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Description

Featuring the work of Northeastern University School of Law's Civil Rights and Restorative Justice Project (CRRJ), "The Trouble I've Seen" follows the investigations of three harrowing civil rights cold cases. Founded by Professor Margaret Burnham, CRRJ takes on cases that both horrify us and beg us to correct the record, to search for reconciliation and remediation for families and communities that even decades later shudder in the shadows of bigotry and injustice. "The Trouble I've Seen" is narrated by Julian Bond, former chairman of the NAACP.

Keywords

Civil Rights, Northeastern University, Civil Rights and Restorative Justice Project, Civil Rights and Restorative Justice Clinic, Julian Bond, NAACP, Brown v. Board, Segregation, Civil Rights Era, Injustice, Bigotry, Margaret Burnham, Cold Cases, Della McDuffie, J.C. Varner, Bayliss Fiddiman, Department of Justice, Crime, Racism, Murder, Marshall Thurgood, Corruption, FBI, Wilbur Williams, Lummie Jenkins, Dirty Police, Racial Tension, Malcolm Wright, Sharecropper, Wilcox County, Mississippi, Alabama, Texas, Chickasaw County, Henderson, Historical Genealogical Society, White Supremacy, Graft, Joyce Nelson, Mayflower, John Earl Reese, Perry Dean Ross, Joe Simpson, White Citizens Council, Kaylie Simon, Clifford Harkless, Johnnie Johnson, John Fullen, Experiential Learning, Northeastern School of...
Citation

MLA

APA

CHICAGO MANUAL OF STYLE

Transcript
The Trouble I’ve Seen
JOHNNIE JOHNSON, Neighbor: The word had come through that there was a possibility of a drive by.
ALICE ROBINSON, Daughter: I remember her screaming and saying don’t hurt him. I remember that.
WILBUR WILLIAMS, Grandson: The doctor as well as the sheriff were all in this together and they worked very hard to cover it up.
JULIAN BOND, narrator: In the years leading up to the civil rights era when segregation was the social order of the south acts of racial violence were widespread, including murder. Law enforcement turned a blind eye and the courts usually did nothing. Killers went free while the victims’ families had little choice but to suffer their pain in silence. At Northeastern University’s School of Law the Civil Rights and Restorative Justice Project seeks to keep these crimes from fading into history. The project examines how the legal system failed the victims of racial violence then and pursues remedies now- decades after the crimes were committed.
MARGARET BURNHAM, Professor: The Civil Rights and Restorative Justice Clinic operates like a law firm. Our cases are cold cases, we work to develop the cases and to obtain some measure of justice for those communities that were affected. We’re now working with a period of American history that has really not been adequately explored. The persons who have knowledge about these events, the family members, the witnesses are aging. The documents are disappearing and if we don’t do this now, this piece of our history will be lost to us and to future generations.
BOND: In April 1953 in Wilcox County Alabama Sheriff Lummie Jenkins and 2 deputies invaded the café operated by sixty-three year old Della McDuffie and her husband William. The lawmen claimed
they were playing music after midnight on the Sabbath. Although Della McDuffie was paralyzed and in a wheelchair, Sheriff Jenkins beat her with a rubber hose and within an hour she was dead.

J.C. VARNER, Nephew: So he walked in and hit her told her get up old lady, go to bed. So she told him she couldn’t get up so he hit her across her arm on her knees, then he hit her on the head. And he shot down by her feet a couple of times, at her feet.

BAYLISS FIDDIMAN: I went down to Alabama to conduct some research on the Della McDuffie case. I dug up the file from Thurgood Marshall to the current head of the department of justice asking him to look into the McDuffie case.

BOND: But at the time of Della McDuffie’s murder Marshall was working on the case of Brown versus the Board of Education which the Supreme Court decided in 1954. The McDuffie case did not get enough attention from the NAACP and the Justice Department refused to prosecute the sheriff.

FIDDIMAN: So I retrieve the FBI file related to the case from the national archives I received a citation for it. I saw a lot of affidavits with witness testimony including people who were in the café that evening- the undertaker, the doctor, Sheriff Lummie Jenkins, and Della McDuffie’s husband and son.

BOND: William McDuffie gave a statement to the FBI.

WILLIAM MCDUFFIE: Doctor seen him striking at one person and another with a hose-like weapon. I saw a number hit with the weapon in Sheriff Jenkins hand.

BOND: But Dr. Robert E. Dixon’s statement reads…

DR. DIXON: I can definitely state that the cause of death was not brought on by any injury to the head, such as a blow.

FIDDIMAN: This case essentially was a cover up and it never went to court.

BOND: A year into the investigation, her husband William was found dead by his 2 grandchildren.

WILLIAMS: I found my grandfather and it had appeared that he had been killed by way of drowning. They killed him because of the intensity of this investigation. They tried to get him to change his mind and change his statements like everyone else did. He refused to do that. And they took care of it.

DELLA MCDUFFIE, Granddaughter: There was house fires, our house was burned down two times. There had been other threats. This man came to the door and he said, “You need to get your family and leave here.” He said, “They are going to kill you.” And we left in the middle of the night. They left the house completely furnished, cars, everything was intact and we left just like that.

BOND: For thirty-two years Wilcox County, which was largely black, was Sheriff Lummie Jenkins’ personal empire. He gained notoriety by playing by his own rules legal or not.

PRINCE ARNOLD, Former Sheriff: Lummie Jenkins was known for the way he enforced law here in Wilcox County and he did it with an iron hand. They followed their own rules not so much what the law said. It was tough on certain people, especially black folks.

SIDNEY J. HARDY JR., Neighbor: Lummie was a good sheriff but somebody else may have a different opinion.

BURNHAM: The McDuffie story is in fact, it’s a story of violence, it’s a story of secrecy, it’s a story of banishment. This repeated violencing is a large part of what we try to address in our project.
BOND: In July 1949 in Chickasaw County Mississippi Malcolm Wright, his wife, and children were riding in a mule draw wagon heading into town on a Saturday morning when 3 men in a car yelled that he should stop hogging the road.

ROBINSON: And we was just riding along doing our normal, singing our songs, and I remember a black car approached us and they turned around and came back and then they took an object from the trunk of the car. As a child I thought it was a crowbar.

COLUMBUS WRIGHT, Cousin: It was on a Saturday, this is where Malcolm died at, where they pulled over to right at, right here. It was a day like today. They had hit him in the head with a carjack is what they told me and they beat his brains out there in the road.

ROBERT SANDERMAN, Student: So at the beginning I just had an article that just mentioned that Malcolm Wright was killed in Houston, Mississippi. I researched online found various news articles from the nineteen forties, nineteen fifties. The Historical Genealogical Society they also had various articles on Malcolm Wright.

BURNHAM: In the Malcolm Wright case, our student found every single one of the living sons and daughters of Malcolm Wright, brought this story back to them, no one had ever talked to the right children about what happened to them.

BOND: James Moore went on trial for his life in the bumper jack murder of Malcolm Wright. Named in the original indictment were James Red Kellum and Eunice Gore.

ROBINSON: My oldest sister and Henry they allowed them and my mom testify, but they didn’t allow the three younger children to testify. When Henry got ready to testify, the judge told him you make sure you tell the truth and you refer to me as mister.

BOND: The all-white jury found James Moore not guilty. Kellerman and Gore were never tried. All three walked away free. And the Wright family had to move out of Mississippi.

BURNHAM: This is a case in which you have the appearance but not the reality of any real justice. We’ve tried again in this case to get the County to acknowledge that something went wrong here and that it’s the duty and the responsibility of the County to make it right. And we’ve been told no, that can’t happen because the perpetrators still live and work in this town. The brother of the perpetrator became the mayor of the town and was the mayor for many years.

STACEY PARKER, Mayor: My statement is if we’ve already closed it, you start the healing process, a wound. You’ve got another wound that you’re wanting to reopen. Reopening a wound it takes longer to heal. And that’s the way I look at it.

JOYCE NELSON, Cousin: We was all in having fun playing music and this particular record came on and my cousin said, “Do you want to dance?” We heard a loud noise. All of a sudden he turned my hand loose and fell to the floor and I heard people saying, “They just killed that boy.” And I looked down on the floor and he was laying down there.

BOND: October 1955, Mayflower, Texas. Two men, Perry Dean Ross and Joe Simpson, went on a drive-by shooting rampage through the black part of town and fired nine shots into a café.

JOHNSON: Came on down the road and shot in the school bus my Daddy drove in the car, our car, and came on up in Mayflower you know shooting. I was hit in the café by a bullet and my sister was too.
CLIFFORD HARKLESS, Neighbor: From what I heard there was anger from the white community considering schools being built for black kids.

KAYLIE SIMON, Former Student: I was a law student at Northeastern University School of Law when I started investigating the John Earl Reese case. I got a first-hand look at how deeply this impacted a community and how deeply this incident impacted people. And they were not just impacted by the murder and the shooting of the street and the shooting up of the school. But they were also deeply impacted by the way that that history was erased. I went to the Gregg County Courthouse and looked through records. I found John Earl Reese’s death certificate which indicated that he died from an accident. I spent time figuring out how to get that death certificate changed and making sure that it actually got changed and I found that Ross one of the perpetrators was convicted of murder but then did not serve any time. He was given a five-year suspended sentence but not a day in jail.

BURNHAM: What’s particularly remarkable was the platform for restorative justice that Kaylie working along with that community was able to build. I helped the community to raise money to obtain a civil rights marker. We also had a street sign named John Earl Reese Road which is actually on the street where he grew up. My research was collected and put in a binder in the Tatum library so that younger generations could come to the library and learn about the history of John Earl Reese.

BOND: Finally, Kaylie Simon helped to plan an all-day event to celebrate the life John Earl Reese. Hundreds of family and friends attended. The gravestone was unveiled, the civil rights marker was revealed, the street sign dedicated, a painting commemorating John Earl Reese was presented, and at the Tatum library a plaque dedicated. Speeches were made and finally everyone sat down for a meal together at the community church.

JOHN FULLEN, Mayor: And we were so proud to participate in the John Earl Reese memorial. It was a wonderful event, well-attended, and everyone there walked away with a blessing in their heart.

NELSON: After so many, many years even as time went by and everything, that soon it was time for justice.

JOHNSON: Something happened in this community and it was important enough that we came together and there is a marker and then just across the road there is John Earl’s lane, oh yeah, oh yeah.

BURNHAM: The CRRJ Clinic is really at the heart of Northeastern’s unique approach to legal education which is that students learn not only from books but they learn by doing.

SIMON: I feel so lucky as a law student to have come down here and to be welcomed by this community. And I want to make it my life’s work to make sure that this is never forgotten.