

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
COrtlant 7-6270
July 25, 1964

The report was written by CORE Field Secretary Ed Hollander. It tells of his failure to get the Federal Government to intervene to protect Federal prisoners:

"At the Justice Department John Doar greeted me and took me to see John L. Murphy, chief of general litigation of the civil rights division. In Mr. Murphy's office, he and James McShane, in charge of US Marshalls, and Jerry Jones, a Justice Department attorney keeping over-all track of Mississippi events, and I met for about an hour and a half. We went over my case in detail and at the end of the session Mr. Murphy said that even though the investigation was not yet complete he doubted very much whether the Justice Department would take any action. He based his opinion on the belief that there was no denial of equal protection of the laws in my case because it could not be shown that the jail officials knew what was happening to me.

"It is difficult for me to understand his position because I had told a Hinds County deputy sheriff and two US Marshalls. Mr. Murphy felt this was insufficient and suggested that it would have been better if I had cried out or yelled for help. He said that if I had done that, and if the jailer were in his office, and if his office were near enough and my cries loud enough for him to have heard, and if under those circumstances the jail officials did not do anything then the Justice Department would have a case.

"It is exceedingly difficult to understand why my crying our, which as far as the jailer could know might be done by any of the prisoners engaged in horseplay, would better inform the jailer than my telling a deputy and two marshalls of the incident with fresh bruises on my face. You may remember from my letter to Marshall Stuart that the marshalls told the other prisoners to leave me alone, indicating that they did not believe that I had fallen off a table while asleep. Incidentally, the color photographs which the FBI took only a few hours after my beating turned out very well. Perhaps if you have time you might want to look at them. At any rate, Mr. Murphy did not offer further explanation of his position; he did say that I would be notified whenever any decision is made on my case.

"I asked Mr. Murphy what could be done by his Department, the FBI or the marshalls in the event that upon conviction I am placed back in the Hinds County Jail, under federal custody, where there are likely to be some of the same prisoners whom I was in with on June 27th. He said that he did not know whether, upon conviction, I would be kept in federal custody or turned over to the authorities who brought the charge. He did say that in the event I were under federal custody nothing could be done to prevent my being beaten again. He said that "decision" had been made and indicated that it had been made by persons very high in the Department or in the executive branch as a whole."

Southern Regional Office
2211 Dryades Street
Room 203
New Orleans, Louisiana

July 10, 1964

Mr. Jack T. Stuart, U.S. Marshal
Room 410
United States Post Office Building
Jackson, Mississippi

Dear Mr. Stuart:

I am writing to you at the suggestion of Jackson FBI agent Charles M. Kokes with whom I spoke regarding the incident I wish to report to you. I was arrested in Canton, Mississippi on May 29, 1964 charged with "parading without a permit" during a voter registration "demonstration" at which I was present but in which I was participating. I spent 28 days in the Madison County jail without being tried and during that period received no mistreatment from either officials or the white prisoners with whom I was housed. On Friday, June 26th eight of the fifty-five persons arrested on May 29th were still in jail in Madison County Jail.

At about noon on the 26th three men whom I believe are U.S. Marshals, though I saw no credentials, took the eight of us to Jackson, Mississippi. I believe two of the Marshals were Charlie Sutherland and Dan Kelly, and the third, a Negro, whose name I don't know, P believe is the recently appointed Marshal for the southern district of Mississippi. We were chained together in groups of two and three with chains and in that fashion we were driven in three cars to Jackson. In Jackson we were taken to the fifth floor of the Hinds County Court Building where we were "booked" as federal prisoners. After a wait of about half an hour in the hall on the fifth floor we were taken to a second floor county court room where a U.S. Commissioner, whom I believe is John R. Countiss III, interviewed each of us briefly for the purpose of reviewing and resetting bail. After that we were taken to our cells on the fifth floor. I, being white, was of course put into an all-white cell of the Hinds County Jail while the other seven prisoners, all Negroes, were put into an all-Negro cell. I had no difficulties on Friday, June the 26th.

On Saturday morning, the 27th, however, I was beaten three times by white prisoners and it is this I wish to call to your attention. One or two hours after the 5 A.M. breakfast that morning a white prisoner who had been brought in during the night for, I believe, being drunk, started questioning me in an accusing, aggressive, and profane way as to whether I was a freedom rider." He stopped after about five minutes only to return in about 15 minutes. None of the other approximately 20 prisoners in the cell had questioned me in this regard the previous day and I do not know why this particular prisoner decided to all of a sudden. Certainly jail officials were around the cell doors enough early that morning to have instigated such questioning, even though I have no specific evidence that they did so. After the second period of "questioning" the man returned in about 15-30 minutes and presented me with a civil rights leaflet which had been taken from the pocket of my coat which was hanging in the night section of the cell block. After he asked me a few questions about the leaflet someone started hitting me in the back of the head and in the face with their fists. The man who had presented the leaflet had been standing behind me and to the right as I sat at one of the long tables in the "day room" cell. While talking with him the third time I had not turned around to face him and so I can not be sure whether he was alone and can not be sure whether he was the one who hit me. He hit me about 15 times, stopped and walked away. I remained seated at the table and did not respond to his implorations to stand up and fight him. As far as I was aware the other prisoners took no interest in the beating other than to watch. To the best of my recollection this took place at about 7:30 A.M.

About 15 minutes later a man whom I believe was a deputy sheriff (he was wearing a uniform and a badge) called me to the door to ask what had happened. I told what had happened. He called out to the other prisoners to ask what had happened and the explanation he got from several of the prisoners was that I had been asleep on the table and had fallen off. I continued to explain what had happened because he did not seem to understand. When I mentioned that I was a civil rights prisoner he said "oh" and promptly walked out. After about 15 more minutes the marshals whom I believe are Kelly and Sutherland called me to the door and asked what had happened; Sutherland did all the talking. I told them; when they asked the prisoners what had happened, they got the same answer that the deputy had. Before leaving Sutherland did shout to the prisoners something like "leave this boy alone now." I didn't see any more deputies or marshals until I was bailed out.

At approximately 9:00 A.M. the first beating was repeated. This time a man approached me from behind where I was seated in the same place but did not say anything before he started to hit me. The beating lasted about as long as before and both I, and the other prisoners as far as I know, had the same reactions as before.

After another 30-45 minutes a man approached me as the previous two had. I was still sitting at the table, but this time I had my head down on my arms on the table. This man pulled my head up by the hair and hit me once, from behind, directly in the right eye. As he walked away I could hear him mutter something angrily but couldn't really understand what it was.

Two drunks had been brought in early Saturday morning, around breakfast time. One of them slept most of the time but the other engaged himself in a lot of loud talking and antics of one sort and another. About 30-45 minutes after I was last hit the "active" drunk picked up a 4-5 foot length of broom or mop handle which I noticed had been lying around the cell on the previous day. He charged at me from the front, but with the table and bench between us. He hit me about 6 times with the wood handle, the blows falling on my arms and shoulders as I was protecting my head.

I was standing in line for lunch when a deputy called my name and told me to get my things, that I was being bailed out. As the eight of us went one by one to the counter to sign for the return of our belongings a deputy stepped on our toes as we signed the receipt form. I know this happened to me and I understand from the others that he did the same with them, too. Before we were taken down to the first floor the deputy called someone on the phone whom he called the "chief" to come up. When the chief came he asked me in a disinterested way about my beating. I told him briefly what had happened but did not go into any more details than he asked for.

On the first floor all eight of us signed a paper that Mr. Countiss presented us (in the presence of our attorneys, Carsie Hall and Marian Wright). Countiss had a county deputy photograph me; then we were released, about 12:30 P.M. Later that afternoon I talked with FBI agent Kokes in his office and he took a report of the incident and also took photographs. My injuries which did not cause serious bodily harm, consisted of bruises on the face and head, a black right eye, and one or two chipped teeth on the upper right side. On Monday, June 29th I gave a signed statement about the incident to agent Regis Kennedy in the New Orleans, Louisiana FBI office.

I will look forward to hearing from you about what action can be taken in my case and also about what can be done to prevent future such incidents. If you need additional information I will be glad to provide it.

Very truly yours,

Edward S. Hollander