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In Bid For Trial

Ray Considers Writing Book

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Tennessee's most famous prisoner, James Earl Ray, may write a book — not to reconfess guilt but as his latest effort to win a new trial in the slaying of Dr. Martin Luther King Jr.

Ray hopes the book will lead to an attempt by the state to seize his earnings, thus potentially reopening his case, he said in a *Nashville Banner* interview Monday.

But the state attorney general may have dashed Ray's latest ploy. Attorney General William Leech has issued an opinion saying Ray is entitled to keep the proceeds of his creative works.

In an ironic set of circumstances, Ray said he agrees with State Sen. Victor Ashe, R-Knoxville, who believes earnings from the re-enactment by a criminal of a crime should be channeled to the state.

"I agree with Victor Ashe," Ray said. "I think if anybody's in jail and they re-enact a crime and confess, and make money, I think that's wrong.

"I didn't have no intentions of writing a book. Some New York publisher wants me to write one and I'd do it for two reasons.

"First, I'd get my side in print, and second, to force the attorney general to come up with evidence on the slaying," Ray said.

"The attorney general would have to bring me to a civil trial."

The convicted assassin's newest attempt for a new trial started in March. Ray wrote the state Department of Revenue seeking a legal opinion on whether he or the state could retain book royalties. Under Tennessee legislation, the state uses the money to reimburse crime victims.

Ray said he had read an April 1979 *Banner* story that reported an amendment to Tennessee's Victim Compensation Program was designed to keep Ray and other prisoners from profiting from a book or screenplay about their alleged crimes.

Ray's letter was routed to Revenue's general counsel Howard Herndon. "Mr. Ray requested in his letter that we get an attorney general's opinion because, being a private citizen, he could not directly get one.

"But it was the attorney general's opinion that the statute applies only to crimes committed on or after the law's effective date last July 1," Herndon said Monday. "We forwarded him (Ray) a copy of the opinion last week."

Ray, serving a 99-year sentence for his guilty plea in the 1968 King slaying, has vigorously proclaimed his innocence and tried to win a full trial since his plea.

The prisoner said he received correspondence, without Leech's opinion, from the revenue department last week. The unexpected opinion means Ray will probably talk to lawyer Mark Lane again, Ray said.

Ray said he has turned down book offers of up to $200,000 and others for $1,000-an-hour interviews. "The attorney general's office knows I turned down this because it was against my legal interests," he said.

"I don't intend to re-enact a crime (in the book). It wouldn't have anything to do with re-enacting . . . I was thinking about asking for a small sum (for a book) like $100 and even let an agent hold it to try to get the attorney general to file a lawsuit to get it."

Ray said when he first read of the 1979 statute, sponsored by Ashe and State Rep. Steve Cobb, D-Nashville, to help compensate victims of crimes, he wrote them that it was a good law but was probably invalid if it was applied to inmates sentenced before its effective date.

"I thought it was an *ex post facto* law if they made it apply to me," he said. Ray apparently later changed his mind when he decided applying the law to himself might help him win a new trial.

Ashe, unaware of Ray's plans, said Monday he was "astonished" at Leech's opinion, which could open the door for Ray and others convicted before last July 1 to make money off their crimes.

The senator said he will review the opinion before deciding whether to act in the legislature next session to clarify the law. "It certainly ignores legislative intent.

"It would be a travesty of justice for James Earl Ray to profit from the assassination of Martin Luther King," Ashe said.

Ray also said:

- His 1½-year-old marriage to Anna Sandhu Ray is "going pretty good. I saw her today and things are working out pretty well." He sees her once or twice a week and thinks she is a "nice person."
- He is "making some progress" on getting a new trial, apparently in another direction because he would not go into detail.
- His new painting hobby is comprised mostly of landscapes he remembers or sees in books. "I'm not as good as she is," he added, citing his freelance artist-wife's work. The work of both was featured in a recent art show in Oak Ridge.