TO THE ATTORNEY GENERAL OF THE UNITED STATES:

On August 9, 1963, a Federal Grand Jury in Macon, Georgia, indicted Joni Rabinowitz, Slater King, Rev. Samuel B. Wells, Thomas C. Chatmon, Robert Thomas and Elza L. Jackson for perjury and Dr. William G. Anderson for obstruction of justice. Mr. King is President of the Albany Movement, a civil rights organization in Albany, Georgia, and Dr. Anderson is the Movement's former President. Rev. Wells, Mrs. Jackson, Mr. Chatmon and Mr. Thomas are officers and members of the Movement. Miss Rabinowitz, a student at Antioch College, was then a Field Representative of the Student Nonviolent Coordinating Committee. All of the defendants are Negro except Miss Rabinowitz.

The defendants moved to transfer the trial to the North. Miss Rabinowitz also moved to waive a jury. The United States Attorney opposed the motions and they were denied by the court. Five defendants have been convicted by local juries and Mrs. Jackson will be tried in February. Dr. Anderson, whose trial ended in a mistrial, will be tried again in April.

Many southern state courts have long systematically excluded Negroes from jury service, and the United States Supreme Court has set aside state court convictions on that ground. Until the indictments in these cases, however, it was not commonly known that the same illegal practices were followed in federal courts. Furthermore, the Supreme Court has stated that jury lists in the federal courts must represent a true cross-section of the population. The jury list from which both grand and trial juries were drawn in Macon was composed of less than 6% Negroes and not a single one of the 72 jurors who have sat on the trial juries in these cases was a Negro. Yet over 34% of the adult population of the area are Negroes!

Testimony in the cases established that the jury lists were chosen by court officers from among their acquaintances. In Macon the court officers are white and admitted that they did not have many Negro friends.

Your office should have consented to the dismissal of these indictments once the racial imbalance of the jury lists became known to you; at the very least, you should have consented to a transfer of the trial or to waiver of a jury. Your failure to take these steps forced the defendants to trial by all white juries drawn from an improper jury list in a hostile community. Thus, instead of guaranteeing equal administration of justice in the federal courts, you have adopted the racist practices of the southern states.

All of the convictions are being appealed. It is not too late to correct a gross injustice in these cases. We therefore petition you:

- 1. To confess error before the United States Court of Appeals for the Fifth Circuit and to join in appellants' motions to reverse the convictions and dismiss the indictments.
- To direct the United States Attorneys in the South to examine the jury lists in their jurisdictions and to apply to the District Courts for the immediate compilation of lists representing a true racial cross-section of the population.

Names	Addresses

Return Before May 1, 1964 to: STUDENT NONVIOLENT COORDINATING COMMITTEE, NEW YORK OFFICE, 156 FIFTH AVENUE, NEW YORK CITY