

VI. RAOUL AND HIS ALLEGED PARTICIPATION IN THE ASSASSINATION

A. Introduction

In 1969, James Earl Ray pled guilty to murdering Dr. King. After entering his plea and until his death, Ray maintained that he did not shoot Dr. King, was not at the rooming house when the fatal shot was fired, had no prior knowledge of the assassination, and was framed by a man he knew only as Raoul. Ray claimed that Raoul, who he thought to be a smuggler, directed him to purchase the 30.06 rifle recovered in front of Canipe's store and rent a room in the rooming house on South Main Street. Ray also contended that he gave the rifle to Raoul sometime before the assassination and left him in the rooming house hours before Dr. King was killed.

The Jowers allegations and the documents Wilson claims to have taken from Ray's car share a common thread with Ray's protestations of innocence. All suggest, in some respect, that Raoul participated in a conspiracy to assassinate Dr. King. Consequently, the investigative team reviewed materials regarding Raoul to determine whether he exists, can be identified, and actually participated in the murder.

We considered various sources of information in making our assessment. We reviewed the numerous allegations made over the past 30 years as to Raoul's identity. The investigative team also conducted our own independent inquiry to determine whether the newest subject identified by Ray and others as Raoul actually participated in the crime. In addition, because Ray initiated the claims relating to Raoul, we reviewed thousands of pages of Ray's statements in which he describes his activities preceding and following the assassination and his relationship with Raoul.

B. Suspects During The First 25 Years Following The Assassination

Over the past 25 years, James Earl Ray, those representing him, and others have specifically identified as many as 20 different persons to be Raoul. Each time evidence demonstrated that a specific individual was not Raoul, another potential suspect has surfaced. The cast of those falsely accused is an assorted group, which includes a Louisiana state trooper, an employee of a company now included in the Fortune 500, two CIA operatives, a governmental employee, an accountant, a homeless person, and a cancer researcher.

At the outset, none of the suspects appear to have anything in common. They are individuals of different races and nationalities, who come from various backgrounds, parts of the country, and walks of life. They do not share a common appearance or characteristic that caused them to be singled out, and none possesses most of the descriptive characteristics Ray has attributed to Raoul.

Typically, an individual has become a suspect merely when someone alleging to have information about the assassination has come forward with an accusation and a theory, even if far-fetched, as to the individual's participation. For example, in the late 1970s, authorities investigated whether a successful African American accountant from New Orleans with no criminal record was Raoul merely because Ray, who had always maintained that Raoul was Hispanic, made an accusation. Another potential suspect surfaced when Ray, relying on a business card with initials found in his Mustang, speculated that Raoul worked for a government agency and was part of a government-wide conspiracy. When it turned out that the initials could not have stood for the government agency Ray named because it did not exist at the time he found the card, that

suspect was dropped.

Another wrongly accused individual turned out to be a deputy chief and 26-year veteran of a Louisiana sheriff's department. In that case, the House Select Committee on Assassinations dismissed the charge and explicitly found that "Ray's allegation was merely an attempt to gain credence for his Raoul story and to raise an implication of official complicity in the assassination."⁽⁶⁶⁾ Others accused have been discounted as subjects because the individuals making the allegations have been unworthy of belief, have varied their claims, or have changed their accounts to accommodate new, unfolding evidence. For instance, an inmate incarcerated for double murder and seeking publicity was even considered after he announced on BBC that he was Raoul. Accordingly, accusations related to Raoul have been varied and follow no set pattern.

In 1979, the HSCA specifically considered whether a Raoul participated in the assassination. After extensive investigation, it found that Raoul did not exist. The HSCA concluded that "Ray's post-assassination tale of Raoul was fabricated to conceal contacts with one or both [of his] brothers."

C. The Most Recent Allegations Regarding Raoul

In previous sections, this report has identified and discussed several so-called revelations about the King assassination following the HBO mock trial. In 1993, following the television program, Roy Grabow contacted Lewis Garrison and advised that his wife, Glenda Grabow, had information about who assassinated Dr. King. Thereafter, Ray's attorneys and various investigators repeatedly interviewed her and investigated her claims.

1. Raoul's Alleged Participation in the Assassinations of Dr. King and President Kennedy

According to Glenda Grabow, in the 1960s, a man she knew as Dago claimed he shot both Dr. King and President Kennedy. She reported that beginning in 1962, as a teenager living in Houston, Texas, she became friendly with Dago, whom she saw on and off over a period of several years.⁽⁶⁷⁾ At *King v. Jowers*, John Billings, a private investigator who worked with Dr. Pepper and television producer Jack Saltman and investigated Grabow's allegations, testified that Grabow did not know Dago's last name or nationality.

Grabow further stated that during the early 1960s, she was also friendly with a man by the name of "Jack," who she later learned was Jack Ruby, the man who shot and killed Lee Harvey Oswald, President Kennedy's alleged assassin. According to Grabow, she and Ruby had sexual relations and she posed for him for pornographic photographs. She also claimed that she knew one of President Lyndon Johnson's closest aides, who she said also produced pornographic material in the 1960s.

In 1963, approximately two weeks before President Kennedy's assassination, Grabow claimed she saw Jack Ruby give Dago some uniforms and heard him tell Dago to give them to "Mr. Lee." Later, she learned that "Mr. Lee" was Lee Harvey Oswald.

Grabow also reported that the day before President Kennedy's assassination, she went to the airport in Houston to watch his motorcade. She stated that while waiting for the motorcade, she saw Dago standing on the hood of a car parked in a field pointing a rifle with a large telescopic site. Grabow said that when Dago saw her, he drove away, chasing the President's motorcade.

Grabow reported that she saw Dago again, sometime after the President's assassination. She said Dago told her "he was there" in Dallas the day President Kennedy was killed. According to Grabow, Dago stated he "was upstairs with Oswald * * * [and that] he was shooting the gun, not Oswald."

Grabow also said that she had a conversation with Dago about Memphis and the scene where Dr. King was assassinated. She reported that after watching news accounts about the assassination with Dago, he pointed out a tree and while speaking about the scene of the shooting, said, "[I] tripp[ed] over it * * * [there were] all those things on the ground, they couldn't have missed it." According to Grabow, Dago was referring to broken tree limbs that were located behind the building from where the assassin had shot and killed Dr. King.

Grabow claimed that in the 1970s, after not seeing Dago for several years, she reestablished contact with him in Houston. At that time, she also met Dago's cousin, whom she called Armando or Amaro. She said she repeatedly helped Dago and Armando smuggle guns and make false passports.

According to Grabow, sometime in the 1970s, while at a friend's house, Dago noticed she was carrying a key chain with a photograph of President Kennedy and Dr. King. Dago got very angry, stomped on the key chain and photographs, and, referring to Dr. King, exclaimed, "I killed him once. Do I have to kill him again?" According to Grabow, Dago acted "like he was on something," took her into a bedroom, and raped her.

2. Searching for and Identifying Raoul

Based on conversations with Grabow, Dr. Pepper, Saltman, and private investigators believed that Dago might be the elusive Raoul. Relying on information she provided, they set out to try to find him.

Saltman and private investigator John Billings reported that they visited a merchant marine union office in Houston to search records for Dago's cousin Armando. After locating an Armando in the union files, they did a nationwide computer search for a Raoul with the same last name. They did not find a Raoul, but instead found a man living in New York state who spelled his first name "R-A-U-L" and had the same last name as the Armando they had located in the union records.

The private investigators then obtained a faxed copy of a 1961 black and white photograph of the New York Raul, which was originally part of his Immigration and Naturalization Service file.⁽⁶⁸⁾ At some point, Grabow was shown Raul's faxed immigration photograph in an array with five other black and white photographs.

It is not entirely clear what transpired when Grabow viewed the photo array. In an October 1996 affidavit, Grabow claimed that when Dr. Pepper showed her the array, she recognized the New York Raul's picture "[w]ithout hesitation" as the man she knew in Houston in the 1960s and 1970s. Similarly, in an August 1997 statement, private investigator, Kenny Herman, reported that Grabow identified Raul's picture from the array "with no hesitation."⁽⁶⁹⁾ However, the private investigator who claims to have shown Grabow the photographs, John Billings, has described a far more tentative identification. Billings reported in 1997 that Grabow "looked at [the same] picture of Raul, but could not positively identify him," and he testified in *King v. Jowers* that she was "unsure" that Raul was Dago.

Subsequently, Herman and others visited Ray in prison and showed him the same photo array that Grabow had viewed. For the first and only time in his life, Ray identified a specific person to be Raoul when he allegedly selected the photograph of the Raul from New York.⁽⁷⁰⁾ Garrison, and later Dr. Pepper, showed the same photo array to Jowers, who also selected the photograph of Raul.

In May 1995 and October 1996, Grabow executed two affidavits outlining her allegations regarding Dago's purported statement that he shot both President Kennedy and Dr. King. She later conceded that the affidavits were not in her own words "like [she] would have put it" and that she did not read them before signing them. Nonetheless, in her 1995 affidavit, Grabow claimed that Dago came from Brazil and that in 1970 Armando told her Dago's last name. In her 1996 affidavit, Grabow maintained that she learned the actual name of the man she knew by the "nickname [of] 'Dago,'" but did not specify how or when she did. In contrast, as previously noted, Billings, who investigated Grabow's claim, testified in King v. Jowers that she knew neither Dago's last name or his nationality.

In 1995, as a result of Grabow's allegations, Dr. Pepper added Raul as a defendant in Ray v. Jowers, the civil lawsuit filed on behalf of James Earl Ray, charging Jowers and Raul with falsely implicating Ray in Dr. King's assassination. In those pleadings, Dr. Pepper changed the spelling from "R-A-O-U-L" to "R-A-U-L." The court sealed all papers relating to the New York Raul to protect his identity and in February 1996, dismissed him as a defendant. Although testimony regarding some of the facts relevant to the New York Raul was subsequently presented in King v. Jowers, as discussed above, he was not named as a defendant in that litigation.

3. The New York Raul

The investigative team reviewed all the allegations and supporting evidence relating to the New York Raul and his alleged involvement in both the assassinations of Dr. King and President Kennedy. We also investigated Raul's background since immigrating to the United States from Portugal in 1961. Raul fully cooperated with our investigation and signed releases providing access to all information we requested, including medical, dental, financial, employment, social security, insurance, union, and Department of Motor Vehicles records. He also provided the investigative team with a sworn affidavit in which he denied any involvement in either assassination and meeting Glenda Grabow, James Earl Ray, Lee Harvey Oswald, Jack Ruby, or Loyd Jowers.

Members of the investigative team interviewed Raul in person on two separate occasions for a total of approximately four hours. We also interviewed several of his relatives and numerous persons within his community, including friends, an accountant, a physician, coworkers, teachers, and store owners. Raul also provided a handwriting exemplar that did not match any of the writings on the Wilson documents.

a. The suspect photo array and identifications

The photo array shown to Grabow, Ray, Jowers, and others, which included a representation of Raul, is deficient and unfairly suggestive. Thus, the resulting identifications are suspect.

The representation of New York Raul appears markedly different from those of the other five subjects pictured in the array and immediately stands out. See Attachment 9, a copy of the photographic array provided by Dr. Pepper, wherein Raul is represented in the

middle photograph in the right column. The representation of Raul is the only one of the six representations with extremely high black and white contrast and no intermediate gray tones. The contrast in Raul's picture is so pronounced that the facial features are indistinct, large areas are entirely washed out, and all details are obscured. Thus, the representation of Raul appears more like a block print than a photograph and stands out markedly from the others.

Equally significant, the representation of Raul lacks sufficient clarity to reflect accurately his actual appearance. In fact, the representation is so poor that it bears no resemblance to the original photograph and, most probably, does not approximate his appearance when it was taken.

Finally, we have no information regarding how the photographs were displayed and what was said when they were shown. As a result, we cannot rule out the possibility that Raul was selected, at least in part, because of the manner in which the array was presented. Accordingly, the alleged identifications are not reliable evidence that the New York Raul is the man purported to be Raoul.

b. The New York Raul could not speak English

We have concluded that Raul did not participate in Dr. King's assassination, in part, because of his poor command of English at the time of the King assassination and his alleged contact with Grabow. Raul's difficulty with the language is significant since none of the persons who have identified him ever claimed to have any problem communicating with Raoul. In all his many interviews with attorneys, investigators, and members of the press, Ray merely said that Raoul had a "slight" Spanish accent. Similarly, Grabow maintained that Dago spoke English "well." Jowers also never stated anything to indicate he had difficulty conversing with Raoul.

The New York Raul came to the United States in December 1961. At the time, he was 27 years old, married to a woman who spoke only Portuguese, and was unable to speak English, except for isolated common words like, "bread," "milk," "thank you," and "goodbye." Even today, Raul still has difficulty understanding English and speaks with a heavy accent.

Since coming to the United States, Raul has lived continually in the same Portuguese immigrant community in New York state. Initially, most of his neighbors and all his friends spoke only Portuguese, and he relied exclusively on members of the Portuguese community for his needs. For example, when Raul needed to speak or understand English, a family friend or relative would translate.

In April 1962, Raul was employed at a General Motors plant in New York state and worked there full-time until he retired in August 1992. He was assigned to an assembly line with several other Portuguese workers where there was no need to speak or understand English. Instructions were most often given by demonstration and if something required a complicated explanation, a fellow worker who knew both English and Portuguese translated. It was not until 1975, through General Motors, that Raul received any formal education in English.

In 1976, when Raul's daughter was in the first grade, she was placed in a classroom for children whose "second language" is English. Raul's son, who was born in November 1962 and was also unable to speak English when he started school, would have been placed in a similar class had one then existed. As an acquaintance explained, Raul did not teach his children the language. Rather, he learned the little English he knows from his children.

In response to our questions, the persons we interviewed provided many examples of Raul's lack of proficiency in English. For example, a close family friend of Raul's distinctly recalls that in July 1967, the month Raoul allegedly met James Earl Ray, she was planning her parents' 25th wedding anniversary. She specifically remembered that Raul drove her and her brother to Macy's Department Store and lent them money (approximately \$300) for her parents' gift. She pointed out, however, that she, not Raul, purchased the gift because he could not speak to the sales person in English. She further explained that Raul, "outside of his surroundings, [wa]s timid, not comfortable" because of his inability to speak the language.

Another witness, a nun, advised that in 1982, 14 years after the assassination, Raul still had extreme difficulty speaking and communicating in English. The nun, who taught Raul's daughter in sixth grade, vividly recalls meeting Raul when he brought wine to a school party to celebrate a teacher's wedding. When she tried to explain that wine was inappropriate for sixth graders, Raul responded in broken English, "Portugal, wine, wedding." She immediately recognized there was both a language and cultural barrier, and explained that had she not had extensive experience in her parish, which was comprised almost entirely of Spanish and Portugese families, she would have been unable to communicate with Raul.

Presently, Raul still has substantial difficulty with English. Witnesses advised that all of his friends are Portugese and that he communicates with them exclusively in that language. Portugese is still the only language spoken in his home and when he speaks English, he is difficult to understand. Without translation assistance from his children, we could not have interviewed him.

Raul is not able to write English proficiently. When he needs a letter in English, he writes it in Portugese and has someone translate and write it for him in English. A dentist who has known Raul for more than 30 years explained that he does not give Raul forms to fill out when he comes to his office because he would not understand them.

Accordingly, we found that Raul's inability to speak English at the time of the assassination, as well as at the other times Ray and Grabow claim to have associated with him, demonstrates that he could not be the person they claim to have known.

c. The New York Raul's full-time employment and presence in his community

The investigative team also determined that Raul was gainfully employed full time at General Motors and was seen frequently in the Portugese community in which he lived at the various times he had allegedly been with Jowers and Ray. His employment records and his community contacts also contradict Grabow's unsubstantiated claims that the Dago in Houston is Raul.

Ray claimed that from July 1967 until April 4, 1968, the day of Dr. King's assassination, he had face-to-face contact with Raoul on at least 18 different occasions in seven different cities.⁽⁷¹⁾ Because at least 14 of the 18 days Ray allegedly met with Raoul were weekdays, Raul would have missed significant periods of work to have traveled to the various locations and met with Ray. General Motors' records reflect that Raul was consistently working in New York state during these times. His work records do not reflect any significant or lengthy absences during 1967 and 1968.

Moreover, work records from General Motors specifically reflect that Raul was

consistently at work in 1962, 1963, 1971, and 1972, the periods of time when Grabow reported that she saw Dago frequently in Houston. Company records reflect that in 1963, 1968, 1971, and 1972, Raul worked 2,155, 2,005, 2,163, and 2,094 hours, respectively, which is consistent with full-time employment with General Motors each and every one of those years. Consequently, Raul could not have spent extended periods of time in Houston, as Grabow has claimed.

In addition, several persons we interviewed recalled seeing Raul during the relevant time frames in 1967 and 1968, when he allegedly met with Ray. See footnote 71 above regarding Ray's purported contact with Raoul in those years. For example, the woman who hosted the August 1967 wedding anniversary party (see Section VI.C.3.b. above), specifically recalls that Raul, who was very close to her father, was there. In addition, she is certain she saw Raul often in New York earlier during July and August of that year because he assisted with preparations relating to the party.

Another individual recalls seeing Raul at the Portugese social club almost weekly on weekday evenings between June 1967 and May 1968. He specifically remembers Raul at the club during that period of time because the man met his wife there at a dance in June 1967 and socialized with her at the club until becoming engaged in May 1968.

In addition, a dentist, who has personally known Raul for 30 years, remarked that it would have been virtually impossible for Raul to have traveled to be involved in the assassination, as alleged, and kept it secret. He explained that the Portugese community in New York in the 1960s and 1970s was a "very tight-knit" group where everyone knew, saw, and depended on each other. Similarly, several members of the community, who have known Raul and his family well, told our investigative team that they regularly saw Raul two and three times a week at work or social events at the Portugese club in 1967 and 1968. Given the nature of and close contact between members of the Portugese community, it does not appear possible for the New York Raul to have maintained a hidden identity and been away from the community for a significant period of time without others knowing about it.

d. Evaluation of allegations relating to Dago

Grabow's allegation that Dago (who she has claimed is New York Raul) assassinated both President Kennedy and Dr. King is wholly uncorroborated. There is no witness who verifies Dago's supposed confessions and no evidence that substantiates his alleged involvement in the crimes.

Moreover, Grabow is unreliable. Her allegations on their face are bizarre. For example, her claim that Dago was in the Texas Book Depository Building along with Oswald and actually murdered President Kennedy is unbelievable and far-fetched. So, too, is her claim that an aide to President Johnson made pornography in the 1960s. Notably, Grabow also once claimed that Jack Ruby fathered one of her children, but later she retracted the assertion.

There is little assurance that the photograph of New York Raul in the suggestive array is actually Dago. In fact, John Billings, who claims to have shown her the photographic array, testified in King v. Jowers that Grabow was unsure that Raul was Dago. It is also unclear when, whether, and, if so, under what circumstances Grabow allegedly learned Dago's last name. Although she claims in her May 1995 affidavit that Armando told her Dago's last name in 1970, Billings also testified that Grabow did not know the last name. Circumstances strongly suggest that Billings is correct. Billings and producer Saltman both claim that after interviewing Grabow, Saltman and private investigator Herman went to a merchant marine union in Houston specifically to determine Armando and

Dago's last name. Had Grabow known and furnished that information, there would have been no reason for them to make such an inquiry. There also is no evidence that the Armando the private investigators learned about in Houston is Dago's relative or the Armando that Grabow allegedly knew. After all, Grabow has not been clear as to whether Dago's relative's first name is Armando or Amaro.

Accordingly, Grabow's unsubstantiated, far-fetched allegations do not establish that Dago and New York Raul are the same person or that Raul is the Raoul purportedly involved in the assassination, let alone that Dago murdered Dr. King.

Grabow's recent conduct further undermines her credibility. During a scheduled meeting with attorneys from our investigative team at her home in Mississippi, her appearance and affect were inappropriate and she seemed somewhat dazed. Grabow appeared for the late-morning meeting wearing black lingerie. She commented that she was nervous because she had not taken her "nerve medication." In addition, the investigative team was forced to terminate the brief meeting before discussing her allegations since she reported that Dr. Pepper, whom she thought was her lawyer, had previously called and told her not to talk with us.

Subsequently, the investigative team confirmed that Dr. Pepper did not represent Grabow and scheduled another interview. Grabow canceled this meeting, allegedly because of car trouble, after members of the investigative team had traveled from Washington, D.C. to Memphis. She also insisted that investigators Herman and Billings be present for any subsequent interview, even though she had reported during our first meeting that they had caused her to fear for her safety and repeatedly stated "you don't know what they've put me through."

Later, Grabow said that she was reluctant to speak with the investigative team because her case worker, who treats her for her nervous condition, advised her not to talk to anyone interested in the King assassination. She also said that she thought anything she reported would "come out with Warner Brothers" and end up damaging her reputation. Additionally, Grabow again reversed her position about Herman and Billings, complaining that they had put her through a lot of trouble, including recently telephoning a relative and telling him to "run for your life."

We sent Grabow a letter confirming the details of her conversations with us and asking her to call collect if she was willing to cooperate. We have not heard further from her. Thus, despite repeated attempts, we were unable to interview Grabow about the various contradictions, ambiguities, and seemingly far-fetched allegations attributed to her over the years. Additionally, she has never been questioned under oath. She did not testify in King v. Jowers because, according to the testimony of her husband, she was recovering from an automobile accident.⁽⁷²⁾

e. Conclusions regarding the New York Raul

We have concluded that the New York Raul had nothing to do with the assassinations of Dr. King or President Kennedy and had no contact with any persons involved in or allegedly connected with those crimes, including James Earl Ray, Glenda Grabow, Loyd Jowers, Jack Ruby, or Lee Harvey Oswald. We have reached this conclusion because: (1) the photo array containing Raul's picture is so inferior and suggestive that the identifications resulting therefrom are suspect; (2) Raul could not speak English during the period he allegedly participated in the assassinations; (3) Raul was gainfully employed by the same company in a full-time capacity from 1962 until his retirement 30 years later, was an active member of a tightly-knit, highly insulated Portuguese community, and was often seen during the times he was allegedly planning the

assassinations; (4) Grabow is not a reliable witness and her unsubstantiated, far-fetched allegations that Dago confessed to assassinating both Dr. King and President Kennedy do not demonstrate that Raul was involved; and, (5) neither Jowers, see Section IV above, or James Earl Ray, see Section VI.E. below, who also allegedly identified New York Raul's photograph, are reliable witnesses.⁽⁷³⁾

Our conclusion is consistent with that of an inquiry completed in 1998 by the Shelby County District Attorney General. The District Attorney General concluded that Raul was not involved in the assassination of Dr. King. During that investigation, Raul voluntarily furnished fingerprints for comparison. Fingerprint analysis did not yield any matches to the latent prints lifted in 1968 from various locations relevant to the assassination, including the rooming house where Ray stayed in Atlanta, Ray's Mustang, and the Rebel Motel in Memphis, Tennessee. Based on this evidence and other investigation, the Memphis District Attorney General found "no proof to connect 'Raoul' to any activity in Dallas in 1963 or Houston in the early 1970s. What the proof indicates is that 'Raoul' was in his home city working when the King and Kennedy assassinations occurred."

D. Implications Of The New York Raul's Not Being Raoul

The implications of Raul's not being the Raoul allegedly involved in the assassination of Dr. King go beyond exculpating the New York Raul. In fact, they cast additional doubt on whether a Raoul was actually involved in the murder.

More than three decades after the assassination, there remains no plausible theory as to who Raoul might be. In addition, there is no credible evidence to verify that Raoul ever existed. To date, there is no reliable information as to Raoul's last name, appearance, whereabouts, contacts, or associations. There also is no documentary or physical evidence to establish Raoul's presence at any location. Indeed, if Raoul ever existed, it seems he did so without leaving a trace of evidence.

With regard to Raoul's alleged association with Ray, there is no evidence that they were ever together or that Raoul actually participated in the assassination. Despite the fact Ray consistently claimed that he was repeatedly with Raoul in numerous public places, cities, and countries over a nine-month period, not a single witness has come forward to substantiate their alleged association. Significantly, many of Ray's contacts during the same period of time, which were admittedly briefer, have been verified. Accordingly, there is no credible evidence or witness to substantiate Raoul's alleged existence or participation in Dr. King's assassination.

Our conclusion is consistent with that of other investigations. For example, in 1979, the HSCA noted:

[t]he committee conducted an extensive investigation of Ray's activities during the preassassination period and yet uncovered no witnesses who would corroborate the existence of Raoul. * * * The absence of corroborative witnesses was a strong indication that Ray fabricated the Raoul story.

E. Ray's Contradictory Statements About Raoul

Because of the absence of credible information regarding Raoul's identity, we analyzed the original source of the allegations relating to Raoul -- James Earl Ray's statements.

Since his arrest for the murder of Dr. King two months after the crime until his death in 1998, Ray gave numerous accounts of the assassination. In many of these lengthy narratives, Ray carefully detailed his activities from the point at which he escaped from prison in April 1967 until he was arrested for Dr. King's murder in England in June 1968.⁽⁷⁴⁾ Throughout these accounts, Ray consistently maintained that he did not murder Dr. King, was not at the rooming house when the fatal shot was fired, and was framed by Raoul, a smuggler he allegedly met at the Neptune Bar in Montreal, Canada in July 1967. According to Ray, during the nine months prior to the assassination, he met Raoul more than 15 times in numerous cities, including Montreal, Detroit, Birmingham, New Orleans, Atlanta, and Memphis. Ray claims that until the week before the assassination, his contacts with Raoul dealt exclusively with smuggling contraband.

Ray's intricate accounts of his activities with Raoul and others, which are unrelated to the assassination, are substantially consistent. For example, Ray's commentaries of his smuggling activities with Raoul over the Canadian and Mexican borders in 1967 are elaborate, specific, and, for the most part, uniform. So, too, are his accounts of his activities and travels for the nine months prior to the assassination. Moreover, many of these events, which are unrelated to the killing, have been substantiated by other witnesses and documentary evidence.

In stark contrast, Ray's narratives about the assassination are jumbled and contradictory precisely at the crucial points when he and Raoul were allegedly enacting the crime. From Ray's purchasing of a rifle approximately a week before the assassination up through his escape from Memphis immediately after the shooting, Ray's description of his pursuits with Raoul are confused and materially inconsistent.

1. Ray's Description of Raoul

At the outset, Ray's descriptions of Raoul are completely inconsistent. During his lifetime, Ray gave as many as six conflicting descriptions, including that Raoul was a blond Latin French-Canadian approximately 35 years old; a red-haired French-Canadian; a 35 to 40- year-old man with dark, reddish-tinted hair; a Latin man of average height with sandy-colored hair; a small, Mexican man, lighter-complected than he; a ruddy, dark-complected individual with sharp features and "real" dark red hair, approximately 5'10"; a Latin man with dark, auburn hair, perhaps dyed; and a man with black hair with a dyed reddish tint.

Ray also failed to provide a credible explanation for his contradictory descriptions of Raoul. In fact, Arthur Hanes Jr., one of Ray's original attorneys, is quoted in a 1977 *New Times* article stating, "[w]hen you ask Ray a hard question, like for a better description of Raoul, he hangs his head, runs his fingers through his hair and says nothing. * * * Then he changes the subject."

2. Purchase of the Alleged Murder Weapon

In his narratives, Ray maintained that during the last week of March 1968, Raoul accompanied him to Birmingham and directed him to purchase the rifle that was later recovered on South Main Street after the assassination. His accounts relating to the rifle are both internally inconsistent and at odds with each other.

Based on information provided by store employees and confirmed by Ray, Ray bought one rifle from a Birmingham rifle store (Aero Marine Supply), then later exchanged it for another model. However, Ray repeatedly contradicted himself as to the number of trips

he made, when he went, whether Raoul was there, and what instructions Raoul gave him. In one narrative, Ray stated, "I know I made one trip by myself * * * but the other * * * one I'm kind of vague on." In other accounts, he maintained that the first time he drove to Aero Marine, Raoul was in the car helping to find the place. He explained, "I'm a hundred percent certain, ninety-nine percent certain I took him back to the motel after we located the store and before I purchased the rifle." In another version, however, Ray claimed "'Raoul' went out there with me, maybe on the second visit to the store, because on reflection I don't think he went out there the first time." In still other statements, Ray maintained that Raoul went with him to Aero Marine and waited in the car when he purchased the rifle. In one of the same accounts, Ray contradicted himself again and said Raoul was with him on a second trip when he returned the first rifle for another model.

Ray's description of Raoul's activities during his second day in Birmingham are also contradictory. In at least three statements, Ray maintained that Raoul left Birmingham on the evening of their first day there and thus he never saw him the next day. In another statement, Ray maintained that Raoul came to his motel on the second day before he exchanged the first rifle and was also there when he returned to the motel with the second rifle.

Ray's accounts of what happened to the rifle after he finally completed the purchase are also conflicting. Ray alternatively claimed that he last touched the rifle in the store, test-fired three or four rounds in Mississippi, never test-fired it, gave the rifle to Raoul at the New Rebel Motel in Memphis on April 3, took the rifle to the rooming house April 4, and never saw the rifle in the rooming house.

3. The Day of the Assassination

During the 30 years following his plea, Ray could not develop and adhere to a single, consistent version of events regarding the assassination and Raoul's involvement in it. He also changed his alibi over time, even claiming both that he saw and did not see Raoul after the shooting.

a. Ray's alibi

Ray's original alibi, had he gone to trial in 1969, was that he was parked somewhere on South Main Street when the shot was fired and that Raoul ran out of the rooming house, jumped into Ray's car, covered himself with a white sheet, and then exited eight blocks later. Depending on the statement, Ray claimed that, at the time of the shooting, he was -- inside his parked Mustang, standing on the street beside his parked car, and away buying binoculars.

After entering his guilty plea, Ray completely changed his alibi to a story that was later proven to be false. He no longer claimed that he was on South Main Street or that he saw Raoul after the shooting. Rather, he insisted that he was at a gas station a few blocks away fixing a flat tire. This new alibi was discredited by employees of the gas station during the HSCA's hearings regarding the assassination.

While Ray unquestionably altered his alibi over the years to fit the known evidence, he remained consistent on one detail, essential to his claim that he was not at the rooming house when the fatal shot was fired. To his lawyers, the news media, authors, and investigators, Ray always maintained that he first learned of the assassination when he heard two news reports over his car radio while driving away from Memphis. However, this critical aspect of Ray's various alibis is undeniably contradicted by a revealing observation that we recently discovered in an FBI record prepared before Ray articulated his first alibi or was even apprehended. The April 12, 1968 FBI report regarding the

examination of Ray's abandoned Ford Mustang notes that its radio was inoperable. Consequently, it would have been impossible for Ray to learn about the assassination over his car radio, as he claimed for the 30 years following his guilty plea. Thus, all of Ray's inconsistent alibis are fundamentally flawed.

b. Ray's initial meeting with Raoul on the afternoon of the assassination

Ray's accounts about his initial meeting with Raoul on the afternoon of the assassination also vary considerably. In different statements, Ray alternatively claimed that he met Raoul the first time he was in Jim's Grill, the second time he was in the grill, before renting a room, after renting a room, while his car was in a parking lot, and while his car was directly in front of Jim's Grill. He also stated there is a "slight possibility [that] I met Raoul the first time I visited Jim's Bar," a tavern a few blocks down Main Street from Jim's Grill.

Ray's accounts of the conversation during his initial meeting with Raoul are also inconsistent. Ray described the meeting as both "short," in which nothing was discussed other than his rental of a room, and lasting "a while," during which Raoul definitively said they would be there two or three days and reported he had already rented a room for himself. In other statements, Ray contradicted himself and said Raoul never stated how long they would be staying.

c. Ray's activities on the afternoon of the assassination

After initially meeting Raoul on the afternoon of the assassination, Ray allegedly saw him again several times in between various activities. Ray, however, contradicted himself about practically everything he allegedly did that afternoon, including when and where he went, where he parked, how many times he moved his car, what and where he ate, and when and where he met Raoul. As to his activities that afternoon, even Ray acknowledged, "I can't get straight * * * all the places I went," "I have some trouble recollecting," and "I'm just reconstructing."

For example, depending on the statement, Ray claimed he went to Jim's Grill once, twice, two or three times, and three times.⁽⁷⁵⁾ Similarly, Ray alternately maintained that immediately after renting a room from the manager of the rooming house, he went to pick up his Mustang that was parked in a public lot,⁽⁷⁶⁾ met Raoul in the street or in a bar, met Raoul in his room, or went to the binocular store. Depending on the version, Ray also insisted he made three, four, five, or six trips from the rooming house, "may have * * * got[ten] a sandwich or something," "got a Coke and ice cream," "might have had a milk," drank beer at Jim's Grill, and "probably had a Coke."

4. Conclusions about Ray's Contradictory Statements

Because Ray's accounts of his alleged activities with Raoul relating to the assassination are so contradictory and fundamentally flawed, they deserve no credence.

Our conclusion as to Ray's credibility is not unique. Several persons who worked closely with Ray, including some of his former attorneys, readily acknowledge that Ray often contradicted himself and repeatedly changed his story to fit the evidence that was available at the time. For example, one of Ray's former attorneys, Arthur Hanes, Jr., reported that Ray regularly changed specific facts to suit his version of events. According to Judge Hanes, "Ray was willing to and did change facts, as necessary to develop a convincing story." Hanes also shared his initial impression of Ray with author

William Bradford Huie, commenting "he's cagey like an old con." Huie's own description of Ray was similar. Huie reported that Ray consistently provided inconsistent stories. Another one of Ray's attorneys, Robert Hill, told author George McMillan that "Ray has an automatic eraser in his mind * * *. He can rearrange reality to suit himself."

Our investigation is not the first to doubt Ray's claims as to Raoul's alleged involvement in the assassination of Dr. King. In 1979, the HSCA "gave no credence to Ray's story of 'Raoul'" because it was so flawed. The 1976-1978 Department of Justice Task Force also concluded that James Earl Ray shot Dr. King. It reported that "Ray's assertions that someone else pulled the trigger are so patently self-serving and so varied as to be wholly unbelievable."

F. John Ray's Allegation Regarding Raoul

John Ray is one of James Earl Ray's surviving brothers. The HSCA concluded that evidence suggests that either he or his younger brother Jerry or both may have been James' accomplices. The Shelby County District Attorney General recommended that our investigation consider whether James' two brothers were involved in the assassination.

In 1998, John Ray made statements to the media and wrote the Attorney General offering to disclose information about the assassination in return for financial compensation. As a result, members of the investigative team interviewed John Ray on December 3, 1998. He claimed that when he and James were jailed together in 1974, James confided information establishing who was responsible for the assassination. John Ray refused, however, to provide any specifics of what he had purportedly been told by his brother, except that the information would not inculpate either Jerry Ray or him.⁽⁷⁷⁾ Rather, he proposed to provide detailed information only if compensated by the government or the King family.

We did not agree to John Ray's demand for money. We told him we had concerns about his credibility given his refusal to provide any information to corroborate his claim, as well as his acknowledgment that he had lied under oath to the HSCA when he testified that he had not assisted James' 1967 prison escape. In response, he agreed to consider our offer to submit to a polygraph examination.

John Ray never responded to our proposal. Instead, he wrote Mrs. Coretta Scott King on January 15, 1999, claiming that Raoul shot Dr. King and that James Earl Ray was falsely accused. John Ray told Mrs. King that Raoul and James were both OSS (Office of Strategic Services) agents in the late 1940s when James was in the Army. According to the letter, James confessed to the King assassination to avoid prosecution for shooting a fellow soldier in Germany.

Beyond the implausibility of John Ray's story, it is inconsistent with James' contention that he first met Raoul in Canada years after his military service. It also contains a historical inaccuracy. James Earl Ray's undistinguished military career in Germany lasted from July 1946 to December 1948. The OSS was disbanded in 1945.

G. Conclusions About Raoul's Alleged Participation In The Assassination

We have concluded that a Raoul did not participate in the assassination. This conclusion further supports a finding that Jowers' allegations and the Wilson documents -- which mention Raoul and Raul, respectively -- do not present legitimate information about the assassination.

We found no credible evidence or witness to substantiate Raoul's existence or involvement in the assassination. More than 30 years after the crime, there still is no reliable information suggesting Raoul's last name, address, telephone number, nationality, appearance, friends, family, whereabouts, or any other identifying characteristics. In addition, there appears to be no viable lead to pursue to obtain such information.

We also have concluded that the most current accusations concerning Raoul's identity are totally unfounded. Like the approximately 20 persons who have been erroneously identified as Raoul during the first 25 years following the assassination, the New York Raul has been wrongly accused. Thus, there is no current suspect or credible theory as to who Raoul might be.

We find the total lack of evidence substantiating Raoul's existence significant in and of itself. It is remarkable in light of the fact that Ray's defenders have vigorously searched for Raoul for more than 30 years (as have others who have extensively investigated and researched the assassination), reviewing countless volumes of evidence and interviewing hundreds of witnesses. In addition, since Ray often claimed that he was repeatedly with Raoul in various places over nine months, and since many of Ray's other associations during the same period have been verified, the dearth of evidence corroborating Ray's contact with Raoul is all the more compelling.

We also find Ray's jumbled and contradictory narratives about the assassination are further evidence that Raoul did not participate in the crime. In fact, we believe that it is precisely because Ray repeatedly and continuously fabricated about Raoul's involvement in the assassination that his accounts are so inconsistent. Had Ray truthfully related real events when detailing Raoul's alleged participation in the assassination, those parts of his narratives, like other portions, would have remained relatively constant and eventually would have been substantiated. Moreover, Ray's significant consistent claim that he learned of the assassination on his car's radio is in fact untrue since that radio was inoperative.

It is impossible to prove to an absolute certainty the existence of a negative. We nonetheless find it significant that more than 30 years after the assassination, there still is not a shred of credible evidence that verifies any trace of Raoul, identifies who he might be, or provides definitive information as to his past or present whereabouts. There also is no reliable evidence to suggest that Raoul participated in the assassination. Finally, the very origin of Raoul -- Ray's statements -- is inexplicably confused, contradictory, and illogical. Accordingly, we conclude Raoul's participation in the crime is Ray's creation.

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