FBI INVESTIGATION OF
MARTIN LUTHER KING, JR.
AND ITS CURRENT STATUS

SECURITY INVESTIGATION

In 1962, the FBI initiated a security investigation of Martin Luther King, Jr., based on information from confidential sources that he was associating with known members of the Communist Party. This investigation continued until April of 1968 when King was assassinated in Memphis, Tennessee.

CIVIL RIGHTS ASSASSINATION INVESTIGATION

King was shot to death by an assassin's bullet while standing on a balcony of a motel in Memphis, Tennessee, on April 4, 1968. The U. S. Department of Justice (USDOJ) requested the FBI to conduct an immediate civil rights investigation into a possible violation of Title 18, U. S. Code, Section 241 (possible conspiracy to violate the civil rights of King; namely, the right to travel interstate).

The FBI conducted an extensive, exhaustive investigation into this assassination and James Earl Ray was identified as the assassin. Our investigative results were furnished to the Civil Rights Division, USDOJ, and based upon the authority of the Department, certain pertinent investigative results were furnished to the appropriate local authorities in the State of Tennessee. On March 10, 1969, in state court, Memphis, Tennessee, Ray entered a plea of guilty to charges of the murder of King and received a 99-year sentence. Ray is presently in local confinement. In October, 1976, Ray appealed his conviction to the U. S. Supreme Court.

DEPARTMENTAL REVIEW OF KING INVESTIGATION

In 1975, the U. S. Senate and U. S. House of Representatives Select Committees on Intelligence Activities conducted inquiries and held public hearings concerning the FBI. Following disclosures made during these hearings, the Attorney General (AG) directed in November, 1975, the Civil Rights Division and the Criminal Division of the Department of Justice to review the files relating to King and make a recommendation as to whether the assassination case should be reopened. In
April, 1976, the AG announced that, based on this preliminary review by the Civil Rights Division, his tentative conclusions were: (1) there was no basis to believe that the FBI in any way caused the death of King; (2) no evidence was discovered that the FBI investigation of King's assassination was not thorough and honest; and (3) instances were found indicating the FBI undertook a systematic program of harassment of King in order to discredit him and harm both him and the movement he led.

The AG then ordered that the Office of Professional Responsibility (OPR) of the Department complete this preliminary review with an examination of all King related records at FBI Headquarters and in the field. The AG indicated the review is to answer the following questions: (1) Was the FBI's investigation of King's assassination thorough and honest? (2) Is there any evidence the FBI was involved in the assassination? (3) Is there any new evidence which has come to the attention of the Department concerning the assassination? (4) Does the relationship between the Bureau and King call for criminal prosecutions, disciplinary proceedings, or other appropriate actions?

This OPR review began May 10, 1976, with a review of King assassination files. OPR has reviewed the assassination files and is now reviewing security files involving King, the Southern Christian Leadership Conference and security files relating to communist influence in racial matters. The OPR still has this matter under review.

**HOUSE SELECT COMMITTEE ON ASSASSINATIONS**

In September, 1976, the U. S. House of Representatives created a Select Committee to investigate the assassinations of President John F. Kennedy and Martin Luther King, Jr. In November, 1976, the Committee requested access to the FBI files concerning the assassinations of Kennedy and King. The Department requested recommendations from the FBI concerning Committee access, and the Legal Counsel Division is coordinating a response.

**KING ESTATE REQUEST FOR FBI DOCUMENTS**

In compliance with instructions of the AG on 7/14/76, the FBI has furnished to the Department of Justice copies of voluminous documents in FBI Headquarters files concerning King and related matters which had been previously given to the Senate Select Committee on Intelligence Activities. These documents are being reviewed by the Department and, on a staggered basis, being furnished to the attorneys for the King estate.
SYNOPSIS: In 1962, the FBI initiated a security investigation of Martin Luther King, Jr., based on information from confidential sources that he was associating with known members of the Communist Party. King was assassinated in 1968 and the FBI conducted an immediate civil rights investigation and James Earl Ray was identified as the assassin. Ray pled guilty on 3/10/69 to the murder of King before a State Court in Tennessee and presently is in local confinement. In November, 1975, the Attorney General (AG) directed the Civil Rights Division (CRD) and the Criminal Division of the Department to review the files relating to King. In April, 1976, the AG ordered the Department's Office of Professional Responsibility (OPR) to complete the review and the OPR still has this matter under review. In September, 1976, the U. S. House of Representatives created a Select Committee to investigate the assassinations of President Kennedy and King. In November, 1976, the Committee requested access to FBI files. The Department requested FBI recommendations re Committee access. The FBI recommended that in the security investigation of King the same procedures re access utilized in complying with requests from the Senate Select Committee on Intelligence Activities be utilized. In the civil rights assassination investigation of King, however, the FBI observed that any decision relative to Committee access rests entirely within the province of the Department and the Department was requested to also consider such items as determining what authority the Committee has to request access, and what effect any such access would have on the local prosecution and rights of Ray, who has his case under appeal to the U. S. Supreme Court. The Department has not advised the FBI of its final decision relative to Committee access.

DETAILS

SECURITY INVESTIGATION: In 1962, the FBI initiated a security investigation of Martin Luther King, Jr., based on information from confidential sources that he was associating with known members of the Communist Party. This investigation continued until April of 1968 when King was assassinated in Memphis, Tennessee.

CIVIL RIGHTS ASSASSINATION INVESTIGATION: King was shot to death by an assassin bullet while standing on a balcony of a motel in Memphis, Tennessee, on 4/4/68. The U. S. Department of Justice (USDJ) requested the FBI to conduct an immediate civil rights
investigation into a possible violation of Title 18, U. S. Code, Section 24: (possible conspiracy to violate the civil rights of King, namely, the right to travel interstate).

The FBI conducted an extensive, exhaustive investigation into this assassination and James Earl Ray was identified as the assassin. Our investigative results were furnished to the Civil Rights Division, USDJ, and based upon the authority of the Department, certain pertinent investigative results were furnished to the appropriate local authorities in the State of Tennessee. On 3/10/69, in state court, Memphis, Tennessee, Ray entered a plea of guilty to charges of the murder of King and received a 99-year sentence. Ray is presently in local confinement. In October, 1976, Ray appealed his conviction to the U. S. Supreme Court.

DEPARTMENTAL REVIEW OF KING INVESTIGATION: In 1975, the U. S. Senate and U. S. House of Representatives Select Committees on Intelligence Activities conducted inquiries and held public hearings concerning the FBI. Following disclosures made during these hearings, the Attorney General (AG) directed in November, 1975, the Civil Rights Division and the Criminal Division of the Department of Justice to review the files relating to King and make a recommendation as to whether the assassination case should be reopened. In April, 1976, the Attorney General announced that, based on this preliminary review by the Civil Rights Division, his tentative conclusions were:

1. There was no basis to believe that the FBI in any way caused the death of King;
2. No evidence was discovered that the FBI investigation of King's assassination was not thorough and honest;
3. Instances were found indicating the FBI undertook a systematic program of harassment of King in order to discredit him and harm both him and the movement he led.

The AG then ordered that the Office of Professional Responsibility (OPR) of the Department complete this preliminary review with an examination of all King related records at FBIHQ and in the field. The Attorney General indicated the review is to answer the following questions:

1. Was the FBI's investigation of King's assassination thorough and honest? (2) Is there any evidence the FBI was involved in the assassination? (3) Is there any new evidence which has come to the attention of the Department concerning the assassination? (4) Does the relationship between the Bureau and King call for criminal prosecutions, disciplinary proceedings, or other appropriate actions.

This OPR review began 5/10/76 with a review of King assassination files. OPR has reviewed the assassination files and is now reviewing security files involving King, the Southern Christian Leadership Council (SCLC) and security files relating to communist influence in racial matters. The OPR still has this matter under review.
HOUSE SELECT COMMITTEE ON ASSASSINATIONS: In September, 1976, the U. S. House of Representatives created a Select Committee to investigate the assassinations of President John F. Kennedy and Martin Luther King, Jr. In November, 1976, the Committee requested access to the FBI files concerning the assassinations of Kennedy and King. The Department requested recommendations from the FBI concerning such access.

The FBI recommended to the Department concerning the security investigation of King that the same procedures as to degree of access to FBI information utilized in complying with requests from the Senate Select Committee on Intelligence Activities be utilized in complying with requests from this House Select Committee, which include deletions or excisions of material which might disclose informants, sensitive sources or methods and involve obtaining third-agency clearance.

In the civil rights assassination investigation of King, however, the FBI observed that any decision relative to Committee access rests entirely within the province of the Department. In making its decision, the Department was requested to also consider certain items, such as privacy, confidential nature of informants, etc., and to also consider the following:

(1) The Department should determine what authority the Committee has to request access to the Civil Rights assassination investigation of Dr. King. For example, is it requesting such access for a specific legislative interest? If not, such access by the Committee could be construed by some as an effort by a legislative body to act as a "grand jury" even though James Earl Ray has already been processed through the court system;

(2) The Department should determine what effect any such Committee access to our investigative results in the civil rights assassination investigation of King (including the physical evidence, FBI Laboratory and Identification reports, etc.) would have on the local prosecution of James Earl Ray and upon the rights of Mr. Ray, who has recently appealed his conviction to the U. S. Supreme Court. If necessary, the Department should resolve this with the State of Tennessee authorities and with Mr. Ray's counsel.

The Department has not advised the FBI of its final decision re Committee access.