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Report of the Select Committee on
Assassinations - Recommendations and Suggestions

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In its March 29, 1979 Report on the Kennedy and King assassinations, the House Select Committee on Assassinations concluded that James Earl Ray fired the shot that killed Dr. Martin Luther King. After reviewing the facts surrounding the events in Memphis, including the activities of James Earl Ray both before and after the assassination, the Committee further concluded that there was a likelihood that the murder of Dr. King was the result of a conspiracy. The Committee then examined the possibility of federal, state or local governmental involvement (concluding that there was no direct involvement), and reviewed the conduct of the Federal Bureau of Investigation in its relationship with Dr. King and the performance of the Bureau and the Department of Justice after the assassination. This memorandum addresses the comments, suggestions or recommendations made by the Committee that deserve Departmental action or attention.

In regard to FBI and Justice activities both before and after the assassination, the Committee reached the following conclusions:

1. The FBI's counterintelligence program (COINTELPRO) that had Dr. King as one of its targets, grossly abused and exceeded its legal authority, was "morally reprehensible, illegal, felonious and unconstitutional", and contributed to the hostile climate that surrounded Dr. King (pp. 431-441).

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2. The Department of Justice failed in its responsibility to supervise the FBI during the development of the COINTELPRO operation (pp. 431-441).

3. While the Bureau's investigation of Dr. King's assassination exemplified, at times, the best of police work (p. 459), there were serious defects in the method and focus of its "conspiracy" investigation. Regarding the method of the conspiracy investigation, the Committee criticized both the Bureau and the Department of Justice for exclusive reliance on field interviews as a means of resolving issues relevant to the overall conspiracy investigation. Instead, the Committee concluded that use of grand jury investigations could have resolved many of the conspiracy allegations (pp. 450-453). The Committee also noted the failure of both the Bureau and the Department 1/ to adequately investigate the conspiracy allegations - specifically, the failure to pursue the possible involvement of members of James Earl Ray's family and certain right-wing organizations and individuals in St. Louis (pp. 453-455). 2/

4. The Committee noted the excesses of the Bureau in its investigations including its proposal for illegal electronic surveillance, mail interception and ignoring the constitutional rights of the parties involved (pp. 456-460).

1/ In addition to reviewing the Bureau investigation that followed the assassination, the Committee examined the work and conclusions of the Department of Justice Task Force which was created in 1975 to examine the FBI's program of harassment directed at Dr. King, its security investigations of him, his assassination and the criminal investigation that followed.

2/ The Committee noted that it was unfortunate that the possible involvement of the Ray brothers and certain right-wing extremists in St. Louis was not developed in 1968 when the principals were still alive (the St. Louis principals are all deceased) and witness' memories were more precise. "The Committee believed that the conspiracy that eventuated in Dr. King's death in 1968 could have been brought to justice in 1968."

While the Committee did not suggest any specific follow-up investigation in regard to the King assassination, it did make a number of legislative and administrative recommendations which it believed could facilitate and streamline the Federal response to, and the investigation of, assassinations. The recommendations which deserve Departmental attention and/or action are as follows:

LEGISLATIVE RECOMMENDATIONS

1. Legislation should be enacted which would make the assassination of the Chief of State of a foreign country a Federal offense if the offender is an American citizen or acts on behalf of an American citizen, or if the offender can be located in the United States (pp. 464-465). 3/
2. The Committee further recommended legislation which would codify, revise and reform the Federal law of homicide with particular attention to related offenses of conspiracy, attempt, assault and kidnapping in the context of assassinations (pp. 465-469).
3. Charter legislation for the CIA and the FBI should be revised to address the function of, the relationship between, and the techniques employed by those agencies (pp. 469-473).

ADMINISTRATIVE RECOMMENDATIONS RELATING
TO THE DEPARTMENT OF JUSTICE

1. The Department of Justice should reexamine its contingency plans for the handling of assassinations and federally cognizable homicides. The Committee criticized the failure of Federal agencies to share and use information and recommended the development of plans which would bring to bear on problems the array of talent, expertise and legal tools available to the Federal government (pp. 473-475).
2. In examining its contingency plans, the Department should take full advantage of inter- and intra-agency task

3/ The Committee noted the evidence that the CIA plotted the death of foreign leaders and the speculation that the death of President Kennedy may have been taken in retaliation.

forces and utilize the strike force approach to investigate and prosecute assassinations. In addition, the Committee recommended the early, public release of information regarding an assassination (consistent with an alleged offender's right to a fair trial), better utilization of the benefits of science and technology in assassination investigations, and the opening of negotiations with representatives of the media to secure voluntary agreements providing that photographs, audio tapes, television tapes, etc., made in and around the site of an assassination, be made available to the Government immediately following an assassination (pp. 473-475).

3. Recognizing that the Department of Justice is currently reviewing its guidelines for public information policy in criminal cases, the Committee recommended that all interested Federal agencies have an opportunity to participate in that review (pp. 474-475).

4. In addition to certain follow-up investigations relating to the Kennedy assassination, ^{4/} the Committee recommended that the Department of Justice review the Committee's findings and after completion of the above investigations, analyze whether further official investigation is warranted in either the Kennedy or King case. The Department should report its analysis to the House Judiciary Committee (pp. 481-482).

^{4/} E.g., the Department should contract for examination of a film by Charles L. Brouson (pp. 480-481), and the Kennedy assassination should be used as a case study by the National Institute of Law Enforcement and Criminal Justice and the National Science Foundation in exploring the theory and application of the principles of acoustics to forensic questions (p. 481).