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RAY PINS HOPES ON NEW BALLISTICS TESTS

The Bullet That Killed King

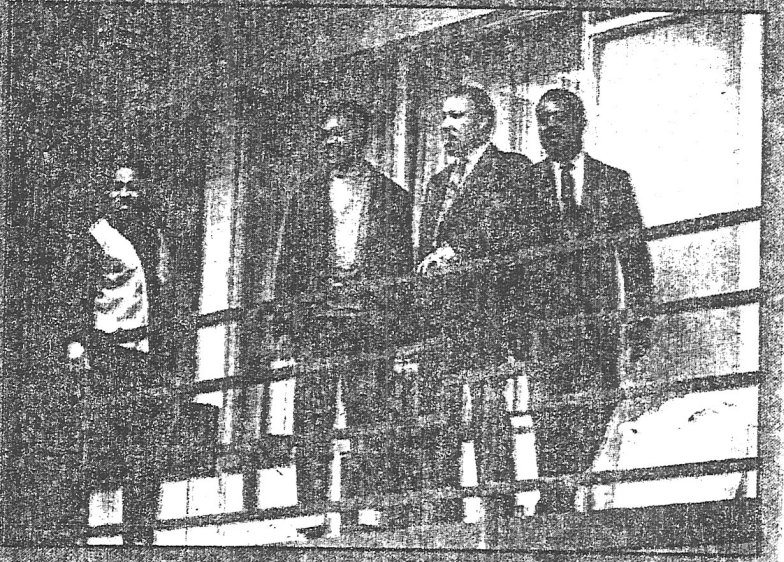
By Michael Dorman
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ON THE ORDERS of a Tennessee judge, ballistics experts recently conducted extensive firearms tests intended to determine whether James Earl Ray's rifle killed the Rev. Martin Luther King Jr. The results were scheduled to be released tomorrow in a Memphis courtroom, but may be delayed by a request by Ray's lawyer for still more test firings.

Ray, 69, who pleaded guilty in 1969 to King's assassination a year earlier but now claims he did not pull the trigger, admits that a .30-06 Remington rifle found near the murder scene belonged to him. Other extensive evidence points to Ray as the killer. Until recently, ballistics tests were unable to identify Ray's rifle as the murder weapon because the fatal bullet became distorted in passing through King's body.

But the development of new technology, Ray's lawyers say, now makes it possible for experts to determine whether the rifle actually killed King. They claim that the weapon could not have fired the fatal bullet and that the tests will show this.

Firearms experts conducted tests last month at the University of Rhode Island crime laboratory —



Martin Luther King Jr., second from right, at the Lorraine Motel in Memphis on April 3, 1968, the night before he was assassinated. With King are colleagues Hosea Williams, left, the Rev. Jesse Jackson and Ralph Abernathy.

firing bullets into a tank of water, recovering them and then comparing them with the fatal bullet. Water is used to capture the bullets because it does not scar the bullets, as materials such as cotton do. Further tests were later conducted, using a scanning electron microscope, at a Pennsylvania lab. But Ray's lawyers last week asked for still more tests,

saying the rifle had not been cleaned properly before the Rhode Island tests.

Ballistics testing has long been a crucial element of criminal investigation. All firearms leave distinctive markings on the bullets they fire. No two guns leave identical markings. Thus, experts can study these markings and determine whether a particular bullet was fired from a particular gun. By other means, the experts can also determine a bullet's trajectory, or path, and the probable spot where it was fired.

Another 'Second Gunman' Theory

Arguments over ballistics evidence have been raised for years by those who contend President John F. Kennedy's 1963 assassination resulted from a conspiracy. Many of them quarrel with the findings of the Warren Commission — the government panel that investigated the assassination and concluded that a lone gunman, Lee Harvey Oswald, killed Kennedy.

The commission concluded that one of the three bullets fired at the president's Dallas motorcade had missed and that a second bullet had struck Kennedy in the back of the head. But it was the third bullet that created the controversy. The commission, based on expert ballistics evidence, concluded that this bullet hit the president in the back of the neck, passed out the front of his neck, struck Texas Gov. John Connally — seated in front of Kennedy — in the back, went downward through the governor's chest, through his right wrist and penetrated his left thigh. Conspiracy theorists argued that a single bullet could not have done all that and emerged essentially undamaged, as this bullet was. Therefore, they contended, there must have been a conspiracy in which a second gunman fired a fourth bullet.

But in 1978 a ballistics expert testified before a congressional committee investigating the Kennedy assassination that he had found new evidence the single bullet actually had wounded both the president and Connally. Vincent Guinn, a professor at the University of California at Irvine, told the committee that neutron-activation tests on the fragments of the bullets recovered from Kennedy and Connally showed that they all came from one slug. He found no sign of any fourth bullet.

Ballistics tests were also instrumental in proving serial murder cases in 1977 against David Berkowitz, the so-called "Son of Sam." Berkowitz had terrorized the New York metropolitan area — killing six young people and wounding seven. He sent letters to newspapers, signing them "Son of Sam." He later said a dog owned by a neighbor named Sam had commanded him to kill. All the murders were carried out with a .44-cal. pistol, and tests determined it was the same pistol. When Berkowitz was captured, the gun was found. Berkowitz is now serving six prison terms of 25 years to life.

Ballistics tests can also be used to free innocent people. In a 1989 case in Los Angeles, for example, a deputy sheriff, Rickey Ross, was arrested on charges of murdering three women with his service revolver. Initial tests indicated his gun had fired the fatal bullets. But then more sophisticated tests determined that the original tests were faulty — that Ross' revolver was not the murder weapon. After 11 weeks behind bars, he was freed — by a ballistics examiner's diligence.

Tomorrow: Political Change in Iran