

'Docu-trial' acquits Ray in MLK shooting

by Scott Thompson

On the April 4 anniversary of the assassination of civil rights leader Dr. Martin Luther King, James Earl Ray, the alleged assassin, was found "not guilty" of the crime for which he has spent 24 years in jail without trial. The venue for this acquittal was a "docu-trial" staged by the Home Box Office television network, which used a real judge, prosecutor, and Ray's own attorney, and included testimony of surviving witnesses to aspects of the assassination of Dr. King. Ray participated in this highly risky enterprise, because he has been seeking through every possible means to get a courtroom trial and due process. In statements to *EIR*, Ray expressed the hope that he would not only eventually win acquittal, but be able to present new evidence on the conspirators who used him as a "patsy" in King's murder.

In the docu-trial, Ray's attorney William Perry described how methods of coercion similar to those employed by the KGB in Stalin's days were used to compel Ray's original guilty plea. After his arrest, Ray was kept in a special cell of the Tennessee prison system where the lights were kept on 24 hours a day; there was constant surveillance by video cameras and microphones, even while he was planning his defense with his attorney; and, the windows were sealed by steel plates. He underwent nine months of this inhuman treatment before a new attorney, Percy Foreman, according to Ray's account in his book *Who Killed Martin Luther King*, began to tell him that a guilty plea was the only way to escape dying in the electric chair and to save his brothers from being indicted as co-conspirators in King's murder. After two months of such negotiations, Ray pleaded guilty. He later appealed to the judge for a trial despite the threats, but the judge died mysteriously while reading Ray's appeal. For the next 24 years, every attempt by Ray to win a trial was thwarted.

Reasonable doubt

In his opening statement in the docu-trial, Perry explained the context of King's murder. King had made enemies within the U.S. establishment by expanding his civil rights struggle to encompass opposition to the Vietnam War and to the economic plight of the poor. It has been discovered through the Freedom of Information Act that the FBI sent agents provocateurs to turn the March 28, 1969 Memphis sanitation workers march into a "riot." Other testimony of defense witnesses in the enactment included:

- Arthur Murtagh, who was head of the Atlanta FBI regional security squad, stated that 90% of his unit's activities were to "denigrate the character" of King and to organize informants within the Southern Christian Leadership Conference (SCLC). Murtagh broke down crying while describing these unconstitutional actions. He admitted that there was "a great deal of evidence that the FBI was part of the plot to kill Martin Luther King," but on cross-examination he said that he had no direct knowledge of such involvement.

- Barry Lynville, who was present in the operating room when the bullet which killed King was removed, testified that that bullet and the one presented by the FBI for forensic study were different. The implication was that the bullets had been switched.

- The sworn statement of a taxi driver, James McCraw, was read by the defense. He stated that the key witness used by the FBI for the initial identification of Ray as the primary suspect, Charlie Stephens, was dead drunk 15 minutes before the shot was fired. McCraw also stated that the bathroom next to room 5-B, from which the shots were ostensibly fired, was empty. Several other witnesses, including law enforcement officers, corroborated that Stephens was too drunk to even stand.

- Four African-American police officers and firemen testified that they were all transferred from the fire station across from the Lorraine Hotel, where King was staying. Each was told something to the effect that there was a contract out on their lives. At the back of the fire station, a Memphis Police Department (MPD) squad was carrying out surveillance of King's activities at the Lorraine Hotel.

- Rev. James Orange testified that right after he heard the shot, he saw smoke rising from the bushes underneath the boarding house facing the Lorraine Hotel. Ray ostensibly shot King from the second floor bathroom of that house. Earl Caldwell, then a reporter for the *New York Times*, stated that he saw a man crouching in the bushes from which the smoke arose. However, at the request of the MPD, these bushes were all cut and cleared the day after the assassination. The police told Reverend Orange to "be quiet and get out of the way," while Caldwell was never questioned.

- Jim Smith of the Memphis District Attorney's office testified that he was detailed to work with two FBI agents to keep King under electronic surveillance; the surveillance continued until the moment of King's assassination.

While the prosecution at best raised circumstantial evidence against Ray, the testimony of defense witnesses proved sufficient to win Ray's "acquittal." However, the defense case was only the tip of the iceberg of the conspiracy to assassinate King. Over the 25 years since King was shot, crucial U.S. government documents have been sealed from public access and witnesses have been tampered with, so that only the shadow of the real conspiracy remains: a shadow strong enough to show that James Earl Ray was indeed a "patsy."