

TO: S.N.C.C. Executive Committee and Other Interested Persons

FROM: Hal Witt

RE: Training several SNCC workers in drafting affidavits on police brutality

Date: November 25, 1963

This brief memo will outline an idea which I have discussed with several SNCC members, and which has received favorable response. Perhaps a decision on it can be made during the Thanksgiving conference in Washington, D. C.

The premise of the memo is that it is vital to persuade the Justice Department to undertake prosecutions of Southern police officials for brutality to civil rights demonstrators. Justice has been extremely reluctant to bring such prosecutions. We are therefore confronted with a real break-down of Federal law enforcement. Nothing is more corrosive of human values than unimpeded official lawlessness of the kind now rampant in the South. Even a few Federal criminal prosecutions of local officials would have an important effect. We must find a means to bring about these prosecutions.

The Washington Director of the ACLU, Lawrence Speiser, has agreed that his office would receive, collect, and forward to the Justice Department affidavits gathered by SNCC workers charging police brutality. If no action were taken by Justice within a reasonable time, copies of the affidavits would be sent to selected Congressmen and Senators for public discussion, and insistence on Justice Department action.

Such a project depends on the gathering of adequate affidavits.

In view of the restrictive view of the Civil Rights Acts which has been taken by the courts, and the complicated nature of the case which must be established for a successful prosecution of police officers, there is a need for trained people to gather affidavits.

The necessary training could be provided by a small group of lawyers (possibly Howard Moore, Bill Higgs, Mel Wulf of ACLU and myself) in a long week-end, if the trainees would read a group of designated materials (text of the law, court cases, law review articles, etc.) in advance.

Training would consist of discussion of the meaning of the law, as interpreted by the courts, the kind of evidence which is necessary, what facts are relevant, how to draft an affidavit, etc. It could take place wherever would be most convenient (Atlanta, Washington, or elsewhere.)

Four to eight trainees would be enough, if they are from, and plan to continue working in, separate areas (e.g., at least one each from Southwest Georgia, Alabama, Mississippi, The Delta, etc.), so that there will be an affidavit-gatherer at hand when needed in any particular area. They should be calm, responsible people with some academic background (at least one year of college). No specifically legal training would be necessary.

An affidavit-gatherer need not be full-time in that capacity. He could be a regular field secretary, working on voter registration or anything else, but who would be available on short notice to go quickly to a place where trouble had been reported and gather evidence before it becomes stale.

I will be available during the Thanksgiving week-end to discuss this further if people are interested.