

Who Killed Martin?

At 7:05 p.m. on April 4, 1968, Martin Luther King, Jr. was declared dead by the head physician in the operating room of the hospital where he'd been taken after having been shot as he stood alone on the balcony outside his room at the Lorraine Motel in Memphis, Tennessee. A 30.06 metal-jacketed bullet from a high powered rifle had smashed into King's neck, ripping off his jaw, severing vital arteries and fracturing his spine in several places. The assassination triggered riots in cities around the United States, while in Atlanta, one FBI agent who heard the report shouted with joy that "They finally got the s.o.b." A manhunt started immediately for the suspected sniper, a Caucasian man in a white Mustang who was seen racing away from the murder scene. This much seems uncontested.

But fifty years after the death of the Civil Rights leader, questions remain. Many of those questions have been addressed these past two weeks by journalists and commentators. Has racism abated in the last half century? Is bigotry still alive and well? Nazis and the KKK march openly in torchlight parades. Schools remain more segregated than in 1954 when the Supreme Court ruled that separate could never be equal. Jim Crow has been replaced by the mass incarceration. And yes, progress has also been made. But in examining the lasting legacy of the Civil Rights movement, its successes and its failures, few have focused on the troubling question of who actually killed Martin Luther King.

James Earl Ray was convicted of the crime and served thirty years of a ninety-nine year sentence before he died in 1998. He said he pled guilty to the murder after his lawyer threatened to throw the case if Ray let it go to trial. Before pronouncing sentence, the judge had asked Ray again if he were guilty, to which he responded, "Yes, legally, yes," telling the judge there was a wider conspiracy than prosecutors in the case had ever acknowledged or looked into. Three days later, Ray fired the attorney who had advised him to accept a guilty plea and asked for a new trial, maintaining until the end of his life that he had been a patsy to take the blame for King's murder.

Ray never got the new trial that he asked for, but shortly before his death he did get the attention of the King family. Coretta Scott King, Yolanda, Dexter and Martin Luther King III had lingering doubts of their own about the official investigation. They asked President Clinton to convene a fact finding committee similar to South Africa's Truth and Reconciliation Commissions that would offer legal immunity to witnesses in return for their full cooperation in telling what they knew. Clinton's Justice Department rejected that request, instead conducting a

more “limited examination” of the evidence which found no conspiracy, recommending strongly that the case be considered closed once and for all.

Suspecting a whitewash, however, the King family forged ahead with their own court case in an effort to obtain a full and free inquiry into what actually happened on that night in April 1968. There was not a criminal investigation, but rather a civil lawsuit, filed against Lloyd Jowers, the former owner of Jim’s Grill, a Memphis bar located near the murder scene, suing Jowers for monetary damages for taking part in a plot to bring about King’s wrongful death. The damages sought were minimal - one hundred dollars. As King’s widow explained, “This is not about money. We want the truth documented in a court of law. My family and I have wanted to see and know the truth and to heal the nation.”

The case they filed was titled King v. Jowers and Other Unknown Co-Conspirators. And while not all the evidence they presented in civil court would have met the standards demanded for a criminal courtroom, the six white and six black jurors heard testimony from more than seventy witnesses over thirty days.

Lloyd Jowers, whose name figured prominently in the case, was a Memphis tavern keeper who told Sam Donaldson on national TV that he had been asked to help with King’s murder, with the assurance that there would be a decoy to take the rap and that “the police wouldn’t be there that night.” He said the man who approached him was a local mobster, who had a courier deliver \$100,000 for Jowers to hold at Jim’s Grill, the bar he managed, whose back door opened onto dense bushes just across from the Lorraine Motel. Jowers also said he was visited the day before the murder by a man named Raul, who brought a rifle in a box.

In taped testimony to former U.N. Ambassador Andrew Young, Jowers went on to say that the assassination was planned at the bar, and that several Memphis police officers were in on the conversation, including an undercover agent named Marell McCollough, who went on to work for the CIA. Andrew Young, who was with Dr. King at the Lorraine Motel that night, identified McCollough as the man shown kneeling beside King’s body on the balcony in a famous photograph taken right after the shooting, apparently checking the victim for signs of life.

Jowers also told Young that right after the shot was fired he received a smoking rifle at the back door of Jim’s Grill that Raul picked up the next day. That contradicts the official version of events, which says the murder weapon was a rifle found wrapped in a bundle on the night of April 4 in the doorway of an

amusement arcade, just a block from the Lorraine. That rifle had James Earl Ray's fingerprints on it, the theory being that Ray must have dropped it while jumping into his getaway car. But one attorney who was involved in Ray's defense back in 1968, who went on to become a Circuit Judge, says he interviewed both the owner of the amusement arcade and another eyewitness who saw a man drop the bundle with that fingerprinted rifle into the doorway *ten minutes before* the fatal shot was fired.

These aren't the only irregularities. Fire Station Number Two in Memphis is located just across the street from the Lorraine Motel. Two black firefighters who normally would have been on duty that night testified that they were inexplicably transferred to duty elsewhere, while Ed Reddit, a black detective with the Memphis Police who was also at the firehouse to provide security for the King entourage was called off the job by Frank Holloman, a higher-up cop who had previously worked in the FBI as J. Edgar Hoover's appointments secretary.

Former Memphis Police Captain Jerry Williams followed Reddit to the stand. The Captain had been in charge of forming a special protective detail of African American officers whenever King came to town. But for King's arrival on April 3, Williams was told not to form a bodyguard. Four other tactical units patrolling the vicinity of the Lorraine had also been pulled back, supposedly because a local pastor connected to King's party had requested it, a request the pastor denied ever making.

There were other peculiarities, too. More than one witness said they heard a gunshot and saw smoke coming from an overgrown brushy area adjacent to the firehouse. Yet, before the next morning, all that brush had been cut down and the entire area cleared of debris by the local sanitation department acting under police orders. Footprints, spent cartridges or other telltale clues about what really happened were obliterated within hours of the crime.

Robert Blakey, who is perhaps best known for drafting the so-called RICO law, Racketeer Influenced and Corrupt Organizations, was chief counsel to the U.S. House Committee on Assassinations which looked into both Martin and Bobby's death, and Blakey continues to believe that James Earl Ray had help which should have been investigated in 1968 but never was. Walter Fountroy, who helped Martin plan the March on Washington and then later, as Congressman, headed that same House Assassinations Committee believes a wider government conspiracy was involved, based on classified evidence he was able to obtain before leaving office, including J. Edgar Hoover's logs for the three weeks

preceding the killing, indicating the FBI Chief had a series of meetings with CIA and military intelligence from the so-called Operation Phoenix, a counterinsurgency force specializing in death squads and targeted assassinations that had been transferred from duty in Vietnam to monitor left-wing activism on the domestic front.

Douglas Valentine, who wrote a book about the Phoenix program, testified in trial that army veterans who worked with the unit were in Memphis on April 4 with orders to keep under round the clock surveillance on King, testimony supported by Carthel Weeden, the captain of Fire Station Number Two in Memphis, who said he was on duty that morning when two U.S. Army officers carrying cameras and briefcases approached him, seeking a lookout over the Lorraine Motel. Weeden took them to the roof of the station and left them at the edge on the northeast corner, behind a parapet wall with a bird's eye view of King's balcony.

Doug Wilson, who was a 25 year old FBI agent in 1968 and who was the first to open the door of James Earl Ray's abandoned white Mustang, also gave testimony suggesting a more tangled web of guilt. Agent Wilson swore that when he opened the car door, an envelope fell out. Inside were several papers, one marked with the name Raul, another with the phone number of the FBI office in Atlanta. Alarmed and confused by the apparent FBI connection, Wilson said that he decided to withhold the papers until 1997, when he finally shared them with the King family.

On the basis of all this and other evidence, the jury in Shelby County Circuit Court had to deliberate only two and a half hours before the judge read their verdict. 'In answer to the question, 'Did Lloyd Jowers participate in a conspiracy to do harm to Dr. Martin Luther King?' the jury's finding was yes. And to the question, "Do you also find others, including governmental agencies, were parties to this conspiracy as alleged by the defendant?' the answer was again yes. Of course, many remain skeptical. The majority of African Americans probably agree with the jury. Congressman John Lewis, a civil rights icon who was beaten in Selma, believes "there was a major conspiracy to remove Doctor King from the American scene." Jesse Jackson agrees, while Andrew Young refuses to believe that James Earl Ray pulled the trigger. White controlled opinion makers, on the other hand, like the *Washington Post*, called the Memphis trial a sham and "deceit of history." The divergent perceptions are surely based on the differing experiences of blacks and whites who are on the receiving end of the American justice system. Blacks might say they have a right to be paranoid,

given their history, while whites might counter that paranoia and suspicions fall well short of proof.

As my wife, a criminal attorney, observes, the bigger a conspiracy becomes, the harder it is to keep secret. Is it really possible that so many different individuals and organizations had a hand in the killing?

I too have doubts. I doubt if the orders to kill King came directly from the White House, from the Army Chiefs of Staff, or the director of the CIA. It is well known, however, that the FBI's J. Edgar Hoover had a personal vendetta against King. Two days after the famous "I Have A Dream" Speech in 1963, then FBI Director of Domestic Intelligence William Sullivan sent his boss a memo stating that "We must mark him now, if we have not done so before, as the most dangerous Negro of the future of this country, from the standpoint of communism ..." It was Sullivan, with Hoover's approval, who tried to blackmail King with a scurrilous, anonymous letter accusing him of extramarital affairs and bullying him to commit suicide. That letter, which only came to light in 2014, read in part "King ... you are finished. You will find on the record for all time all your filthy, dirty, evil companions, male and female, giving expression to your hideous abnormalities. And some of them pretend to be ministers of the Gospel. Satan could not do more. What incredible evilness. It is all there on the record, your sexual orgies. Listen to yourself, you filthy, abnormal animal." Whatever was on the tape, Coretta Scott King never doubted her husband's fidelity, or that the FBI had manufactured evidence to stain his moral character. What is certain is that J. Edgar Hoover himself conducted the criminal investigation into King's death, and that the full files of that inquiry will remain sealed until 2027.

What seems indisputable to me is that whenever agencies like the FBI, the CIA, the NSA, JSOC and others whose very acronyms may be classified information are given a mandate to operate in secret, shielded from public oversight, they become immune to many of the checks and balances that are intended to stem the misuse of governmental power. It is easy for me, at least, to imagine rogue elements inside that cloak-and-dagger netherworld plotting an assassination on their own authority, knowing they had at least the implicit, unspoken approval of those higher up the chain of command. But we will probably never know.

Perhaps the best way to preserve and carry on the legacy of Martin Luther King, Jr. would be by working, as he did, to restore power to people at the grassroots; to continue to question, as he did, excessive spending on a military establishment whose purported mission is to protect us from foreign threats but

whose real impact is often to draw attention away from the real enemies of poverty and racism that threaten us at home; and to continue to question, as he did, the legitimacy of legal institutions which seem to have strayed from obedience to the higher laws of truth-telling and justice.

In the end, the query, “Who killed Martin?” may be unanswerable. The more important question is “Who will keep his hopes alive?” But we do have to face the past squarely and frankly and honestly, not to lay it to rest, but to move ahead with open eyes and clear vision of the obstacles and real enemies we face in the struggle for human dignity and freedom.

King himself helped show us how. For it was clear that, the day before he died, Martin had somehow foreseen coming events and reconciled himself to whatever lay ahead. “Like anybody else I would like to live a long life,” the thirty-nine year old told his supporters. “Longevity has its place. But it really doesn’t matter with me now. Because I’ve been to the mountaintop. And I’ve seen the Promised Land.”

Perhaps the only way to make peace with the ongoing mystery of King’s death is to do as he did: to keep our eyes on the prize, believing as he did that no lie can live forever, knowing as he did that truth pressed to the ground will rise again.