Retrial Eyed As Ray Plans To Pen Book

(Memphis-Appeal 6/11/80

NASHVILLE (UPI) — Convicted assassin James Earl Ray says he may write a book with the hope that it will lead to a new trial in the 1968 slaying of civil rights leader Dr. Martin Luther King Jr.

Ray said he hopes the state will seize his earnings from the book, thus potentially reopening his case. State Atty. Gen. William Leech, however, has issued an opinion that Ray is entitled to keep whatever profits he makes on the book.

Ray said in an interview that if he does write a book, he will seek only enough money from publishers to provoke the state to take the money and set up a court challenge.

Ray said he agrees with Sen. Victor Ashe (R-Knoxville) that any profits he makes from the book should be channeled to the state under a 1979 amendment to the Tennessee Victim Compensation Program.

Leech said Ray is not bound by that amendment, designed to keep prisoners from profiting from a book or screenplay about their alleged crimes, since its effective date is last July 1.

Ray, serving a 99-year sentence at Brushy Mountain State Prison in Petros, Tenn., for gunning down King on the balcony of a Memphis motel 12 years ago, said he would write the book to "get my side into print" and "force the attorney general to come up with the evidence on the slaying."

Since pleading guilty to the assassination, Ray has vigorously proclaimed his innocence and has tried to win a full trial.

"The attorney general would have to bring me to civil trial" if the book is written, Ray said.

Ray's latest attempt for a new trial started in March. He wrote the state Department of Revenue seeking a legal opinion on whether he or the state would retain book royalties.

"It was the attorney general's opinion that the (victim compensation) statute applies only to crimes committed on or after the law's effective date last July 1," said Howard Herndon, general counsel for the revenue department.

Ray said he turned down offers of up to $20,000 and others for $1,000-per-hour interviews. "The attorney general knows I turned down this because it was against my legal interests," he said.

When he first read of the 1979 statute that helps compensate victims of crimes, Ray said he wrote the sponsors of the bill that it was probably a good law but would not apply to inmates sentenced before the effective date.

Ray apparently changed his mind when he decided that applying the law might lead to a new trial.

Ashe, who sponsored the legislation with Rep. Steve Cobb (D-Nashville) said he is "astonished" by Leech's ruling because it could allow prisoners convicted before July 1 to make money off their crimes.

Ashe was unaware of Ray's plans when he made his remarks.

The state senator said he will review the attorney general's opinion before moving in the legislature to clarify the law.