

**UNITED STATES DEPARTMENT OF JUSTICE INVESTIGATION OF
RECENT ALLEGATIONS REGARDING THE ASSASSINATION OF
DR. MARTIN LUTHER KING, JR.**

On August 26, 1998, the Attorney General directed the Civil Rights Division of the United States Department of Justice, assisted by the Criminal Division, to investigate two separate, recent allegations related to the April 4, 1968 assassination of Dr. Martin Luther King, Jr. These allegations emanate from Loyd Jowers, a former Memphis tavern owner, and Donald Wilson, a former agent with the Federal Bureau of Investigation (FBI).

In 1993, 25 years after the murder, Jowers claimed that he participated in a conspiracy to kill Dr. King, along with an alleged Mafia figure, Memphis police officers, and a man named Raoul. According to Jowers, one of the conspirators shot Dr. King from behind his tavern.

Wilson alleged in 1998 that shortly after the assassination, while working as an FBI agent, he took papers from the abandoned car of James Earl Ray, the career criminal who pled guilty to murdering Dr. King. Wilson claims he concealed them for 30 years. Some of the papers contained references to a Raul (the alternate spellings, Raoul and Raul, are discussed in Section I) and figures associated with the assassination of President John F. Kennedy. According to Wilson, someone who later worked in the White House subsequently stole the other papers he took from Ray's car, including one with the telephone number of an FBI office.

Both the Jowers and the Wilson allegations suggest that persons other than or in addition to James Earl Ray participated in the assassination. Ray, within days of entering his guilty plea in 1969, attempted to withdraw it. Until his death in April 1998, he maintained that he did not shoot Dr. King and was framed by a man he knew only as Raoul. For 30 years, others have similarly alleged that Ray was Raoul's unwitting pawn and that a conspiracy orchestrated Dr. King's murder. These varied theories have generated several comprehensive government investigations regarding the assassination, none of which confirmed the existence of any conspiracy. However, in King v. Jowers, a recent civil suit in a Tennessee state court, a jury returned a verdict finding that Jowers and unnamed others, including unspecified government agencies, participated in a conspiracy to assassinate Dr. King.

Our mission was to consider whether the Jowers or the Wilson allegations are true and, if so, to detect whether anyone implicated engaged in criminal conduct by participating in the assassination. We have concluded that neither allegation is credible. Jowers and Wilson have both contradicted their own accounts. Moreover, we did not find sufficient, reliable evidence to corroborate either of their claims. Instead, we found significant evidence to refute them. Nothing new was presented during King v. Jowers to alter our findings or to warrant federal investigation of the trial's conflicting, far-ranging hearsay allegations of a government-directed plot involving the Mafia and African American ministers closely associated with Dr. King. Ultimately, we found nothing to disturb the 1969 judicial determination that James Earl Ray murdered Dr. King or to confirm that Raoul or anyone else implicated by Jowers or suggested by the Wilson papers participated in the assassination.

I. SUMMARY OF THE FINDINGS OF THE INVESTIGATION

This report documents the findings of our investigation. Our conclusions are based on over 200 witness interviews, scientific testing and analysis of relevant documentary evidence, and review of tens of thousands of pages of records, including the files and papers from four previous official investigations, related litigation including King v. Jowers, private parties, and the media.

After original investigation and analysis of the historical record, we have concluded that neither the Jowers nor the Wilson allegations are substantiated or credible. We likewise have determined that the allegations relating to Raoul's participation in the assassination, which originated with James Earl Ray, have no merit. Finally, we find that there is no reliable evidence to support the allegations presented in King v. Jowers of

a government-directed conspiracy involving the Mafia and Dr. King's associates. Accordingly, no further investigation is warranted.

A. Findings Regarding Jowers' Allegations

At the time of the assassination, Loyd Jowers owned and operated Jim's Grill, a tavern below the rooming house where James Earl Ray rented a room on April 4, 1968. Until 1993, Jowers maintained in several public statements that he was merely serving customers in his tavern when Dr. King was shot. He did not claim any involvement in the assassination or significant knowledge about it.

In December 1993, Jowers appeared on ABC's *Prime Time Live* and radically changed his story, claiming he participated in a plot to assassinate Dr. King. According to Jowers, a Memphis produce dealer, who was involved with the Mafia, gave him \$100,000 to hire an assassin and assured him that the police would not be at the scene of the shooting. Jowers also reported that he hired a hit man to shoot Dr. King from behind Jim's Grill and received the murder weapon prior to the killing from someone with a name sounding like Raoul. Jowers further maintained that Ray did not shoot Dr. King and that he did not believe Ray knowingly participated in the conspiracy.

Since his television appearance, Jowers and his attorney have given additional statements about the assassination to the media, the King family, Ray's defenders, law enforcement personnel, relatives, friends, and courts. Jowers, however, has never made his conspiracy claims under oath. See Section IV.C.1.a. In fact, he did not testify in *King v. Jowers*, despite the fact that he was the party being sued. The one time Jowers did testify under oath about his allegations in an earlier civil suit, *Ray v. Jowers*, he repudiated them. Further, he has also renounced his confessions in certain private conversations without his attorney. See Section IV.C.1.b. For example, in an impromptu, recorded conversation with a state investigator, Jowers characterized a central feature of his story -- that someone besides Ray shot Dr. King with a rifle other than the one recovered at the crime scene -- as "bullshit." Consequently, Jowers has only confessed in circumstances where candor has not been required by law or where he has not been required to reconcile his prior inconsistencies.

When Jowers has confessed, he has contradicted himself on virtually every key point about the alleged conspiracy. See Section IV.C.2. For example, he not only identified two different people as the assassin, but also most recently claimed that he saw the assassin and did not recognize him. Jowers also abandoned his initial allegation that he received \$100,000 with which he hired a hit man to kill Dr. King, claiming instead that he merely held the money for the conspirators. Additionally, Jowers has been inconsistent about other aspects of the alleged conspiracy, including his role in it, Raoul's responsibilities, whether and how Memphis police officers were involved, and the disposal of the alleged murder weapon.

Equally significant, the investigative team found no credible evidence to support any aspect of Jowers' varied accounts. See Section IV.D. There is no corroborating physical evidence, and the few isolated accounts allegedly supporting Jowers' claims are either unreliable or unresponsive. At the same time, there is evidence to contradict important elements of Jowers' allegations. For instance, investigators did not find a trail of footprints in the muddy ground behind Jim's Grill after the murder, undermining Jowers' claim that the assassin shot Dr. King from that location and brought the rifle to him at the backdoor. Similarly, there is substantial evidence establishing that the assassin actually fired from the bathroom window of the rooming house above Jim's Grill.

The genesis of Jowers' allegations is suspect. See Section IV.F.1. For 25 years following the assassination, Jowers never claimed any specific involvement in or knowledge of a conspiracy. It was not until 1993, during a meeting with the producer of a televised mock trial of James Earl Ray, that Jowers first publicly disclosed the details of the alleged plot, including the names of the purported assassin and other co-conspirators. He also initially sought compensation for his story, and his friends and relatives acknowledge that he hoped to make money from his account.

Jowers' conduct also undermines his credibility. He refused to cooperate with our investigation. See Section IV.E. Even though he repeatedly confessed publicly without immunity from prosecution, he was unwilling to speak to us without immunity. We were willing to consider his demand, but he refused to provide a proffer of his allegation, a standard prerequisite for an immunity grant, particularly where a witness has given contradictory accounts. His failure to provide a proffer demonstrates that he was unwilling to put forth a final, definitive version of his story. It further suggests he is not genuinely concerned about obtaining protection from prosecution, but instead has sought immunity merely to lend legitimacy to his otherwise unsubstantiated story.

From the beginning, Jowers' story has been the product of a carefully orchestrated promotional effort. See Section IV.F.2. In 1993, shortly after the HBO television mock trial, Jowers and a small circle of friends, all represented by the same attorney, sought to gain legitimacy for the conspiracy allegations by presenting them first to the state prosecutor, then to the media. Other of Jowers' friends and acquaintances, some of whom have had close contact with each other and sought financial compensation, joined the promotional effort over the next several years. For example, one cab driver contacted Jowers' attorney in 1998 and offered to be of assistance. Thereafter, he heard Jowers' conspiracy allegations, then repeated them for television and during King v. Jowers. Telephone records demonstrate that, over a period of several months, the cab driver made over 75 telephone calls to Jowers' attorney and another 75 calls to another cab driver friend of Jowers who has sought compensation for information supporting Jowers' claims.

In summary, we have determined that Jowers' claims about an alleged conspiracy are materially contradictory and unsubstantiated. Moreover, Jowers' repudiations, even under oath, his failure to testify during King v. Jowers, his refusal to cooperate with our investigation, his reported motive to make money from his claims, and his efforts along with his friends to promote his story all suggest a lack of credibility. We do not believe that Jowers, or those he accuses, participated in the assassination of Dr. King.

B. Findings Regarding Wilson's Allegations

Unlike Jowers, Donald Wilson, a former agent with the FBI, does not make any claims about who assassinated Dr. King. Rather, in March 1998, he revealed that for the past 30 years he had been concealing evidence that might be relevant to the crime. Wilson alleged that in April 1968, as an FBI agent of less than a year, he went to the scene where Ray's Ford Mustang had been abandoned in Atlanta, Georgia. Once there, Wilson purportedly opened the Mustang's door and a small envelope containing several papers fell out. According to Wilson, he took the papers, hid them, and told no one about them for 30 years.

Dr. William Pepper, then Ray's lawyer, publicly disclosed Wilson's revelation at a press conference. Immediately before the press conference, Wilson told his story to the District Attorney in Atlanta and expressed a strong interest in providing the documents to the Department of Justice for a full investigation.

It was not until six months later that our investigation ultimately obtained the only two documents Wilson maintained he still had. One of the documents is a portion of a torn page from a 1963 Dallas telephone directory. It has handwritten entries and information associated with President Kennedy's assassination, including the telephone numbers of Jack Ruby, the man who murdered Lee Harvey Oswald, and the Hunt family, who some have alleged was involved in the President's murder. The other document is a piece of paper that has two handwritten columns of notations, the first of words and the second of numbers, neither of which appears to have a connection to Dr. King's assassination. Both documents have handwritten entries with the name Raul. See Attachment 1, photostatic copies of the documents provided by Wilson.

Wilson has given materially inconsistent accounts about the documents and his discovery of them. See Section V.C. Most significantly, six months after telling the District Attorney in Atlanta, as well as the King family, Ray's attorney, and the media, that he had found four documents -- the two documents we ultimately obtained and two business cards we have never seen -- Wilson advised us that he actually took a significant, but previously undisclosed, fifth document from Ray's car. Wilson reported that the additional

document had the telephone number of the FBI Atlanta field office where he worked, but he never explained his initial failure to reveal its alleged existence. He also gave contradictory stories about when he first looked at the documents, when he realized their significance, and whether and which documents were allegedly later stolen from him.

We found nothing to substantiate any of Wilson's varied claims about his discovery of the documents. At the same time, we found significant, independent evidence to contradict key aspects of his accounts. See Section V.D. For example, photographic evidence and expert opinion establish that the passenger-side door of the Mustang was closed and locked when the FBI was at the scene, not ajar and unlocked as Wilson claimed. Further, we found no evidence to corroborate Wilson's claims that he was at the scene of the Mustang's recovery, opened its door, or took the documents.

Scientific analysis of the documents obtained from Wilson could not resolve two critical questions presented by his allegation -- whether the documents came from Ray's car in 1968 and who authored them. See Section V.F. At the same time, analysis of the torn telephone page suggests that a handwritten notation in its margin may have been written to create the false impression that Ray was in possession of Raul's telephone number and that the assassinations of Dr. King and President Kennedy are connected. See Sections V.F.2.d. and G.

Important aspects of Wilson's account are implausible. See Sections V.E. and G. For instance, it is improbable that a torn page from a 1963 Dallas telephone directory linking the assassinations of Dr. King and President Kennedy would have been in Ray's car in 1968 or have fortuitously fallen out when Wilson allegedly opened the door. The paper has the telephone number of Jack Ruby, which was disconnected shortly after he shot Oswald in 1963, and Ray was in jail from 1960 until 1967. In addition, we found no credible evidence linking Ray to Jack Ruby or connecting the assassinations of President Kennedy and Dr. King.

The possibility that the documents actually came from Ray's car is even more remote since Ray himself did not remember them. Indeed, Ray had the most to gain from Wilson's revelation since the documents would have been the only physical evidence in 30 years to support his claim that Raoul existed. Nonetheless, he declined to confirm that the papers came from his car. See Section V.I.

It is equally implausible that a newly trained agent like Wilson, who joined the FBI because of his concern for civil rights, would have chosen to tamper with Ray's car, confiscate evidence, and potentially compromise the search for Dr. King's murderer. Wilson's claim that he concealed information potentially implicating the FBI for 20 years after he terminated his career as an agent and then again when he made his initial public disclosure in March 1998 is also particularly suspicious in light of his professed disdain for the FBI. See Section V.E.

Wilson's account is finally undermined by his failure to cooperate fully with our investigation. See Section V.J. Within days of his public disclosure in March 1998, he withdrew his offer to provide the documents to the Department of Justice. In September 1998, when he met with attorneys from our investigative team, he again refused to relinquish the original documents until the execution of a search warrant was imminent. Wilson also repeatedly refused to provide information that he claimed could lead to the recovery of the documents he says were stolen from him. Ultimately, once we provided an offer of immunity in response to his expressed concerns about prosecution, he cut off all communication. Accordingly, Wilson's resistance to assisting our investigation belies his public appeal for a thorough investigation by the Department of Justice.

Based upon an assessment of Wilson's conduct, his inconsistent statements, and all other available facts, his claim that he discovered papers in Ray's car is not credible. Accordingly, we have concluded that the documents do not constitute legitimate evidence pertaining to the assassination.

C. Findings Regarding Raoul

The name Raoul, or Raul, is central to both the Jowers and the Wilson allegations, as well as James Earl Ray's claims of innocence. Jowers contends that he conspired with Raoul, and two of the Wilson documents include the name Raul. Ray, soon after pleading guilty, claimed that someone he knew only as Raoul lured him to Memphis and framed him by leaving a rifle with his fingerprints at the crime scene. As a result, we reviewed the numerous past allegations regarding the identity of Raoul and investigated the most recent accusation about Raoul's identity.

Initially, the alternate spellings, Raoul and Raul, may have significance. For over 25 years following the assassination, James Earl Ray, his defenders, and others consistently referred to the man who allegedly framed Ray as Raoul. In the mid-1990s, Ray's defenders changed the spelling to "R-A-U-L" when they believed that a man living in New York state, whose first name is Raul, was the Raoul described by Ray.⁽¹⁾ Ray's attorneys then added the New York Raul as a defendant to a false imprisonment lawsuit brought by Ray against Jowers. The documents Wilson produced a few years later also utilized the same post-1995 spelling of Raul. See Section VI.C.2.

A review of the historical record reveals that, during the 30 years following the assassination, numerous individuals have been erroneously identified as Raoul. Those who have been falsely accused do not share common characteristics or necessarily possess any of the physical characteristics Ray attributed to Raoul. See Section VI.B.

Moreover, the man most recently accused of being Raoul -- the Raul from New York state -- was not connected to the assassination. The methods used to identify the New York Raul and the witnesses identifying him, who include Ray and Jowers, are unreliable. In addition, at the time the New York Raul allegedly planned and participated in the assassination, he could not speak English, was employed full-time with a major corporation, and was often seen in a tightly-knit, Portugese community. See Section VI.C.3.

More than 30 years after the crime, there still is no reliable information suggesting Raoul's last name, address, telephone number, nationality, appearance, friends, family, location, or any other identifying characteristics. The total lack of evidence as to Raoul's existence is telling in light of the fact that Ray's defenders, official investigations, and others have vigorously searched for him for more than 30 years. The dearth of evidence is also significant since Ray often claimed that he was repeatedly with Raoul in various places, cities, and countries, and many of Ray's associations unrelated to the assassination have been verified. See Section VI.D.

Because the uncorroborated allegations regarding Raoul originated with James Earl Ray, we ultimately considered Ray's statements about him. Ray's accounts detailing his activities with Raoul related to the assassination are not only self-serving, but confused and contradictory, especially when compared to his accounts of activities unrelated to the assassination. Thus, Ray's statements suggest that Raoul is simply Ray's creation. See Section VI.E.

For these reasons, we have concluded there is no reliable evidence that a Raoul participated in the assassination.

D. Findings Regarding The King v. Jowers Conspiracy Allegations

King v. Jowers was a civil lawsuit in a Tennessee state court brought by King family members against Loyd Jowers for the wrongful death of Dr. King. The trial concluded in December 1999. The jury adopted a verdict offered by the parties finding that Jowers and "others, including government agencies" participated in a conspiracy to assassinate Dr. King. The trial featured some, but not all, of the information already considered by our investigation. Significant evidence from the historical record and our original investigation that undermines the credibility of Jowers' allegations was not presented. Nothing offered during the trial alters our conclusion regarding Jowers' or Wilson's allegations.⁽²⁾

The trial also featured a substantial amount of hearsay evidence purporting to support the existence of various far-ranging, government-directed conspiracies to kill Dr. King. Witness testimony and writings related secondhand or thirdhand accounts of unrelated, and in some cases, contradictory conspiracy claims. For example, an unidentified person who did not testify alleged in an out-of-court deposition, which was read to the jury, that he participated in a conspiracy to assassinate Dr. King initiated by the President and Vice President of the United States and the head of the AFL/CIO labor union. Unrelated to that claim, the notes of an interview of an unidentified source, which were written by a journalist who did not testify, purported to document a claim that a military team was conducting surveillance of Dr. King and actually photographed the assassination.

Significantly, no eyewitness testimony or tangible evidence directly supported any of the conflicting allegations of a government-directed conspiracy. The only relevant non-hearsay eyewitness accounts presented at the trial suggest nothing more than the possibility that Dr. King, like other civil rights activists who were the subjects of government surveillance in the 1960s, may have been watched by military personnel around the time of the assassination. However, we found nothing to indicate that surveillance at any time had any connection with the assassination.

Critical analysis of the hearsay allegations in light of significant information that was not introduced at the trial demonstrates that the none of the conspiracy claims are credible. No evidence corroborated the various allegations and other information contradicted them. For instance, in the case of the interview notes of a source claiming that his military surveillance team witnessed and photographed the assassination, we found nothing to substantiate the allegation but, rather, information to contradict it. The journalist who wrote the notes also told us that he did not credit the source or his story. See Section VII.B.3.d.

Other evidence introduced in King v. Jowers suggested the existence of yet another conspiracy apparently unrelated to the alleged government-directed conspiracies. In this regard, witnesses testified offering observations and hearsay accounts implying that two African American ministers associated with Dr. King were part of a plot to kill him.

The allegations against the African American ministers are far-fetched and unpersuasive. Additionally, we found no information during our investigation of the Jowers and Wilson allegations or our review of the historical record to substantiate these claims, while significant information, not introduced at the trial, contradicts them. See Section VII.C.

In sum, the evidence admitted in King v. Jowers to support the various conspiracy claims consisted of inaccurate and incomplete information or unsubstantiated conjecture, supplied most often by sources, many unnamed, who did not testify. Because of the absence of any reliable evidence to substantiate the trial's claims of a conspiracy to assassinate Dr. King involving the federal government, Dr. King's associates, Raoul, or anyone else, further investigation is not warranted.

E. Findings Of Earlier Official Investigations

Our findings are consistent with the conclusions reached by prior official investigations. A 1977 Department of Justice Task Force found "no evidence of the complicity of the Memphis Police Department or the FBI" in the assassination of Dr. King. It also concluded that Ray's assertions that someone else shot Dr. King were "so patently self-serving and so varied as to be wholly unbelievable." In 1979, a congressional investigation by the House Select Committee on Assassinations (HSCA) arrived at similar conclusions, additionally finding that one or both of James Earl Ray's brothers might have been his accomplices and that two racist St. Louis businessmen, who were dead by the time the HSCA probe began, may have put up a bounty for Dr. King's murder.

In 1998, the Shelby County, Tennessee District Attorney General completed a four-year investigation of the early versions of Jowers' allegations and concluded that "there is no credible evidence that implicates

Loyd Jowers for the murder" of Dr. King. That investigation further determined that the Raul from New York, whose photograph was identified by Jowers, Ray, and others, was not connected to the assassination. Earlier, in 1997, a Shelby County Grand Jury also concluded that there was no credible evidence to justify investigation of any of Jowers' claims.

II. DESCRIPTION OF THE INVESTIGATIVE PROCESS

A. The Investigative Team

Our investigative team consisted of four attorneys from the Department of Justice and three federal investigators.⁽³⁾ No one on the investigative team, or supporting it, was involved in any prior official investigation of the assassination.⁽⁴⁾ We utilized the United States Secret Service (USSS) forensic laboratory to test and analyze the documents Wilson allegedly retrieved from Ray's car and to conduct handwriting comparisons with the written entries on them. Other governmental forensic services and private experts performed analysis pertaining to other issues.

B. The Investigation's Methodology

The investigative team reviewed materials generated by federal, state, and local law enforcement officials, prior investigations, private parties, the media, and courts. In the end, the investigative team considered tens of thousands of pages of documents, hundreds of items of evidence, hundreds of witness statements, and the extensive work product of private parties and other investigations.

With regard to official records, we examined documents and evidence from the original 1968 criminal investigation conducted by the FBI, state and local law enforcement, and the state prosecutor's office; the 1976-1977 investigation of the assassination by a Department of Justice Task Force (DOJ Task Force); the 1977-1979 investigation by the House Select Committee on Assassinations (HSCA); and the 1993-1998 investigation by the Shelby County, Tennessee District Attorney General's office. As to the HSCA investigation, we reviewed the 14 published volumes of testimony and evidence and, with the permission of the House Administration Committee, relevant records sealed at the National Archives since 1979. The FBI, the Central Intelligence Agency (CIA), and the Department of Defense also furnished relevant, and in some cases classified, records not available to previous investigations.

The investigative team also considered documents and information provided by private parties who have conducted their own investigations. Specifically, we spoke with Dr. William Pepper, who formerly represented James Earl Ray and currently represents the King family; Jack Saltman, producer of the 1993 HBO mock trial of James Earl Ray; Hickman Ewing, the "prosecutor" for the mock trial and a former United States Attorney in Memphis; Arthur Haynes, Jr., one of Ray's first attorneys; and Gerald Posner, an author who recently wrote a book about the King assassination, including the Jowers allegations. We considered information and materials each provided. In addition, we considered witness "testimony" from the 1993 HBO mock trial of James Earl Ray. We also reviewed relevant pleadings, discovery materials, and hearing transcripts from post-conviction and civil litigation related to the assassination, including evidence from the trial of King v. Jowers. Finally, we collected and read hundreds of newspaper and magazine articles and several pertinent books.

The investigative team reviewed these materials to determine whether there was any credible evidence to support any aspect of Jowers' or Wilson's allegations. The process was time-consuming and labor-intensive and the sheer volume of materials was enormous. In fact, because of the depth and number of prior investigations and the breadth of media coverage, most witnesses have given several prior statements, and some have provided as many as five detailed accounts of what occurred. For example, James Earl Ray's official statements and testimony, by themselves, cover more than a thousand pages.

At the outset, we reviewed the materials to learn about the assassination and prior investigations and to

gain a historical perspective regarding claims relating to the crime. We analyzed prior statements, affidavits, and testimony of relevant witnesses to determine whether they were internally consistent and in accord with each other and other evidence. When we found significant contradictions, we investigated further in an attempt to determine reasons for the inconsistencies.

Notwithstanding the breadth of our review of the historical record, the investigative team did not consider everything related to the King assassination because of restrictions on time, resources, and access to documents. For example, because standard House of Representatives Rule VII mandates that the materials from the HSCA investigation, like all similar House records, remain sealed in the National Archives for at least 30 years, the House Administration Committee permitted us to review only information relevant to our investigation. As a result, while nothing we requested from the Committee was withheld, we did not examine the great volume of sealed records in their entirety. Rather, with the assistance of the HSCA's former chief investigator, we examined the records catalogue and then identified, obtained and studied all materials we believed to be pertinent. Also, while numerous books and articles have been written about the assassination, we did not review all of these works.⁽⁵⁾ Nonetheless, we found nothing to suggest that we failed to review the necessary historical record to evaluate Jowers' and Wilson's allegations.

The investigative team also conducted its own original inquiry of the allegations, including interviewing more than 200 witnesses. We attempted to locate and interview every civilian and law enforcement officer who witnessed events related to the shooting or the recovery of Ray's Mustang. We also attempted to locate and interview all witnesses who had information relevant to the allegations by Jowers or Wilson or who purported to corroborate any portion of such allegations.⁽⁶⁾ In addition, we interviewed individuals who previously investigated the assassination, who took statements from eyewitnesses, or who represented James Earl Ray. With regard to witnesses who were particularly significant, we interviewed, when appropriate, their friends, relatives, and associates. After a review of the evidence presented during King v. Jowers, we conducted additional witness interviews and records review as warranted.

We conducted most interviews in person. Some were conducted by telephone when necessary. When helpful and practical, we conducted interviews at the scene of the assassination. We also contacted and interviewed many witnesses more than once to clarify what they had said or to obtain further information based on what we subsequently learned from other sources.

Because our investigation comes more than 30 years after the crime, a number of witnesses, not surprisingly, have died or were unavailable due to poor health. We were also unable to interview a few persons because they refused to cooperate or could not be located. Even so, we were able to consider the observations and opinions of nearly all relevant witnesses since most persons who were now unavailable had given prior statements.

Scientific testing and analysis were conducted on the two documents we obtained from Wilson. We collected handwriting exemplars and known samples from relevant subjects to compare with the writing on the Wilson documents. Moreover, because one of the documents appeared to be a list of numbers and words, we had a cryptologist analyze the writing for evidence of a code.

We consulted several experts in firearms identification regarding testing and analysis performed over the years on the evidence discovered at the crime scene. We also had experts at Ford Motor Company evaluate photographs taken during the recovery of Ray's abandoned Mustang to determine whether its doors were ajar or unlocked, as Wilson claimed. In addition to inspecting the crime scene in person, we reviewed numerous photographs and diagrams of the area.

Despite the volume of material we obtained and reviewed and the number of witnesses we interviewed, our investigative options were sometimes limited. Most importantly, we had no subpoena power because the tolling of the statute of limitations on any underlying federal crime prevented the convening of a federal grand jury.⁽⁷⁾ Thus, we were generally unable to obtain documents disclosing personal information about

individuals and could not compel witnesses, such as Jowers or Wilson, to meet with us, answer questions, furnish information, or provide testimony under oath.

To the extent possible, the investigative team carried out its inquiry in the same manner it would have conducted any other federal criminal investigation. When appropriate, we advised witnesses that a willful and knowing false statement to our investigation could be prosecuted. We also explored the possibility of granting certain witnesses immunity from prosecution.

On one occasion, we sought the assistance of a federal court to obtain information. Because Wilson refused to provide us the original documents he allegedly took from Ray's car, we obtained a search warrant for his safe deposit box at his bank. Shortly thereafter, he released the documents to avoid execution of the warrant.

Our investigation and report were nearly finished in November 1999, when trial began in King v. Jowers. We monitored the trial, obtained transcripts of witness testimony, and conducted additional follow-up investigation as warranted. Accordingly, we have now considered all relevant information presented during the trial, as well as information derived from the additional investigation it prompted.

C. Scope Of The Investigation And Report

This investigation was not initiated to consider every allegation and all speculation about the assassination of Dr. King. Rather, the Attorney General specifically limited the scope of the investigation to Jowers' and Wilson's recent allegations and logical leads resulting therefrom. We respected the limits of our mandate, but at various times also considered whether it should be broadened.

During our investigation, various private parties presented allegations unrelated to those made by Jowers and Wilson. For example, Dr. Pepper and Dexter King, Dr. King's son, advised us of their view, which was also advocated during King v. Jowers, that the federal government and the United States military, as well as certain African American ministers closely associated with Dr. King, were involved in the assassination. As discussed in Section VII, we analyzed these conspiracy allegations and found they were unsupported by sufficiently credible evidence to warrant further investigation. Likewise, none of the allegations we received from other private parties were sufficiently substantiated to justify investigation.

This report presents a general discussion of factual information about the assassination and our specific findings and conclusions relating to the Jowers and the Wilson allegations. Section III of the report provides a brief overview of the events surrounding the assassination. We consider Jowers' allegations in Section IV, Wilson's allegations in Section V, allegations relating to Raoul in Section VI, and conspiracy allegations presented in King v. Jowers in Section VII. We conclude with our recommendation in Section VIII.

As a matter of fairness, we do not provide the names of persons accused of wrongdoing unless there is credible evidence to substantiate the accusation or they have already been the subject of substantial media attention. We nevertheless have provided all the information necessary to understand the accusations against them.

III. SUMMARY OF FACTS RELATED TO THE ASSASSINATION

On April 3, 1968, Dr. Martin Luther King, Jr. arrived in Memphis, Tennessee, to march in support of a labor strike organized by Memphis sanitation workers. Because a demonstration the month before erupted in violence, Dr. King, according to his associates, returned determined to lead a non-violent protest.

Dr. King and several associates checked into the Lorraine Motel on Mulberry Street, a motel in Memphis patronized primarily by African Americans. Dr. King's room, 306, was on the second floor, faced Mulberry Street, and had a door that opened onto a balcony directly above the motel's parking lot. The

motel still exists but is now a museum.

Across from the motel on Mulberry Street are the backyard areas of buildings that front on South Main Street. South Main and Mulberry Streets run parallel to one another. Fire Station No. 2 faces South Main Street and is on the corner between South Main and Mulberry Streets. See Attachment 2, diagram of the area surrounding the Lorraine Motel.

At the time of the shooting, a fenced-in parking area was adjacent to the fire station on South Main Street, followed by Canipe's, a record store, and Jim's Grill, a tavern. Directly above Jim's Grill, on the second floor, was a rooming house. The backdoor to Jim's Grill opened to backyards, which overlooked Mulberry Street and the Lorraine Motel.

The buildings on South Main Street, as well as their backyards, are elevated and higher than Mulberry Street. A retaining wall, approximately eight feet high, extends from the street to the ground level of the backyards on Mulberry Street opposite the Lorraine Motel. At the time of the assassination, overgrown bushes and small trees bordered the backyards and the adjacent parking lot.

Loyd Jowers, who is white, owned and operated Jim's Grill, a tavern that served a racially-mixed group of customers and specialized in lunch and after-work beer drinking. After 4:00 p.m., Jowers generally worked alone or with one other person.

Sometime before 4:00 p.m. on April 4, 1968, James Earl Ray parked his white Mustang on South Main Street and, under an assumed name, rented a room in the second floor rooming house directly above the grill. That room and the communal bathroom at the end of the hall both had windows overlooking Dr. King's motel room at the Lorraine. Shortly after renting the room, Ray purchased binoculars from a nearby store and then returned to the rooming house.

Just before 6:00 p.m., Dr. King was outside on the balcony of the Lorraine Motel in front of his room. At about 6:01 p.m., while conversing with associates in the parking lot below, he was shot and fatally wounded by a single bullet fired from a 30.06 rifle. The shot came from the direction of the rear of the buildings on South Main Street across from the Lorraine.

Within minutes of the assassination, police found a "bundle" on the sidewalk in front of Canipe's record store. It contained a 30.06 rifle with a spent cartridge casing in its chamber, an attached scope, unfired 30.06 ammunition, and items belonging to James Earl Ray. Ray's fingerprints were on the rifle and scope.

Firearms testing could not positively determine whether the fatal shot was or was not fired from the rifle recovered in front of Canipe's. The markings on the bullet removed from Dr. King's body, however, match the general rifling characteristics of the discarded 30.06 rifle. General rifling characteristics are the consistent features inside the barrel of all rifles of the same model.

At the time of the shooting, a tactical team of twelve Memphis police officers and county deputies were in and around Fire Station No. 2. Another Memphis police officer was also at the rear of the station to conduct surveillance of Dr. King and his party. After Dr. King was shot, officers from the tactical team raced to the Lorraine and South Main Street. Other police officers quickly joined in searching the area around the Lorraine, as well as the buildings on South Main and their backyards.

Minutes after the shooting, a deputy sheriff entered Jim's Grill. Inside, Jowers was behind the counter and there were nearly a dozen customers. Law enforcement officers spoke with Jowers that evening and several times over the next few days.

Sometime after the assassination, Ray left Memphis and drove to Atlanta where he abandoned his Mustang the next day. Several days later, the FBI impounded and searched the Mustang. At the time, Donald Wilson was a new special agent in the FBI Atlanta field office.

After abandoning the Mustang, Ray fled to Canada, where he had traveled the previous year after his escape from prison. Following a massive search, law enforcement officers arrested Ray in London, England, two months after the assassination.

In March 1969, Ray pled guilty to murdering Dr. King. When he entered his plea, he stipulated to various facts, including that he: (1) purchased the 30.06 rifle; (2) parked his Mustang just south of Canipe's [between Canipe's and Fire Station No. 2]; (3) shot Dr. King from the second floor bathroom of the rooming house; (4) ran from the rooming house to his Mustang and dropped the rifle and other items in the "bundle" in front of Canipe's; and (5) left the scene in his Mustang. Thereafter, he was sentenced to 99 years in prison.

Three days after pleading guilty, and for the next 30 years until his death in April 1998, Ray repeatedly attempted to withdraw his plea and obtain a trial. Ray continually filed motions and separate lawsuits in both state and federal court. He claimed that his plea was involuntary, that he was denied the effective assistance of counsel, that he was imprisoned in violation of his constitutional rights, and that various persons had conspired against him. In 1994, Ray filed the last of his several state petitions for post-conviction relief, Ray v. Dutton. He sought to obtain a new trial based upon his claim that the 30.06 rifle, which the police discovered on South Main Street, was not the murder weapon. Additional firearms identification testing conducted pursuant to this claim was inconclusive. The petition was still pending in April 1998, when Ray died in prison.

In addition to Ray's post-conviction relief efforts, Dr. Pepper filed a false imprisonment civil suit in state court in 1994, claiming that Jowers and others conspired to kill Dr. King and frame Ray. That lawsuit, Ray v. Jowers, was dismissed in 1997.

After pleading guilty, Ray persistently maintained that he was innocent and not at the rooming house when the fatal shot was fired and that Raoul orchestrated the assassination plot, framing him. He nonetheless failed to provide a coherent, consistent description of his own activities with Raoul prior to the assassination or offer any affirmative evidence to corroborate his contentions.

Over the years, parties other than Ray have filed additional lawsuits related to the assassination. Most recently, after Ray's death in 1998, King family members, represented by Dr. Pepper, filed a civil complaint in Tennessee state court charging Loyd Jowers with participating in a conspiracy that resulted in the wrongful death of Dr. King. The evidence presented in the jury trial of that lawsuit is discussed in Section VII below.

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