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U.S. Department of Justice

# United States Department of Justice Investigation of Recent Allegations Regarding the Assassination of Dr. Martin Luther King, Jr.

June 2000

# UNITED STATES DEPARTMENT OF JUSTICE INVESTIGATION OF RECENT ALLEGATIONS REGARDING THE ASSASSINATION OF DR. MARTIN LUTHER KING, JR.

On August 26, 1998, the Attorney General directed the Civil Rights Division of the United States Department of Justice, assisted by the Criminal Division, to investigate two separate, recent allegations related to the April 4, 1968 assassination of Dr. Martin Luther King, Jr. These allegations emanate from Loyd Jowers, a former Memphis tavern owner, and Donald Wilson, a former agent with the Federal Bureau of Investigation (FBI).

In 1993, 25 years after the murder, Jowers claimed that he participated in a conspiracy to kill Dr. King, along with an alleged Mafia figure, Memphis police officers, and a man named Raoul. According to Jowers, one of the conspirators shot Dr. King from behind his tavern.

Wilson alleged in 1998 that shortly after the assassination, while working as an FBI agent, he took papers from the abandoned car of James Earl Ray, the career criminal who pled guilty to murdering Dr. King. Wilson claims he concealed them for 30 years. Some of the papers contained references to a Raul (the alternate spellings, Raoul and Raul, are discussed in Section I) and figures associated with the assassination of President John F. Kennedy. According to Wilson, someone who later worked in the White House subsequently stole the other papers he took from Ray's car, including one with the telephone number of an FBI office.

Both the Jowers and the Wilson allegations suggest that persons other than or in addition to James Earl Ray participated in the assassination. Ray, within days of entering his guilty plea in 1969, attempted to withdraw it. Until his death in April 1998, he maintained that he did not shoot Dr. King and was framed by a man he knew only as Raoul. For 30 years, others have similarly alleged that Ray was Raoul's unwitting pawn and that a conspiracy orchestrated Dr. King's murder. These varied theories have generated several comprehensive government investigations regarding the assassination, none of which confirmed the existence of any conspiracy. However, in King v. Jowers, a recent civil suit in a Tennessee state court, a jury returned a verdict finding that Jowers and unnamed others, including unspecified government agencies, participated in a conspiracy to assassinate Dr. King.

Our mission was to consider whether the Jowers or the Wilson allegations are true and, if so, to detect whether anyone implicated engaged in criminal conduct by participating in the assassination. We have concluded that neither allegation is credible. Jowers and Wilson have both contradicted their own accounts. Moreover, we did not find sufficient, reliable evidence to corroborate either of their claims. Instead, we found significant evidence to refute them. Nothing new was presented during King v. Jowers to alter our findings or to warrant federal investigation of the trial's conflicting, far-ranging hearsay allegations of a government-directed plot involving the Mafia and African American ministers closely associated with Dr. King. Ultimately, we found nothing to disturb the 1969 judicial determination that James Earl Ray murdered Dr. King or to confirm that Raoul or anyone else implicated by Jowers or suggested by the Wilson papers participated in the assassination.

# I. SUMMARY OF THE FINDINGS OF THE INVESTIGATION

This report documents the findings of our investigation. Our conclusions are based on over 200 witness interviews, scientific testing and analysis of relevant documentary evidence, and review of tens of thousands of pages of records, including the files and papers from four previous official investigations, related litigation including King v. Jowers, private parties, and the media.

After original investigation and analysis of the historical record, we have concluded that neither the Jowers nor the Wilson allegations are substantiated or credible. We likewise have determined that the allegations relating to Raoul's participation in the assassination, which originated with James Earl Ray, have no merit. Finally, we find that there is no reliable evidence to support the allegations presented in King v. Jowers of a government-directed conspiracy involving the Mafia and Dr. King's associates. Accordingly, no further investigation is warranted.

## A. Findings Regarding Jowers' Allegations

At the time of the assassination, Loyd Jowers owned and operated Jim's Grill, a tavern below the rooming house where James Earl Ray rented a room on April 4, 1968. Until 1993, Jowers maintained in several public statements that he was merely serving customers in his tavern when Dr. King was shot. He did not claim any involvement in the assassination or significant knowledge about it.

In December 1993, Jowers appeared on ABC's *Prime Time Live* and radically changed his story, claiming he participated in a plot to assassinate Dr. King. According to Jowers, a Memphis produce dealer, who was involved with the Mafia, gave him $100,000 to hire an assassin and assured him that the police would not be at the scene of the shooting. Jowers also reported that he hired a hit man to shoot Dr. King from behind Jim's Grill and received the murder weapon prior to the killing from someone with a name sounding like Raoul. Jowers further maintained that Ray did not shoot Dr. King and that he did not believe Ray knowingly participated in the conspiracy.

Since his television appearance, Jowers and his attorney have given additional statements about the assassination to the media, the King family, Ray's defenders, law enforcement personnel, relatives, friends, and courts. Jowers, however, has never made his conspiracy claims under oath. See Section IV.C.1.a. In fact, he did not testify in King v. Jowers, despite the fact that he was the party being sued. The one time Jowers did testify under oath about his allegations in an earlier civil suit, Ray v. Jowers, he repudiated them. Further, he has also renounced his confessions in certain private conversations without his attorney. See Section IV.C.1.b. For example, in an impromptu, recorded conversation with a state investigator, Jowers characterized a central feature of his story — that someone besides Ray shot Dr. King with a rifle other than the one recovered at the crime scene — as "bullshit." Consequently, Jowers has

only confessed in circumstances where candor has not been required by law or where he has not been required to reconcile his prior inconsistencies.

When Jowers has confessed, he has contradicted himself on virtually every key point about the alleged conspiracy. See Section IV.C.2. For example, he not only identified two different people as the assassin, but also most recently claimed that he saw the assassin and did not recognize him. Jowers also abandoned his initial allegation that he received $100,000 with which he hired a hit man to kill Dr. King, claiming instead that he merely held the money for the conspirators. Additionally, Jowers has been inconsistent about other aspects of the alleged conspiracy, including his role in it, Raoul's responsibilities, whether and how Memphis police officers were involved, and the disposal of the alleged murder weapon.

Equally significant, the investigative team found no credible evidence to support any aspect of Jowers' varied accounts. See Section IV.D. There is no corroborating physical evidence, and the few isolated accounts allegedly supporting Jowers' claims are either unreliable or unsupportive. At the same time, there is evidence to contradict important elements of Jowers' allegations. For instance, investigators did not find a trail of footprints in the muddy ground behind Jim's Grill after the murder, undermining Jowers' claim that the assassin shot Dr. King from that location and brought the rifle to him at the backdoor. Similarly, there is substantial evidence establishing that the assassin actually fired from the bathroom window of the rooming house above Jim's Grill.

The genesis of Jowers' allegations is suspect. See Section IV.F.1. For 25 years following the assassination, Jowers never claimed any specific involvement in or knowledge of a conspiracy. It was not until 1993, during a meeting with the producer of a televised mock trial of James Earl Ray, that Jowers first publicly disclosed the details of the alleged plot, including the names of the purported assassin and other co-conspirators. He also initially sought compensation for his story, and his friends and relatives acknowledge that he hoped to make money from his account.

Jowers' conduct also undermines his credibility. He refused to cooperate with our investigation. See Section IV.E. Even though he repeatedly confessed publicly without immunity from prosecution, he was unwilling to speak to us without immunity. We were willing to consider his demand, but he refused to provide a proffer of his allegation, a standard prerequisite for an immunity grant, particularly where a witness has given contradictory accounts. His failure to provide a proffer demonstrates that he was unwilling to put forth a final, definitive version of his story. It further suggests he is not genuinely concerned about obtaining protection from prosecution, but instead has sought immunity merely to lend legitimacy to his otherwise unsubstantiated story.

From the beginning, Jowers' story has been the product of a carefully orchestrated promotional effort. See Section IV.F.2. In 1993, shortly after the HBO television mock trial, Jowers and a small circle of friends, all represented by the same attorney, sought to gain

legitimacy for the conspiracy allegations by presenting them first to the state prosecutor, then to the media. Other of Jowers' friends and acquaintances, some of whom have had close contact with each other and sought financial compensation, joined the promotional effort over the next several years. For example, one cab driver contacted Jowers' attorney in 1998 and offered to be of assistance. Thereafter, he heard Jowers' conspiracy allegations, then repeated them for television and during King v. Jowers. Telephone records demonstrate that, over a period of several months, the cab driver made over 75 telephone calls to Jowers' attorney and another 75 calls to another cab driver friend of Jowers who has sought compensation for information supporting Jowers' claims.

In summary, we have determined that Jowers' claims about an alleged conspiracy are materially contradictory and unsubstantiated. Moreover, Jowers' repudiations, even under oath, his failure to testify during King v. Jowers, his refusal to cooperate with our investigation, his reported motive to make money from his claims, and his efforts along with his friends to promote his story all suggest a lack of credibility. We do not believe that Jowers, or those he accuses, participated in the assassination of Dr. King.

**B. Findings Regarding Wilson's Allegations**

Unlike Jowers, Donald Wilson, a former agent with the FBI, does not make any claims about who assassinated Dr. King. Rather, in March 1998, he revealed that for the past 30 years he had been concealing evidence that might be relevant to the crime. Wilson alleged that in April 1968, as an FBI agent of less than a year, he went to the scene where Ray's Ford Mustang had been abandoned in Atlanta, Georgia. Once there, Wilson purportedly opened the Mustang's door and a small envelope containing several papers fell out. According to Wilson, he took the papers, hid them, and told no one about them for 30 years.

Dr. William Pepper, then Ray's lawyer, publicly disclosed Wilson's revelation at a press conference. Immediately before the press conference, Wilson told his story to the District Attorney in Atlanta and expressed a strong interest in providing the documents to the Department of Justice for a full investigation.

It was not until six months later that our investigation ultimately obtained the only two documents Wilson maintained he still had. One of the documents is a portion of a torn page from a 1963 Dallas telephone directory. It has handwritten entries and information associated with President Kennedy's assassination, including the telephone numbers of Jack Ruby, the man who murdered Lee Harvey Oswald, and the Hunt family, who some have alleged was involved in the President's murder. The other document is a piece of paper that has two handwritten columns of notations, the first of words and the second of numbers, neither of which appears to have a connection to Dr. King's assassination. Both documents have handwritten entries with the name Raul. See Attachment 1, photostatic copies of the documents provided by Wilson.

Wilson has given materially inconsistent accounts about the documents and his discovery

of them. See Section V.C. Most significantly, six months after telling the District Attorney in Atlanta, as well as the King family, Ray's attorney, and the media, that he had found four documents — the two documents we ultimately obtained and two business cards we have never seen — Wilson advised us that he actually took a significant, but previously undisclosed, fifth document from Ray's car. Wilson reported that the additional document had the telephone number of the FBI Atlanta field office where he worked, but he never explained his initial failure to reveal its alleged existence. He also gave contradictory stories about when he first looked at the documents, when he realized their significance, and whether and which documents were allegedly later stolen from him.

We found nothing to substantiate any of Wilson's varied claims about his discovery of the documents. At the same time, we found significant, independent evidence to contradict key aspects of his accounts. See Section V.D. For example, photographic evidence and expert opinion establish that the passenger-side door of the Mustang was closed and locked when the FBI was at the scene, not ajar and unlocked as Wilson claimed. Further, we found no evidence to corroborate Wilson's claims that he was at the scene of the Mustang's recovery, opened its door, or took the documents.

Scientific analysis of the documents obtained from Wilson could not resolve two critical questions presented by his allegation — whether the documents came from Ray's car in 1968 and who authored them. See Section V.F. At the same time, analysis of the torn telephone page suggests that a handwritten notation in its margin may have been written to create the false impression that Ray was in possession of Raul's telephone number and that the assassinations of Dr. King and President Kennedy are connected. See Sections V.F.2.d. and G.

Important aspects of Wilson's account are implausible. See Sections V.E. and G. For instance, it is improbable that a torn page from a 1963 Dallas telephone directory linking the assassinations of Dr. King and President Kennedy would have been in Ray's car in 1968 or have fortuitously fallen out when Wilson allegedly opened the door. The paper has the telephone number of Jack Ruby, which was disconnected shortly after he shot Oswald in 1963, and Ray was in jail from 1960 until 1967. In addition, we found no credible evidence linking Ray to Jack Ruby or connecting the assassinations of President Kennedy and Dr. King.

The possibility that the documents actually came from Ray's car is even more remote since Ray himself did not remember them. Indeed, Ray had the most to gain from Wilson's revelation since the documents would have been the only physical evidence in 30 years to support his claim that Raoul existed. Nonetheless, he declined to confirm that the papers came from his car. See Section V.I.

It is equally implausible that a newly trained agent like Wilson, who joined the FBI because of his concern for civil rights, would have chosen to tamper with Ray's car, confiscate evidence, and potentially compromise the search for Dr. King's murderer. Wilson's claim that he concealed information potentially implicating the FBI for 20 years after he terminated his

career as an agent and then again when he made his initial public disclosure in March 1998 is also particularly suspicious in light of his professed disdain for the FBI. See Section V.E.

Wilson's account is finally undermined by his failure to cooperate fully with our investigation. See Section V.J. Within days of his public disclosure in March 1998, he withdrew his offer to provide the documents to the Department of Justice. In September 1998, when he met with attorneys from our investigative team, he again refused to relinquish the original documents until the execution of a search warrant was imminent. Wilson also repeatedly refused to provide information that he claimed could lead to the recovery of the documents he says were stolen from him. Ultimately, once we provided an offer of immunity in response to his expressed concerns about prosecution, he cut off all communication. Accordingly, Wilson's resistance to assisting our investigation belies his public appeal for a thorough investigation by the Department of Justice.

Based upon an assessment of Wilson's conduct, his inconsistent statements, and all other available facts, his claim that he discovered papers in Ray's car is not credible. Accordingly, we have concluded that the documents do not constitute legitimate evidence pertaining to the assassination.

### C. Findings Regarding Raoul

The name Raoul, or Raul, is central to both the Jowers and the Wilson allegations, as well as James Earl Ray's claims of innocence. Jowers contends that he conspired with Raoul, and two of the Wilson documents include the name Raul. Ray, soon after pleading guilty, claimed that someone he knew only as Raoul lured him to Memphis and framed him by leaving a rifle with his fingerprints at the crime scene. As a result, we reviewed the numerous past allegations regarding the identity of Raoul and investigated the most recent accusation about Raoul's identity.

Initially, the alternate spellings, Raoul and Raul, may have significance. For over 25 years following the assassination, James Earl Ray, his defenders, and others consistently referred to the man who allegedly framed Ray as Raoul. In the mid-1990s, Ray's defenders changed the spelling to "R-A-U-L" when they believed that a man living in New York state, whose first name is Raul, was the Raoul described by Ray.[1] Ray's attorneys then added the New York Raul as a defendant to a false imprisonment lawsuit brought by Ray against Jowers. The documents Wilson produced a few years later also utilized the same post-1995 spelling of Raul. See Section VI.C.2.

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[1] In this report, we use the spelling Raoul to refer to Ray's alleged accomplice, except when specifically mentioning either the accused man from New York or the entries on the Wilson documents.

A review of the historical record reveals that, during the 30 years following the assassination, numerous individuals have been erroneously identified as Raoul. Those who have been falsely accused do not share common characteristics or necessarily possess any of the physical characteristics Ray attributed to Raoul. See Section VI.B.

Moreover, the man most recently accused of being Raoul — the Raul from New York state — was not connected to the assassination. The methods used to identify the New York Raul and the witnesses identifying him, who include Ray and Jowers, are unreliable. In addition, at the time the New York Raul allegedly planned and participated in the assassination, he could not speak English, was employed full-time with a major corporation, and was often seen in a tightly-knit, Portugese community. See Section VI.C.3.

More than 30 years after the crime, there still is no reliable information suggesting Raoul's last name, address, telephone number, nationality, appearance, friends, family, location, or any other identifying characteristics. The total lack of evidence as to Raoul's existence is telling in light of the fact that Ray's defenders, official investigations, and others have vigorously searched for him for more than 30 years. The dearth of evidence is also significant since Ray often claimed that he was repeatedly with Raoul in various places, cities, and countries, and many of Ray's associations unrelated to the assassination have been verified. See Section VI.D.

Because the uncorroborated allegations regarding Raoul originated with James Earl Ray, we ultimately considered Ray's statements about him. Ray's accounts detailing his activities with Raoul related to the assassination are not only self-serving, but confused and contradictory, especially when compared to his accounts of activities unrelated to the assassination. Thus, Ray's statements suggest that Raoul is simply Ray's creation. See Section VI.E.

For these reasons, we have concluded there is no reliable evidence that a Raoul participated in the assassination.

### D. Findings Regarding The King v. Jowers Conspiracy Allegations

King v. Jowers was a civil lawsuit in a Tennessee state court brought by King family members against Loyd Jowers for the wrongful death of Dr. King. The trial concluded in December 1999. The jury adopted a verdict offered by the parties finding that Jowers and "others, including government agencies" participated in a conspiracy to assassinate Dr. King. The trial featured some, but not all, of the information already considered by our investigation. Significant evidence from the historical record and our original investigation that undermines the credibility of Jowers' allegations was not presented. Nothing offered during the trial alters our conclusion regarding Jowers' or Wilson's allegations.[2]

[2] With the exception of newspaper articles reporting Wilson's account, no evidence relevant to Wilson's allegations was presented in King v. Jowers.

The trial also featured a substantial amount of hearsay evidence purporting to support the existence of various far-ranging, government-directed conspiracies to kill Dr. King. Witness testimony and writings related secondhand or thirdhand accounts of unrelated, and in some cases, contradictory conspiracy claims. For example, an unidentified person who did not testify alleged in an out-of-court deposition, which was read to the jury, that he participated in a conspiracy to assassinate Dr. King initiated by the President and Vice President of the United States and the head of the AFL/CIO labor union. Unrelated to that claim, the notes of an interview of an unidentified source, which were written by a journalist who did not testify, purported to document a claim that a military team was conducting surveillance of Dr. King and actually photographed the assassination.

Significantly, no eyewitness testimony or tangible evidence directly supported any of the conflicting allegations of a government-directed conspiracy. The only relevant non-hearsay eyewitness accounts presented at the trial suggest nothing more than the possibility that Dr. King, like other civil rights activists who were the subjects of government surveillance in the 1960s, may have been watched by military personnel around the time of the assassination. However, we found nothing to indicate that surveillance at any time had any connection with the assassination.

Critical analysis of the hearsay allegations in light of significant information that was not introduced at the trial demonstrates that the none of the conspiracy claims are credible. No evidence corroborated the various allegations and other information contradicted them. For instance, in the case of the interview notes of a source claiming that his military surveillance team witnessed and photographed the assassination, we found nothing to substantiate the allegation but, rather, information to contradict it. The journalist who wrote the notes also told us that he did not credit the source or his story. See Section VII.B.3.d.

Other evidence introduced in King v. Jowers suggested the existence of yet another conspiracy apparently unrelated to the alleged government-directed conspiracies. In this regard, witnesses testified offering observations and hearsay accounts implying that two African American ministers associated with Dr. King were part of a plot to kill him.

The allegations against the African American ministers are far-fetched and unpersuasive. Additionally, we found no information during our investigation of the Jowers and Wilson allegations or our review of the historical record to substantiate these claims, while significant information, not introduced at the trial, contradicts them. See Section VII.C.

In sum, the evidence admitted in King v. Jowers to support the various conspiracy claims consisted of inaccurate and incomplete information or unsubstantiated conjecture, supplied most often by sources, many unnamed, who did not testify. Because of the absence of any reliable evidence to substantiate the trial's claims of a conspiracy to assassinate Dr. King involving the federal government, Dr. King's associates, Raoul, or anyone else, further investigation is not warranted.

## E. Findings Of Earlier Official Investigations

Our findings are consistent with the conclusions reached by prior official investigations. A 1977 Department of Justice Task Force found "no evidence of the complicity of the Memphis Police Department or the FBI" in the assassination of Dr. King. It also concluded that Ray's assertions that someone else shot Dr. King were "so patently self-serving and so varied as to be wholly unbelievable." In 1979, a congressional investigation by the House Select Committee on Assassinations (HSCA) arrived at similar conclusions, additionally finding that one or both of James Earl Ray's brothers might have been his accomplices and that two racist St. Louis businessmen, who were dead by the time the HSCA probe began, may have put up a bounty for Dr. King's murder.

In 1998, the Shelby County, Tennessee District Attorney General completed a four-year investigation of the early versions of Jowers' allegations and concluded that "there is no credible evidence that implicates Loyd Jowers for the murder" of Dr. King. That investigation further determined that the Raul from New York, whose photograph was identified by Jowers, Ray, and others, was not connected to the assassination. Earlier, in 1997, a Shelby County Grand Jury also concluded that there was no credible evidence to justify investigation of any of Jowers' claims.

## VIII. CONCLUSION AND RECOMMENDATION

After reviewing all available materials from prior official investigations and other sources, including the evidence from King v. Jowers, and after conducting a year and a half of original investigation, we have concluded that the allegations originating with Loyd Jowers and Donald Wilson are not credible.

We found no reliable evidence to support Jowers' allegations that he conspired with others to shoot Dr. King from behind Jim's Grill. In fact, credible evidence contradicting his allegations, as well as material inconsistencies among his accounts and his own repudiations of them, demonstrate that Jowers has not been truthful. Rather, it appears that Jowers contrived and promoted a sensational story of a plot to kill Dr. King. See Sections IV.F. and G. above.

Likewise, we do not credit Donald Wilson's claim that he took papers from Ray's abandoned car. Wilson has made significant contradictory statements and otherwise behaved in a duplicitous manner, inconsistent with his professed interest in seeking the truth. Important evidence contradicting Wilson's claims, including the failure of James Earl Ray to support Wilson's revelation, further undermines his account. Although we were unable to determine the true origin of the Wilson documents, his inconsistent statements, his conduct, and substantial evidence refuting his claims all demonstrate that his implausible account is not worthy of belief. Accordingly, we have concluded that the documents do not constitute evidence relevant to the King assassination. See Section V.K. above.

The weight of the evidence available to our investigation also establishes that Raoul is merely the creation of James Earl Ray. We found no evidence to support the claims that a Raoul participated in the assassination. Rather, a review of 30 years of speculation about his identity presents a convincing case that no Raoul was involved in a conspiracy to kill Dr. King. See Section VI.G. above.

In accordance with our mandate, we confined our investigation to the Jowers and the Wilson allegations and logical investigative leads suggested by them, including those concerning Raoul, who is central to both allegations. We however considered other allegations, including the unsubstantiated claims made during the trial of King v. Jowers that government agencies and African American ministers associated with Dr. King conspired to kill him. Where warranted, we conducted limited additional investigation. Thus, we evaluated all additional allegations brought to our attention to determine whether any reliable substantiation exists to credit them or warrant further inquiry. We found none. See Section VII above.

Similarly, we considered the suggestion of the House Select Committee on Assassinations and the Shelby County District Attorney General to investigate whether James Earl Ray's surviving brothers may have been his co-conspirators. We found insufficient evidentiary leads remaining after 30 years to justify further investigation. Finally, while we conducted no original investigation specifically directed at determining whether James Earl Ray killed Dr. King, we found no credible evidence to disturb past judicial determinations that he did.

Questions and speculation may always surround the assassination of Dr. King and other national tragedies. Our investigation of these most recent allegations, as well as several exhaustive previous official investigations, found no reliable evidence that Dr. King was killed by conspirators who framed James Earl Ray. Nor have any of the conspiracy theories advanced in the last 30 years, including the Jowers and the Wilson allegations, survived critical examination.

We recommend no further federal investigation of the Jowers allegations, the Wilson allegations, or any other allegations related to the assassination unless and until reliable substantiating facts are presented. At this time, we are aware of no information to warrant any further investigation of the assassination of Dr. Martin Luther King, Jr.