

On Monday 3 August, I went ~~in~~ with Chuck Millar and Tillman McKellar to see the chief of police about getting permission to have a mass meeting on private property in Passagula. The chief had told other members of COFO that such a permit was needed. He told us that it was the town clerk's duty to issue such permits, so he would forward our request to him. He said, however, that he would recommend that it not be given, because of the danger involved in having a meeting at that place, right on the heavily traveled highway. We asked him if we could see the ordinance under which these permits are necessary, and he told us to go out to the clerk's office to check for our selves.

The clerk showed me the ordinances that she thought were relevant. None of them, however, applied at all. She said that she would talk to the town attorney and ask him whether there were any ordinances requiring a permit to hold a public meeting on private property. The next day I went back with John Elise and Joe Lissner to talk to the town attorney. He told us that there was no permit that was required, but that we could be arrested, i.e., that applicable law was one dealing with a 'threatened breach of the peace.' This was a state law, and violation of it was made violation of city law by a city ordinance. I asked him if there were any standards or advice he could give, and he replied that this was the job of the police.

Later that same day, Tuesday, I returned with three LADS lawyers, Norm Zalkin, Joe Goldberg, ~~and~~ Gene ~~_____~~, ~~and~~ John Elise. We went to see the chief of police. He was not present, but we talked to several others. We wanted to see if we could work something out so that the meeting could be held peaceably and without police intervention. The first cop we talked to played completely dumb about the whole thing; said he hadn't heard about ~~it~~ the meeting, and didn't offer much advice one way or another. The second cop was the assistant chief (I think) and he came right out and said that he knew about the meeting, and we were not going to be allowed to have it. He was reasonably polite, but quite firm in his already-reached decision that the meeting was not to be allowed to take place, and that we would be arrested if we attempted it. He stated that there were no conditions that we could comply with to make the meeting alright with him. He said that it would attract the attention of people, mostly farmers, driving on ~~the~~ highway 90 and would just be asking for trouble. He further said that most people traveling on that highway are from the outlying areas, and could not be easily controlled; and that many of them carry guns. The lawyers made no attempt at all to discuss the matter with him. They only agreed, and hoped that they ~~didn't~~ didn't disturb him, and in general were much too conciliatory for my way of thinking. I took it upon myself to mention to the assistant chief that he had a responsibility to use the police force to protect our meeting ~~from~~ interference, not to prevent us from having it.

He replied that the police force just was not large enough to accomplish this. It seems to me that the lawyers should have made more of an attempt to dispute the position taken by the cops, or perhaps asked to talk with the city attorney, and reason with him. Granted, the chances of success were slight, ~~but~~ but it should have been tried.

By the time we left their offices, it was about 4:45, 15 minutes before the meeting was supposed to start. It was not long before the lie was put both to one cop's "what meeting?" position and the other cop's assertion that they didn't have a large enough police force. As we drove out of the parking lot, two cops on motorcycles in full riot-battle dress were pulling out. ~~XXXXXXXXXXXXXXXXXXXX~~ John and I told the lawyers that we wanted them around to observe the events at the meeting, so they would be able to sit quickly and accurately when the arrests were made. They were hesitant, in fact, they were 'scared shitless.' They finally consented.

John Kise and I went to the scene of the meeting to stake ourselves out as observers (COFO made decision not to put more than 4 staff people in jail). By the time we got there, at about 5:00 and ~~and~~ when there were just about 10 people there, two motorcycle cops ~~was~~ in full battle dress had already blocked off the service road ~~XXXX~~ at either end from the lot on which the meeting was being held. Before many more people came, the place was crawling with cops. There was a period of time (and I consider this period to be crucial) when there were very few people for the meeting, but there were already a large number of cops and the scene was attracting considerable attention, in the way of cars slowing down on the highway and a few people already starting to congregate. It is certain that it was the cops, with all their armaments and the motorcycles and cop cars that ~~was~~ was the unusual scene and attracting people, and not the people coming for the meeting. During this same period of time, while the commotion~~XXXX~~—which in fact was taking a direct result of, rather than in spite of, the presence of the police—was getting bigger, the police were too busy gawking at the Negroes, talking to each other, and sizing up the situation in general to do anything about preventing the crowd from gathering and keeping the traffic moving. This goes, I think, to prove the point that we knew all along—that they were more interested in stopping the movement ~~XXXX~~ from getting started in Passagula, and more specifically stopping this first meeting, than they were in protecting us ~~and~~ or keeping the peace in general. Also, the number of cops and their immediate appearance on the scene in battle garb disproves both the 'not-enough-cops' ~~XXXX~~ assertion of the one officer we talked to in the office, and the 'what meeting' position of the other.

Eventually, after the traffic began to actually tie up, the cops starting devoting a few men to ~~XXXX~~ keeping the cars moving, ~~XXXX~~ to doing the things ~~XXXX~~ they should have

doing all along. At no point did they make any attempt to prevent the crowd from gathering on foot, on one side of the meeting place. They did, however, keep the crowd far enough back so they couldn't easily cause trouble. After ~~some time~~ Finally, after at least 20 minutes, they did devote serious effort to keeping traffic moving, and they were easily successful. At no time during the whole time was there any threat of anyone getting out of hand or attempting any act that would have disturbed the meeting. There ~~was~~ never appeared to be the slightest threat of an 'incident.' Even if there had appeared to be such a threat, the cops would not have had the slightest difficulty dealing with it. There were a total of about 40 policemen there, including all ~~the~~ out-of-uniform cops. Eighteen cops marched up the road in formation, and in complete battle dress, including riot helmets, shotguns or rifles held at chest height, billy clubs and bayonets on belts, and in uniforms surrounded the people at the meeting. They just stood there with their guns pointed at the people, while some other cops were talking to the leaders of the meeting. Finally, the bus ~~was~~ to ~~take~~ the bunch of them away, and the party was over.

~~The remainder of this report will center on the activities of the lawyers. They were scared, uncertain of what they supposed to do, and were of how to do, and they~~
it. **