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The major statutory violations to consider in this matter would be 18 U.S.C. §241 and §242. 3/ As a citizen, Dr. King had federally-protected rights to freedom of speech and association, to privacy, to interstate travel without interference, and from unreasonable searches and seizures. The FBI's program to discredit and neutralize King included deprivations of each of these rights, and perhaps others. (u)

An examination of the law reveals that any prosecution contemplated under these acts is now barred by the five-year statute of limitations (18 U.S.C. §3282). The only possible exception would be proof of a continuing conspiracy to violate rights which has continued into the statutory period. We do not know of any such proof at this time, although one can speculate that it is possible that more intensive investigation would disclose it. (u)

In conclusion, it is our opinion that there are identifiable violations of law against Dr. King that cannot now be prosecuted because of the statute of limitations and, in some cases, because of the death of the subjects. (u)

Death of Martin Luther King

As the Murphy memorandum indicates, we were unable to find any indication that the FBI actually caused Dr. King's assassination. On the contrary, if one can rely upon logic as helpful, indications are that the FBI probably did not want King's death because it would bring him the martyrdom and favorable image which the entire Bureau campaign was designed to prevent. Nevertheless, the long campaign of harassment fairly gives rise to the question whether it culminated in some action which caused his death, and logically raises the question whether the investigation by the Bureau into his death was tainted by its institutional dislike for King. (u)

Recommendation

While we have been able to ascertain a great deal about the relationship between the FBI and Dr. King through our review, and

3/ Section 241 is violated when "two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the constitutional laws of the United States. . ." Section 242 prohibits essentially the same conduct by an individual acting under color of law, as the principals involved were. (u)

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