

KING

WXPost NOV 27 1975

see

# Levi Asks Review Of King Inquiry

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Attorney General Edward H. Levi has instructed two top Justice Department officials to review the FBI's investigation of the assassination of Martin Luther King Jr. and consider whether it should be reopened.

A department spokesman said yesterday that Levi took the step in light of last week's disclosures by the Senate intelligence committee of a concerted FBI undercover campaign to discredit King as a civil rights leader that began in the early 1960s and continued after his death in April, 1968.



EDWARD H. LEVI ... asks study of FBI inquiry

Levi ordered the review Monday in a brief note to Assistant Attorneys General J. Stanley Pottinger, head of the department's Civil Rights Division, and Richard L. Thornburgh, head of the Criminal Division.

The Attorney General was quoted as instructing them "to review the file and to recommend to me whether the investigation should be reopened."

Department spokesman Robert Havel said that no deadline was set for the study, but that Levi ordered it started "at once."

Suggesting that the review was largely a precautionary measure, Havel emphasized that "it's not a reopening of the investigation." He said Levi has no reason to think the FBI probe of King's murder was anything but thorough.

King was killed on April 4, 1968, at the Lorraine Hotel in Memphis, Tenn. The FBI investigation, conducted under federal civil rights statutes, ended with the arrest in Lon-

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don some three months later of James Earl Ray.

Ray subsequently pleaded guilty to the murder and is serving a 99-year prison term. However, he is appealing the conviction in the federal courts with claims that he was browbeaten into pleading guilty and that he was a "fall guy."

According to Havel, a Civil Rights Division lawyer involved in the original FBI investigation has told Levi it was "incredibly good."

Author Harold Weisberg, now serving as an investigator for Ray, charged, however, that the review was "the newest of years of efforts by the Department of Justice to continue hiding evidence in the King assassination" by keeping the FBI records under

the protective mantle of an ongoing inquiry.

Denouncing the study as "a belated effort to make it appear that the department will investigate itself independently," Weisberg said he has been trying for years to get the FBI "to release suppressed information on the King case" and declared that he was planning a freedom-of-information lawsuit for the records of the FBI investigation when Levi ordered the review.

The Justice Department also has said it is studying the FBI's tactics of harassing King and other Americans as part of its counterintelligence efforts.

Unless the department decides prosecutions are warranted, FBI Director Clarence M. Kelley told the Associated Press, he probably won't punish any of the FBI agents involved.

Kelley told AP reporter Margaret Gentry that he is not considering disciplinary action against the agents in the absence of any direct allegations of involvement in something illegal.

The FBI director said there "might be some justification" for disciplining agents who knew their actions were illegal, but he maintained that "there is no indication that any who participated knew or even thought that it was illegal to do these things."

Kelley said he was "very firmly of the opinion" that the high-ranking FBI officials who ordered the harassment tactics should bear responsibility for them, but few of those directly implicated are alive and none are now with the FBI, the Associated Press reported.

The FBI director added that he has urged agents to challenge any order they

consider improper and to bring their complaints to him if they prefer. Kelley said, however, that he does not recall any agent challenging the propriety of an order during the 2-1/2 years he has been director.

On another subject, the 64-year-old director said he has "absolutely no thought in my mind" about retiring.