

27 December 1963

Albany + Defs  
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Dear Friends,

Forgive the belated (and impersonal) Christmas greeting, but I wanted to get the result of my sentence before sending this out. As I guess everybody knows by now, I was convicted (along with 4 others from Albany) of perjury on 15 November. We were sentenced on 23 December and the harshness of the sentences seems to indicate ... well, you make your own judgments. Since my friend Steve Ashton was convicted for criminal libel in Hazard, Kentucky for a mimeographed letter to friends, I am wary about drawing perfectly obvious conclusions in mimeographed letters.

Anyway, I was sentenced under something called the Federal Youth Corrections Act, which applies to people under 26. The sentence, we believe, is confinement from 30 days to 4 years, at the discretion of the parole board. In other words, I think they can let me out on probation after 30 days, if they want to. If I am released before the four years are over, the conviction is wiped off my record.

Of the others, Mr. Slater King and Rev. Wells -- outspoken leaders of the Albany Movement -- received a year and a day each. Mr. Chatmon and Mr. Thomas, who are not as active, received 5 years suspended sentences. Mrs. Jackson has not been tried yet. As you probably know, the one remaining conspiracy defendant -- Dr. Anderson, ex-President of the Albany Movement -- had a mistrial and is scheduled to be retried on 6 April.

We are all out on appeal bond. Mine is \$3,000, Mr. King's is \$5,000 and Rev. Wells' is \$2500, and we've filed notices of appeal, which will be heard by the appeals court of the Fifth Circuit (convening in either Atlanta or New Orleans) in the spring or next fall. The Chief Judge of this court is Judge Tuttle, who is supposed to be pretty good. We must utilize the time we have to launch a campaign of publicity and protest. We should address letters to Attorney General Bobby Kennedy, asking him to "confess error." This means, in essence, to drop the prosecution and admit they were wrong. This is usually done (in the rare cases in which it's done) in the appeals court.

Our major grounds for appeal are that the original grand jury was unconstitutionally chosen and did not have a proper proportion of Negroes on the jury list. If we win on this ground, all the cases will be dropped. Secondly, we have some motions which apply only to my case. We hope, of course, that the court will decide that the jury was unconstitutional, and thus drop all the cases.

In any case, write letters, get up petitions, picket -- whatever you can do. Some friends in Berkeley are doing a petition and a "amicus curiae" brief to be signed by important people over the country. For further information on this, write to Ann Ginger Wood, 1715 Francisco St., Berkeley, California.

On other fronts ... you know about the image of Atlanta being such an open city. When the State Dept. has visitors from other countries (especially Africa) they usually take them to Atlanta, to show them the "South." Well, it's a fraud! Last weekend, Mr. Oginda Odinga, Minister of Home Affairs for Kenya, was visiting the U.S. and stayed at the Peachtree Manor in Atlanta, one of the two integrated hotels in that city. Some representatives from SNCC went to visit him Saturday nite, 21 December. After the visit, Cordell Reagon and some other people from SNCC decided to get a cup of coffee and went into the Toddle House, across the street from Peachtree Manor. They were refused service, staged a sit-in, and 17 were arrested, right in front of the African diplomats. The following morning we picketed the Toddle House and 4 more, including John Lewis, were arrested for sitting-in. Mr. Odinga stated that racial policies in the U.S. are disgraceful. On Monday, Dick Gregory's wife and Prathia Hall were arrested. Everybody stayed in over Christmas. We have telegraphed the State Department to ask that Atlanta be taken off the list of cities for visiting African diplomats, because it's embarrassing, in that it's not really the open city that it's cracked up to be. At present the Negro community in Atlanta is being

mobilized to pressure the city fathers to really open the city.

For further information, write to SNCC, at 8 1/2 Raymond St., N.W.; Atlanta 14, Georgia. If you're looking for some action in your own communities, boycott Toddle House and Dobbs House -- of which Toddle House is a subsidiary. Also write letters to the State Department. Atlanta is a sensitive spot for the Federal Government.

Albany, Georgia: The CNVA marchers, an integrated group, going from Montreal to Guantanamo, have been arrested in Albany for deviating from a prescribed parade route and disorderly conduct. They too, spent Christmas in Jail. They had also been arrested in Griffen and Macon, Georgia, on various charges. In Griffen they were thrown around and burned with cattle prodders all over their bodies. I visited them in the Albany jail, yesterday, and they seemed in fine spirits, although they are fasting and intend to continue their fast. They said 6 of the jail employees were on strike for one day, in sympathy.

Terrell County, Georgia: You may remember that Terrible Terrell is the place where two churches were burned in the summer of '62 for allowing mass meetings. The Federal Government filed a voting rights suit there, and rather than appointing federal referees (as they should have done, by law) they merely filed an injunction against the local registrars for discriminating in voter registration procedure. Last year, the home of Mrs. Carolyn Daniels, one of the leaders of the Terrell County Movement, was shot into and several SNCC workers were wounded.

On December 5, 1963, Mrs. Daniels was sleeping and heard shots being fired into her bedroom. She got under the bed, and after the shots stopped, found that she had been several times in the foot, and rushed to the hospital. The doctor never came to treat her, but when she got home she found that a bomb had completely destroyed her house, including the bedroom. If she had remained in the bedroom any longer, she would have been killed. Needless to say, the Federal Government takes no action whatsoever in cases of brutality and harrassment to Negroes in the South -- or anywhere else.

Americus, Georgia: A three-judge federal panel has declared Georgia's insurrection and unlawful assembly laws unconstitutional and the four youths who had been held under those charges for 68 days were released. They were also charged with various other crimes, however, and Ralph Allen has been tried and convicted of "assault with intent to murder" and received a 2 year sentence. The other three, Don Harris, John Ferdeu, and Thomas McDaniel, were also indicted for "assault with intent to murder" and "resisting arrest," but have not been tried yet. Ralph has been released on \$5,000 appeal bond and a hearing is set for 14 February.

I am still trying to carry on with my school work, and although I don't think I'll be able to graduate in June, I think I'll finish in September. I am spending most of Christmas vacation at school, trying to catch up on last quarter's work -- although I did spend several days in Georgia, including Xmas day. We did not celebrate Xmas in the usual way this year, because it seemed rather hypocritical to pretend that there is "peace on earth, good will towards men," when there isn't.

I'd like to hear from everybody and know what's going on, although I can't really promise to answer all letters. I'll be here (Antioch Union, Yellow Springs, Ohio) until September.

My best wishes for a happy holiday season, during which I hope everybody will be doing his part in pressuring the proper authorities to take the necessary action, wherever you are. We ought to take advantage of the holiday time we have, to launch more thorough-going campaigns throughout the country. Best regards,

*Joni*  
Joni Rabinowitz

7 Serpentine Drive  
New Rochelle, N.Y.