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King's Family Backs Ray



BY THE MEMPHIS COMMERCIAL APPEAL

Dexter King, son of the Rev. Martin Luther King, spoke in court with Jerry Ray, brother of confessed killer James Earl Ray; the King family endorsed Ray's plea for a trial he never got

New plea for a trial in '68 assassination



BY REUTERS

Coretta Scott King testified in favor of reopening the case

By B. Drummond Ayres Jr.
New York Times

Memphis, Tenn.

James Earl Ray's lawyers went back to court yesterday with their eighth request that he get a trial in the murder of the Rev. Martin Luther King Jr. This time, they had a new ally — King's widow, Coretta Scott King.

They were not granted their plea this time, either, despite a warning that life's hours are running out for Ray, who is critically ill with cirrhosis of the liver. But the judge did agree, "out of an abundance of caution," to ask an appeals court to rule on

whether new tests should be conducted on the bullet that killed King to determine whether it was fired from a recovered rifle that bore Ray's fingerprints.

Shelby County Criminal Court Judge Joseph Brown said that in his judgment, the tests, involving new technology, are "theoretically capable" of shedding enough light to justify reopening the case.

Coretta King, speaking after years of silence about Ray's legal maneuvering, took the stand yesterday morning and, acknowledging the incongruity of her appearance on his behalf, said, "We call for the trial that never hap- KING: Page A17 Col. 2

KING: Widow Backs Ray's Plea for Trial

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pened."

Then, her voice urgent and cracking with emotion, she warned that "the tragedy would be compounded" should Ray go to his grave without being pressed one final time in court to tell all he knows about what happened just down the street at the Lorraine Motel on April 4, 1968.

In the name of justice, brotherhood and closure, she went on, now looking directly at Brown, Ray's request for a trial should be granted so "the nation will know that justice has run its course in one of the most important crimes in American history."

And in any event, she argued, a trial, whatever its outcome, would be a psychic purgative for the nation, an opportunity not only to seek answers to a 29-year-old crime puzzle but also to explore the nature of the racism that led to that crime and that burdens both blacks and whites to this day.

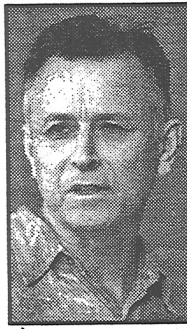
King said her family had tried for years to steer clear of Ray's appeals, especially after he recanted his confession. After that confession, he pleaded guilty and was sentenced to 99 years without a full trial. But since then, he has contended that he had been made a "patsy" and he has blamed the assassination on a mysterious band of conspirators.

But King said that now, with Ray at death's door and many questions about her husband's assassination still unanswered, the King family decided to join in the effort to have a full trial scheduled. "I am sure you can understand how painful this is," she said.

She rose and slowly, with evident deliberation, returned to her seat next to her son Dexter, who several weeks ago said his family favors reopening the case but gave no indication any member would testify in a hearing called by Ray.

Dexter King then rose and took the stand. "I guess you could say our family has been in denial," he said, speaking of the family's long silence about a new trial. "But if this is such an open-and-shut case, why are we still asking questions?"

Sitting in the courtroom row behind the Kings was Jerry Ray, one of James Earl Ray's brothers.



James Earl Ray, serving 99 years for the King assassination, wants the trial he never received

Shortly before the start of the hearing, the King and Ray families met for the first time when Ray sat behind the Kings, tapped them on the shoulder and thanked them. Dexter King chatted amiably with him for several minutes.

Though Jerry Ray did not testify, after yesterday's hearing he joined the Kings at a news conference, at which he said that Brown's decision "was just like a death sentence. By the time it goes to the court of appeals . . . he'll be dead." He later softened his assessment, indicating he was cautiously optimistic.

James Earl Ray will die in three to five months unless he receives a transplant and will probably live no longer than a year with a transplant, his brother said.

As the court session ended, Brown told Ray's lawyers and the Kings that he could not order a new trial because yesterday's hearing concerned only whether new tests should be ordered on the bullet that felled King.

When Ray recanted his confession, he insisted that tests of the bullet would prove it did not come

from any gun ever in his hands.

Still, Brown held new tests on the bullet "just possibly" might help Ray make his case and said he will forward the record of yesterday's hearing to the appeals court above him, which he explained has the legal authority to order such a test.

Ray's lawyers argued yesterday that microscopic scanning techniques of recent years would give a better reading on whether the bullet that killed King was fired from a rifle that was picked up near the slaying scene and bore Ray's fingerprints. Original tests of the bullet and the rifle were inconclusive.

In response to that claim by Ray, Shelby County prosecutors told Brown that there are no genuinely new testing techniques available. They said the techniques cited by Ray's lawyers are unlikely to produce new results and are not in common use by evidence experts.

The Los Angeles Times contributed to this report.