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## Levi Orders Justice Review Of King Death Investigation

From News Services

Atty. Gen. Edward H. Levi has asked top Justice Department officials to review the FBI investigation of the 1968 murder of the Rev. Martin Luther King Jr. and to make a recommendation about whether to reopen the probe.

A department spokesman said today that Levi took the action on Monday in view of testimony before the Senate Intelligence Committee that the FBI, under J. Edgar Hoover's regime, carried out an extensive campaign to destroy King as a civil rights leader.

The spokesman said Levi asked Assistant Attorneys General J. Stanley Pottinger and Richard L. Thorn-

burgh "to review the file and to recommend to me whether the investigation should be reopened." Pottinger heads the civil rights division and Thornburgh the criminal division.

**KING, PRESIDENT** of the Southern Christian Leadership Conference and winner of a Nobel Peace Prize for his crusade for human rights, was shot to death on a motel balcony during a visit to Memphis, Tenn., in April 1968. The murder triggered urban rioting in major cities, including Washington.

Levi's action "is not in itself a reopening of the matter," said spokesman John Wilson. "He has no indica-

tion that the original investigation was anything less than thorough."

In fact, a civil rights division attorney involved in the original investigation has told Levi it was an "incredibly good" probe, Wilson reported.

**THE FBI** investigation of the assassination of King resulted in the arrest of James Earl Ray, who pleaded guilty and was sentenced to life in prison in Tennessee. Ray's recent petition for a new trial was denied.

The Senate committee disclosed this month that Hoover considered King a "dangerous" black leader

See KING, A-6

and instructed agents to do all they could to blunt his effectiveness as the nation's top civil rights leader.

Agents sent King one anonymous letter suggesting that he commit suicide rather than face disgrace on some undisclosed allegations, the committee said.

The FBI told the committee this month it could find "no statutory basis or justification" for some 25 harassment actions against King.

**FBI DIRECTOR** Clarence M. Kelley, meanwhile, says he probably won't punish agents involved in a harassment campaign against thousands of Americans if the Justice Department doesn't prosecute the agents.

Kelley said in an interview yesterday that he is not considering disciplinary action against the agents "in the absence of any direct allegations of involvement in something illegal."

He suggested that the agents should not be punished for taking part in a disruption campaign they believed to be legal.

Kelley was questioned about possible disciplinary action against agents still with the FBI who were involved in a decades-long counter-intelligence operation against the New Left, black militants, civil rights organizations and other groups.

Kelley he agrees with an FBI official's testimony before the Senate committee that there was no legal justification for the campaign against King.

Kelley said "there might be some justification" for

firing or reprimanding agents involved if they knew their acts might be illegal.

"But at the time of the program," Kelley said, "this did not seem to be a part of the thinking of those who did participate. If they know it's illegal, I think this places upon them a responsibility. But there is no indication that any who participated knew or even thought that it was illegal to do these things."

HE ADDED, "I'm very firmly of the opinion" that the top-level officials who ordered the campaign must bear responsibility for it. Few of those directly implicated are alive and none are with the FBI now.

Kelley said he has urged agents to challenge any order they consider improper. The dispute "will be resolved before he is requested or commanded to do something," he said.

Such protests ordinarily should be lodged with supervisors, "but if an agent prefers to write or talk with me directly, he may do so," the director added. But Kelley said he doesn't recall any agent challenging the propriety of an order during the 2½ years he has been director.