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Justice not likely to prosecute in King killing<P>

Eds: INSERTS new graf 6, A King son, to UPDATE with Dexter King<P> response.

AP Photos AXM101, NY25,130,136<P>

By MICHAEL J. SNIFFEN<P>

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WASHINGTON (AP) _ Although a civil jury has concluded there was a conspiracy to kill the Rev. Martin Luther King Jr., a 11/2-year-old Justice Department investigation is not likely to produce any criminal charges, Deputy Attorney General Eric Holder said today.

Declining to release specific findings of the probe by the department's civil rights division, Holder told reporters: "I would not expect that there would be any criminal prosecution out of our report."

Holder said the report on the new field investigation ordered by Attorney General Janet Reno in August 1998 is almost complete and could be released within weeks.

Because the Justice inquiry was limited to examining two conspiracy allegations that emerged in recent years, including the one examined by the civil jury in Memphis, Tenn., Holder said he doubted the report would put to rest speculation about the 1968 assassination of the civil rights leader.

The Justice report "is not a very broad-based look at all the possibilities," Holder said. "I suspect that given the verdict yesterday, this will renew interest the King assassination, and I suspect plant in the minds of many people doubts about some of those conclusions that were reached earlier."

A King son, Dexter King, told a news conference in Atlanta today: "We don't care what the Justice Department does. Because of information that come out in the Memphis trial, he said, "We believe that this case is over. ... We know what happened. This is the period at the end of the sentence."

Although Justice conducted a criminal investigation, statutes of limitation would bar prosecution of many crimes that are 30 years old, with the possible exception of an ongoing conspiracy. Holder did not say whether Justice investigators found no conspiracy or found no crimes previously unknown.

Meantime, the King family finally has what it has sought for years _ a jury verdict saying the civil rights leader was the victim of a conspiracy, not of a lone gunman.

"I'm just so happy to see that the people have spoken. This is what we've always asked for," Dexter King said Wednesday after a jury ruled in his family's favor on a wrongful-death lawsuit.

The Kings had sued Loyd Jowers, a retired Memphis businessman who claimed six years ago that he paid someone other than confessed killer, James Earl Ray, to kill King.

The trial for the first time gave a jury the opportunity to hear theories of a murder conspiracy in the 1968 assassination at a Memphis motel.

Ray pleaded guilty to the murder in 1969, so he did not go to trial. He tried for 30 years to take back the guilty plea and died in prison of liver disease last year. His plea was upheld eight times by state and federal courts.

The six blacks and six whites on the Chancery Court jury deliberated only about three hours before returning Wednesday's verdict and awarding the Kings \$100 in damages.

The Kings has asked for minimal damages, saying they were more interested in a verdict that would support their belief of a conspiracy.

Rep. John Lewis, D-Ga., an associate of King, told WSB-TV in Atlanta that he will ask President Clinton and Reno for a thorough investigation of the assassination.

The King family stressed the desire for closure.

"We are prepared now to move on with our lives and hope that other people will join us in this process so that the nation can move on with the healing that is so necessary," King's widow, Coretta Scott King, said today on CNN.

The suit named Jowers and other "unnamed conspirators," so the verdict did not identify anyone else who might have been involved. A civil court jury finding a defendant like Jowers at fault requires only a preponderance of evidence. In a criminal case, a defendant must be found guilty beyond a reasonable doubt.

William Pepper, a lawyer who represented Ray and now represents the Kings, told jurors that Jowers, 73, was part of a vast conspiracy involving the Mafia and agents of the federal government. He said King was targeted because of his opposition to the Vietnam War and plans for a huge "poor people's march" on Washington.

He asserted that a cover-up following the assassination involved the FBI, CIA, the news media and Army intelligence, as well as many state and city officials.

Juror Robert Tucker said the assassination was too complex for one person to have carried out.

He noted Pepper's assertions that King's police guard was pulled back shortly before the murder and that Army agents had King under surveillance at the time he was felled by a single rifle shot.

"All of those things added up, it wasn't just one guy acting alone," Tucker said.

A U.S. House committee concluded in 1978 that Ray was the killer but may have had help before or after the

assassination. The committee did not find any government involvement in the murder.

Jowers owned a small restaurant, Jim's Grill, across the street from The Lorraine Motel, where **King** was killed. On the day of the murder, Ray, a prison escapee from Missouri, rented a room under an assumed name in a rooming house above Jim's Grill.

In 1993, Jowers said on ABC-TV that he hired **King's** killer as a favor to an underworld figure who was a friend. He did not identify the purported killer, but said it wasn't Ray.

Jowers was sick for much of the trial and did not testify.

Lewis Garrison, Jowers' lawyer, told jurors they could reasonably conclude **King** was the victim of a conspiracy but said his client's role was minor at best.

He said it was hard to believe that "the owner of a greasy spoon and an escaped convict" could have pulled off **King's** assassination.

The order to kill **King**, Pepper asserted, came from the head of organized crime in New Orleans to a Memphis produce dealer who got Jowers to handle the payoff and murder weapon. An Army sniper squad was in place to shoot **King** if the Mafia hit failed, Pepper said.

John Campbell, a state prosecutor who investigated the assassination, said his office has never turned up evidence to charge anyone other than Ray with the murder.

"I've still seen nothing that would change my opinion" that Ray was the gunman, Campbell said.

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