

Study of Dr. King's Death Finds No Links to F.B.I.

This is the first of two articles on renewed questions about the assassination of the Rev. Dr. Martin Luther King Jr. It was written by John M. Crewdson and is based on reporting by Mr. Crewdson, Ben A. Franklin, Nicholas M. Horrocks and Martin Waldron.

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WASHINGTON, Dec. 31—For nearly eight years the assassination of the Rev. Dr. Martin Luther King Jr. has puzzled many private citizens and even some Government officials who were skeptical that James Earl Ray, an escaped ex-convict with no obvious antipathy toward the black civil rights leader, had been the lone assassin, despite Mr. Ray's own admission of guilt in court.

Last month when the Senate Select Committee on Intelligence disclosed that the Federal Bureau of Investigation had carried out a secret six-year effort to discredit Dr. King publicly, questions were suddenly being asked in official quarters: Might the F.B.I. itself have been involved in some way in the murder of Dr. King at a Memphis motel on April 4, 1968?

Pressure for an investigation of the F.B.I.'s harassment of Dr. King was immediate. The Senate committee considered extending its own investigation but decided to leave it to some

agency that could prosecute if evidence warranted. Within days, the Justice Department's Civil Rights Division opened an examination—the first ever—of the 96-volume archive the F.B.I. had compiled on Dr. King.

About the same time, The New York Times began its own inquiry into the case. Although limited by Mr. Ray's refusal to talk with reporters and by lack of access to the still-classified Justice Department and F.B.I. files, reporters investigated many questions about Mr. Ray's possible motives, movements, money and connections and the activities of the F.B.I.

After numerous interviews over six weeks with present and former officials of the Justice Department and the F.B.I., lawyers and others familiar with the case, The Times found no evidence that would implicate the F.B.I. either directly or indirectly in the killing.

Sources familiar with the investigation by the Senate select committee asserted that the

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had found no evidence of F.B.I. complicity in the position of the King file they had examined.

The Justice Department's re-examination of the case continues. But J. Stanley Pottinger, head of the Civil Rights Division, said in an interview that so far his inquiry had turned up no evidence whatever of F.B.I. involvement in the killing.

But many other questions remain open. The Justice Department's investigation itself is charged with a broader task than merely finding out whether the F.B.I. had a hand in the murder. It is also trying to determine the extent of the "dirty tricks" played against Dr. King and whether any of them involved illegalities. The inquiry is checking the F.B.I. files for possible dereliction in the bureau's original investigation of the murder or for evidence of a conspiracy itself.

Only one occasion has thus far come to light, according to Justice Department and F.B.I. sources, in which the bureau's efforts to discredit Dr. King overlapped with his investigation of his murder.

In that instance, which appears to be of no consequence, the F.B.I.'s Intelligence Division provided to its General Investigative Division the name of a Los Angeles dentist with whose estranged wife Dr. King had been filmed by F.B.I. intelligence agents entering and leaving motel rooms as well as overheard talking on the telephone, according to the sources.

The F.B.I.'s assassination investigators, considering the possibility that Dr. King's murder might have been arranged by a jealous husband, interviewed both the dentist and his wife and concluded that the man knew nothing of the crime.

Preconceptions Denied

Although none of them cited that particular incident as an example, many of the F.B.I. personnel who talked to The Times emphasized that they approached the King murder case with no preconceptions about whether a conspiracy had existed.

As one put it, "We didn't have the slightest damned idea who or what" was behind the killing at the outset, and he noted that the F.B.I. had officially considered a number of possibilities, including the likelihood that the killer was an agent of a foreign power, but discarded such theories as con-



Associated Press
James Earl Ray

Hotel and Motel in a rundown section of the city, where the King party had previously stayed.

Dr. King left Memphis the day after the disastrous march with a promise to mount another protest as soon as tempers cooled, and when he did return, on April 3—the day before he died—he and his entourage installed themselves at the Lorraine, on whose open-air balcony, he was shot down the following evening.

The discovery of the F.B.I. proposal to embarrass Dr. King publicly for having stopped at the white-owned Rivermont the week before opened the possibility in the minds of Justice Department lawyers that the F.B.I. might have been indirectly responsible for, or even tried to engineer, Dr. King's staying at the Lorraine Motel.

But the Justice Department's investigation of the matter, which has included interviews with F.B.I. agents responsible for the proposal and a review of the Memphis press during the period in question, has produced, one official said, no evidence that the F.B.I. even tried to encourage the publication of such a story.

Nothing, the official said, appeared in either of the Memphis newspapers, The Commercial-Appeal or The Press-Scimitar, taunting Mr. King for his brief stay at the Rivermont.

Moreover, former aides to Dr. King have told the Department that his party did not go to the Rivermont Motel of its own volition in the first place but was taken there by the Memphis police, who believed it the most secure place for Dr. King to stay until the rioting abated.

One facet of the Justice Department's current internal review is the question of whether the animosity evidenced by J. Edgar Hoover, the late F.B.I. director, and other high bureau officials toward Dr. King created a climate within the bureau that resulted in an investigation of his death that was not thorough and expeditious enough.

A number of former F.B.I. agents, many of them involved in the assassination investigation, disclosed that many field agents knew that Mr. Hoover and his chief aides had been angered by Dr. King's criticism of the bureau's civil rights activities in the South, had expressed offense at his personal morals and were concerned

tradictory evidence mounted.

So far, the Civil Rights Division lawyers say they have found only one item in the 96-volume file that caused them any alarm—an F.B.I. proposal, made in late March or early April 1968, to point out to friendly "media sources" in Memphis that Dr. King, the country's foremost integrationist, had taken a room there a few days earlier at the ex white-owned Rivermont Motel overlooking the Mississippi River.

On March 28, 1968, Dr. King and other officials of his Southern Christian Leadership Conference, a Civil Rights Organization, went to Memphis, to lead a march in support of striking municipal garbage workers. The dispute quickly turned into a violent protest when some demonstrators began smashing shop windows.

Dr. King and his aides retreated from the violence to the Rivermont, several blocks from the black-owned Lorraine

that his association with purported Communist sympathizers might give the American Communist Party a degree of control over black voters in the South.

Although knowledge of harassments aimed at Dr. King was confirmed to top officials at F.B.I. headquarters, some lesser executives and field agents knew of the minor disruptions and physical and electronic surveillance of which he was a target.

But these persons and others, including Justice Department officials who read the product of the F.B.I.'s investigation as it flowed into headquarters in 1968, the bureau's efforts to find Dr. King's killer had been unstinting.

There is, however, at least one indication that the F.B.I. investigation may have been tardy in following up an important lead—a fingerprint clue.

Several former F.B.I. and Justice Department officials noted that whatever Mr. Hoover's views might have been, the pressure on the bureau to find the killer had been intense, both from Attorney General Ramsey Clark and President Johnson. One former official called Mr. Clark "a heavy hammer." Another said President Johnson "was quite provoked at us" because it took the F.B.I. two months and four days to find Mr. Ray.

'We Had to Solve It'

One former F.B.I. official with responsibility for the King investigation noted that charges at the time by some blacks and radical whites that the bureau could be expected to hold back on the case "worked the other way."

"People were saying we wouldn't crack the case because Hoover didn't like King," the former official said, "and he [Hoover] made it very apparent [within the F.B.I.] that we had to solve it."

"We followed shotgun leads, wasting manpower and money like it was going out of style," the man said, and another retired F.B.I. official, also closely involved with the investigation, echoed that contention.

"This is a case," he said, "where we went all out. We followed not only the leads that were logical or even semi-plausible, but a lot that were simply crazy, absolutely just silly. We followed them all."

The F.B.I.'s hunt for Dr. King's killer was one of the most comprehensive "special," or high-priority, investigations in the bureau's history, involving at its peak some 3,000



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Dr. Martin Luther King Jr.

agents—then, about half the total number—more than 30,000 interviews of individuals believed to have knowledge of the case, and a cost of nearly \$1.5 million over two months.

But some former Justice Department officials, and even a few retired F.B.I. agents, conceded that once the bureau's investigation narrowed to Mr. Ray's whereabouts, some evidence that did not seem to lead directly to Mr. Ray, but which might have provided clues to a conspiracy, might have gone overlooked.

One former F.B.I. official echoed that suspicion, saying that once Mr. Ray's identity was discovered two weeks after Dr. King was killed, "we were sure it was Ray" who had committed the murder, "and everything else was secondary" to finding the man. But no one interviewed could provide any examples of leads they believed had not been energetically followed up.

Several officials, in discounting speculation about the bureau's involvement in the King

au's involvement in the King killing, pointed out that if, inconceivably, the bureau had chosen to arrange for such a murder it presumably could have developed a more sophisticated and far less risky method than the employment of a bumbling ex-convict with a hunting rifle.

And several individuals in and out of Government familiar with the internal workings of the F.B.I., asserted that the bureau was institutionally incapable of making the leap from sending Dr. King anonymous letters to arranging for his assassination.

But some questioned whether

the bureau which had had Dr. King under intermittent surveillance in the weeks before he was murdered, might have received and withheld information about an assassination plot that could have saved his life.

According to all those interviewed by The Times, the F.B.I. had no such information at the time of Dr. King's death, and had warned him of impending dangers on numerous occasions. During the 1965 civil rights march from Selma to Montgomery, Ala., for instance, the Justice Department sent a high official to advise Dr. King privately that the F.B.I. had learned of a threat against his life.

Sevela past and present Justice Department lawyers pointed out that, to take a cynical view, whatever the degree of Mr. Hoover's personal dislike for Dr. King, it would not have been in the F.B.I. director's interest to see the black leader martyred, but rather to relay to Dr. King every threat brought to the bureau's attention in the hope of frightening him out of the civil rights movement.

The only assertion of tampering by Mr. Hoover with any facet of the King investigation came from one former top F.B.I. official, who noted that Mr. Ray was captured in London by New Scotland Yard at 6:15 A.M., Eastern daylight time, on June 8, 1968 — four days after Senator Robert F. Kennedy was struck down by an assassin's bullet in Los Angeles.

Delay on Identification

The funeral service for Mr. Kennedy, whom Mr. Hoover had also grown to dislike while he was Attorney General, was scheduled to begin in New York City at 10 o'clock that same morning, and the former F.B.I. official said that Mr. Hoover had ordered the public announcement of Mr. Ray's capture held up until the funeral was under way, in the belief that this would detract from the publicity surrounding the services.

One facet of the F.B.I. investigation that remains a mystery—Mr. Pottinger has asked the bureau not to comment publicly on the case in view of Mr. Ray's appeal for a new trial—is the passage of 15 days between the shooting of Dr. King and the bureau's identification of the suspected killer as James Earl Ray.

Within seven minutes of the King shooting, a Memphis police lieutenant discovered on the sidewalk outside a cheap rooming house adjacent to the Lorraine Motel a bundle containing a .30-06 calibre hunting rifle—purchased by Mr. Ray

a week earlier, it was later learned—a mismatched box of cartridges, a pair of binoculars, two unopened cans of beer and some undergarments.

Several of these items, including the rifle, one of the bullets, the binoculars and a beer can, bore Mr. Ray's fingerprints—"so much in the way of evidence left on the scene," one former Justice Department lawyer said, "that it puzzled me that it took the F.B.I. as long as it did to come up with [the name of] James Earl Ray."

The bundle also contained a portable radio that Mr. Ray had bought at the Missouri State Penitentiary a few days before he escaped, and the radio had an easily traceable se-

rial number on it. For some reason, the F.B.I. apparently did not check out the radio serial number until after Mr. Ray was arrested.

The bundle was shipped under guard to the F.B.I. laboratory in Washington, arriving less than 12 hours after the shooting. And yet, by all available accounts, no search of the bureau's fingerprint files was begun until April 18, when F.B.I. agents, retracing Mr. Ray's steps, discovered in a room he had rented in Atlanta a map that yielded a nearly perfect latent thumb print.

Only after the thumbprint was rushed to Washington did F.B.I. clerks begin poring over the fingerprint cards of 53,000 Federal fugitives, in the belief

that Mr. Ray might be one. They were right, and they were also lucky. Mr. Ray's prints, on file in that group because of his escape from the Missouri State Penitentiary the year before, were on the 700th card the clerks examined.

The next day, April 19, the F.B.I. announced that the man it was seeking, whom it had known up to then only by the aliases of Eric Starvo Galt, John Willard and Harvey Lowmyer, was Mr. Ray. What remains unclear is why the successful file search was not begun sooner, with the latent fingerprints lifted from the items in the bundle.

Tomorrow: The conspiracy question.



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J. Edgar Hoover