

Memo...To: Friends of SNCC, campus contacts...and others...

From: Betty Garman, Northern Coordinator  
Re: McComb, Mississippi and the Freedom Vote

October 27, 1964

A total of 18 people are in jail in McComb and will stay in until the Federal Government takes action to release them. This protest is based on the assumption that the 18 in jail are involved in voter registration and were arrested because of those activities -- activities supposedly protected by Federal statutes. Bail money is not the problem -- it is available. Those in jail felt the protest necessary to demonstrate once more to the nation that the Federal Government is indeed not involved to the extent of its capabilities -- in bringing pressure against local officials who will harrass voter registration workers, who will beat and jail them and continue to make a mockery of the very term justice as we know it in our society.

A summary of events in McComb since Saturday, October 24

At 3 pm three workers -- Ernestine Bishop from McComb, Karen Pate from Oregon and the University of Oregon, SNCC staff and Jesse Harris, from Jackson, Mississippi, SNCC staff and the McComb project director -- were arrested on a charge of "operating a food handling establishment without a permit". They were released later that day on \$100 bond each. At 7 pm, more staff members and volunteers were arrested -- John Wilkins from Arkansas; Marshall Ganz, Bakersfield, California and Harvard, Dennis Sweeney, Portland Oregon and Stanford, ...both SNCC staff members; J.V. Smith and Lorie Smith from Illinois; William Powell from England; Ursula Junk from Germany; Candy Brown from Los Angeles; Rev. Henry Bowie from Lawnside, NJ and Rev. Paul Long from Rochester, N.Y. Rev. Long was arrested for the distribution of leaflets without a permit while the others were charged with, again, "operating a food handling establishment without a permit". Bail was obtained and all were out by Sunday morning.

On Monday, a Freedom Day was planned for McComb. 14 people went early in the morning to the Courthouse and as they arrived were asked to leave. They asked could they go inside the Courthouse and wait to apply to register. Sheriff Warren told them "no". He said there was a murder trial or something going on and that the registrar would not be in his office all day. They were all arrested when they refused to leave the Courthouse. When others came to the Courthouse they were told the same thing and arrested, too. Of the 30 total arrested on Monday, 9 made a decision to stay in jail until the Federal Government takes steps to release them. Among those arrested Monday were: Mendy Samstein, white SNCC field secretary from New York, Rev. Malcolm Campbell, a minister from London, Ontario, Dick Sternberger, a Rabbi from White Plains, New York, Joey Jeeter, a minister from Fort Worth, Texas, Mrs. J.D. Smith (Lorie) a white volunteer, 23, from Aurora, Illinois. The charge Monday was trespassing and bond was set at \$100. Lorie Smith was also charged with refusing to obey an officer in addition.

On Tuesday, more arrests were made at the Pike County Courthouse on the same charge -- trespassing and bond was again set at \$100. Those arrested today include: Mrs. Aylene Quinn whose house was bombed on Sept. 20; Eugene Ridley, Buddy Coleman, Louis Campbell, Ernestine Bishop, Joe Martin and Douglas Jenkins from McComb; Joe Harrison, a Negro volunteer from Ann Arbor, Michigan; Rev. George Laurent from Saline, Michigan, Dennis Sweeney, 21 from Portland, Oregon and Stanford, SNCC staff; Marshall Ganz, from Bakersfield, California and Harvard, SNCC staff and Rev. Donald Blanchette, from Webster City, Iowa.

Also today all those arrested on Saturday were convicted on the food handling charge and fined \$50. (The charge apparently grew out of the fact that all of the staff members eat at the Freedom House.

Arrests will continue. Harrassment will go on. The federal government will refuse to act unless you help by organizing a massive public opinion campaign in your community. On this, the week before the election, the Federal Government must -- through the offices of the President and the Justice Department -- be made to live up to its responsibilities.

ASK -- in your telegrams, letters, demonstrations and letters to local newspaper editors that:

1. The Justice Department file in Federal Court a bill of information asking that the police and county officials who arrested the voter registration workers and those attempting to register be prosecuted for a misdemeanor under Section 242, Title 18 of the US Code. (That section of the Code that makes it a crime to intimidate or coerce people attempting to vote, etc.)

This procedure -- filing for prosecution by a bill of information -- is one that the Justice Department has used in cases (not necessarily civil rights cases) to get around the need to call a Federal Grand jury for an indictment. Convening a grand jury in this case would be meaningless because Judge Cox in the Federal Court has consistently intimidated Negroes from even appearing as witnesses in such hearings by charging them with perjury. Thus, urge the first course -- prosecution by Bill of information.

2. Ask, too, that the Justice Department file for a temporary restraining order in federal court to enjoin police officials in McComb and county officials in Pike County from interfering with voter registration activity. (Filing for a temporary restraining order also should involve a request for a preliminary and then a permanent injunction against law enforcement officials of the city and county.) Once those hearings are held and the injunctions are in force (in some senses it is improbable that the orders will be granted because of the composition of the Federal Courts in Mississippi) then officials in McComb can be held in contempt of court for further harrassment and intimidation of voter registration activity.
3. Ask that the government take all other appropriate steps to secure the release of these 18 people from jail.
4. Demand that the FBI agents stationed in McComb who observe from time to time the harrassment and intimidation and arrests of voter registrants and voter registration workers, arrest, on the spot, those law enforcement officials and private citizens doing the harrassing. They are empowered to do this under Sections 3052 and 3053 of the U.S. Code (Title 18) which reads that both US marshalls and agents of the FBI can make arrests without warrants and on the spot for any offense against the United States committed in their presence. While we do not know that FBI agents actually observed the arrests in question above, the Justice Department should be urged to use the "force" of agents they now claim to have in McComb to best advantage -- and for a police official to know that he may risk arrest by arresting workers for bringing people to the courthouse would cut down on the harrassment.

Start telephone chains in your community, write letters to the local press about McComb; urge local papers and radio stations to carry the NEWS about McComb -- and Mississippi in general. The Freedom Vote is this weekend -- actually October 30-31 and November 1-2, Friday through Monday -- and we anticipate more arrests and incidents, not only in McComb but throughout the state.

Urge prominent local citizens in your community to wire the Justice Department and the President. Organize precinct workers for Johnson to write and wire him as workers in his campaign. Solicit statements from local Democratic groups. Organize a delegation of local lawyers to visit the US Attorney's office in your city -- asking the US Attorney, in turn, to telephone a list of demands to the Justice Department in Washington.

All of these activities that you undertake should be designed to get publicity -- by the fact that you are acting -- for the situation in McComb. Add, as background information for your leaflets and statements, the information we sent earlier on the bombings and the September harrassments. Remember, too, in your protest, that nine white men, arrested on charges of possession of explosives (after the last attempt to mobilize the public around the issue of McComb) were released on suspended sentences just a few days ago.

-----  
Additional information on the Tuesday arrests...

The first arrest occurred at 10:45 this morning when Louis Campbell, Buddy Solomon, local Negroes, accompanied by Rev. Don Blanchette from Webster City, Iowa were met at the Courthouse parking lot adjacent to the "colored entrance" to the Courthouse by five highway patrolmen (state), Sheriff Warren and several deputies. A plainclothesman with them identified himself only as a local businessman. Sheriff Warren read a court order from circuit court judge, J.H. Watson ordering the Registrar to close his office and to appear in court in his capacity as county clerk.

The three were then ordered to disperse. Rev. Blanchette, acting as spokesman for the group, refused, contending that the court order was part of a deliberate attempt to deny Negro citizens their right to vote. The three were then arrested for trespassing.

The later arrests -- under similar circumstances -- took place at 4:45 pm today.

This evening, SNCC project director Jesse Harris, issued the following statement in McComb: "we have been here five months trying to take people down to the courthouse to become registered voters in Pike County. We have been unsuccessful because of harrassment, intimidation and brutality by law enforcement officials and other individuals such as the recently confessed bombers. The people in jail now are there as a protest against such a system and its laws. They will remain in jail in hope that their being there will expose the kind of justice under which confessed bombers go free and Negro citizens, claiming their rights, are imprisoned." Harris branded the trespassing charges as ridiculous, pointing out that the courthouse and the adjacent parking lot are public property, and that a large crowd of whites was on the scene and not arrested.

On October 16th project plans to accompany Negroes to the courthouse to register were stopped by a similar court order, ordering the registrar's office closed for the day.