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An AP News Special  
Ray Negotiations 470 2 takes 760  
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MEMPHIS, Tenn. AP - Maneuvers which led James Earl Ray to change his plea to escape the electric chair in the slaying of Dr. Martin Luther King Jr., began in mid-December and had the approval of U.S. Atty. Gen. Ramsey Clark, Tennessee Gov. Buford Ellington and Coretta King, widow of the Negro leader.

These details emerged in reconstructing the delicate negotiations that produced the agreement under which Ray came into court Monday, admitted slaying King and received a prison term of 99 years. Had he gone to trial and been convicted, he could have been sentenced to death.

The failure of the case to go to trial produced some adverse reaction and added to arguments that a conspiracy was being ignored or covered up.

The agreement was first proposed in mid-December. There are two versions as to who acted first.

Shelby County Atty. Gen. Phil Canale, who was in charge of the prosecution, spoke by telephone with the Civil Rights Division of the U.S. Justice Department Dec. 19.

"In this call, I outlined the procedures that would be involved under Tennessee law. The key points to the agreement were a plea of guilty and a sentence of 99 years. I wanted the department's views."

Canale said he acted on his own and that "from the standpoint of a prosecutor seeking a compromise, plea and punishment is the custom instead of the exception."

But Hugh Stanton, the public defender, said that on the basis of the defense investigation there was a solid feeling that Ray would risk getting the death penalty in a trial and that Stanton thought a deal could be made for a guilty plea and 99 years.

"I talked to Canale about this at least a week before Christmas, and as I remember, he said he wanted to check it out with his associates," Stanton said.

An effort to learn what Mrs. King's reactions would be was initiated Dec. 31. Canale spoke with New York lawyer Harry Wachtel, counsel for Mrs. King and Dr. King's family, and described the possible agreement. He also then aired it with Ellington, who said he had no objections.

On Jan. 3, Wachtel called Canale and told him that Mrs. King and others in the King family were "opposed in fact and in principle to capital punishment and would not wish to see Ray executed in the electric chair."

However, Wachtel emphasized that Mrs. King wanted it made clear that this did not in any way mean she or the others in the family thought that Ray acted alone. Mrs. King remains convinced there was a conspiracy and after the Monday hearing, she said:

"This plea of guilty cannot be allowed to close the case or to end the search for many fingers which helped pulled the trigger."

Notes describing Canale's telephone calls, as well as information from attorney Wachtel's New York office, confirmed that Mrs. King was informed of the potential agreement and apparently had approved it.

That same day, Jan. 3, Canale spoke with the Justice Department and was informed that the plan had been discussed with Atty. Gen. Clark and that such a procedure had his approval.

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Sometime in February, Judge W. Preston Battle of Shelby County Criminal Court had a discussion with Percy Foreman, the Texas attorney who headed the Ray defense team.

"He asked me then, informally, for information regarding a guilty plea," the judge said. "He also asked whether a guilty plea could be settled with a life sentence. I said, 'Whoa, that's only 13 years in this state and the very least I'd consider is 99 years.' I told him that before anything could be done there would have to be a full agreement between the defense and prosecution, that there would have to be a waiver of the defense motion and that examination of Ray would have to take place in open court at which time Ray would have to make clear that he understood what the plea meant."

The defense and prosecution then began careful negotiations. They wanted to avoid a leak which would prematurely bring the agreement into the headlines, and perhaps disrupt it.

Also, according to Stanton, there were dealings regarding Ray. "At first he kept saying he wanted to take his chances and go to trial," Stanton said. "But when we pointed out the evidence that was against him, and what our investigation produced, which was very little, he agreed to change his plea and take the 99 years."

Judge Battle said the press had to be informed that there would be a court hearing, so it was decided to announce on Friday, March 7, that Ray would be in court.

Atty. Gen. Canale stopped off at St. Peter's Catholic Church on the way to court the morning of March 10 to light a candle and then, he said, "I prayed:

"God give me the courage, strength and wisdom to know and to do what is right and just and I prayed the jury would return such a verdict as truth dictated and justice demanded."

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