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Independent Probe On King Proposed

By John M. Goshko and Warren Brown
Washington Post Staff Writers

The Justice Department's Civil Rights Division next week will recommend that Attorney General Edward H. Levi appoint a committee of persons outside of government to study the 1968 assassination of the Rev. Dr. Martin Luther King Jr.

Informed sources said the recommendation by Assistant Attorney General J. Stanley Pottinger will argue that an independent inquiry is necessary even though a four-month Justice Department review of the King case found no evidence that the FBI or other government agencies were involved in the killing of the black civil rights leader.

Suspicions have been raised about the initial government probe of the mur-

der because of recent revelations that the FBI subjected King to wiretapping and harassment. Questions also have been raised about whether the motives and activities of the convicted assassin, James Earl Ray, have been fully explained.

For these reasons, the sources said, Pottinger, who headed the review, feels that an independent inquiry is necessary to resolve the questions still surrounding the April 4, 1968, shooting of King in Memphis.

The inquiry would determine whether a full-scale investigation of the assassination should be resumed. And, the sources said, Pottinger's report will recommend that for reasons of credibility it should be con-

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ducted by persons independent of the Justice Department, which has policy control over the FBI.

According to the sources, Pottinger is recommending that the committee of inquiry look into such questions as whether there was any FBI complicity in King's death, whether the FBI violated any laws or policy guidelines in its dealings with King, and whether any conspiracy, say, of persons outside government, was connected to the murder.

The sources said the study committee, as envisioned in Pottinger's report, would have no prosecutorial function. Instead, it would review the record, hear new evidence, if any, and advise the Attorney General

whether it believes that there are grounds for pursuing the King case, technically never closed, with a renewed investigation.

The sources said that Justice Department officials believe that a study committee can be named under the provisions of the 1972 Advisory Commission Act, which was designed to provide better public insight into government operations. The legislation requires that at least one member be a government official with the power to convene and dismiss meetings.

However, the sources added, Pottinger's recommendation will be that most, if not all, of the other members be drawn from outside the government. Although the sources would not speculate on names they said it seemed obvious that some would be persons prominent in the civil rights movement.

Questions about the King case have been growing since last November when the Senate intelligence committee hearings revealed that the late FBI director, J. Edgar Hoover, had inspired a secret, six-year campaign to harass and try to discredit King. Agents bugged Dr. King's telephone conversations and sent him an anonymous letter containing defamatory information about his personal life.

Ray, who has told a murky and contradictory story about his involvement in the murder, is now seeking to overturn his 99-year prison sentence and win a

new trial. His lawyers have said that if his appeal is granted, Ray will attempt to prove that he was coerced into pleading guilty to the killing.

These developments caused Levi to direct the Civil Rights Division, which is headed by Pottinger, to



J. STANLEY POTTINGER
headed the review

review federal records relating to the assassination for any additional light they might shed on the FBI's campaign against King and its pursuit of Ray.