

# The King Assassination Case and the Mueller Probe

Fifty years after the King assassination, Americans still have a hazy view of the House Select Committee on Assassinations' findings, an ambiguous understanding that may end up characterizing American views on Robert Mueller's probe as well, Bob Katz explains.

By Bob Katz

What is our official conclusion about the Martin Luther King assassination? Or rather, after all this time, is there an "official" conclusion? The answer to that goes beyond mere historical curiosity. For the murky ambiguities that define this case, coupled with an evident fondness among Americans for simplified, easy-reader versions of wrenching events, could well foreshadow the ultimate outcome of another critical probe 50 years later – Special Counsel Robert Mueller's investigation into alleged collusion between Donald Trump and the Russian government to sway the outcome of Election 2016.

When it comes to the April 4, 1968 assassination of Dr. King, James Earl Ray is the name that pops up first in the minds of most Americans, as well as in Google searches and history textbooks. An oft-convicted thief, Ray managed to elude a massive international manhunt for two months before being captured in London while trying to board a plane to Brussels. Questions concerning his finances, travels, and possible collusion with others have always surrounded the case, although Ray's culpability is widely assumed.

The House Select Committee on Assassinations, the most comprehensive formal investigation into King's murder, and the only one with subpoena power, concluded in 1979 that, "there is a likelihood that James Earl Ray assassinated Dr. Martin Luther King Jr. as a result of a conspiracy."

Ray never stood trial. Soon after his arrest he pled guilty. Three days later, he attempted to withdraw the plea, a quest that consumed much of the rest of his life. The HSCA report, therefore, stands as the single most authoritative interpretation of the case, and the closest thing we have to a definitive last word. Yet relatively few Americans have heard of the HSCA or, if they have, know much at all about its findings.

On the occasion of the 50th anniversary of King's assassination, it's worth asking what's behind this erasure, this gradual airbrushing of the HSCA findings from the historical record? It could happen again, after all, the virtual deletion from public memory of an official investigation into a crucial national

mystery. (Just saying.)

### **House Select Committee on Assassinations**

The HSCA spent two years in the late 1970s investigating the King assassination as well as that of President Kennedy. Funded by Congress and headed by Robert Blakey, a Notre Dame law professor and former Justice Department official with an expertise in organized crime prosecutions, the HSCA had its own professional staff and unprecedented access to police and intelligence agency files.

On August 16, 1978, James Earl Ray was brought to the Rayburn Office Building on Capitol Hill to testify. His appearance, some ten years after the murder that traumatized the country and snuffed out one of America's leading voices for peace and justice, was intensely anticipated.

Every major news outlet, print and electronic, was present. Rev. Jesse Jackson, who had been at King's side on the balcony of the Lorraine Motel that fateful spring evening, took what probably counted as a box seat, behind Ray, as close as he could get. I too was there, in the gallery, working with a public interest group that monitored the hearings.

Flanked by seven U.S. Marshalls, Ray entered the hearing room to stone silence as spectators and media were commanded to remain seated and stationary. He calmly raised his right hand to take the oath, this unassuming figure already a peer of John Wilkes Booth and Lee Harvey Oswald in the pantheon of American villains. Seeing Ray in person was like seeing a ghost.

But this ghost was stripped of all standard trappings of creepiness. There was no eerie musical soundtrack accompanying his entrance. He wore a striped tie with a blue-green checkered sport coat that might have made a positive impression on a Missouri parole board in the 1950s. His dark hair was combed in a wave and tapered above the ears to reveal graying sideburns. With darting eyes and a tight-lipped grimace, he appeared just handsome enough to have landed an audition for the role of a petty burglar in a "Law & Order" episode.

Peppered with questions from the committee chair, Louis Stokes of Ohio, Ray nervously gave answers with varying degrees of forthrightness concerning his racial animus (he professed none and investigators also found little evidence of this); his finances while on the run (smuggling and odd jobs were his explanation – the HSCA believed Ray and one of his brothers robbed an Alton, IL bank of \$27,000 in July, 1967); and accomplices (Ray insisted that a blond Latino named "Raoul" directed much of his activity, including the purchase of a rifle and a road trip that brought him to Memphis on April 3 – investigators believed Ray's brothers John and Jerry, both petty criminals, assisted him).

It was, alas, no ghost story. There was no “aha!” moment of reckoning, no Hollywood ending.

### **A Disappointingly Obscure Scoundrel**

Regarding its investigation of a conspiracy, the HSCA explicitly implicated a St. Louis lawyer named John Sutherland who'd been active in such segregationist groups as the St. Louis Citizens Council, the Southern States Industrial Council, and the American Independent Party of George Wallace. Within these networks, Sutherland was reported to have circulated a “serious” offer to have King killed, coupled with the promise of a \$50,000 reward.

Sutherland, who died in 1970 and was never interrogated, proved a disappointingly obscure scoundrel for story-telling purposes. And the HSCA, commendably circumspect, employed language that was hardly meant to excite headlines:

“James Earl Ray may simply have been aware of the offer and acted with a general expectation of payment after the assassination; or he may have acted, not only with an awareness of the offer, but also after reaching a specific agreement, either directly or through one or both brothers, with ... Sutherland. The legal consequences of the alternative possibilities are, of course, different. Without a specific agreement with the Sutherland group, the conspiracy that eventuated in Dr. King's death would extend only to Ray and his brother(s); with a specific agreement, the conspiracy would also encompass Sutherland and his group.”

The upshot: no riveting narrative arc, no snappy logline. The HSCA findings have thus been consigned to history's dustbin, invisible to all but scholars and buffs, doomed by poor ratings. It was a classic show biz failure, a failure to recognize that its attention-deficit audience – we the people – prefers explanations that are neatly wrapped and sound-bite succinct.

Obviously the HSCA was handicapped by strict adherence to the known facts, which turned out to be convoluted and puzzling. No scriptwriter with blockbuster dreams would ever want to be so confined. “Inspired by a true story,” whatever that means, is where the real action is.

Which brings us to the Mueller probe. It may yet yield high-profile trials for dastardly offenses, and wouldn't that be nice. Absent an A-list conviction, the Mueller investigation seems susceptible to the same factors that effectively sidelined the King findings. Too many confounding footnotes, too many loose threads, and an assortment of two-bit bad guys standing in, but for who?

All available box office evidence suggests that Americans crave political dramas that are sharply plotted, easy to follow and seamlessly resolved. The ambiguous

kind? Not so much. The truth, in the long run, may not be an ideal vehicle for maximizing audience share.

If in the end Mueller demonstrates only that vile crimes were perpetrated with craven or treasonous intent by despicable actors plausibly though not provably affiliated with the White House, what will be the popular understanding of the Trump-Russia-election saga ten years, twenty years from now? Especially when a far less complicated account – NO COLLUSION! – gets blasted from the loudest megaphone known to humankind.

**Bob Katz was involved in monitoring the HSCA investigation and was present for James Earl Ray's testimony. He is the author of several books and his writing has appeared in the *New York Times*, *Boston Globe*, *Chicago Tribune*, as well as Consortium News. His most recent book is *The Whistleblower: Rooting for the Ref in the High-Stakes World of College Basketball* (see [BobKatz.info](http://BobKatz.info) )**

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