

# Ray doesn't need trial

**OUR VIEW** Confessed murderer James Earl Ray can tell his story from his cell any time he pleases.

In 1968, James Earl Ray assassinated Dr. Martin Luther King Jr. He said so in 1969, when he pleaded guilty. He got 99 years — not one too many.

Alas, out of sight is not out of mind with James Earl Ray. In the last 28 years, Ray has asked for a full trial seven times. The requests have been rejected by state courts and federal courts. His plea and conviction have been tested so many times they look like lab rats. No reason to reopen his file has ever emerged.

Now comes Ray's eighth request, this time backed by King's family. Ray is dying of a liver ailment, and the family hopes a trial will answer gnawing questions about King's killing. "I feel that the public has not been given the full truth," said King's son Dexter.

You can bank on *that*. But even if a trial is granted — a long shot that requires new evidence of innocence — there's no likelihood the bigger questions will be answered. One of the most intense murder trials in history raised more questions about the murder of Nicole Brown Simpson and Ron Goldman than it resolved. And that was a

recent crime, not one shrouded in three decades of lies, obstruction and pain.

In these days of racial division over the fairness of U.S. justice, anything that could settle the King assassination is welcome. But trying Ray won't do it. He can't be compelled to testify, and for almost 30 years he has refused to talk. Moreover, a trial can't consider evidence beyond Ray's innocence, so most of the issues the King family hopes to resolve won't be heard.

So why bother? Ray's lawyers say he doesn't want to be wrongly remembered as the man who killed one of the nation's greatest civil rights leaders. Fair enough. Facing death, even coldblooded killers may seek redemption. But the rules of complicity mean Ray is guilty regardless of who pulled the trigger. A trial won't help him there. And he doesn't need one to come clean. He can do that from his cell.

Of course, a trial would fuel the conspiracy theories that surround King's death. Some say King was killed by a cabal of federal agents and the Mafia. They say Ray wasn't smart enough to lam out to Europe without help and that when caught, he was paid to confess. Imagine what a creative conspiracist could put together if a trial were granted and Ray died before it began.

Only the naive think King's murder begins and ends with Ray. Only the purblind ignore FBI Director J. Edgar Hoover's vendetta against King. But only the wistful can believe there are legal grounds for granting Ray a trial or that it would expose a massive federal conspiracy to make King a timeless martyr. That's Oliver Stone's job.



Ray: Wants his day in court.

# Let's get the truth out

**OPPOSING VIEW** **Compelling new evidence deserves to be heard by a jury in a courtroom.**

By William F. Pepper

James Earl Ray never had a trial. His lawyers weren't allowed to test the alleged murder weapon. On the eve of his trial, he was coerced to accept a plea, negotiated without his knowledge over two months by his lawyers, the attorney general and the judge. Three days later, he began to seek a trial. The effort continues to this day.

I was a colleague of Martin Luther King during the last year of his life. Like most Americans in 1969, I believed the right man was in prison. Eight years later, following an initial interrogation of James at the request of King's friend Ralph Abernathy, I began to investigate the case.

Gradually over the next 10 years, I became convinced the state's case (that the shot was fired from a bathroom window by James, acting alone) did not stand up and that James was an unknowing patsy. In 1979 I became his attorney. I failed to obtain a trial, taking an appeal up to the U.S. Supreme Court. In 1993, I participated in a 10-day TV trial. An independent jury, hearing a fraction of the evidence we now have, found him not guilty.

Then massive new evidence emerged. Witnesses are prepared to testify that:

► The assassination was the result of a New Orleans mafia contract coordinated by a Memphis associate, the late Frank Liberto, who enlisted and paid for the assistance of the manager of Jim's Grill. The fatal shot was fired from the brush area behind this restaurant.

► Detailed instructions and the actual murder weapon (for safekeeping) were provided to the manager by a man named Raul who also controlled the patsy, Ray.

► After the shooting, the manager carried the rifle into the grill. (Learning we had witnesses to his involvement, he requested immunity in 1993, offering to tell all. Authorities have never interviewed him.)

► Raul's identity and his role confirm what James has always said. The state has denied Raul's existence.

The new evidence renders the state's case a shambles. Truth and justice compel this new evidence be tested under oath at trial. As James is terminally ill, time is of the essence. I am grateful for the courage of King family members as they join with the Ray family in demanding a trial. We are all victims of this tragedy, and I urge everyone to join in this plea for a trial.

Truth and justice require nothing less.

*William F. Pepper is a barrister in England and an American attorney.*