

Memorandum

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J. Stanley Pottinger
Assistant Attorney General

DATE: March 31, 1976

Robert A. Murphy
Chief
Criminal Section

SUBJECT: RECOMMENDATION

Re: Martin Luther King, Jr. Review

I recommend against reopening the assassination investigation because there is no evidence that the Bureau had anything to do with the shooting of Dr. King. While I believe that serious invasions of the privacy of Dr. King and many others occurred as a result of the Bureau's activity, I do not recommend that any action be taken against any individual for the following reasons: (1) if criminal acts occurred, the statute of limitations has long since expired; (2) no one has filed a civil suit against the Department or the Bureau, in spite of much publicity about the Bureau's activities, so no decision need be made as to what position the Department might take; (3) no Bureau employee who was a section chief or higher who was involved with the King case still works for the Bureau so no disciplinary action need be taken. (u)

I recommend against a public report by the Department or the appointing of a "blue ribbon" committee. The Church Committee has largely performed that function and the risk of adversely affecting the reputations of many people is too great. I certainly recommend against my report being made public. (u)

It is clear that steps must be taken to change Bureau procedures to prevent anything like this from ever happening again. The Department was seriously at fault in not supervising the Bureau. I have certain ideas in mind about necessary changes that we can discuss but I have not set them out here because I believe that most, if not all, are being considered by one or more of the study groups and task forces the Attorney General has established. (u)

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