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Investigation into the Assassination of  
Dr. Martin Luther King, Jr.:  
An Analysis of the Performance of  
The Department of Justice and the  
Federal Bureau of Investigation

INVESTIGATION INTO THE  
ASSASSINATION OF  
DR. MARTIN LUTHER KING, JR.:

AN ANALYSIS OF THE PERFORMANCE OF THE  
DEPARTMENT OF JUSTICE  
AND THE  
FEDERAL BUREAU OF INVESTIGATION

\* \* \* \*

STAFF REPORT  
OF THE  
SELECT COMMITTEE ON ASSASSINATIONS  
U.S. HOUSE OF REPRESENTATIVES  
NINETY-FIFTH CONGRESS  
SECOND SESSION

NOVEMBER 27, 1978

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INTRODUCTION: THE ISSUES AND THE APPROACH

Because of the extensive effort made by the FBI in both the security (COMINFIL) investigations and the COINTELPRO operations carried out against Dr. King and the SCLC during the 1960's, the House Select Committee on Assassinations was faced with the troubling question of whether that same agency was either willing or able to conduct a thorough and far reaching criminal investigation of the assassination itself. Stated otherwise, could the FBI abandon the adversary posture it had assumed toward Dr. King, and carry out an objective and aggressive investigation of the person(s) responsible for the murder?

Beyond this overriding issue, the Committee's review of the federal assassination investigation involved a number of additional important inquiries:

1) Did the Justice Department, properly exercise its supervisory authority over the direction and conduct of the investigation?

2) Were all available investigative resources committed to the task of identifying and locating the person(s) responsible for Dr. King's death?



3) What was the nature of the FBI's coordination with, and use of, the facilities and resources of local authorities, including the Memphis Police Department and the Shelby County prosecutors?

4) Was the investigation conducted with due regard for the constitutional rights of citizens? of investigative targets? of the defendant, James Earl Ray?

In order to answer these and other significant issues, the Committee directed staff to undertake, as its first step, a thorough review of pertinent investigative files from both the Department of Justice and the Federal Bureau of Investigation.

Of primary importance were the FBI Headquarters MURKIN File, (the official designation of the FBI's assassination investigation was "MURKIN"); the Memphis FBI Field Office MURKIN File, (Memphis was "office of origin" on the investigation); and major field office reports from sixteen separate FBI districts, including the key cities of Atlanta, Birmingham, New Orleans, St. Louis, Kansas City, Chicago and Los Angeles. In addition, the Justice Department files on the assassination investigation, a separate Department file on Ray's extradition, and the 1977 Justice Department Task Force Report were also reviewed.

This file review was followed by a series of lengthy, in-person interviews with former officials of both the Justice Department and the FBI who played significant roles, either as supervisors or field agents, in the assassination investigation. The interviews

were supplemented by executive session testimony from Ramsey Clark, former Attorney General of the United States; Cartha DeLoach, former Assistant to the Director of the FBI; and Robert Jensen, former Special Agent-in-Charge of the FBI's Memphis Field Office.

With the exception of J. Edgar Hoover, FBI director in 1968; Clyde Tolson, Hoover's Associate Director; and Thomas Robinson, United States Attorney in Memphis in 1968, all of whom are deceased, the Committee was able to interview all individuals whose testimony was considered necessary for a thorough examination of the quality of the performance of the FBI and the Justice Department during the assassination investigation.

The results of the Committee's inquiry into the issues described above and other related areas is included in the report which follows.

II

THE COURSE OF THE INVESTIGATION

(A) THE INVESTIGATORS - Memphis Field Office

Memphis, Tennessee, city of Dr. King's assassination, was one of fifty eight cities<sup>1</sup> in the United States in 1968 with an FBI "field" or district" office. The Memphis field office was manned by approximately ninety persons<sup>2</sup> (agents and administrative personnel) working either out of Memphis or a resident agent office elsewhere in the district. Because of the location of the murder, Memphis immediately assumed the responsibilities of "office of origin", a designation which meant that Memphis received a copy of most of the paper work produced by the Bureau and its various field offices during the investigation, and assumed, in addition to its daily investigative chores, reporting and administrative responsibilities. The head of the Memphis office, carrying the title of Special Agent in Charge, (SAC), was ROBERT JENSEN.

SAC Jensen's "case agent" for the FBI's assassination investigation was Special Agent (SA) JOSEPH HESTER. As case agent, Hester assumed immediate responsibility for monitoring all aspects of the investigation, coordinating investigative leads and preparing monthly reports on the progress of the case.

(B) THE INVESTIGATORS - FBI Headquarters

Because of the significance of the investigation, and its national and ultimately international dimensions, the direction of the investigation was shaped in Washington, rather than out of the Memphis field office; consequently, a number of FBI headquarters officials were also closely involved in the investigation.

From the beginning, the MURKIN investigation was classified as a civil rights investigation. RICHARD E. LONG, an Agent Supervisor assigned in 1968 to the Civil Rights Unit of the Civil Rights Section of the General Investigative Division, became the headquarters "case agent" for the MURKIN investigation; Long received this assignment because Memphis fell within his area of geographic responsibility. As case agent, Long received incoming communications from field offices, worked with others in preparing daily memoranda for his superiors within the FBI and separate reports for the Department of Justice, drafted leads to the field, and coordinated inter-field office communications.

Long's immediate supervisor and head of the Civil Rights Unit was EDWARD J. MCDONOUGH. Immediately following King's assassination, McDonough assumed Long's outstanding case load so that the case agent could devote full time to the paperwork of the MURKIN investigation. McDonough also screened all communications on the MURKIN investigation and assisted in preparing the daily summary memos used to keep FBI superiors informed on

progress in the investigation. Neither Long nor McDonough exercised significant independent command authority; McDonough stated in his Committee interview that except on rare occasions, neither he nor Long initiated leads from headquarters without clearing them with Clem McGowan, head of the Civil Rights Section.<sup>4</sup>

WILBUR MARTINDALE, head of the Civil Rights Act of 1964 Unit within the Civil Rights Section, worked closely with McDonough and McGowan in coordinating the MURKIN investigation. While not in the strict chain-of-command,<sup>5</sup> Martindale performed a large part of the daily report writing and recalls meeting on a daily basis with Clem McGowan, head of the Civil Rights Section, and Alex Rosen, Assistant Director in charge of the General Investigative Division,<sup>6</sup> to assess the evidence and direct the field investigation. Martindale also spent several weeks in London following Ray's apprehension as headquarters liaison with Scotland Yard, and was one of four FBI agents who accompanied Ray on his trip to Tennessee following his formal extradition from England.<sup>7</sup>

CLEM MCGOWAN, Chief of the Civil Rights Section of the General Investigative Division, represented the lowest level of significant command authority at headquarters during the MURKIN investigation; leads to the field generally originated from his office, or that of Alex Rosen or Cartha DeLoach.<sup>8</sup> McGowan's office reviewed most incoming airtels and communications initially, and then passed them up to Alex Rosen or down to Ed McDonough and Richard Long depending on their importance. McGowan recalls meeting on a daily basis with the personnel of his section, and almost as frequently with Rosen and DeLoach, to discuss the MURKIN

investigation. He never personally discussed the case with Hoover. McGowan stated that the daily memos prepared within the Civil Rights Section were the primary means used to brief Hoover.<sup>10</sup>

In 1968, the FBI was divided into nine operational divisions,<sup>11</sup> each headed by an Assistant Director. The General Investigative Division, (Division 6), which contained McGowan's Civil Rights Section as one of four separate sections, was the responsibility of Assistant Director ALEX ROSEN. Rosen, who had held this same position since 1942,<sup>12</sup> identified his primary function as keeping Director Hoover informed of the significant case developments.<sup>13</sup> In performing his functions, Rosen reported directly to Cartha DeLoach.<sup>14</sup>

Rosen stated that active daily and hourly coordination of the investigation was initially the responsibility of the Memphis office, followed closely by headquarters. Once evidence was developed on the international scope of Ray's travels, however, Rosen recalls that the burden of coordinating the investigation shifted from Memphis to headquarters.<sup>15</sup>

Rosen's "number one man", JAMES R. MALLEY, kept fully abreast of MURKIN communications relayed to Rosen's office, and had the authority to act independently on matters he felt Rosen had no need to see.<sup>16</sup> Malley did not meet with Hoover on the MURKIN investigation; in-person briefings of the Director were handled by Alex Rosen and/or Cartha DeLoach.<sup>17</sup>

CARTHA DELOACH, one of two "Assistants to the Director" in 1968, is currently the highest living member of the MURKIN.

chain of command. In addition to his direct supervisory responsibility for the Bureau's investigative and public relations activities, DeLoach was also responsible for liaison with the Attorney General, Ramsey Clark. During the MURKIN investigation, as at other times, DeLoach answered directly to Clyde Tolson, Associate Director, and to J. Edgar Hoover, Director. In turn, DeLoach dealt primarily with Alex Rosen, and recalls little contact with Malley or McGowan.

(C) INITIAL RESPONSE AND THE IDENTIFICATION OF JAMES EARL RAY.

At 6:00 p.m. on April 4, 1968, Dr. King was struck by a single bullet fired from a high powered rifle while standing on the balcony of the Lorraine Motel in Memphis, Tennessee. Approximately one hour later, at 7:05 p.m., King was pronounced dead by attending physicians at St. Joseph's Hospital, in Memphis. Cause of death was a bullet that passed through the lower right side of Dr. King's jaw before severing the spinal cord at the root of the neck and lodging in the upper back.

Within brief moments after the shot, members of the Memphis Police Department had saturated the crime scene. A call was placed to the FBI field office in Memphis and SAC Jensen was notified of the assassination attempt. Jensen immediately contacted the night duty man in Division Five (Domestic Intelligence); shortly thereafter he was put through to Cartha DeLoach, Assistant to the Director of the FBI with supervisory authority over both the Domestic Intelligence Division and the General Investigative Division. DeLoach in turn notified Hoover.

While the news of the attempt on Dr. King's life moved through the FBI's command structure, Attorney General Clark was first contacted, he believes, by Jim Laue, a Justice Department Community Relations specialist who was with King when he was shot. Steven Pollak, head of the Justice Department's Civil Rights Division, (soon to be responsible for supervising the civil rights investigation), believes he was with Attorney General Clark at the time he first heard of the crime. A short time later, Clark was in telephonic contact with DeLoach and thereafter with Hoover.



A decision was made--apparently almost instinctively - to involve the FBI completely in the investigation of the assassination, and later that evening a written memorandum was sent from Pollak to the Director of the FBI ordering "a full investigation into a possible violation of 18 U.S.C. §241" - the federal statute barring conspiracies to impede or otherwise interfere with the constitu-<sup>24</sup>tional rights of an individual - in this case Dr. King's.

Back in Memphis, witnesses to the shooting indicated that the shot had come from the rear of a lower-class rooming house located at 422½ South Main Street, Memphis. A bundle of evidence containing, among other things, a 30.06 Remington Game Master rifle, Model 760, with scope; a box of Peters cartridges; binoculars; articles of clothing and various toilet articles, was recovered from the entrance of Canipes Amusement Company at 418 South Main Street. Individuals inside Canipes at the time of the assassination recalled seeing a white male walk quickly away from Canipes immediately after the bundle was dropped; moments later a white Mustang parked just south of Canipes drove<sup>25</sup> rapidly north on Main Street and away from the crime scene.

As the evening passed, the Memphis office initiated a trace of the weapon by serial number, interviewed witnesses, including Bessie Brewer, the landlady at 422½ South Main Street who recalled receiving a \$20.00 bill earlier that day in payment for an \$8.50/wk room from a white male using the name John Willard. In addition, agents were attempting to locate and

interview Charles Stevens, whom news releases identified as a witness to the assassin. Finally, arrangements were made with the Memphis Police Department to forward all physical evidence to Washington for analysis in FBI labs.<sup>26</sup> Agent Bob Fitzpatrick of the Memphis office left the city on a 12:25 a.m. flight to Washington; the evidence, including the binoculars, the rifle, the bullet taken from King's body, and a \$20 bill given to Bessie Brewer, arrived in FBI laboratories as of 5:16 a.m., April 5, 1968,<sup>27</sup> and was immediately subjected to analysis.

While the FBI's Memphis investigation got off the ground, Attorney General Clark decided that an immediate visit to Memphis was in order. Accompanied by Roger Wilkins, Director of the Community Relations Service; Clifford L. Alexander, Jr., Director of the Equal Employment Opportunity Commission; and Cartha DeLoach, Assistant to the Director, FBI, Clark left Andrews Air Force Base on a 6:45 a.m. flight to Memphis the morning of April 5, 1968.<sup>28</sup>

Several reasons have been offered for this visit of high level officials to the scene of the crime. Attorney General Clark has indicated some concern over the explosive racial situation in Memphis following the assassination.<sup>29</sup> He also felt a need to remain immediately apprised of progress in the FBI's investigation in Memphis, thus explaining his decision to bring Cartha DeLoach with him.<sup>30</sup> DeLoach explained his participation in the trip as, in part, "window-dressing", prompted by a desire to have a high level FBI official on the scene. In Memphis members of this visiting group visited with Mayor Loeb and the United States<sup>31</sup>

Attorney, Thomas Robinson, and made stops at the FBI field office, Director Holloman's office in the Memphis Police Department, and the Memphis Airport to observe King's body being placed on a plane for a return trip to Atlanta. Finally, a press conference was held in which Attorney General Clark expressed a belief that the assassin's capture was imminent, and that the available evidence indicated the involvement of only one individual; Clark has explained his remarks in terms of his desire to quell the racial unrest that erupted throughout the nation immediately following King's death.

Many of the early investigative developments resulted from the Bureau's analysis of physical evidence discovered at the scene of the crime. Both the binoculars and the rifle were traced to their respective places of purchase. The binoculars had been bought locally, in the City of Memphis itself. The suspected murder weapon, on the other hand, was traced to the Aeromarine Supply Company in Birmingham, Alabama. Early ballistics tests conducted on the 30.06 rifle and the death slug taken from Dr. King's body during the autopsy revealed that while "the bullet could have been fired from the rifle found near the scene:, the mutilation of the bullet made it impossible to state "that it was actually fired from this one rifle." (emphasis added). Interviews with clerks at Aeromarine established that the rifle had been purchased on March 30th, 1968, by an individual using the name of Harvey Lowmeyer, generally described as a "white male, thirty-six years old, five feet eight inches tall, one hundred fifty - one hundred sixty pounds, black or dark brown hair." Laundry marks found on a pair of undershorts

and an undershirt in the bundle of evidence were traced to a specific machine model, and efforts started throughout the country to locate a particular laundry, and a particular machine. 38  
One week after the assassination, the suspect's use of the Home Service Laundry in Los Angeles was established. 39 Finally, by April 9, 1969, a pair of duckbill pliers found in the bundle 40 was traced to the Rompage Hardware Company in Los Angeles.

The FBI's MURKIN investigation was treated from the beginning as a "major case" or "special" investigation. Additional administrative personnel and agents were assigned to Memphis during the initial stages, including an accountant to maintain nationwide 41 cost figures on the investigation. A twenty-four hour deadline was imposed on all field offices to check out leads, and a tickler system was implemented by headquarters case agent Richard E. Long 42 to monitor compliance during the field investigation. On April 7, 1968, an "All SAC" memo issued from headquarters with instructions similar to those normally issued in special investigations:

"All investigation must be handled under the personal direction of the SAC. Leads are to be afforded immediate, thorough investigative attention. You must exhaust all possibilities from such leads as any one lead could result in the solution of this most important investigation. SAC will be held personally responsible for any failure to promptly and thoroughly handle investigations in this matter..

Finally, in further recognition of the "special" nature of the MURKIN investigation, the FBI sent an inspector from headquarters to oversee the investigation in the crucial field offices.

Inspector Joseph Sullivan, selected for his past experience in civil rights investigations in the deep South, was sent to Memphis, and remained there for approximately one week before moving to Atlanta to direct the investigation there. While in Memphis and Atlanta, Sullivan took over the day-to-day direction of the investigation, leaving the SAC free to attend to other matters in the office. The Committee has been assured that the assignment of Inspector Sullivan to Memphis and Atlanta during the initial stages of the investigation did not indicate a lack of confidence in the field SAC's, but simply was evidence of the importance of the investigation in the eyes of the Bureau.

During the first two days of the investigation, the FBI had discovered two aliases used by the suspected assassin - John Willard (used in renting a room at Bessie Brewer's rooming house on April 4, 1968) and Harvey Lowmeyer, (used during the Birmingham rifle purchase). On April 9th, a third possible alias - Eric S. Galt was added to a growing list. During a routine motel search in the Memphis area, agents discovered that an individual using that name, and driving a Mustang with Alabama license plate "138993", had registered on April 3 and checked out on April 4, 1968. Galt's residence was listed as 2608 Highland Street, Birmingham, Alabama (noteworthy because it was in the same area as the fake residence listed by "Harvey Lowmeyer" during the rifle purchase on March 29 and March 30, 1968).

An investigation of 2608 Highland Street, Birmingham, revealed a rooming house owned by one Peter Cherpes, where Galt had resided

during 1967. Cherpes and other tenants noted similarities between an artist's conception of the assassin and Galt. Further investigation in Birmingham disclosed that Galt had purchased the Mustang in September of the previous year from one William Paisley for a price of \$1950. At the time of the car purchase, Galt possessed a safe-deposit box at the Birmingham Trust National Bank, and a comparison of writing samples from safe-deposit box documents and "Lowmeyer"'s rifle purchase receipt revealed "similarities". Galt's name was added to the list of individuals sought for interview by the Bureau, and a directive issued to all continental offices to search records at the local offices of the Selective Service, telephone company, motor vehicle departments, financial institutions, credit bureaus and other "logical sources" for information under the new alias. In addition, information on the Mustang was entered into the NCIC (National Crime Information Center) system, insuring that inquiries concerning the vehicle would be directed to the FBI.

On April 11, 1968, the Mustang was located in Atlanta, abandoned in the parking lot of the Capital Homes Apartment Building at the intersection of Memorial Drive and Connally Street. The car provided a number of leads. An inspection of mileage figures revealed that it had been driven approximately 19,000 miles since Galt purchased it from William Paisley in September of 1967. A Mexican tourist sticker indicated that the car had entered Mexico, at Nuevo Laredo, on 10/7/67. The car had been serviced twice in California, once in Hollywood, and on 2/13/68, in Los Angeles. In the trunk, agents located clothing

and bedding, floor mats, a hunting knife and tools, and a piece of cardboard with two names and the address of "1535 North Serrano" written thereon.<sup>53</sup> Shortly after the car's discovery, laboratory tests proved that fibers found on a blanket in the bundle of evidence in Memphis and on a sheet from the vehicle trunk were identical; the FBI concluded that "Galt's automobile (was) involved in the murder."<sup>54</sup>

Additional evidence on Eric S. Galt, the primary suspect, continued to accumulate. By April 13, 1968, nine days after the assassination, Galt's movements throughout the country had become clearer. Correspondence with the Locksmithing Institute, Little Falls, New Jersey showed Galt in Montreal, Canada on July 31, 1968. Field investigation in Birmingham disclosed Galt's attendance of classes of the Continental Dance Studio between September 12 and October 3, 1967, and a search of post office records in that city revealed his purchase of a significant amount of camera equipment in October of 1967; letters written to the Superior Bulk Film Company, Chicago, carried return addresses of Hotel Rio, Puerto Vallarta, Mexico and 1535 North Serrano, Los Angeles. A second Los Angeles address for Galt - the St. Francis Hotel on Hollywood Boulevard - was established for the period of January 21, 1968 to March 17, 1968.

Particularly important for purposes of the upcoming prosecution case against Galt was a Los Angeles postal change of address card executed and mailed by Galt on March 17, 1968, which gave a new

