

## The Media Buries the Conspiracy Verdict in the King Case

By Jim DiEugenio

Predictably, the media cover-up started immediately after the King verdict was in. On December 8<sup>th</sup>, in Memphis, 12 jurors sided with the family of Martin Luther King in the wrongful death suit brought by them against Loyd Jowers. Jowers, in 1993, confessed to having been a part of a conspiracy to kill Martin Luther King. In that confession he also stated that James Earl Ray was not the real assassin. The jury ended up siding with King attorney William Pepper, that Jowers' original story about a conspiracy without Ray (since altered by Jowers) was the correct one. Because the real reason behind the trial, as son Dexter King said, was not to pursue money damages, both sides agreed on a liability money limit of one hundred dollars. The Kings simply wanted twelve neutral jurors to judge what the truth really was in the case. The jury came in about two hours later. They sided with the Kings; i.e. Jowers had been part of a much wider conspiracy to kill the great civil rights leader. One of the jurors actually said words to the effect that the case was a pretty simple one. No one man could have pulled off what Ray was alleged to do. It had to have been a plot. This was Pepper's second victory in a trial setting. In a 1993 HBO special, Pepper won an acquittal (while Ray was alive). But this time it was a real civil trial. The media couldn't handle it. After all, they had been telling the public that Ray had been guilty for thirty years. And the spin cycle went into overdrive. Let's examine some samples.

We'll start with the "paper of record" in America, the *New York Times*. The paper of record carried the verdict on December 10<sup>th</sup>. They buried it on page 25. (Milicent Cranor has informed us that on page one was a feature about a new method by which Chinese women are losing

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#### Richard Sprague Interview

Hear from the man who was subjected to an incredibly dishonest media attack after he subpoenaed CIA records.

#### The Colosio Assassination

Alex Cox provides a detailed chronology of events surrounding the Colosio assassination, revealing parallels to the JFK case and spotlighting serious problems with the official story.

weight.) Even though 12 jurors found Jowers liable for King's death, the "paper of record" chose to write that "a vast conspiracy [was] alleged but not proved." What does this mean? Is the *Times* taking an editorial position in a news story? The story then went into a synopsis of the case which was so one-sided it might have been written by Robert Blakey. It left out the reason that Ray had pleaded guilty in the first place. His attorney, Percy Foreman, had essentially told him that if he did not, he would throw the case deliberately. Inevitably, the "paper of record" gave the infamous Gerald Posner the last word. Posner chimed in that the trial would be "a footnote, at best" to history. Posner closed with that creaky shibboleth that people just want to believe in conspiracies "because it matches the stature of the man and somehow gives even more meaning to his death." If I had a dollar for every time I've heard that one I could place a down payment on a Jaguar.

The *Los Angeles Times* carried the story on December 9<sup>th</sup>, placing it on page 24. They followed the *New York Times* line by outlining a

superficial history of the case to make it seem as if Ray was, of course, guilty. They did get a comment from Jessie Jackson which seems a bit odd:

I remain convinced that James Earl Ray was involved. However, he neither had the means, the money or the motivation to stalk Dr. King, kill him [and] get out of the country....

Is Jackson trying to straddle both sides? Of course the paper included a final slam at Pepper. Quoting the Memphis homicide investigator who originally investigated the case, the story concluded that Pepper was "the biggest liar that ever hit the ground. He'll say anything in the world for a little notoriety."

But more interesting, a few days later, after the news story had appeared, an editorial was published on the subject. The column was written by Earl Ofari Hutchinson, a local journalist and commentator who happens to be black. His column began by characterizing Pepper as "one of those who has worked the hit victim angle especially hard..." Next up came the dead James Earl Ray himself who Hutchinson said "stoked the conspiracy flames  
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## Conspiracy Verdict

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by saying that he was framed and recanting his guilty plea." Imagine a guy who, having been railroaded by his lawyer into a guilty plea, actually decides he was misadvised and wants to tell the truth. The cheek of it.

Hutchinson then threw in his lot with the mainstream media, in a way worse than Jackson's. He didn't even try to straddle the fence. He wrote: "But despite the Memphis verdict, the evidence is irrefutable that Ray was the triggerman." To anyone who has really studied the evidentiary record at length and in depth, the evidence in anything but. But since the public has rarely been exposed to the holes in the government's case, Hutchinson can get away with this prosecutorial propaganda. The writer then concludes that Attorney General Janet Reno should open all the FBI files on its war against King. This is a good idea, but it does not include a plea to open *all* the government files on the case. And Hutchinson implicitly states that even if there was a conspiracy, it was a Robert Blakey type mini-conspiracy.

For a sample of how the weekly newsmagazines treated the issue, take a look at *U.S. News and World Report* of December 20, 1999. Pepper was characterized as "a man prone to bizarre conspiracy theories." (The characterization of Pepper is beginning to sound like what the press did to Jim Garrison in 1967.) The story says that the Shelby County district attorney's office was not at the trial. What a government agency would be doing directly involved with a private civil suit escapes me. The article also relies on King biographer Dave Garrow, a Ray-did-it zealot. Garrow called the verdict "almost meaningless". The article concluded with this blast by Garrow: "We don't know who precisely aided and abetted Ray. But anyone who doesn't accept Ray as the gunman is from Roswell, N.M." Get it. If you believe in political conspiracies you also must believe in alien visitations.

In mid-December, Posner wrote a syndicated column that appears to have been distributed nationally. (The copy we have is from the *Cincinnati Enquirer*.) Posner began his fusillade with this: "...the Memphis trial wasn't a search for the truth but a ploy to obtain a judicial sanction for a convoluted conspiracy theory embraced by the King family." Next he hit Jowers, describing him as "...a man considered to lack credibility by every local, state and federal prosecutor who has looked at the matter." Posner has to do this of course; how else do you vitiate the fact that the jury believed his story? Incredibly, Posner gives credibility to the state prosecutors' 1998 report on this case, i.e. that there was no conspiracy. *Probe* chronicled the attempt

by Judge Joe Brown to break the case open, and the efforts of the prosecutors to obstruct Brown's quest every step of the way. Ultimately they frustrated Brown's attempt to fully test the alleged sniper rifle to find out if it did fire the bullet that killed King. Then, when Brown stated that he might appoint a special prosecutor since the D. A.'s office was dragging its feet, both the local and state prosecutors launched a successful effort to take Brown off the case. Brown's valiant effort to reopen the case was stopped. Yet Posner sides the D.A.'s office in this dispute.

Posner then goes on to say that Jowers was just looking for a Hollywood sale. Of what? A story so controversial that no one except the Kings want it pursued? A story that, if truly followed, could tear the heart out of the American government? Sure, Mike Eisner and Disney will pick that one up tomorrow. Especially with a witness who has changed his story.

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Posner concludes with a charge that Garrow often uses. The pursuit of Jowers by the Kings "will only diminish their standing as the first family of civil rights and permanently damage their credibility." Did anybody note the decline of respect for King during this past January 17<sup>th</sup> memorial day? I didn't. Maybe Posner can show us a sampling he did which weighs both issues against each other.

Incredibly (or rather, predictably) Posner is used by the mainstream media to reinstate their instant verdict on the 1968 crime. The *St. Louis Post Dispatch* of December 12<sup>th</sup> used Posner to discredit the jury verdict. They actually called Posner a "King assassination scholar," citing his book on the case as evidence. Posner's book was a rush job meant to hit the stands at the 30<sup>th</sup> anniversary of King's death, just as his previous, and equally awful book on the JFK case was meant to do the same for the 30<sup>th</sup> anniversary of JFK's death.

The editorial grouped together Pepper's theory with the theory that Flight 800 was downed by a Navy missile, that Vince Foster was murdered by agents of Hilary Clinton, and that Timothy McVeigh did not act alone when he blew up the Murrah Building in Oklahoma City. In other words, if you believe in one conspiracy, you believe them all. By the way, Timothy McVeigh did not act alone. Terry McNichols is serving time for the same crime.

But perhaps the worst record of all was that

of the *Memphis Commercial Appeal*. The journalist on this case for that paper has been Marc Perrusquia. To my knowledge he has been on this beat since at least 1998. His coverage of the trial in his hometown was, at best, sketchy. Some of his summaries of important witness testimony i.e. Jerry Ray, brother of the accused killer were quite terse. It lasted for nine words, or half a sentence. Three days into the trial the journalist wrote the "the courtroom is mostly empty, and interest is waning." How could it be otherwise with a media blackout preventing the public from learning of the trial? Even Court TV was there for only three days. Perrusquia quoted a manager at Court TV as saying "It just doesn't seem to us like the kind of case that's going to sustain interest every day, all day." Besides the O. J. Simpson trial, which was aided by unbelievable amounts of publicity, few long trials ever do. About a week into the trial, Perrusquia began to head his stories with things like "The odd and the unusual reigned again Monday in the trial of the King family's conspiracy lawsuit...." Toward the end of the trial the characterizations got worse. On December 5<sup>th</sup>, the paper printed this line: "In three weeks of witnesses and depositions, the small wood-paneled courtroom has become ground zero for conspiracy theories." With the failure of the Memphis newspaper coverage, there is now no reliable or complete journalistic record of this trial. One would have to purchase the transcript in some form. To see just how bad this local paper was, one should compare their coverage with the New Orleans coverage of the Clay Shaw trial in 1969. Both local papers at that time—the *States-Item*, and the *Times-Picayune*—did excellent and relatively complete jobs on delivering good summaries, and sometimes verbatim, ones in their coverage. And, from my memory of reading it, they barely missed a day the trial was in session. Even the other newspaper which spends much time on the Kings, since they operate a lot out of Atlanta today, the *Constitution*, did a poor job. In an editorial written by their chief editorialist Cynthia Tucker, she wrote that Jowers' story "is utterly unbelievable". And she heckled Pepper's conspiracy theory as "a fanciful notion which the King family finds credible".

In all the newspaper coverage I read I could find only two stories which can be called objective. Both were reports on the verdict and appeared on December 9<sup>th</sup>. Both the syndicated stories sent out by the news agencies of Reuters and the Associated Press were fairly objective. The AP story carried no cheap slurs on any of the participants in court. It also revealed some important revelations which were presented at trial i.e. the police protection was pulled back from King's hotel moments before the shoot-

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# Colosio

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can federal government, the government of Jalisco, and the Catholic Church mark the sixth anniversary of the POSADAS murder by releasing a new report on the case. Jalisco state government secretary FERNANDO GUZMAN reads from the report that there was no plot to assassinate the Cardinal.

Cardinal JUAN SANDOVAL, a commission member, disagrees: he charges that "big fish" are "impeding the investigation" and that former Attorney General JORGE CARPIZO has suppressed videos connected with the case; he also charges that some of the witnesses are being protected by the US and others by the Mexican government. A *Reforma* poll shows that 83% of 400 Guadalajarans refuse to believe POSADAS was shot accidentally. (*La Jornada*, 25 May 1999)

## 15 June

The ZEDILLO administration announces it has been granted \$23 billion in foreign loans from the IMF, the World Bank, the Inter-American Development Bank, the US Eximbank, and a little-known bailout mechanism, the North American Financial Agreement (NAFA).

The bulk of the package—\$16 billion—reschedules (i.e. delays) debt payments. Newspapers and opposition politicians claim that the additional debt is being acquired to delay another economic crash—so that the PRI can win the 2000 presidential election.

The *Financial Times* calls the new loan package "excessive ... It looks like ZEDILLO is expecting something worse than what the markets predict." (John Ross, *Mexico Barbaro*, 21-30 July 1999)

## August

The US government announces its intention to prosecute MARIO RUIZ MASSIEU, who remains under house arrest in Palisades, New Jersey. The *New York Times* claims, fantastically, that the Mexican government has refused to extradite him from the USA.

## 15 September

MARIO RUIZ MASSIEU is found dead by his wife, MARIA EUGENIA BARRIENTOS, at their home. US Justice Department officials and RUIZ MASSIEU's family claim he has committed suicide by taking an overdose of antidepressants. He had been scheduled to travel to Houston on 16 Sept for his first court appearance on drugs charges. Today is Mexico's Independence Day. (*La Jornada*, *New York Times*, 16 Sept 1999)

## 16 September

RUIZ MASSIEU's US attorney, former federal prosecutor PEGGY FLEMING, and his widow make public his alleged suicide note at a press conference in New York. "I am absolutely innocent of all the charges made against me," he wrote, saying that "my murderers" were President ZEDILLO and a series of Mexican prosecutors and Attorneys General. "To find my brother's murderers, an investigation has to be started that begins with ZEDILLO. He and I knew that he wasn't uninvolved in the two political crimes of 1994." (*El Diario-La Prensa*, *NYT*, *WSJ*, 17 Sept 1999)

## 17 September

Insurgent Sub-Commandante MARCOS of the EZLN claims RUIZ MASSIEU isn't dead at all. "We've already seen this movie," he writes in a communique. "The 'suicide' isn't one. It's called a 'Witness Protection Program,' is a frequent practice in the US judicial system in international drug trafficking cases, and announces that surprises are coming for the one who will be 'ex' after 1 Dec of the year 2000."

ERNESTO ZEDILLO is scheduled to leave office on 1 Dec, 2000. (*La Jornada*, 18 Sept

1999.) ♦

This article, in a longer form, first appeared in the British parapolitical journal *Lobster*. Like the rest of us, the editor of that publication, Robin Ramsey, got into these topics through an original interest in the Kennedy assassination.—Eds.

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ing, that Army agents had King under surveillance at the time of the murder, and a black man in a famous photo of King's dead body was an undercover informer for the police who later went to work for the CIA. The Reuters story was just as good if not better. Again, no editorializing or cheap slurs. It also included a lot of quotes from the King family and one from Pepper. It concluded with a note regarding the other major investigation into the King case now going on. Deputy Attorney General Eric Holder announced that the Justice Department's probe into the King case, now 15 months old, should be completed in a few weeks. The report will be released to the public. Holder previewed it by saying that he did not expect there would be any indictments included.

There is another interesting revelation associated with the King case that the media paid little attention to. It was carried by the AP on January 18th. The FBI finally revealed an important part about the brutal shotgun murder of a black man in Mississippi in 1966. Three white men murdered a black plantation caretaker at that time. None of them went to jail. In a report now revealed to the public, the lone surviving suspect actually confessed to the conspiracy and elaborated on the reason behind it. James Avants, the last living suspect, confessed that the murder was part of a plot to lure King to Mississippi, where an assassination plot would take his life. But go back to sleep innocent reader, this kind of stuff never happens in real life. Take it on the word of Gerald Posner and the *New York Times*. ♦

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