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Ray gets chance to prove innocence

An Associated Press Report

MEMPHIS, Tenn. — After 25 years, the confessed killer of Martin Luther King Jr. won a judge's permission Friday to call witnesses and put on evidence in court to try to prove his innocence.

James Earl Ray has been trying unsuccessfully to take back his guilty plea and go to trial since shortly after he confessed in 1969 to murdering the civil rights leader April 4, 1968.

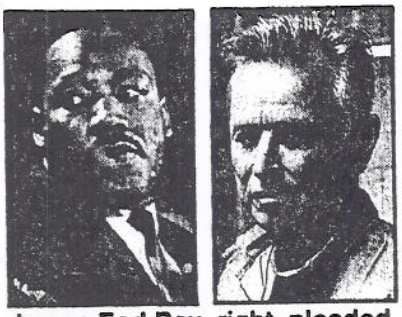
Criminal Court Judge Joseph Brown rejected Ray's latest plea for a trial but agreed to let his lawyers question witnesses and put on other courtroom evidence to prepare an appeal of that rejection.

"What's it been going on? A quarter of a century so far? A few more months won't hurt one way or the other," Brown said. "Let the historical record be cleared up."

Such a process will not overturn Ray's conviction or free him from prison where he is serving a 99-year sentence.

But it will give him his first chance since his guilty plea to compel witnesses to testify and to have that testimony under oath.

Brown said he hopes to help clear up questions, including claims



James Earl Ray, right, pleaded guilty to the 1968 killing of Martin Luther King Jr.

of a conspiracy, that have festered since King was felled by a rifle slug on a balcony of The Lorraine Motel in Memphis.

The U.S. House Committee on Assassinations looked into King's murder and concluded in 1978 that Ray was the killer but may have been helped by others. The committee's records are sealed until the year 2029.

Brown said he was bound by state law to uphold Ray's conviction and reject his plea for a trial. There was no evidence that Ray's confession was other than freely given, Brown said.

Defense lawyer William Pepper said he planned to call up to 40 witnesses but doubted that the 66-year-old Ray would be one of them.

"Considering all the controversy of this matter, the history of it, to be given the opportunity in a state criminal court in Tennessee to have witnesses put on the stand is extraordinary," Pepper said.

Ray contends he was duped into taking part in the assassination. He has argued for years that he was set up by a shadowy figure he knew only as Raoul.

He admitted buying the weapon authorities identify as the one used to kill King, but says he bought it for Raoul.

Prosecutor John Pierotti said his investigators have found no evidence to support Ray's claim of new evidence proving his innocence.

"It's garbage. It's all garbage," Pierotti said.

Ray's latest petition rests heavily on allegations that a former Memphis businessman, Loyd Jowers, was involved in King's slaying.

At the time, Jowers owned a small restaurant called Jim's Grill near The Lorraine Motel.

Jowers appeared on ABC's "PrimeTime Live" last December claiming he was paid by a former associate, now deceased, to hire a hit man to kill King, and it was not Ray.