials in the context of the 1960s, when then-Dist. Atty. Gen. Phil Canale received dozens of letters from people supporting Ray and condemning his prosecution.

"It's obviously connected so totally to this facility ... to this building and the buildings surrounding it," Campbell said. "People ought to be able to come in and see it and look at it and draw their own conclusions."

Dr. Benjamin Hooks, museum board chairman, recalled the precautions that were taken when Ray was returned from London to Memphis as the investigation of the assassination continued.

"We here at the Civil Rights Museum will be just as careful."