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Selma, Ala., March 7: State troopers turn back first attempt of civil rights demonstrators to march to Montgomery, Selma's "bloody Sunday."

THE N.A.A.C.P. LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
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A Note on NAACP Legal Defense Fund Program

The NAACP Legal Defense and Educational Fund was founded a quarter of a century ago by distinguished board members of the NAACP. It is a separate corporation, but it shares the same goals as the NAACP and we have, through the days of Charles Houston and Thurgood Marshall, and today, always worked intimately together.

Through its experience and expertise, the Legal Defense Fund, with a staff of 17 full-time lawyers, 120 cooperating lawyers, and a budget of \$1.5 million per year, has become the legal arm of the civil rights movement.

On the many occasions that Martin Luther King, James Farmer, James Foreman, and other civil rights leaders have been in jail, we have represented them and secured their release. The same is true of thousands of persons with no organizational affiliation at all. But the NAACP always has been, and will remain, the dominant civil rights force in America.

Overall legal consultation between the Fund and the national NAACP is effected through a joint liaison committee consisting of lawyers who are members of the boards of the Association and the Fund, and a number of legal scholars. The committee is chaired by William R. Ming of Chicago and Dr. James M. Nabrit, Jr., President of Howard University.

Any legal work in support of civil rights must and will be conducted in close coordination with the Association.

The following pages briefly describe a few of the instances in which NAACP Legal Defense Fund lawyers have worked in support of NAACP branch and national programs.

Jack Greenberg
Director-Counsel

NAACP BRANCHES ARE LEADERS IN
SOUTHERN SCHOOL DESEGREGATION

NEW YORK CITY--Although none of the civil rights organizations are satisfied with the snail's pace of Southern school desegregation, the fact remains that NAACP branches, represented by Legal Defense Fund lawyers, have produced almost all of the progress that has occurred to date.

Of the 130 Fund cases now pending in the courts, close to 90% are actions initiated, fought, and followed-up by local branches.

According to Legal Defense Fund Attorney, Derrick Bell, Jr., local leaders are involved in a series of indispensable activities, without which it would be impossible to bring a desegregation suit to a successful conclusion.

Mr. Bell said these activities include:

- * Initiating the original complaint with the Board of Education;
- * Obtaining the facts relative to the school system and its patterns of deliberate and de facto school segregation;
- * Obtaining witnesses within the local community;
- * Finding people, who are willing to undergo the threats and intimidations that often occur, to sign the complaint;
- * Reporting to the attorneys any significant changes in the local situation that could effect the nature of the litigation or strategy used;
- * And, assuming the responsibility of convincing Negro parents to send their children to previously all-white schools after the court victory is won.

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In Leake County, Mississippi, a typical example, it took nearly two years to accomplish the many steps in the school desegregation procedure. This might seem like a long time. However, with the harrassments, intimidations, and evasive tactics used in most Southern communities, it is quite an accomplishment.

To hasten the desegregation procedure, the NAACP Legal Defense Fund is now bringing boards of education of the various states into court.

POLICE RAIDS BEING FOUGHT BY ATTORNEYS IN BALTIMORE

BALTIMORE, Maryland--NAACP Conference President, Juanita Jackson Mitchell and Tucker R. Dearing have been joined by Legal Defense Fund Attorney, James M. Nabrit, III and are currently appealing an action to gain an injunction against alleged "abusive" actions of the Baltimore police.

Earlier this year, more than 300 searches of Negro homes, churches, and public places were triggered by holdup of Luxie's Liquor Store, resulting in the shooting of Lt. Joseph Maskell and the slaying of Sgt. Jack Cooper. Both were white police officers. The Baltimore police conducted a wild search for Samuel and Earl Veney, who were accused of conducting the holdup and shooting. The two Negroes were apprehended in New York, later.

Baltimore NAACP and NAACP Legal Defense Fund Attorneys, representing several Negro citizens, protested searches that "were arbitrary and unreasonable." They complained that the Baltimore police:

- * Did not obtain warrants for any of the 300 searches
- * Beat upon the front door of the homes of the plaintiffs with loud banging noises in the early morning hours
- * Focused the beams of strong search lights upon Negro homes.

With drawn guns, the police gained entrance and:

- * Aroused the plaintiffs from their sleep, caused them to rise from their beds, and placed them and their children in great fear.
- * They searched all rooms and closets of the houses, including the basements and left without any word of explanation for their acts...
- * Failed to charge the plaintiffs with any crime or offense.

Many Negroes believe that this type conduct, during a search, is only sanctioned when it is within a Negro area.

Commenting on the statement by Commissioner of Police, Bernard C. Schmidt, defendant in the action, when he said the Negroes, who had been searched, showed "excellent cooperation," a local newspaper editorial said:

"It is the same kind of 'excellent cooperation' the Jews gave to Hitler's storm troopers when they came with pistols, shotguns, and machine guns and violated their rights."

AKRON BRANCH AND LEGAL DEFENSE FUND
IN NEW DRIVE AGAINST HOUSING BIAS

CLEVELAND, Ohio--Discriminatory practices of the 1,800 member Akron Area Board of Realtors were attacked in Federal District Court here by attorneys of the NAACP Legal Defense Fund at request of the Akron Branch, NAACP.

The attorneys assert that the realtors "have engaged in an unlawful combination and conspiracy in restraint of interstate trade and commerce."

Therefore, in the first suit of its kind, Legal Defense and Branch lawyers asked the Federal District Court that the Board be "permanently enjoined and restrained" because its members are operating in violation of Section I of the Sherman Antitrust Act and the Clayton Antitrust Act.

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To this end, the Realtors are charged with, among other charges:

- * Falsely informing Negroes that whites would not sell to them;
- * Refusing their services to Negroes desirous of living in areas the Realtors have delineated as "white" neighborhoods;
- * Refusing to show property to Negroes after purporting to accept it on an "open" basis;
- * Excluding Negro real estate brokers from the advantages and opportunities associated with membership in the Akron Area Board of Realtors;
- * Discouraging out-of-state Negroes from moving to the Akron area because they have been unable to buy or rent.

Filed along with the complaint was a motion asking that the court order the Board and the real estate firms to submit all papers and records pertinent to Negro attempts to purchase or rent homes, all documents referring to the 1964 Ordinance and referendum, and many other records.

Jack Greenberg, Director-Counsel of the NAACP Legal Defense Fund, led a group of lawyers including James M. Nabrit, III, Leroy D. Clark, and Sheila Rush of the Fund staff; Henry M. Aronson of Jackson, Mississippi; Jay Topkis of New York; Jack Day of Cleveland; Norman Purnell, and Bernard R. Roetzel of Akron.

MANY NAACP BRANCHES PROTEST
SOUTHERN HOSPITAL JIM CROW

More than half the 98 complaints of racial discrimination, in federally assisted medical facilities across the South, filed with the Department of Health Education and Welfare have come from NAACP branches.

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J. Francis Pohlhaus, counsel of the NAACP's Washington Bureau and Jack Greenberg, Director-Counsel of the Legal Defense Fund, have joint letters to HEW officials, outlining the problem since February.

The attorneys are asking HEW Secretary, Anthony G. Celebrezze to hold up further payment (of government monies) pending investigation of these complaints and compliance of Title 6.

(See Cover)

SELMA: The Aftermath

NAACP Legal Defense Fund attorneys continue to defend 1500 of the more than 3400 citizens arrested in Selma; dismissal of the others has been secured. They are pressing for a Federal Court ruling that would speed registration procedures and seeking a contempt of court conviction of Dallas County Sheriff James Clark. In all, ten Federal court cases continue to be litigated: Selma requires the services of four staff lawyers.

From the beginnings of a voter registration drive in 1963 to the march on Montgomery in March of this year, the NAACP Legal Defense Fund provided the courtroom skill that kept the Selma Freedom fighters out of jail and assured protection and permission for their heroic--and constitutional--activity.

At the height of the Selma crisis, Fund Director-Counsel, Jack Greenberg led a battery of nine lawyers who gained from Federal Judge Frank M. Johnson the order that allowed the dramatic march to the state capitol. But this was only the most visible part of the complex litigation that the Fund has undertaken in Selma. And while it showed vividly how the Fund serves as legal arm of the entire civil rights movement, this suit could not have taken place if two years of Fund action defending civil rights workers and local citizens, beginning in September 1963, had not helped prepare the community--and the nation--for the events of March, 1965.

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LAWSUIT SEEKS TO UNSEAT
21 SOUTHERN CONGRESSMEN

WASHINGTON--A letter from the late Daisy E. Lampkin, NAACP Board member to Luther Hodges, Secretary, Department of Commerce, protesting voting discrimination, touched off a suit that could remove an estimated 21 southern congressmen.

NAACP Legal Defense Fund attorneys asked the U. S. District Court here to enforce Section 2 of the 14th amendment of the U. S. Constitution.

Section 2 provides that:

"When the right to vote...is denied to any of the male inhabitants of such state, being 21 years of age...the basis for representation (in Congress) therein shall be reduced in proportion which the number of such male citizens shall bear to the whole number of male citizens of 21 years of age in such state."

Current interpretation included women citizens.

The 14th amendment was ratified in 1868 and an 1872 act of Congress calls for its implementation. The Bureau of Census attempted to comply by collecting statistics of denial and abridgment of the right to vote during the Census of 1870.

But, the Constitutional clause has been ignored ever since.

The Legal Defense Fund ultimately "seeks a declaration of the Department of commerce's duty to comply with Section 2 when they compile, compute, prepare and transmit the decennial apportionment of Representatives in Congress."

Plaintiffs from NAACP

The twenty-two plaintiffs are both Negro and white. Many are from NAACP branches in six northern states: Pennsylvania, Massachusetts, Missouri, Illinois, Ohio and California; and three southern states: Virginia, Mississippi, and Louisiana.

Each of the 15 Northern plaintiffs is a registered voter in his or her state. Each seeks relief from "debasement and dilution of his or her vote arising from defendants' failure to enforce" Section 2 of the 14th Amendment.

They add that failure of the defendants to "administer the apportionment process in a constitutional manner results in their Congressmen representing more persons than do Congressmen from states which deny or abridge the right to vote as specified" in Section 2.

Each of the ten southern plaintiffs is a Negro who has had his or her "right to vote denied or abridged by their state in a manner giving rise to a reduction in the population basis for apportionment of the state as provided by Section 2.

"Each alleges that his or her state would lose at least one representative in Congress on the basis of an apportionment executed by defendants in accordance with Section 2"

Joining Legal Defense Fund staff attorneys on the case are NAACP branch lawyers, national board members, and state officials, William B. Bryant of Washington; Richard L. Banks, Boston, Theodore M. Berry, Cincinnati; Loren Miller, Los Angeles, W. Robert Ming, Chicago; S. W. Tucker, Richmond; A. P. Tureaud, New Orleans; A. W. Willis, Jr., Memphis; and Margaret Bush Wilson, St. Louis.