

The Assassin's Name Is James Earl Ray

By David J. Garrow

TWENTY-NINE years after James Earl Ray killed the Rev. Dr. Martin Luther King Jr., Dr. King's son Dexter has shaken Mr. Ray's very hand, looked him in the eye and declared his belief, which he asserted is shared by the King family, that James Earl Ray is innocent of any involvement in the assassination.

Surreal — as well as sad — hardly even begins to describe this scene last week at the state prison in Nashville where Mr. Ray is serving his sentence. Dexter Scott King's conduct is so misinformed and irresponsible that it threatens to betray his father's legacy.

For many Americans, including most of Dr. King's former aides, any crime as huge as Martin Luther King's assassination must have its roots in some large, perhaps official, conspiracy. Unfortunately, an American taste for conspiracy theories allows even outlandish tales of Army intelligence and Mafia collaboration to gain a public airing.

In this case, however, the bizarre suggestions are all wrong. James Earl Ray murdered Martin Luther King because of intense racial hatred and an expectation of cash rewards

David J. Garrow, a professor at Emory University Law School, is the author of "The F.B.I. and Martin Luther King Jr." and "Bearing the Cross," a Pulitzer Prize-winning biography of Dr. King.

from segregationists.

The evidence of his guilt comes in three pieces: his conduct before the killing, his actions on April 4, 1968, the day of the killing, and his behavior from that time to the present day. Taken together, the evidence is so overwhelming as to be beyond any reasonable doubt.

In the days before April 4, Mr. Ray, who had escaped from a Missouri

Has King's family fallen victim to disinformation?

prison, stalked Dr. King from city to city across the Deep South. In Birmingham, Ala., using an alias, Mr. Ray purchased the .30-06 Remington "Gamenaster" rifle he later abandoned near the scene of the killing.

After following Dr. King to Memphis, Mr. Ray used a different alias to rent a bedroom in a flophouse with a view of the motel which that morning's newspaper had identified as Dr. King's lodging. At 6:01 P.M., from a perch in the adjoining bathroom window, Mr. Ray fired the one fatal bullet that struck Dr. King in the jaw and then in the neck. Mr. Ray dropped his rifle, along with the morning paper and several other identifying items, in a neighboring doorway before fleeing in his car.

The rifle and the paper had his fingerprints on them. (New claims that Mr. Ray's rifle did not fire the

fatal bullet obscure the fact that no technology can conclusively link such a heavily damaged bullet to one rifle.)

After driving to Atlanta, Mr. Ray took a bus to Canada and flew to Europe. His goal was safe haven in then white-ruled Rhodesia, but he was later arrested at Heathrow Airport in Britain.

On March 10, 1969, Mr. Ray pleaded guilty to Dr. King's murder in exchange for a sentence of life imprisonment. His counsel, the well-known criminal defense lawyer Percy Foreman, had Mr. Ray sign each page of the letter in which Mr. Foreman recommended the plea: "In my opinion," it said, "there is a little more than a 99 percent chance of your receiving a death penalty verdict if your case goes to trial."

To make sure Mr. Ray had not been railroaded, Judge Preston Battle questioned the defendant carefully and repeatedly about the truthfulness and voluntary nature of his plea. "Has any pressure of any kind of anyone in any way been used on you to get you to plead guilty?" the judge asked.

"No, no one in any way," Mr. Ray responded.

Three days later, Mr. Ray petitioned to withdraw his guilty plea on the ground that he had been under duress from, among others, Mr. Foreman. But Tennessee courts found no truth to his claim, and repeated reviews by Federal courts reached the same conclusion: Mr. Ray's admission of guilt had been knowing and utterly uncoerced.

In 1978, the House Select Committee on Assassinations conducted a painstakingly thorough review of all aspects of Dr. King's assassination, including the F.B.I.'s earlier harassment of him and every conspiracy

theory then imagined. The committee's conclusion: "James Earl Ray was the assassin of Dr. King."

But the panel further concluded that Mr. Ray the triggerman almost certainly acted on behalf of a larger conspiracy of race-haters who most likely included at least one or more of his relatives. Extensive evidence in the committee report documented Mr. Ray's repeated contacts with his brothers Jerry and Jack before Dr. King's killing, and dismissed his claims to the contrary as "characteristic of the evasive and illogical nature of much of his testimony before the committee."

It found a significant likelihood that Mr. Ray and his relatives believed that a St. Louis-area conspiracy of virulent segregationists would pay handsomely for Dr. King's death, and it stressed that "Ray's persistent refusals to identify his co-conspirators in the years following the assassination would be most easily understood if his evidence implicated family members."

James Earl Ray does not need a trial to choose to tell the full truth about the killing of Dr. King. But don't hold your breath: 29 years of history shows there's no reason to believe Mr. Ray will ever betray his confederates.

Tragically, the only betrayal here involves Dr. King's own legacy. For Dexter King to call Mr. Ray innocent is to deny what white terrorists have done to black America for decades after decade. Dexter King may have shaken James Earl Ray's hand, but he cannot erase the awful record of what Mr. Ray and his allies wrought. □