

Discussion of Race Relations Issues in Greene County, Alabama

**Alabama Advisory Committee to the
United States Commission on Civil Rights**

Transcript of a Community Forum
Held June 26, 1997, Boligee, Alabama

The United States Commission on Civil Rights

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, as amended by the Civil Rights Commission Amendments Act of 1994, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice; investigation of individual discriminatory denials of the right to vote; study and collection of information relating to discrimination or denials of the equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; investigation of patterns or practices of fraud of discrimination in the conduct of Federal elections and preparation and issuance of public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the law. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 3(d) of the Civil Rights Commission Amendments Act of 1994. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference that the Commission may hold within the State.

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Birmingham

Ms. Charlena Bray
Birmingham

Ms. Nancy A. Carnley
New Brockton

Mr. Michael Davis
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Mr. Jerome A. Gray
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Ms. Freddie Aronov-Heilpern
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Dr. Rex J. Morthland
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Dr. George Munchus III
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The community forum of the Alabama Advisory Committee to the U.S. Commission on Civil Rights convened at 6:00 p.m., June 27, 1997, at the Paramount High School, County Road 20, Boligee, Alabama, with Alabama Advisory Committee Chairperson Rodney Max presiding. Other members of the Advisory Committee present were Mr. Michael Davis, Ms. Nancy Carnley, Mr. Jerome Gray, Ms. Annie Wells, Ms. Anne Shumaker, Dr. Rex J. Morthland, Ms. Lori Owens, and Mr. Jack Selden. Also attending the meeting was Commission Chairperson Dr. Mary Frances Berry and Central Regional Director Mr. Melvin L. Jenkins.

Proceedings

Mr. Max. If I could have everybody's attention? The meeting of the Alabama Advisory to the United States Commission on Civil Rights shall come to order. For the benefit of those in our audience, I shall introduce myself and I'll allow my colleagues to introduce themselves. I am Rodney Max and I am from Birmingham, Alabama. I'll start on my left. Michael?

Mr. Davis. Michael Davis from Mobile. Alabama.

Mr. Gray. Jerome Gray, Montgomery. Alabama.

Ms. Shumaker. Anne Shumaker, Centre. Alabama.

Mr. Max. Jack, you want to start down there?

Mr. Selden. Jack Selden from Birmingham. Alabama.

Ms. Owens. Lori Owens from Tuscaloosa. Alabama.

Ms. Carnley. Nancy Carnley, New Brockton. Alabama.

Dr. Wells. Annie Wells, Huntsville. Alabama.

Dr. Morthland. Rex Morthland. Selma. Alabama.

Mr. Max. We are pleased to have with us the Chair of the United States Commission on Civil Rights, the Honorable Mary Frances Berry. You all remember that Commissioner Berry was here last year, took the time out of her very busy schedule to visit with us. I am so pleased to have her here again tonight. Also present is William Lee, press officer for the Commission.

Finally, I want to introduce staff from the Commission's regional office in Kansas City, Melvin Jenkins, the Regional Director, and JoAnn Daniels. Where is JoAnn? There she is.

The United States Commission on Civil Rights is an independent, bipartisan agency, first established by Congress in 1957 and reestablished in 1983. It is directed to do the following things:

Number one, investigate complaints alleging that citizens are being deprived of the right to vote by reason of their race, color, religion, sex, age, disability, or national origin, or by reason of fraudulent practices.

Second, study and collect information relating to discrimination or denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice.

Third, appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws, because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice.

Next, to serve as national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin.

Next, to submit reports, findings and recommendations to the President of the United States and to our U.S. Congress.

Finally, to issue public service announcements to discourage discrimination or denial of equal protection of the laws.

The Commission has 51 Advisory Committees, one for each State and the District of Columbia. Each is composed of citizens familiar with local and State civil rights issues. The members serve without compensation and assist

the Commission with its factfinding, investigating, and information dissemination functions.

The Alabama Advisory Committee to the U.S. Commission on Civil Rights is here to conduct a followup community forum on race relations in Greene County in the aftermath of recent fires at black churches. As many of you know, we were here about a year ago to review race relations issues. As a result of our visit we issued a report entitled *Burning of African American Churches in Alabama and Perceptions of Race Relations*. Today we want you to tell us how much progress has been made since our last visit. Information which relates to the topic of the meeting will be especially helpful to the Advisory Committee. The proceedings of this meeting, which are being recorded by a public stenographer, will be sent to the Commission for its consideration. Information may be used by the Advisory Committee to plan future activities.

At the outset, I want to remind everyone present of the ground rules. This is a public meeting, open to the media and the general public. But we have a very full schedule of persons who will be providing information within the limited time we have available. The time allotted for each presentation must be strictly adhered to. This will include a presentation by each participant, followed by questions from Committee members. To accommodate persons who have not been invited but want to make statements, we have scheduled an open session from approximately 8:15 until 9:00 p.m. Anyone wishing to make a statement during that period should contact JoAnn Daniels for scheduling. Written statements may be submitted to Committee members or staff here today, or by mail to the United States Commission on Civil Rights, 400 State Avenue, Suite 908, Kansas City, Kansas 66101. The record of this meeting will be closed on July 26, 1997.

Though some of the statements made today may be controversial, we want to ensure that all invited participants do not defame or degrade any person or organization. In order to ensure that all aspects of the issues are represented, knowledgeable persons with a wide variety of experience and viewpoints have been invited to share information with us. Any person or organization that feels defamed or degraded by statements made in these proceedings should contact our staff during the meeting, so that we

can provide a chance for public response. Alternatively, such persons or organizations can file written statements for inclusion in the proceedings. I urge all persons making presentations to be judicious in their statements.

The Advisory Committee appreciates the willingness of all participants to share their views and experiences with the Committee. The Chairperson of the United States Commission on Civil Rights, Dr. Mary Frances Berry, will now share some opening comments with you. Ms. Berry.

Commissioner Berry. Thank you very much, Chairperson Max. I just wanted to say, first of all, how grateful I am to the State Advisory Committee for the work that you do and you do it because you are public citizens and are public-spirited people who are interested in community and interested in progress on matters of equal opportunity and justice in our society, and we're all very grateful for your works. The Commission couldn't operate without its State Advisory Committees.

The other thing I wanted to say is that this week I just came from Louisiana and Mississippi, where Mr. Jenkins and I, with the SAC Chairs in those States, held some site visits to look at the places where African American churches had been burned last year, to try to get some idea about what changes has taken place there. And now we're here at this forum 1 year later. It is a particular concern of ours that the burnings of the African American churches have not been solved here in this community. The churches are being rebuilt beautifully, but the burnings haven't been solved. Also, the national task force reports that they've only solved about 35 percent of the burnings that have taken place to date although last year in a forum held here it was announced, and we were assured, that great progress is imminent on these matters. I would have thought by now they would have been solved. But even more important, last year we talked about a dialogue on race relations in this community, and how important it would be to try in Greene County to do something about matters of race and economic development, which are closely tied to matters of race, having people in the community work together, break down the walls of segregation that still exist here, and move on to create some opportunity in this community.

I hope that coming back this year what I am going to find is that Boligee is an example for the rest of the country. That is Boligee is a good example consistent with the President's new initiative on race, where he wants to simulate national conversation, so that we can have local conversations. So I'm hoping that that's what I'm going to find here, that the church burnings have stimulated that kind of response here. If I don't find that, I'm going to be unhappy, but at least I'm here to listen and to see what things look like in Boligee 1 year later, and again I'm grateful to the State Advisory Committee and to Mr. Jenkins and his staff for organizing this meeting. Thank you very much, Mr. Max.

Mr. Max. Thank you, Chairperson Berry. Melvin, do you have anything to say at this time? I would like to take the prerogative of the Chair to make a brief additional statement, and that is this. Commissioner Berry, I'm going to disappoint you.

Commissioner Berry. You are?

Mr. Max. I'm going to disappoint you. We have attempted to have dialogue in this community. And I will say, with the leadership of former mayor, Buddy Lavender, there was a very sincere desire and effort made. I personally took time out of my busy schedule to meet with Mayor Lavender and citizens of the community on two separate occasions at the University of Alabama. The dialogue that occurred was good dialogue for those who participated, but the participation was far from favorable and was very disappointing. I will tell you that the two meetings, one was with Mayor Lavender, and I think one or two others who were predominately white, and I could not get any black participants to that meeting.

The next meeting was with some black leaders in the area and I had no white individuals there. So when you talk to yourselves, you make no progress. And that was discouraging to me, but I was not going to give up. And I planned one third meeting, because in baseball three strikes and you're out, and I was only at two strikes. And when I went up to bat for the third strike, an investigation ensued for which the leaders said it's not time and we need to hold off, so I'm still at the plate.

Commissioner Berry. Okay.

Mr. Max. And I'm not going to give up, and I will tell you, and I believe we have some represen-

tatives from around the State, both with the NAACP and with other organizations, and I will invite you one more time, and it cannot be a black dialogue. No, let me say it differently. It cannot be a black monologue and it can't be a white monologue. It must be a black-white dialogue.

Now, I will also tell you, and while we have you here, Commissioner Berry, there have been efforts made out of the city of Birmingham when the President announced his initiative, to allow for the State of Alabama and specifically the city of Birmingham, with its unique history of race relations, to bring that initiative to our city and our State. In fact, in anticipation of that statement, this Committee met about a month ago. With Melvin's help, we unanimously voted that if that initiative were to occur, that this State and Birmingham in particular, or somewhere close to it, be the site for one of the President's initiatives.

We now have the backing of our mayor, Mayor Arrington, who has likewise written a letter, and we are urging the President. We are urging the Commission, and we are urging our director, Melvin Jenkins, to assist, because we do have an incredible history here. And believe it or not, the history is one of progress in the private sector, not in the public sector. And perhaps by way of the progress we have made in the private sector, we may be a better community. But there is so much work to be done. I'm sure we're going to hear some of it today, tonight, and so much more leadership needs to come in the public sector, especially from the head of our State.

It's about time we move from that strong private sector to the public sector, and I hope that with your help, Commissioner Berry, we can get that. I hope with your help we can bring the President to our State to see that progress which has been made and help us with what more needs to be done. With that, I would like to call on Rev. Levi Pickens, pastor of the Mt. Zion Baptist Church, to come speak with us. Reverend Pickens.

Statement of Levi Pickens, Pastor, Mt. Zion Baptist Church

Rev. Pickens. Good evening to everybody, to this great gathering. I come tonight, rather this evening, to—

Unidentified Speaker. We can't hear back here.

Mr. Max. Anyone speaking, if you could speak up, not just for all our sake, but for all those here. If there's any way we can turn up the mikes, that would be helpful.

Commissioner Berry. Perhaps turn them up or—

Rev. Pickens. Okay, can you hear? Thank you. I came tonight to talk about relations between black and white. It seems to me that not too much progress has been made. There's been a little, but not enough to feel confidence in. Well, I can remember when the church was in the process of building, we had a lot of attendance, white from different places on a Sunday, to hear and to be in our meeting. But we don't, we do not have the cooperation from Eutaw and Greene County. It seems to me that there are still some improvements that need to be made.

So far as getting the church built, I think that we have reached a goal of getting the church built. We had a lot of cooperation from out of town to help rebuild the church, and we thank everyone for that. But I'm surprised that we hadn't made no arrests in the burning of the churches. You know, sometimes we think of reaching out, might catch somebody out of the county or out of the State. Sometimes it can be right at you and you not know it.

I thought about the man that had demons in his heart. What was wrong with the man, the trouble was on the inside. And it stayed on the inside so long till it broke out on the outside. Anytime the devil can make you tear your clothes off you and cut yourself, and he is a powerful man. So sometime we think we're going to reach to solve the problem by going on the outside. Sometime it's right on the inside. We need to take a serious thought about it. We need to bring this thing a little closer. We might accomplish something if we just would bring this thing a little closer. You see, the devil is a powerful man. When the devil got in the hogs, it made the hogs drown themselves. When the devil gets in a person, regardless if they are white or black, it will make you burn the churches down. And so the devil is busy and we need to take a serious look at our own county, our own neighborhood, our own State. See what I'm saying, where I'm coming from? Sometime we're reaching out in Georgia, Florida, but sometimes it's closer. So we need to do a little searching a little closer. Thank you.

Mr. Max. Thank you, Reverend Pickens. Before you leave there may be some questions. Does anyone on the panel have any questions to ask of Reverend Pickens? I do. Go ahead, Commissioner Berry. I have some questions of Reverend Pickens. First of all, I have a lot of respect for you and your church and hanging in there.

Rev. Pickens. Okay.

Mr. Max. And resurrecting the church.

Rev. Pickens. Okay.

Mr. Max. Has the church been rebuilt?

Rev. Pickens. It has been rebuilt, but we've added an addition to it. It hasn't been completed.

Mr. Max. Well, that tells me you're making progress.

Rev. Pickens. Right.

Mr. Max. Now, let me ask you this. I know that in Birmingham, Alabama, there was a meeting on about July 16 of 1996 in which many people came to make contributions to your church and two others in this area.

Rev. Pickens. Right.

Mr. Max. But sometimes it begins with us.

Rev. Pickens. Yes.

Mr. Max. And sometimes it requires leaders like yourself reaching out to others.

Rev. Pickens. Right.

Mr. Max. It requires me reaching out to you and you reaching out to me.

Rev. Pickens. Right.

Mr. Max. And I've got to say to you that when you're put in the limelight, as you have been and—

Rev. Pickens. Mm-hmm.

Mr. Max. And as people who you don't even know—

Rev. Pickens. Right.

Mr. Max. —have given money to your church from all over the country, I think we need to go out of our way to say a bit of personal thanks.

Rev. Pickens. Right.

Mr. Max. It's amazing what getting to know one another can be, and sometimes it's giving a handshake, sometimes it's taking hammers and nails.

Rev. Pickens. Right.

Mr. Max. Isn't it also a fact that you have many individuals come rebuild your church who are white?

Rev. Pickens. Right. That's right.

Mr. Max. I know that there were many Quakers who came from out of our State to help.

Rev. Pickens. Absolutely.

Mr. Max. Correct?

Rev. Pickens. Right.

Mr. Max. So the different religions were there helping?

Rev. Pickens. Right.

Mr. Max. I know that there were members of the Jewish community from around Birmingham and other parts of the State that came to help.

Rev. Pickens. You're right.

Mr. Max. And I think sometimes it is helpful to human relations, forget race relations—

Rev. Pickens. Right.

Mr. Max. If we have an opportunity, especially when we speak in public, to acknowledge positive things that have happened, as well as the need for more progress.

Rev. Pickens. Mm-hmm.

Mr. Max. Would you agree with that?

Rev. Pickens. Yes.

Mr. Max. I'm pleased that you had that kind of support and participation from both the white, black, Christian and Jewish community, from around, not only the State of Alabama, but from around the country.

Rev. Pickens. Okay.

Mr. Max. Anything else from the group? Do you have any comment on that? Any comment you wish to make about my remarks?

Rev. Pickens. No. The only thing I can say that I'm just hoping that somebody will make an arrest. You know, we just can't keep on sitting and talking and no arrests been made.

Mr. Max. I understand.

Rev. Pickens. You know, because now this thing is not over with. They're still burning them down and they still vandalizing them and we just can't rest just thinking it's over with, because they're not. We just want to feel confidence in that, because not until we all get our hearts right, there are going to be some racial tensions.

Mr. Max. I'm going to have Commissioner Berry, then Michael, Commissioner Berry.

Commissioner Berry. I don't want to get in the way of the SAC.

Mr. Max. Michael?

Mr. Davis. Reverend, I don't mean to put you on the spot—

Rev. Pickens. Yes.

Mr. Davis. But you know, the Bible also says that if we are to be a friend, we must first show ourselves friendly.

Rev. Pickens. Right.

Mr. Davis. And to add to what Mr. Max commented on, you were in the limelight and you still are, with your wonderful work here in your church and so on and so forth, and in the event that all these people helped to rebuild the church and that type of thing, I'm just kind of curious to know why you hadn't acknowledged that publicly, and is that something that you intend to do since you agree with what Mr. Max has commented on?

Rev. Pickens. Well, I hadn't made that—

Mr. Davis. Say invite some of the Jewish contributors or people from the white community who helped rebuild your church—

Rev. Pickens. Well, they participated very, very, very good when they were in this community working. They did, they supported our service and they supported with their money, and they supported in every way that they could.

Mr. Davis. Mr. Max asked, however, did you invite any of them to your service to worship and to speak and that kind of thing.

Rev. Pickens. Oh, yes.

Mr. Davis. And so maybe we just misunderstood.

Rev. Pickens. Yes. Yes.

Mr. Max. Melvin.

Mr. Jenkins. Let me just comment. In your dedication ceremony that you had, I believe it was last September—

Rev. Pickens. Right.

Mr. Jenkins. —for your church, you invited all those persons who had participated in rebuilding to your dedication ceremony, am I correct?

Rev. Pickens. That's right.

Mr. Jenkins. And you had a large turnout.

Rev. Pickens. It did.

Mr. Jenkins. And a great celebration from all races.

Rev. Pickens. Right.

Mr. Jenkins. At the September—

Rev. Pickens. That's right. Sure did.

Mr. Max. Thank you. Any other comments on the Committee? Commissioner Berry.

Commissioner Berry. Yes. Reverend Pickens, what I'm curious about and I agree with Mr. Max about the need to show—express thanks and gratitude, wherever it comes from, and to promote racial understanding and I'm glad we cleared that up. But why do you think that here

in the community, in Greene County, around here in the local community, there was not greater white community support?

I know when I came down to your church, there were the Quakers. There were the people from Birmingham. There were people from a lot of different places down helping, but local people were scarce. I mean, from right around here. And also, why do you think there still has not been even now the kind of interaction of local people here right here that we want to see? Why do you think it's not happening?

Rev. Pickens. Well, you asked me why did I think that—what I'm going to respond to you is why I know what's happening. I've been here about 72 years and I've been around in Greene County all of my days and that kind of carrying on been going on in Greene County all of my days, and we've taught from a child up, when both sides was taught to be against the black and the black against the white, we got that is in the bloodstream of them, and it's going to take God to get it out. Does that answer your question?

Commissioner Berry. All right. Thank you very much. Reverend Pickens.

Rev. Pickens. Okay. Any more questions?

Mr. Max. Just one quick followup. I know of some examples in other communities where there has been much hate in the heart of people.

Rev. Pickens. Right.

Mr. Max. And it has taken courageous leaders, many times religious leaders such as yourself, who have opened their hands to that hate and brought that hate within the walls of their church or synagogue or home—

Rev. Pickens. Right.

Mr. Max. —and turned that hate to love. And I believe that somehow we've got to figure out a mechanism to do it, because if courageous people like yourself don't, nobody will.

Rev. Pickens. That's right.

Mr. Max. Thank you for being here tonight. We really appreciate it.

Rev. Pickens. Thank you.

Mr. Max. All right. Next former Mayor Buddy Lavender.

Statement of Buddy Lavender, Former Mayor, Boligee, Alabama

Mr. Lavender. Before I begin I want to apologize for my thinking and my actions to-

night, because I've been nearly ready to meet my maker. I've had a good siege of sickness and I still are not driving but just locally or anything like that, so I'm not thinking sometimes as clear as I want to, but I want to tell you what I want to tell you. And I apologize for that for a start.

Dr. Berry, Mr. Max, Mr. Jenkins, distinguished panel, and guests and friends, if I have any left in Boligee, I am disappointed now more than I was a year ago, and I explained my disappointment then, and I am very much disappointed in this panel. If a year ago had come in and this community had found we had lots of white on black crime, there wouldn't be enough land in Greene County for them to pitch tents on for the FBI and special agents to come down here and investigate that. I feel like that you all let us down, and you let us down bad, because I see nothing, nothing that has changed from last year to this year, and this panel has made no recommendations and change in this from last year to this year. So I feel really disappointed and let down and hurt, because Dr. Max knows that I tried as hard as anybody in Greene County to get dialogue here. But it didn't go along with the ruling party, so nobody paid any attention to us. There was Dr. Max and I and my wife and my friends, a white friend or two that come every time, and that was it.

But, anyway, the one thing, Dr. Berry, feel like that the reason you come down this time, as you did before, was to see the private school here and see if it was still thriving very well, thank you. And I feel like that this school system hasn't done a thing about this school system and having any white supervisors or administrators. I guess that's pay back, Dr. Berry. Since last year this county has gone through bankruptcy, funds still unaccounted for, but that's okay because that's the black and that's not going to do no—that's blacks and blacks are doing it and I know almost a million dollars that's come into these burned churches, and most of it has not gotten to where it's supposed to go. But that's okay again, because that's blacks.

I tried awful hard to start some dialogue here between the races, and when some of the people that have come here and has a job that depend on conflict, the races—that's hard for me to do, and I want all of you here to go home and get down on your knees and pray about what you have left for us to live with. I am so disappointed

with the Justice Department. You people talk out of both sides of your mouth at the same time. I'll close for now because I'm kind of upset, but I know I haven't made any friends tonight, and I didn't come here with intending to do so. I come here to tell the truth and tell it like it is, and tell you where you failed. And I've tried to do that and came here to make—and I didn't come here to make any mad. May the Good Lord bless it and have mercy on all of your souls. And I appreciate you being here.

Mr. Max. Thank you, mayor. Does anyone on the panel—yes, former mayor—why don't you stay here while we have some questions?

Mr. Lavender. Be glad to.

Mr. Max. Any questions or comments from the panel?

Ms. Wells. I just had one.

Mr. Max. Yes, go ahead, Annie.

Ms. Wells. You indicated that you were waiting for the panel to make recommendations. Well, if the panel made recommendations, do you think that the community would feel that we were imposing recommendations rather than the recommendations coming from the constituents in the community?

Mr. Lavender. I feel like that the community expects you all to come in here and make suggestions and make—try to get this dialogue going and try to help us here and you haven't done that, and I'm disappointed in you, very much so.

Mr. Max. Let me see if I can speak on behalf of the Committee, and Mayor Lavender. I didn't know you before last year and I've got a lot of respect for what you attempted to do after last year. To set the record straight, the Committee did do what it is legally required to do. It put together a very expensive report, which included the fact that race relations in this area needed dialogue. Now, that it—this Committee can't make people sit down and be friends, can't make people sit down and rebuild churches, can't make people sit down and make a better community. Outside of this Committee, but because of what this Committee did in setting that direction, I together with several other civic leaders out of Birmingham, met with you—

Mr. Lavender. Yes.

Mr. Max. Met with your former wife, met with other members of your community, in attempt to get that dialogue, and nobody came.

Mr. Lavender. I was serious as a heart attack in it, Dr. Max, and I still am.

Mr. Max. And I want to say this to you, it is to your credit that you were there and it's to your credit that you attempted, you did attempt to get other people there.

Mr. Lavender. Yes.

Mr. Max. And we had another meeting, but I'm going to say to you this, don't overplay this Committee. This Committee cannot make people come together. We can give you a forum. We didn't make you come to Birmingham, Alabama. We went to Tuscaloosa and it was at the University of Alabama Law School where we met, and you were there.

Mr. Lavender. Yes, I was there.

Mr. Max. And we did that, not just the day that you were there, but we went there when Erlene Jacobs, the probate judge for Greene County—

Mr. Lavender. Erlene Isaac.

Mr. Max. —Isaac, I'm sorry. She came with a group, and again all we can do is give you the direction, and that's what this Committee did with its report. Second, we went beyond that and individuals went and even gave you a forum, and your community refused to meet. I'm not pointing the finger to you, because you were there. I am pointing the finger to your community, which for one reason or another couldn't get itself together. I see Spiver Gordon in the back, and Spiver was at one of those meetings, the second of the meetings, but we never got the white or black leadership, whatever that is. I don't know if you are or if Spiver is, but I'll tell you this, you weren't leaders enough to get the rest of your people together.

Now, the question is, is there a will? There is a way. There is a way, and it doesn't have to be this Committee and it doesn't have to be Rod Max or anybody else. It's got to be a will. And if you all will give some indications of willingness to meet, I'll be glad to meet with you, and then the disappointment that you have, Buddy, doesn't have to be there, but it's not going to happen because some magical wand of a report or a Committee comes to this hot auditorium to meet. You have got to be the ones to do it. And once we can begin cracking the lines between you, maybe something can happen. I appreciate your leadership to try, but we failed.

Mr. Lavender. We failed.

Commissioner Berry. May I say this? I want to commend you, and to say to you, Mr. Lavender, that I think Rodney Max and this Committee has done everything that anybody could expect them to do, and I come down here because anything I can do to help, not just this Committee, but the other Committees. I'm trying to do. And so they as volunteers, which is all they are, public citizen volunteers, have gone above and beyond the call of duty to come down here, to keep coming down here, to try on their own to try to get people together and to make sure that it's widely publicized, as it has been in the media, that they're trying to get people together, so that people in Boligee and this county can't say that they don't know that the State Advisory Committee is trying to do something.

They can't say they don't know you and the other people who were involved, and so it really is a conundrum, and I worry about this, as I consider, as I say, the President's initiative. How in the world are you going to get people—what does it take? Maybe he [the President] can do it on his own, because he's the biggest guy on the block. But how do you get people to come together, not just black people by themselves or white people by themselves, how are you going to get—as you say, how are you going to get people to come together and to really discuss the issues and to not either pretend they don't exist or refuse to talk to each other. But I think you've done more than, as a Committee, more than anybody is expecting, and you will keep on doing it because that's what your job is and you're doing a good job, and I thank you very much, even for the comments you made about me, if I understood them. They're fine. I'm used to being called—

Mr. Lavender. I apologized before I started, Dr. Berry, because a sick man talks different.

Commissioner Berry. That's all right. Thank you. I understand.

Mr. Lavender. That's the way I feel and I apologize for it. I think that you all are probably doing as best you can, but we still are not getting the job done. I don't know where we're going to have to start or stop to get it done, but that's the thing that got me so flabbergasted—upset, because the harder you try, the further you get away from what you're trying to do. In going back to what Reverend Pickens said a while ago, it's the same thing that I said last year, you

know, the devil works in everybody, even preachers. He admitted that tonight.

Commissioner Berry. Okay, thank you.

Mr. Max. Anything further from the Committee? Thank you very much. Next, Abraham Kinnard, the principal of the Paramount High School. First of all, thank you very much for opening your doors to us again this evening. As warm as it is, we appreciate the hospitality.

Statement of Abraham Kinnard, Principal, Paramount High School, Boligee, Alabama

Mr. Kinnard. Thank you. First of all, Dr. Berry, to the entire Committee, we're delighted to have you again at Paramount High School. We hope that your stay will be a pleasant one and that you will be able to endure the intense heat. We're just delighted to have you on our campus again, and we look forward to you coming back again next year.

First of all, let me officially just welcome each of you on behalf of the Greene County Board of Education and our superintendent, Mr. Joseph Danceler. On behalf of our staff members here, all of our support staff, and our 780 students, we welcome you to Paramount High School.

We are a little disappointed that we don't have any more of our citizens, local citizens, here. We don't know if the word got out or what, but they do support this effort. So again we welcome you to our facility and any assistance that we can be to you while you're here, please just let us know and we're at your disposal.

Race relations 1 year later, we are still the same basically. We are still a 100 percent black student body population. Our staff is a mixture of race. But race relations 1 year later, it's about the same, and again we hope some progress will be made in solving of the church burning problem. Thank you again.

Mr. Max. Thank you, again. We really appreciate you providing the hospitality. Before you leave, are there questions or comments from the Committee? Chairperson Berry?

Commissioner Berry. Mr. Kinnard, what is your view of why the schools are segregated here in Boligee and Greene County? What are the schools segregated, the staffs segregated? Why is there this segregation that exists here?

Mr. Kinnard. Well, I think basically it began back in the late 1970s or early 1970s.

Commissioner Berry. You mean there wasn't segregation before the late 1970s?

Mr. Kinnard. Well, what I'm saying—no, no. What I'm saying is with the black officials, we have a massive flight one time—there was a Eutaw High School. Eutaw was primarily white, and with the total takeover, there was a mass flight. We had the uprising of the academy, Warrior Academy, namely, and that started in the late 1970s or early 1970s.

Commissioner Berry. Well, what do you think about the point that was made by Mr. Lavender, this year and last year, about other—I think he made it and maybe his former wife made it too—that one of the reasons why there's segregation is because all of the staff teachers and so on in the schools are black, in the public schools, and he was complaining about the lack of integration in the public schools. Now, I don't know whether that's fact or not, but is that true? How much desegregation of staff and faculty is there at the public schools?

Mr. Kinnard. Well, now we have an integrated staff.

Commissioner Berry. How much?

Mr. Kinnard. I would say out of 55 we have about 10 people that are of other races.

Commissioner Berry. Who are not black?

Mr. Kinnard. Right.

Commissioner Berry. And what about administrators?

Mr. Kinnard. There aren't any administrators of other races in Greene County Public School System.

Commissioner Berry. Okay. So how did that happen?

Mr. Kinnard. Well, the administrator back in the early 1970s was at Eutaw High School. He retired and there were no white students there basically, maybe one or two. I succeeded him as principal and to further elaborate on that, basically, he was the administrator but there were no students out there.

Commissioner Berry. So are you saying that the white flight from the schools as students is related to the lack of whites in the administrative and the few number of the teachers, because the whites left the public school system, mainly is that what you're saying?

Mr. Kinnard. That may be a reason. I'm not too sure.

Commissioner Berry. I see.

Mr. Kinnard. I'm not too sure, but it is that way.

Commissioner Berry. Well, do you think that contributes to—that is an effect of the race relations conundrum, put it that way, puzzle here in Greene County, or do you think that somehow, as Mr. Lavender was expressing it, if I understood it correctly, that the school segregation somehow contributes to racial tensions, or is it just an effect of the race problem here in—

Mr. Kinnard. I think it's just an effect of the race problem.

Commissioner Berry. It's an effect of the race problem. Okay, I just wanted to get that on the record because we danced around it.

Mr. Max. Well, I'm going to follow up because I'm not a very good dancer, and you know, I think we just get too content, and I've got to say that I too have a lot of respect for you and what you've done. I've got to believe that this community respects you, and so I'm going to put you a little on the spot, but I want you to know that I'm looking for help.

Mr. Kinnard. Okay.

Mr. Max. And it's been people like yourself that I need to get that help. When you are the principal of this high school, I've got to think that not only the students but the parents look up to you as being the figure head of this institution.

Mr. Kinnard. I would think so.

Mr. Max. And you've—how long have you been principal?

Mr. Kinnard. I been principal here 2 years, migrated from elementary school in the county.

Mr. Max. Okay. So you came from the elementary school to the high school?

Mr. Kinnard. Yes.

Mr. Max. How long were you at the elementary school?

Mr. Kinnard. All of my teaching career, basically nearly 30 years.

Mr. Max. So I've got to say that it appears to me, and this is an inference that I make, that you have the respect of the community, and particularly within the black community who attends this school or who attended that elementary school. If I'm wrong, maybe someone will tell me that I'm wrong. But with that, it's your leadership and sometimes maybe sticking out your neck or reaching out your hand for—I understand there's 10 out of how many teachers?

Mr. Kinnard. Fifty-five.

Mr. Max. Ten out of 55. How many white—and I know there's a lot of activities in schools. I'm just looking for what activities have brought white individuals, male, female, adult, teenage, whether on the youth level or the adult level, what activities have gone on in the high school to bring white members of the community to your school, other than football, basketball, baseball, or any other athlete activity?

Mr. Kinnard. Currently, there is an organization that functions, and I can't recall the name of it, that seeks to improve race relations. It is comprised of all races. They make the pilgrimage here at least once or twice a year. That's one thing.

Mr. Max. Yes.

Mr. Kinnard. And then other events—well, not many other than baseball or other sports—

Mr. Max. And isn't it interesting, the one way we get together is when we compete with one another, and we try to beat one another in sports by getting more points or more runs or whatever that is, but somehow we don't sit down together.

Mr. Kinnard. Right.

Mr. Max. I would say to you, as a leader of this institution, and we have organizations throughout the State that—whether it's National Conference of Christians and Jews, whether it's the Greater Birmingham Ministries, whether it's the Boy Scouts, Cub Scouts, there ought to be ways to bring our youth together.

Mr. Kinnard. Right.

Mr. Max. And there ought to be ways to bring our adults together. I would encourage you, as a leader of this community, to see what you can do. I'm going to tell you, you can expect this to anybody that gets to that podium tonight. I'm going to be asking the same thing, because it's got to start somewhere, ladies and gentlemen, and it might as well start with us. Right?

Mr. Kinnard. Right.

Mr. Max. And to the extent that I can be of help to you, I can give you phone numbers here, but off the record I'll give you some phone numbers. You can call me or some others to have people come to your school, and let's get out that dialogue because I'd like for people in the white community to meet the good students and teachers in your school. But unless we're doing that from the top, it's not going to happen. Thank you. Go ahead. Jerome?

Mr. Gray. Yes. Mr. Kinnard, would you say that, picking up with what Mr. Max said, that for whatever reasons whenever blacks become a majority of something, no matter how good the leadership might be and the programs might be, that whites for whatever reasons simply choose not to be active participants in a situation where they often find themselves in a minority, so even though you may plan events and activities to try to be inclusive, but just because they find themselves in a minority setting, many times they just simply choose not to participate or identify with that, even though you may extend the olive branch. I'm asking you, Do you see that or have you found that to be the case in this community?

Mr. Kinnard. Well, that's evident of what has happened. It's what has happened.

Ms. Shumaker. Prior to—along the lines of what Jerome was saying, in the early 1970s?

Mr. Kinnard. Yes.

Ms. Shumaker. Which you mentioned a moment ago, was the administration predominantly white at that time?

Mr. Kinnard. Yes, it was prior to that, prior to that. I think we had [county] commissioners in the early 1970s that came into office, and the board of education become predominantly black. I believe in, I don't know what year, maybe 1970 or 1975, somewhere in that line, that we had black superintendents.

Commissioner Berry. If I may interject, wasn't this after the school desegregation order came to this community? As I recall in last year's discussion, there was a school desegregation order here, and after that was when the academy started and the white flight and the changeover to the black system. Somebody refresh my recollection—

Mr. Kinnard. 1969 and 1970.

Commissioner Berry. That's what I remember from last time.

Mr. Kinnard. Yes, I think you're correct.

Mr. Davis. What's the black-white population in this county?

Mr. Kinnard. The ratio is at least three-fourths, 75 percent.

Mr. Davis. For the entire county?

Mr. Kinnard. Right. Maybe as high as 80 percent.

Mr. Max. Anything else of Mr. Kinnard? Mr. Kinnard, again, thank you and I very much look forward to your leadership and perhaps reaching

out. I realize it's not easy, and what Jerome said is right, many times you get flight when all of a sudden you get minority, but we've got to do as leaders, we've got to reach out.

Ms. Wells. I had a question. the academies, are there minorities in those academies. and if so. what is the percentage?

Mr. Kinnard. I didn't understand your question now.

Ms. Wells. You mentioned the private schools. the academies.

Mr. Kinnard. Yes. There's one that I know of in Greene County.

Ms. Wells. Okay, only one in Greene County. Are there blacks and other minorities in attendance at that school, at that academy?

Mr. Kinnard. No, not to my knowledge.

Ms. Carnley. I've got a question in that—you say there's only one private school in this county for the students, for the nonblacks, right? Do all the students attend that one school or are they bused—are some of these students bused out to another county?

Mr. Kinnard. Some go to other counties. There are some that go from Marengo County to the south. some go to Tuscaloosa County to the north. and also Pickens County to the north of us.

Mr. Max. Any other questions or comments from the Committee? Thank you again. We appreciate it.

Mr. Kinnard. Thank you. Enjoy your stay.

Mr. Max. Thank you very much. The present mayor. Mayor Olayiwola, and I know I've got that wrong, so Bonnie, if you wouldn't mind coming up, and how about if I just call you mayor, and maybe you can help us in pronouncing your name, we'd appreciate it.

Statement of Bonnie Olayiwola, Mayor, Boligee, Alabama

Mayor Olayiwola. Thank you so much. It's Olayiwola, and I appreciate you for just launching out there in trying to pronounce it.

Good evening to everyone, to Dr. Berry. just to the whole panel. I welcome and I greet each of you on behalf of the town of Boligee. We are honored to host this community forum tonight, and we're looking forward to some positive results and hopefully our country will progress from this.

Really there's only one type of race. and that's the human race. Discrimination. racial hostility,

is just an evil that's upon our society. and the roots of it go really deep. Just like some of the people before me have said, 1 year later we're basically the same, life's going on as usual. We have our blacks in their part of society. the whites. but everyone seems to be complacent.

It's wonderful that you're here tonight. I appreciate you, and when Mr. Jenkins had come to my office, I said well, what's the purpose of the meetings and we're always talking about it. but he said something that made a lot of sense. People really don't know, so when you come out and you hear different people from the community voice what actually is going on, and some of their concerns, and it's documented. then laws can be passed and things can take place, which is great. We do have a problem and, from the way I see it, people are just content. There are some in our community that know that we can't be content; we need to get together, and the question is how. Do we meet? Well, where is everybody?

Mr. Max, I agree with you, it has to start with the leadership, and I also say it has to start with different individuals who really have a heart for this. If you're comfortable in your world, and no one comes in to disturb it, you're going to stay there. If you're uncomfortable, you're going to go out and try to make some changes. and so those that know, it starts with us. I'm like the new kid on the block. I took office in October, and my desire is to see the community to come together, and the record shows that I think the biggest thing in our communities, and in our nation in general, is fear and not really understanding each other.

I'm black. You already have a stereotype of how I should be or what I'm going to be. You're white. Well, you're this way or that way; you think this way. But we have to come together, communicate, let our fears be known. And the injustices that are done, something should be done about it.

I appreciate you all. I don't think it's a waste of time, and I really believe that if we continue going like we are, not giving up because of the few people that are here tonight, but really work towards it, a change will come, not saying that I will like you because you're white or you will like me because I'm black, but understand me and respect me as a human being. Thank you.

Mr. Max. Thank you, mayor, for the beautiful comments. Anne?

Ms. Shumaker. We talked a great deal last year about cooperation, and I'm glad you mentioned the bit about humans. I think we should just forget about the color and people are people. But—and look at the blame instead of the color of the skin—but what specific things would you like to see as far as a cooperative effort among the races here or among the people here? Are there specific projects that you would like to see as a joint effort?

Mayor Olayiwola. One thing that I would like to see in our community in general, just like, say, for Boligee, I would like to see more of the white citizens come out to our town meetings and just take a part of what we're trying to do, become more involved with our fire department, the things that they see need to be done in our community, voice themselves to me. Just to start with Boligee, I don't want it to be separated. I would like people to basically take part in the town affairs and give us insight, and let us hear what they would like to see done or what they don't like seeing done.

Ms. Shumaker. How many members are on your town council?

Mayor Olayiwola. I have five.

Ms. Shumaker. And they are elected by district?

Mayor Olayiwola. Yes. And they're all women, and we do have one white person.

Mr. Max. Any other questions, Anne?

Ms. Shumaker. I don't think so.

Mr. Max. Anyone else? Nancy, and then we'll go to Anne.

Ms. Carnley. When you have an authority—do you have a housing authority?

Mayor Olayiwola. Yes, I do. Well, really we're section 8, but we're not actually a housing authority. We're private managed, and I am the resident manager.

Ms. Carnley. How many whites on that, any?

Mayor Olayiwola. Two.

Ms. Carnley. How many blacks?

Mayor Olayiwola. There's 62.

Ms. Carnley. Is this families or individuals?

Mayor Olayiwola. This is multifamily. This is multifamily.

Ms. Carnley. How about your utility board and your water board?

Mayor Olayiwola. I don't have that. We don't deal with that.

Ms. Carnley. Do you have a zoning board?

Mayor Olayiwola. No.

Ms. Carnley. Have you ever thought about creating maybe a race relationship board or a community board or something to bring the races together?

Mayor Olayiwola. As far as the housing community or just in general?

Ms. Carnley. Just in general.

Mayor Olayiwola. I never thought of that but that is a good idea, to get key people from the white community to come in. That's an excellent idea.

Ms. Shumaker. Do you have a recreation board?

Mayor Olayiwola. No. We're a very tiny town.

Ms. Shumaker. I understand. I'm from a tiny town too. How many people?

Mayor Olayiwola. We're looking at about 300 plus.

Mr. Max. Annie?

Ms. Wells. She just asked my questions about the human relations committee.

Mr. Max. Anyone else on the Committee? Go ahead. Yes, Jerome.

Mr. Gray. Listening to the comments of former Mayor Lavender, do you think it would be possible to get, since we are here on the issue of church burnings, to get what I will call maybe a regular intervisitation program among the churches, black and white, in Boligee, and if so, do you think that was—could be a start and how do you see something like that? Do you see something like that being able to happen?

Mayor Olayiwola. That could be a good start, and anything is possible, but the individuals have to be committed to it and it's something that they want to do. See, what I'm finding is a lack of interest. Is this something that you really want to take place? If the people that are involved really want this and they're putting this their number one priority, it probably can, but you have to find people that are committed to doing that.

Mr. Gray. Do you know whether any of the white church communities in, say, Boligee or Greene County contributed financially to the rebuilding of the churches?

Mayor Olayiwola. Personally, I don't know. I don't know.

Mr. Davis. Do you have access to the airways, television, local television station here,

where you might be able to, say, again bring together an interracial panel where you can get dialogue going there, and hopefully people can see what's going on, on TV or maybe by radio or something like that?

Mayor Olayiwola. Yes, we can. As a matter of fact, when you said radio, we have a radio station in Tuscaloosa, 104-3, I think it is, with Jimmy Lawson. That—we do. We can do that if the people are interested, to do that, they would.

Mr. Max. Anyone else on the Committee? All right. You've been mayor for how long now?

Mayor Olayiwola. I took office in October 1996.

Mr. Max. So about 9, 10 months, something like that, whatever that is. Okay. Have you made any appointments at this point for any projects, any boards, anything at all?

Mayor Olayiwola. No, I haven't.

Mr. Max. You've made no appointments.

Mayor Olayiwola. We had a platform of some things we knew we just had to take care of. All this is coming, but there were some very important things that we had to take care of first.

Mr. Max. Can you tell us what those were?

Mayor Olayiwola. One thing is annexation. As you know, we are a small town, and our revenues were dwindling. Our number one project was to annex our town lines in order to get a better tax base, and that was pretty much what we were trying to do so we could survive as a town, and I'm happy to say that has taken place.

Mr. Max. Congratulations.

Mayor Olayiwola. We brought in a little over 100, 100 plus. We're basically concerned about bringing in business.

Mr. Max. Right. I guess the reason for my question is this. There is a complacency out there. Everybody, no matter how rich or how poor they are, sometimes people are content with their life, and it takes the leaders in the community—complacency breeds separation, because if you're happy with where you are and you happen to be segregated, and you happen to be in a high school that's all black or a high school that's all white, and you're pleased with what's going on or displeased, but you're not going to do anything about it, it does take leaders like yourself, like Mr. Kinnard, and others who can reach out.

Mayor Olayiwola. Yes.

Mr. Max. And I will tell you this, the city of Huntsville has a human relations commission,

despite our efforts—and we talk about what our Committee has done. Our Committee has tried to get a human relations commission for our State. We've failed thus far. The city of Huntsville has one, and it's a very simply constructed body, and if you will contact that local government, you may be able to get some help on a human relations commission model out of the city of Huntsville.

I would encourage in any way that you can to help bring together a group of people to not make headlines—I'm not looking to get in the press with this—I would like to see if I could challenge you, as we challenged Mayor Lavender last year, could you bring together a group of citizens, white and black, at one time in one city, where we may be able to have some dialogue, and I will invite—I will be available. I don't want to invite myself to any party, but I or any of the ones here will be glad to facilitate some dialogue to try to get some progress going in your community, even if it happens to be like the NCCJ does in Birmingham, Alabama, where they have a make-it chain, where whites and black youths get together and do things in the community.

It sounds to me with the limited resources you have publicly, it would certainly help if private sector could get together, and it would be phenomenal if different races could do it. And I would—I'm available some evening, whether it's here, whether it's in Tuscaloosa, Birmingham, wherever you want it, if you could bring whites and blacks together, I would be more than happy to bring an appropriate group to help facilitate some positive conversation.

Mayor Olayiwola. Right, I accept that challenge.

Mr. Max. Very good. I will give you a card and we'll be getting together after. Anne.

Ms. Shumaker. I just wanted to know, do you think that if the meeting was held here, rather than in Tuscaloosa or Birmingham, that you would have more attendance of both places, if it were held in someplace besides Boligee or besides here—

Mr. Max. Have it here instead of Tuscaloosa?

Mayor Olayiwola. I think so. I would like to have it here.

Mr. Max. You name the place, you name the time, we'll be here.

Mayor Olayiwola. Okay.

Mr. Max. Anyone else? I must make this announcement. There is a Hyundai, a green Hyundai outside with BP133; your lights are on, so if you want to have a battery, whoever has that car. Chairperson Berry.

Commissioner Berry. What I wanted to say was that given the experience with the meeting that the Chairperson tried to set up and worked very hard on last year, and continues to work on, and given the suggestion that you meet down here, would it make more sense, given your—or you might describe the South—your local situation, a small town—I won't say city, town—that you could probably set an example if you pulled this off, for small towns all over Greene County, small towns over the Black Belt, small towns, of how to do this with little limited resources.

Maybe I heard you say that on your town council you have one white member of the town council. Maybe one way that you could sort of try to start this is with you and the white member of the council, go to people in the white community personally, since we're not talking about too many people, go to their houses, go door to door, and say we would like you or how many of you would be willing, first of all, to serve on a community relations—if you don't want to call it human relations—whatever you want to call it, committee to try to get us to talk about how we can get this community moving together in solidarity and have as many whites on it as blacks, even though the population of blacks is much larger, as a gesture on your part and it's an understanding to show that you're reaching out to say, well, we don't care about the numbers, we just want to get together, and to try to get people to meet, just that little committee, and then have the committee be the group that tries to get other people to the kinds of meetings that our Chair is talking about. And then involve him and the SAC and go on from there. Maybe you'd have a better shot at getting people to come, and if you can get that to work, it requires commitment, leadership, and risks on your part.

What I'm suggesting I know is risky, but if you don't take risks, then you never get anything that's worth doing. And so therefore, I am suggesting to you that if you could pull this off, it would be an example for little towns all over this Greene County, and you may be able to make progress. It's just an idea, but I leave that with you.

Ms. Wells. What is the percentage of businesses, black owned or other races?

Mayor Olayiwola. We have three black businesses, three white businesses, and just recently one black business that just started, which is great for us.

Mr. Max. Mayor, thank you very much for being with us tonight. I look forward to your leadership. All right. Next we have Garric Spencer, Greene County Board of Commissioners. Is he here? Okay. Spiver Gordon, SCLC. I see Spiver in the back. Spiver, it's been a few months since I saw you last. I hope you're doing well.

Statement of Spiver Gordon, Southern Christian Leadership Conference

Mr. Gordon. Dr. Berry and Mr. Jenkins, and other members of the panel, I'm very pleased to be here and I want to thank you again for coming and hearing what we have to say. In reading your request you wanted us to talk about any progress that has been made, and I think many of the persons who have spoken before me that I heard indicated that there hasn't been any major progress made in race relations.

Dr. Max, I know that you tried to pull meetings together and let me tell you that I also tried. I called a countywide meeting for religious leaders, black and white. Not a single white person showed. There were white—there were black ministers and black religious leaders who came to that meeting, and we talked about what had happened and what was needed to go forward. What I see happening here is that any attempt to bring whites together is somehow—black and whites together with leadership, elected leadership and the political leadership in this community, there are undercurrents and there are people whose motive is to not let that happen.

On the city council, I serve as a member of the city council. A very recent decision was made to employ a chief of police. Prior to this decision, night before last, whenever a decision involving the chief was made, the assistant chief moved up and became chief. It fell in the lap of an African American this time, who was the assistant chief, and rather than he move into the slot as chief, there was efforts underway in this community, very heavy efforts, to lobby my colleagues on the city council to block that, so much so that a white person from Tuscaloosa, a very capable person, was recruited to come and apply for the

position, and then there was lobbying on the part of the whites to make him chief.

Much to my colleagues' credit, and I must say that my colleagues have tried on the city council to work toward bringing racial harmony at the city council level, and I know that one of the city councilmen received a tremendous amount of pressure to prevent the black chief from becoming the black chief and that white person—I want to announce that we did elect the black chief, but not without the white members of the council finding it necessary to create another position, calling it director of public safety, and a white person is being considered for that position. The mayor of Boligee indicated that the county is broke. The city is broke as well, but we voted the other night to bring—to create this position. Now, where the money is going to come from, I'm not sure.

Mr. Jenkins. That's the city of Eutaw?

Mr. Gordon. The city of Eutaw. But there was a tremendous amount of effort to keep the black person from becoming chief of police and with code words like, "We want to hire the most qualified person to become chief," with letters being sent out from the white businesses doing that. I didn't see any activity from the white ministers in this community to say, "Let's follow the practice that's been in place and place this chief and let's go forward," rather than create the problem that we now have.

We have to find money to hire a chief—I'm sorry, a director of public safety—and there's no money there, but we voted that that would happen, and it has created a riff in the community because many blacks view this as an attempt to undermine the black chief by bringing in this person. Let me also indicate that since you've gone, since you were here last, at least two of these things I think happened.

West Alabama Health Services tried to open a house for—a health facilities and health activities in the so-called white communities, white community, a delegation of whites objected. It never got to the city council because we were able—again, the credit is due to a mayor who has really tried. We were to work it out, but the objection was that it was going to be a house where black doctors were going to be housed, and it's right in the so-called white neighborhood.

But a Catholic church tried to open an activity at its church and it's also in the white com-

munity, petitions began to circulate saying, "We don't want that to happen because of the traffic and because of this" and all kinds of reasons to stop it from happening.

A black African American woman tried to open another home for mental patients in the so-called white community. There was tremendous opposition. Our council and the mayor and others, much to their credit, were able to rise beyond that and we were able to achieve these things. I guess what I want to—there's a tremendous deep-seated desire on the part of some whites to keep black leaders from coming together with white leaders. It seems that—you asked about a willingness to meet or a willingness to work together. Well's that's all right if it's defined by certain people how that happens, and who—to whom—if the whites in this community can select who they want to meet with and how they want to cooperate. That's fine.

Give you an example of what I'm talking about. The folk art festival is an annual event that has been going on for 12, 13 years in this community, and it brings together people from all over the country to deal with the culture and the music and the food and all this, and it's—the white community stays away. Very few come and participate, because that's perceived as black led—yet it's wide open.

Recently, this white group has called a meeting to have what they're calling the Eutaw Reunion that's white led. Again, certain black leaders are not involved and have not been involved to participate in that. So if they can decide what they call integration and how they call integration and to whom they can select as leaders—and I'm not talking about the elected officials. What is interesting, that none of these folk are here on the city council and the one white member on the county commission is not here.

And I think they're not here because they are lobbied, and they are told to stay away from these kinds of things. Your mayor, Mayor Arrington, came to speak several years ago, and our mayor came and gave him a key to the city, and I've asked him continuously to come to other functions. He always finds an excuse to not be there. He would very politely say that he has got to be out of town or "I've got to be somewhere." I think it has a lot to do with the fact that he too has been pressured and told not to get involved in things where there's genuine efforts for inte-

gration and not phoniness where some whites want to work with certain people. I wish that the mayor of Boligee can convene such a meeting as you have said, and I wish others—they could call it whatever they want, if the meeting is genuinely concerned about integration. I'll be there and we'll show we're not afraid to sit and meet and talk to people, but we want folks to be open and honest.

The church burning got a lot of attention, and we got a lot of money from all over the country. People contributed and gave to the church. I don't know what the mayor's talking about where the money went, but I do know the money that was sent to the committee that three pastors headed, the money went to the rebuilding of the churches.

The Justice Department for some reason was able to come in and conduct an investigation and no arrests was made, but they've indicted some folk. When they mingled the vote fraud thing with the fire burning, and it's our opinion that it was a guise anyway just to get in and using church burning to come in to investigate, and much of this criticism about vote fraud, and absentee ballots has come from this so-called white group who say they want to work with blacks. They were defeated in the political election. They took it out of a political election and now are trying to get it in the judicial election.

And what we have found is that the justice of the FBI has selectively decided who they're going to prosecute. We have cited over and over the names of persons who we know who have done things illegal, and they were not even interviewed. In fact, there were some people who were arrested for vote fraud in this community, and we gave the names to the FBI and asked them were they going to do a fair investigation. These people weren't even spoken to until we complained and it got public, and we filed a suit.

Now, there are a bunch of us who are not here this evening because they're scheduled to go to the Federal court tomorrow on the vote fraud thing, and it's a sham. It's disgraceful that we're going to try to settle a political matter at the judicial level, something of sour grapes where people have lost the election, and they're pretending that there's all this massive vote fraud that's going on the part of certain black leaders here, and we will document our case and we will present our case, but this is going to sort

of keep the community apart, because there's no real effort to work with persons who have been working to bring people together.

I've been doing it for 37 years, trying to bring blacks and whites together, meaningfully, not phony, people want to use—now, I don't believe in that. They know that. For some reason they want to stay away and they want to decide who their black leaders are and who they want to meet with.

Education, you were talking a little earlier to Mr. Kinnard about education. I came in this community in 1968 and it was white control. There were white administrators. There was a white superintendent. The board was primarily white. The moment blacks assumed political power and got a black superintendent, they took off. They left. Nobody forced them to leave. In fact, they handed the keys to the folks and said, "You handle it yourself."

And the doors have always been open here. When the white school burned, the superintendent—and that happened a couple years ago—the superintendent called the headmaster at the academy and said, "You can use our facilities. Here's an opportunity for us to get together." They refused. And they do it at the polls by voting against property taxes, and that's one of the reasons why the county is in bankruptcy, because there's no meaningful jobs here, there's no industry, the dog track is gone. I'm not trying to suggest that there hasn't been mistakes on the part of county government, yes. But it has also been on the part of city government, and we get the projection of black wrong. I don't know what the mayor finds good about bankruptcy. I mean, poverty hurts and people suffer.

But there's been no real attempt to bring whites and blacks together at the education level. The door is wide open for people to apply to get involved, if they want to come. But I think again about the one or few persons who were white, who had their children in the public schools, they were harassed. They were ostracized. They were criticized for having their children in the public schools. So they'd rather go to a school, white controlled, in an adjoining county public school, or they'll go to the white academy, rather than come to their school and get involved in the process. The superintendent we have now is willing for people to come to be involved in that.

I think I'm rambling on and I'm talking about a number of things, but basically in terms of race relations, race relationship is just the way it was before and maybe getting worse on the part of some people who want to project themselves and say, "We are for integration; we are for whites and blacks working together." but really want to work with the people who are in leadership. They want to select who they work with and how they work with them, and that's just not going to happen here. There are people who have clear views about how things are to go, and they want input in it.

Mr. Max. Spiver, thank you for your comments. Before you leave, let's see if we can get some questions or comments from the panel. Any questions? Any questions? I have one.

I understand how from the public sector people get voted into office, and therefore they have a constituency and real leadership, stepping out. I think—as Commissioner Berry said—to, stepping out and trying to be that example or take some risks. But you're in a unique position, because you not only have leadership in the public sector from your council position, but also you have leadership in the private sector with your SCLC work. I have seen incredible progress made at the private sector level when SCLC has worked with other organizations, even—I don't know if you know what Eagle Forum is—do you—all over the country. I guess. Well—and I—they happen to be on the right side of the equation.

But in Birmingham, Alabama, they work together in a fair campaign committee, not with public hats on but with private hats on. There are youth organizations that are getting together. There's a camp called Any Town, which for 1 week whites and blacks participate together. It is headed up by NCCJ, but SCLC is involved. There are Birmingham ministers involved and Operation of Birmingham is also involved. I say—with your private hat on, and yes, you were at that meeting last year, and I think I came after you were there, but I know your efforts to try to get people together and I guess the unfortunate thing is sometimes I carry baggage too. When I'm head of this commission, everybody thinks I'm on the left side. And I happen to be Rod Max and I bat right and I throw right, and I can turn a double play still, but I guess what I say to you is we all carry baggage and

people have perceptions of you, just like they have perceptions of me.

If somehow you could link up with someone, and I heard you try. You told me about your ministers you tried to get together, and we failed. Somehow we've got to find the right person, whether it's the white person on the city council, or whether it's somebody, one of the white teachers, one of the 10 white teachers that are here, or some white individual that will say, "I'm willing to step out and join hands with you, despite your baggage." And I just hope to God you can find that person.

Mr. Gordon. To some extent, some of that is happening. The Alabama power people, the young man who heads that is working with a group called themselves Greene County First, I think. It's an organization of people coming together, and the Chamber of Commerce is involved and they get the response of some youth things with some young people. You know, so some of that is going on despite the obvious division. It could be much better if the people who have been projected as leaders could work together, could overcome and legitimize their differences and try and build.

I just don't see that happening and I agree with you, perhaps my baggage is too much, because I'm well known. I take open positions. I don't walk—I don't try to, you know, please folk. I just try to say it how it ought to be said, and I'm hoping—and the mayor would be an excellent person to try and pull that—and the other—Reverend Hodges is here—would probably be another person who might be able to, you know, pull it. And I just hope you just keep on encouraging people to make that possible.

Mr. Max. Let's not quit. Anne?

Ms. Shumaker. We've been talking about various events and things like this, and maybe my perception is wrong. I have been seeing it as perhaps an open invitation in the media, things like this. What do you think would be the possibility of having a black family invite a white family to come to this event, say, "Come as our guest"? Instead of just leaving it open, have a people-to-people content, and have 12 black families make a commitment to invite 12 white families to attend as their guest or, "Come with me, we'll pick you up; we'll drive you there."

Mr. Gordon. I think something like that may be possible and I think perhaps that that

may be a good approach. I think one of the problems is that the open forums, in my opinion, are not going to cut it, because people are afraid that they're going to be attacked, they're going to be criticized for their positions or what they say or what they don't say or what they ought to say, and so the people who are genuinely interested in the races coming together don't come forward. So maybe that is the way it's going to happen. I was hoping the church would take the lead.

Ms. Shumaker. I didn't mean so much in open forum or discussion areas, just basic everyday events.

Mr. Gordon. That's possible and maybe that's the way—

Ms. Shumaker. Race relations begins on an individual basis. It's a family and individual basis.

Mr. Max. That is why I would suggest when we meet in Tuscaloosa, try to meet in Tuscaloosa, the reason was to get it out of a public forum where people would not—they'd be away from Boligee, away from Greene County, and perhaps be more willing to talk. Now, the idea of coming to someplace in Boligee but instead of a public forum some private forum, where it's off the record, we just talk, we relate, we talk about events, and we somehow forge some programs where we have a chance to work together.

The greatest thing I think everybody wants to help, is to help kids out, kids' programs. If we can begin working with kids' programs, maybe the kids can teach us something, but I agree with you, public forums aren't as good if we're going to really get some meaningful progress, as much as private forums, and we all look towards creating those.

Ms. Shumaker. Do you have very many civic clubs and federated organizations?

Mr. Gordon. A lot of them, but they're not involved at that level. They're primarily social.

Ms. Shumaker. One thing that I wanted to mention, I live in a small town too, probably the smallest town representative, so I can relate to a lot of the issues that are being discussed.

Mr. Max mentioned something about the youth, and again I think things begin as he said, with families and individuals and perhaps with youth, and it won't happen overnight, but the next generation will get along better if these youth get together. In my town we've had one situation called So Cool, and it's sponsored by the Rotary Club, and coordinated by the Alco-

holism and Substance Abuse Council. It is for students in grades 5 through 8. It's a summer program, 5 days a week, 6 hours a day, for 8 weeks, and kids of any race or all races are welcome to participate. It gets them to cooperate, and it just keeps them off the streets, gives them a chance to broaden their horizons, and it doesn't cost the kids anything, and it costs very little money. Use a public building, things along that—if anybody is interested, I'm involved, I would be happy to share, but the youth programs I think would be great.

Mr. Max. Thank you, Spiver. Anyone else? Commissioner Berry may have a question or comment.

Commissioner Berry. I do. First of all, you were talking about the fact that the church fires hadn't been solved yet, and I was looking over the testimony from last year, and realizing that the FBI agent in charge at that time told us about all the people that were being interviewed, about they had interviewed about 180 hunters, and they had interviewed everybody they could find, and offered another reward, and he was very hopeful—that he was using hypnotism and other investigative techniques to try to get to the bottom of this, and he was very hopeful that this was going to be solved.

We were told the same thing in the other cities too, about how hopeful they were and you're saying now here we are a year later, and we don't seem to be any closer to it, which has to be demoralizing. But I guess I just wonder if you think some people are afraid to testify or discuss the issues of race in an open forum?

Mr. Gordon. Yes, some people.

Commissioner Berry. And that may be something that—and I'm wondering about these town meetings the President is planning to have. That's in the back of my mind—and I'm wondering how many people are going to get up in a town meeting and start talking about—you know, will any more in a town meeting do it than will do it in a forum like this, and how hard it is to really discuss these issues in an open way, and it maybe does have to be done privately.

Mr. Gordon. It's going to be difficult for some folk to get up and say what they say privately about how they'd like to see a community move, and knowing how their neighbors feel about it, particularly small southern towns. There are a lot of good people in this town who

would like to see this thing. and they talk to me all the time. but they're not going to go out and publicly say, "Look. we need to get together, we need to cut all this out, we need to"—they're just not going to do it.

Commissioner Berry. Well. one of the main questions I wanted to ask you is polls seem to show. as well as some polls that have been taken in State polling, that many white Americans do not believe there is a race problem in America. And that you can even ask people in towns and cities where there is segregation by race, and most of them will say there's no race problem, that the perception of blacks and whites of whether there's a race problem is very different. And that many whites just say that if you don't talk about it, the only reason why anybody thinks there's a race problem is because you mentioned it. If you hadn't said it, they wouldn't have known it.

And I'm just wondering, how could that be? And I wonder if you did a poll here in Greene County, and you asked the white population of Greene County is there a race problem in Greene County, how many would say there isn't any. And if you did the same think with the black community—we have a problem with people not perceiving—

Mr. Gordon. We have a problem with people not being honest and don't want to say what is. If you had a poll here, they'd say, "No. if Spiver Gordon would go away, everything would be all right." That's what people would say. And clearly, you know, there are some racial problems here. and I don't know if polls really help. because they—sometimes they are fashioned in certain ways to make people say things.

But I did want to say something about the FBI's presence in the church burnings. and the visibility. During the church burning investigation, you could hardly find an FBI. couldn't find him. During the vote fraud, they stay. They're all over the place. They're clearly visible. They're visiting people every day pursuing this vote fraud investigation. It's my feeling that if they had been as aggressive or continued to be aggressive now, as they are about the vote fraud thing, they would find out who burned these churches. But the visibility or the commitment is just not there to get out and dig. So I mean, again, it's where we put our resources and our

time. And they're pursuing an area that really divides us more.

Mr. Max. Spiver. thank you. Jerome?

Mr. Gray. Spiver, why do you think that when you all have the annual folk festival that whites don't come out to something like that. because I would see that as something that is nonthreatening and usually whites like—don't mind coming out to see us entertain and buy arts and crafts. I'm thinking about Birmingham City Stages and Montgomery City Fest, and how successful those events are, because I know they're in two large cities, but usually in venues like that, in entertainment activities like that. it seems to bring the races together and people seem to be kind of in a nonthreatening environment.

Why do you think there has been the reluctance or you haven't had the success in attracting whites to a folk festival like that?

Mr. Gordon. Well, I think you're right, it is nonthreatening and people do have a good time when they come, but I think it has to do with who is at the head of it. If somebody is perceived as a person who is threatening, then folk stay away. I don't want to say that—Dr. Zippert, who heads it, is a wonderful person and tries to work with everybody, but there's been so many editorials, so much negative things about her and her husband, and you know, I think those whites who live here who'd like to come, they're not coming because somebody would say, "You are supporting Zippert's thing," as opposed to coming and having a good time, come to, you know, a festival.

I think by and large that's what it is, because here, as I just said, it was announced in last week's paper that the whites have selected certain blacks to work with, going to try to do the same thing that she's been doing for 17 years, bring blacks and whites together on the square for a celebration: that's already in place. All they've got to do is come and get involved and help and add to it. Again, it's who is in charge of it and how that person is perceived, and I think that's there are serious problems here, and I'm prepared to step back, if folk want to come together. I'm prepared for that, but I don't see that happening because folks see groups and camps, and as long as groups and camps are there, people are not going—you're going to get some fragmentation, you'll have some folk involved, but—

Commissioner Berry. What makes some people threatened? What do you mean by that?

Mr. Gordon. People who are perceived as strong, open, and honest about race and are willing to talk about what you were just talking about, who are willing to say, "Yes, there's discrimination: yes, there's racism. Let's work together." Folk want to talk about it, but come home and try to talk about it, folk don't want to talk about it. They're threatened when you're pointing fingers at each other.

Commissioner Berry. Well, do you think that if you and anyone else who is considered threatening, and I use your term—

Mr. Gordon. Yes.

Commissioner Berry. —were to retire from the scene, leave altogether, never be seen again, that blacks and whites in this community would sit down and talk to each other about community and projects or kids or whatever, and start working together, and then you would have progress moving forward from then on, and that it's just that the folks who are threatening are the barriers—I'm just trying to find that out. If you just left, or are you saying something else needs—

Mr. Gordon. Well, before we came, they weren't doing anything. I mean, so I don't know what is to be expected that if we leave—as I say, I'm prepared to step back, and we've asked groups to come forward, you know, but we want it honest. I'm not going to stand by and see phony integration or phony attempts to use people. We've had too much of that already. I think if I'm willing to step back, then the other folk who are also perceived as threatening for me to step back as well, and let the community go forward.

But what I'm afraid will happen, we'll revert right back to where it was before we got involved. And you ask the people in this community if they want us to leave, and they'll let you know very quickly our presence here ensures that certain things just don't happen, that happened prior to our presence.

Mr. Max. It would appear to me that it's not necessary for someone like you to step back. I think what needs to happen is there needs to be other people who step forward.

Mr. Gordon. Exactly.

Mr. Max. And if we can get other people to step forward without anybody stepping back, then perhaps we can get somewhere.

Mr. Gordon. We had a minister to step forward at a community at a church, and pull the

community together and white and black. It lasted for about a week. And then it's gone, and that's what happened. Somebody comes in and want to do that. But the mayor is absolutely right. There's a tremendous amount of complacency, and people are unwilling to come forward, be committed and dedicated to come out here and let folk beat you up side the head.

Mr. Max. Annie?

Ms. Wells. Yes. Did I understand you to say that there was more or less one person who was in charge of the festival, and—but there is a group that's evolving or emerging, a biracial group that's emerging, that want to do the same thing?

Mr. Gordon. No, not one person who has the festival. It's a committee of people, large group of folks that has had the festival for 17 years or more, and it's wide open for everybody else to get involved.

Ms. Wells. Right.

Mr. Gordon. My point is I don't—I can't understand if people are interested in coming together, why couldn't that same group who live here, know everybody, come and say, "Look, Dr. Zippert, let us serve on the folk festival board: let us work together. Let us make this bigger and better." I don't know why that wasn't—and the suspicion is this is an attempt to gain political power through whatever way that they can do it, and that's what's happening. I mean, we see it happening all the time. I'm not opposed to folk, blacks and whites, working together and coming to work together. But don't say you're an apple when you're an orange, you know. That's my problem.

Ms. Wells. Okay. So do you think that group could get together then, those two groups?

Mr. Gordon. I doubt it. The political wounds are so deep. Some of us can get together, if somebody else calls the meeting. We'll come and we'll talk, and then some folk will allow others to push them right back into whatever to make them behave that way, rather than standing up and saying, "Look, let's work together."

There are some of us who are willing to take risks, you know, who are willing to stand up with folk, but there are some folk just wishy washy and go along just to come along.

Mr. Max. Let me give you a quick example of someone who was in the public sector, stepped back, that has brought the community together in an incredible way. And Jerome brought up

city stages. We failed to elect an individual by the name of George McMillan, who was a very dynamic public leader. I think he was lieutenant governor at one time. And he ran for governor and he lost and we've never seen him again in the public arena. But that individual took his leadership in the private sector and has created city stages that is now known all over the nation. And we get some 300—was it 300 some odd thousand people came to Birmingham, of all colors, or all origin. It was an incredible sea of a diversity—

Mr. Gordon. But the other side of that, Max, is that George went to Selma, which is also criticized as Greene County is—

Mr. Max. Right.

Mr. Gordon. —and failed miserably in terms of whites and blacks coming out because, again, it was perceived as a Hank and Rose [Sanders] thing. That isn't what happened, because it was wide open, right downtown in the middle of the street. So it has a lot to do with, again, whether or not people want to work with folk who they perceived as threatening, because George was clearly—and they brought him there for that purpose.

Mr. Max. Is that right?

Mr. Gordon. To try to bring the communities together, and it was wide open, but again there's war going on between the political groups there.

Mr. Max. Is there a United Way in Greene County?

Mr. Gordon. No. I think the closest thing we had was Greene County Charities, but there is no United Way, no.

Mr. Max. Okay. Any other questions, comments? Spiver, thank you. Next we have H.O. Kirksey, Citizens for a Better Greene County. Mr. Kirksey has been with us before, and I know is working hard. We appreciate you being here with us again. Mr. Kirksey, You've addressed us on more than one occasion. We look forward to your comments.

Statement of H.O. Kirksey, Citizens for a Better Greene County

Mr. Kirksey. Good evening to Chairman Max and Mary Berry, members of the Committee. I am sort of at a disadvantage here because we seem to be putting two extremes together, and I thought I talked with you—mentioned some things when we were here. We are doing

the same things, trying our best, and we have added one or two other things to which some of the people who are here in this building told us to our faces, they were going to do everything they could to hinder it, so—and this was a food source program.

So we're having the same problems we had when you were here before, and I would not like to associate myself with the untruths that was stated just before I came here. I didn't hear very much other than that, and I will say to you, I refuse to make such statements and I will give you any information you want. But if these people are put under oath and—so they're be accountable, then I can talk to you, but I'm not going to talk about people like what I've heard here today. Nothing is being done. You can see that. So—but talk and the people that does the most talk does the most damage. So this was all I have to say, but I would like to—I heard someone begging for an invitation.

I would offer an invitation to any and all of you at any time to come and sit in our meetings of this organization, and you will see things just the opposite of what you're seeing today and hearing today.

Mr. Max. Let me go with Anne first. Go ahead, Anne.

Ms. Shumaker. We do seem to discuss the negative a great deal tonight and last year. I would like you to mention, if you would, the good things that you see in the situation now.

Mr. Kirksey. Well, we talked about some of the good things, but it don't seem to matter. Nothing has been done about it.

Ms. Shumaker. Could you be specific?

Mr. Kirksey. We—some of the organization—by bringing whites and blacks together. We do that constantly on a regular basis, but these people that I've heard here will not take any part in it. See, they're welcome. They're asked, but they—it seems to threaten other people who take part, so you know—

Mr. Max. Well, I think Anne's question wasn't so much for personalities. Let me see if I can restate it, because she's got a good point.

Since last year when we were here, can you tell us what programs, no individuals, just programs of the Citizens for a Better Greene County have done to help promote race relations in the area?

Mr. Kirksey. Okay. I say at the beginning, we only have one new program. We are expanding on the program that we created from the beginning.

Mr. Max. And what program is that?

Mr. Kirksey. That's bringing people together from all races, all races.

Mr. Max. What kind of program is it? Is it a program talking about race or is it just a program—

Mr. Kirksey. We talk about race if necessary, but here's no need to talk about race because whites and blacks are together.

Mr. Max. So what is the program? Where was it held and when?

Mr. Kirksey. The new program?

Mr. Max. Yes, whatever this new program—

Mr. Kirksey. The new program, we have a food source.

Mr. Max. A food source program?

Mr. Kirksey. Yes, a food source program.

Mr. Max. And tell us about what a food source program does.

Mr. Kirksey. Food source program is where people who are on welfare or people who are low-income people can buy \$38, \$39 worth of food for \$15, and this program is sponsored through the USDA, and it prepares the diet, the foods, and selects the foods for their dietary and so forth, and one gentleman, in the building now, said he would do everything he could to stop it.

Mr. Max. And when did this program get started?

Mr. Kirksey. Oh, it's in the fourth month now.

Mr. Max. The fourth month. And where has the good come from for this?

Mr. Kirksey. From a source in Birmingham.

Mr. Max. From Birmingham?

Mr. Kirksey. Yes, Birmingham missionary.

Mr. Max. And how is it purchased or is it donated?

Mr. Kirksey. No, no. It's purchased through our office, through our—the Citizens for a Better Greene County.

Mr. Max. So your organization purchases it and resells it at discount?

Mr. Kirksey. We are an agent for this outfit. And people come by and sign up and come back, and I must say we've gotten great cooperation from the white churches there.

Mr. Max. In what way?

Mr. Kirksey. Well, the white church allows us to use their facilities in dispensing the foods.

Mr. Max. So you—

Mr. Kirksey. We haven't had that offer from any so-called—

Mr. Max. So you get the food from Birmingham, and then you'll distribute it—

Mr. Kirksey. Right.

Mr. Max. —from white churches—

Mr. Kirksey. On the grounds of the white church, in their facilities.

Mr. Max. Do you distribute it in the black churches?

Mr. Kirksey. No.

Mr. Max. Why not?

Mr. Kirksey. Because we tried to get some black churches, but they wouldn't allow it.

Mr. Max. They wouldn't allow you to distribute it on their church grounds?

Mr. Kirksey. This program was in Greene County some time ago, and they discontinued it, and my information was it was discontinued because they weren't getting the food that we were supposed to get.

Mr. Max. Now, who has been the recipient of this?

Mr. Kirksey. We have white and black.

Mr. Max. White and black families have received this food?

Mr. Kirksey. Yes.

Mr. Max. Michael?

Mr. Davis. Mr. Kirksey, do you think that there is a race relations problem—

Mr. Kirksey. Yes, there's a race relations, but it's not black and white. It's black and black.

Mr. Davis. Okay.

Mr. Kirksey. It's not black and white, but it's black and black..

Mr. Davis. And do you think that there is anything inherently amiss about this school being predominantly black?

Mr. Kirksey. Sure.

Mr. Davis. And Warrior Academy being white? Do you think there's any problem with that?

Mr. Kirksey. Well, let me tell you, I grew up in Greene County, but I left when I finished high school. And when I came back here, I had retired, and I found that when I came back here, but I can give you a little bit of my mother's explanation of why it happened.

The schools—there was an attempt made to desegregate the schools, but for some reason it all of a sudden developed into white and black students fighting all the time. And I do know in 1980, in the early 1980s, a white group came to the school board and the superintendent and asked if they could integrate the schools and what they would have to do. They even said, "Well, we are afraid to send our children here because of what happened to them when they were coming," and said, "If—we will even pay for the security if we could start integrating the schools." And the chairman of the board said no, and that was it. So there is a race—now, Mr. Gordon, since he chose to—since you all seem to be, you know, just come and see. I'm not going to say anything about Mr. Gordon. Just come and see.

Mr. Max. Any other comments or questions from the panel?

Ms. Shumaker. How often does your group meet?

Mr. Kirksey. Pardon?

Ms. Shumaker. How often does your group meet?

Mr. Kirksey. Once every month.

Mr. Max. You've made an invitation and one or more of us—I for one—

Mr. Kirksey. Right.

Mr. Max. —look forward to the opportunity.

Mr. Kirksey. I invite any one of you any time.

Mr. Max. If you can give us—

Mr. Kirksey. All of you—

Mr. Max. Afterwards, we may—

Mr. Kirksey. You will see what's going on, and this is my only—

Ms. Wells. How large is your group and what is the black-white breakout or ratio?

Mr. Kirksey. It's about 50-50, maybe a little one way or the other, and we have a little over 600 members.

Mr. Max. Spiver Gordon we just had up here, and I told him that perhaps he, like I, have some baggage, and I think you too, Mr. Kirksey—

Mr. Kirksey. Well—

Mr. Max. Let me just finish. I think you too have some baggage that we carry around. We're all trying to make race relations better. I would love—I'm a great baseball fan. I went to St. Louis in the course of my work, and I happened to observe that there were whites and blacks and they were all rooting for the same team. You know, and the problem in this area is that everybody has

got a different team, including the high school. You know, the blacks root for one high school and the whites root for the other high school, and nobody is rooting even for the same—you have no opportunity to work together anywhere.

I wish you had one team that everybody could root for, and it could be a lot of different colors. Now, all I urge is that you take and get rid of your baggage and he gets rid of his baggage, and perhaps, mayor, you're brand new. I'd love for you to take this baggage, and they happen to both by saying the same thing, and somehow we've got to take their luggage and leave it at the station, and we've got to move forward, because we've got a bunch of kids here who are going to grow up and the next generation the same way that you all grew up.

Mr. Kirksey. May I ask you to explain that baggage situation?

Mr. Max. Yes. The baggage is that—and I want you to know that I applaud you because I know you are trying to work in your own mind for better race relations.

Mr. Kirksey. You won't stop me from doing what I'm doing.

Mr. Max. No, I'm not trying to stop you. I'm trying to promote what you're doing, but somehow—we've been to the county courthouse and we've been here twice—somehow we've got—and everybody has baggage, everybody here has baggage.

Mr. Kirksey. And you didn't see anything when you went to the county courthouse?

Mr. Max. Everybody here has baggage, and what we've got to do is leave our baggage at the station, and we've got to move forward and try to do some program like you're doing with your food.

Mr. Kirksey. Did you see anything when you went to the county courthouse?

Mr. Max. The county—I heard the same riffs of personalities that I hear here tonight.

Mr. Kirksey. Coming from—

Mr. Max. I just heard it and I hear them from good people like yourself. I hear it from—

Mr. Kirksey. I don't go about talking about people.

Mr. Max. All I wanted to say is if we leave our baggage at the station and move forward for the sake of your kids. And you can be—

Mr. Kirksey. The only reason I came tonight because I wanted to pass this on to you.

Mr. Max. And we appreciate it.

Mr. Kirksey. But these meetings don't change their format some way, to include everybody, you know, to include—and just don't meet in one place. Meet—I just want you to come—

Mr. Max. Looking forward—

Mr. Kirksey. Your whole staff to come.

Mr. Max. We'll look forward to the invitation.

Mr. Kirksey. Our organization is black—about the—

Mr. Gray. Are you the president of this group?

Mr. Kirksey. One of the founders.

Mr. Gray. Are you the president of it?

Mr. Kirksey. No, we don't have a president. We have founders, board of directors, we have four board of directors.

Mr. Gray. When you heard about this—

Mr. Kirksey. I initiated the idea.

Mr. Gray. When you heard about this meeting tonight, did you make or have you made an effort to get this group of 600—

Mr. Kirksey. No, because—

Mr. Gray. —out to a meeting like this? Why wouldn't you?

Mr. Kirksey. I'll tell you why. I got a letter in May saying that I would get back with you on this and so, and I got a letter last week and that's all I've gotten. I started not to come, because I told my wife, I don't know why I'm going. I didn't have no lead or no anything to talk about. I thought you would have a format, a full-running format or something to—you know.

Mr. Davis. Could you suggest how we could better open this forum up to people to get them here?

Mr. Kirksey. Yes. Yes. Go to talk to everybody and not to a certain group, okay? Talk to everybody. Make an effort to talk to everybody, that's what we do. We talk to everybody. We have—and we not only meet, we go to church together, so you know, it is a racial problem, but it's black against black. That's the major problem. And I wish you could help us solve that.

Mr. Max. You've given me some constructive things and we'll take them under advisement, and I think there are at least one or more of us that want to be at one of those meetings, so we'll look forward to that opportunity.

Mr. Kirksey. I certainly hope you will.

Mr. Max. Thank you for being here tonight. We appreciate it. The Honorable George Hall, Sheriff. Sheriff Hall.

Statement of George Hall, Sheriff, Greene County

Sheriff Hall. Good evening. Madam Chair, members of the distinguished panel—I noticed the last time I was last on this panel. I mean the forum. Is there a pattern here?

Mr. Max. We save the best for the last.

Sheriff Hall. Is that what it is?

Mr. Max. Best for the last.

Sheriff Hall. Well, I'm glad to know that. I've been sitting back and listening for comments and suggestions and ways to improve and to bring about a better community. I still haven't heard the solution to it yet, and I guess we're still at the same point we were the last time, according to what everybody is saying basically. And I agree with that basically.

The community, I don't think that a great deal of improvement in race relationship by no means. Now, we tried after you left to bring some of the white community, bring some of the black together to sit down across the table, hash ideas, and ask what's the problem, and we did this. And we had some of the leadership come and finally they got to the point—I kept saying we've got to bridge the gap. We can sit here and debate and say we don't have a problem, but we need to admit that we do have a problem.

And the problem is that we have a race problem, so they finally got to the point where they admitted that we did have a problem. But in the hearts they still, I think, feel the same way, that's not a problem, but there is, I'm not the problem. Now, the mayor is not here, Mayor Gate. He and I sit across the table, and if he was here, I would say the same thing tonight. When I kept alluding that there was a problem, he's saying that he didn't know that was a condition or that was the situation.

Now, as Mr. Gordon alluded a few minutes ago here, that it's been the past practice that the assistant chief of the city of Eutaw move to the chief position. I was employed by the city police department at one time, and this position came available. And I submitted, asked for the position. At that time there had been a past practice from then forward, the assistant chief move. I thought I had better credentials or more qualifi-

cations than anybody that applied, by being military police. I had been an Alabama State trooper, and I was also employed by the city of Eutaw prior to going to the State troopers. And when the position came available, I was not considered. When I made a complaint to EEO, and that's when I got to be a problem for speaking out, and they followed me around—you talking about this baggage—that's what happened. You're right, if you stand up and say something against the system, you become baggage.

And I think that's bad. Even I think I possess some of the better qualities—just because I'm black. I shouldn't be the chief of police or just because I'm black I shouldn't be the sheriff of Greene County. Now, I alluded to this before: the white community has a problem with black leadership. Now, how we get beyond that point, I don't know. Now, I wished I had solutions and I wished I could say the right things, and I wished I could do the right thing, to bring the community together, because we're only suffering.

Now, we all are going to perish in Greene County if we don't come together and work for one common goal and purpose, that is for a better life for all people. But until we can get the community to understand this, the folks, black and white—and I think blacks are willing to work with white. I don't think they really have a problem with that, but I think a lot of white—and I could be biased—you may look at it and say that well, okay, you're biased—but I think a lot of blacks would work with whites without a problem.

I don't think there's a problem, but I think when it comes to blacks working with whites—I mean, excuse me—whites working with blacks, it becomes a problem when it comes to leadership.

Now, if blacks can sit back and take the second seat, then everything is fine, but once they move to that lead position, it becomes a problem. Now, I don't know why. I don't know if it's the thing that the whites feel like we're going to retaliate against them for something in the past, but that's not—I don't think—that's not the black attitude. It's not my attitude.

I think all people ought to be treated fairly. I'm the sheriff of Greene County, and if a white person comes in, I'm going to try to make sure that I speak to him with dignity and respect that he deserves. By the same token, if a black person comes in there, I'm not going to try to throw the book at him just because he's a black person. I'm

going to do the same thing: I'm going to treat him with respect and dignity, and that's all the citizens can ask for.

And why we cannot sit down across the table and agree to work together is a puzzle that I think most people are troubled with. They can't put it together, and I can't put it together. We did try this. What do we need to do to get beyond this point? I have—I don't have no idea. I'm lost. And really it's puzzling and bothering to me, because, like I say, I see all of the county suffering because of what's happened between the races.

Now, Mr. Gordon has said some facts up here and Mr. Kirksey has said some things I didn't totally agree with. There's been some other people that came up and said some other things. I wasn't here when it started, but the facts are out there.

Anybody who want to sit there and say, "Well, no, they don't exist," and lie to themselves, they can do that. But when you leave and go and come again, we may be in the same condition. You left here, we had a public segregated school system. It's that way today. But until people sit across the table and say we want to make the system work, it probably will be segregated when you come again. And that's sad.

Now, I'm open for suggestions. You know, somebody give me a suggestion and try to work with me, I'll go my limit with that. And that's basically all I have to say. It's about the same situation I think from last time you were here.

Mr. Max. Sheriff, thank you. I think we may have some comments or questions from the panel. Annie.

Ms. Wells. I had a question in reference to your presentation. Do you think that there is a black on black problem? I know there is a black—you say there is a black-white problem, but is there a black-black problem?

Sheriff Hall. I don't think there's any more of a black-black problem than there is a white-white problem. You have blacks kill blacks. You have white kill whites. I don't know how we can come to that conclusion saying the whole problem exists within blacks. That's not factual.

Mr. Davis. How many sheriffs are under your auspices, or deputy sheriffs should I say?

Sheriff Hall. We have five deputies.

Mr. Davis. And what's the racial—

Sheriff Hall. Totally black. When I took office the first term, I hired a white deputy. I hired one at the time. There was one already employed at

the time. When I got to be sheriff, the white deputy left. The one that I hired stayed for a short period of time; he decided to leave also. That's what I'm saying. Whites have a problem working with black leadership. Now, why, I don't know. They want to say, well, we're not capable of managing or doing. That's not factual again, but that's the perception in the community. I think.

Mr. Max. What efforts have you made to recruit white deputies?

Sheriff Hall. By hiring the one when I came on, I hired this white deputy.

Mr. Max. Since then—

Sheriff Hall. He left.

Mr. Max. Since he's left, what efforts have you made to hire—

Sheriff Hall. We haven't been able to hire because of the financial situation with the county.

Mr. Max. Well, when he left did you replace that position?

Sheriff Hall. No.

Mr. Max. So he left and in other words, he—you had six and now you have five?

Sheriff Hall. I think at the time I believe I took office, yes. It's a downhill—

Mr. Max. I see. Do you see that as a problem in the community, the fact that you have all black deputies?

Sheriff Hall. No, I don't see it as a problem—on the other side, I mean, if somebody was looking at it—it could be, yes. We need to integrate the sheriff's department. We need white representation. There's no question about that.

Mr. Max. How can you do that? I realize finances is a problem and you can't go ahead and fire the people there to do it, but how can you integrate your department?

Sheriff Hall. I don't know, other than if we had the resources, that is the finance, to go out and hire some deputies. We could try to recruit some white deputies.

Mr. Max. Have you had any meetings in the white community about the perception of the sheriff's department, your sheriff's department?

Sheriff Hall. No. I'll say no.

Mr. Max. I know that many years ago in Birmingham when the police department was all white, there was a problem. The problem was that that was a white police department and we're a black community, and they're picking on us. And now we happen to have a black chief, Johnny Johnson. You probably know—

Sheriff Hall. Right.

Mr. Max. —Chief Johnson, and over the years there's been more respect for him, but one of the things they had to do was to develop a community relations group to go out and meet with the community, because there was a perception—

Sheriff Hall. Yes.

Mr. Max. —that because it was all white, that anything that was done in the black community was to go after blacks, and I could see—I have no idea, but I'm going to guess that if it's all black, you've got a white community here that's a minority community, that there's a perception that there's not equal treatment, that there's something racially going on.

Sheriff Hall. Yes.

Mr. Max. And you can't fire anybody to all of a sudden make it equal, but you can go out in the community and make an effort to meet with leaders and see what could be done to dialogue with them until such time—and maybe make this commitment, "We're going to try in the next slot we've got, if it ever comes, to put a white person in there."

But that kind of dialogue from someone like yourself, just like from the mayor, I think would show some leadership with you having the respect of the community. I'm going to go back to the kids again. When I was a kid, I looked up to the sheriff. He was the Lone Ranger, and I'm going to guess you're the Lone Ranger in the town, but to the extent you could go to the white community, the white private school, academy, whatever they call it, and somehow bring those kids together. You are in a unique position that you're not a politician—well, I know you get elected, but you have an opportunity to impact the kids from all races, and I hope you take the opportunity to do that.

Sheriff Hall. I have no problem meeting with the school system, any group or organization. I don't want to be a sheriff of no particular group.

Mr. Max. Right.

Sheriff Hall. That's the thing I think what's happened in the community—they stereotype the sheriff or stereotype any other elected official, they have that baggage you're referring to.

Mr. Max. Have you been over to the academy?

Sheriff Hall. No. Of course, I haven't been invited, no.

Mr. Max. And again. I realize you may not have been invited, but someone's got to do the asking, and if there's some way that you could get over to that school and get them to know you, not as the black sheriff, but as the sheriff. I think that—and perhaps some of your other deputies, because there's a lot of need among those kids, whether it's drugs or whatever else it is, to have contact with you other than when you arrest them on a Friday night.

Sheriff Hall. Yes, ma'am.

Ms. Wells. Do you have a DARE program in either school?

Sheriff Hall. At the time we do not have a DARE program. We had an officer that was hired years ago and he was certified as a DARE officer, and he left the department, and so we're without that officer.

Ms. Carnley. Do you have the Explorer program?

Sheriff Hall. We have tried to work with the Explorers, yes. We also try to cooperate with the junior deputy program, along with the Explorers, and that is a thing that we're—we really don't have the manpower. We need an officer to really be dedicated to it. Our officers work the whole county to try to satisfy—so it leaves them without a lot of time for a program—but we're in the process of trying to get one established. Maybe we can get them to volunteer.

Most people don't like to do volunteer work. They claim when they retire, then they'll volunteer, but as long as they're trying to support a family, they don't have time to do volunteer work. And that's the problem.

Ms. Shumaker. So you're saying you do or do not have an auxiliary deputy?

Sheriff Hall. We don't have an auxiliary deputy, no.

Mr. Max. Chair Berry?

Commissioner Berry. Last time. Sheriff Hall, you said that problems were with the white community, but not that they complained about police brutality or you were doing something to the white community.

Sheriff Hall. Right.

Commissioner Berry. Arresting them, harassing them, or whatever, but that you didn't arrest enough black people, and that you weren't harsh enough on black people, and that you weren't harsh enough with the black community. If I recall your testimony, it was that the sheriff

before you would move aggressively anytime anybody complained, he was out doing a full investigation. Of course, that's their perception that you weren't pushing hard enough. But I think despite that—did I recall the testimony correctly, first?

Sheriff Hall. Yes, that's correct.

Commissioner Berry. And is that still mostly what the problem is?

Sheriff Hall. That's a key problem. See, the people think today that we can go out and police like we did in the past years, and that's totally wrong. We can't do things the way we used to, and that's where I think the community has a false perception of what the sheriff and the chief and the police and the sheriff's deputies can do.

They think if somebody points the finger and says, "You did—" we're going to take you into custody, and I think they've been—they have this perception.

Commissioner Berry. But I think despite that, that being the problem, the idea that Mr. Max gave you of finding some way to get to talk to people in the white community or to volunteer to talk to people, and to make certain assurances to them, might be something. I don't have any great optimism that the white academy is going to invite you to come up there to talk, but maybe you could get somebody in the white community to help you to get them to have you come.

Sheriff Hall. Sure.

Commissioner Berry. To talk, even though they might not do it if they're on the list—but I do think those kinds of outreach efforts—again, it's you taking the risk to try to go the last mile to do everything you can—

Sheriff Hall. Yes.

Commissioner Berry. —to try to change the climate. When you ask what is it you can do, these things are worth trying.

Sheriff Hall. Well, those organizations or groups that have access to come and participate, we, you know, made ourselves available to their programs. As they alluded a few minutes ago about this group that has tried to bring Greene County together, they have classes, seminars, and I've taken them through the jail and taken them to the courtroom and they're a mixed group, and we sit down and talk to them and try to explain what the situation is and how the law works and how it's applied.

Commissioner Berry. But one of the unfortunate things, just to reiterate, about deeply polarized situations are very sensitive, on issues like this, is that sometimes people who have been long subordinated have to be the one to take the most risks, and the most sacrifices, to try to heal the breach.

And so maybe it's not just seeing if somebody invites you, but even if they won't after you ask, at least make the attempt to try and maybe somehow see if that can work and so it's like daring to do it, and so maybe that's just something you might think about trying. Not just you but other people here in the community too.

Sheriff Hall. If the community would move forward, if we could get the community involved, I think and really—as somebody said—if you could [sit] down across the table with the whites and they can know what the problem, and they're committed that we need to work on this problem, when they go back to the community, that pressure from others. it just caused a breakdown. Now, how many other whites are going to be willing to sacrifice their life, sacrifice their family, and sacrifice their well-being or whatever. to make Greene County a better place? I don't know how many there are.

Like he said. the white minister that came to the church and try to say, "Let's bring these black kids together," that man was run out of town. So how many people do come in Greene County, how many people that live here want to get run out or be ostracized by their own people?

Now, I don't have any problem with my people. black people. telling me about well. "You like white folk." or "You're going to support them" or whatever. because I'm not planning to go anywhere. They might run me away. but I'm not going anywhere. so I can sit down and work with them. but how many of them are willing to come and sit down and say, "Okay, let's do this thing. because let's not put up a phony show. and let's not handpick people and say we are doing something, when we really in reality are not"?

You know, because all these people are suffering. and if you are going to just get a hand selected group of people and say we are doing this thing and we are doing it, and then all of a sudden you exclude all the rest of the people, that's not resolving the problem, because the problem still exists. I think that's maybe what happened here in this county. We can hand pick

certain people and if I'm a unique person and I sit in with you, then everything is lovely. But what about the other people, the masses of the other people who don't fit in this thing?

Commissioner Berry. It may be we're asking you to take risks. I was thinking while you were talking that maybe what some of us need to do is to go to people in the white community to try and take the risk of trying to get them—the people who don't come to these meetings, and to go to them and say, "Hey, you know, how about it? Would you be willing?" and then they rebuff us and say, you know, "The heck with you, I'm not interested," but at least take that risk too, in addition to doing—I mean, I know that's a lot to ask but that's—

Sheriff Hall. But anytime anyone is willing to come and go to any white person in this community or any black person in this community to sit down and talk to them, I'm willing to do that. I have no problem sitting down with any black or white person in this community.

Commissioner Berry. Thank you.

Sheriff Hall. Yes, do you have a question.

Mr. Max. Annie?

Ms. Wells. Yes, I was just wondering how this is addressed to the mayor and other leaders. Also, how would it be, if as you said, the other side wanted to pick certain people to work with? I mean, there are some people who work well with other people.

Sheriff Hall. True.

Ms. Wells. So how would it be if there was no one there to do some human relations training? How would it be if you, the leaders, did select those people who can work well with other people and have them to take the leadership?

Sheriff Hall. If they want to do the things right for the people, do for the people, that's good.

Ms. Wells. So you're saying you wouldn't trust them, am I hearing that?

Sheriff Hall. I trust anybody until I find out they're not trustworthy. If I find that out, I'm going to—you did something that was not correct and I don't agree with you.

Ms. Wells. So, are you saying, if there's someone who can work well, they may not do what you want? Then I'm hearing that you don't trust them. You may not—I'm not saying you personally, but that's a plural you. You understand what I'm saying?

Sheriff Hall. Sure.

Ms. Wells. But this is just something I wanted to add, something to think about. that if there are some people who are caustic. too caustic, and they don't have good human relations skills, and don't get along well with people, then use those people who can to bridge the gap between the races.

Sheriff Hall. Sure. That may be a solution too and everybody probably would agree with that. People like myself who has the baggage, then we need somebody who don't have the baggage to bring about—

Mr. Max. Or maybe we need to take the people that have the baggage and tell them to leave the baggage at the station door, because I think I heard there are about 600 people in the Citizens for a Better Greene County. Do you have any problem working with a group of white or blacks with the Citizens for a Better Greene County?

Sheriff Hall. I don't have any problem with that, if they do the right thing, we need to do that. Lay our bags down and work for one solution.

Mr. Max. Because I hear that there's—what I'm struck with is this. I've heard from Mr. Kirksey many times, and I do believe, though I need to know that group better, that's why I want to go to one of their meetings, but I've heard that they have a lot of people and they're trying to bring the races together. I hear that.

Now, if they have the right motivation—I don't know what they're actually doing. but if their motivation is right, I hear they've done some food source programs. you know. that doesn't hurt anybody. It sounds like it's helping some people—that it would seem to me that somehow the baggage that they carry. for whatever their perception of them are. and if we can get one. two, three. four, a dozen. two dozen of those people who together, maybe we can begin to forge some—you're trying to bridge the gap—there seems to be some material with what to bridge the gap.

Now, I'm not saying every one of them—I don't know any of them. I know Mr. Kirksey. he's been dedicated enough to come here each time. but maybe there are one or two or a dozen or two dozen out of 600 that I heard about that may be willing to do something.

Now, I'm looking straight ahead of me. and I see straight ahead of me that there's a young lady—two young ladies. One happens to be white and one happens to be black. and they

seem to be friendly. And I don't even know their names. They're very attractive and they're nice to one another, and it seems like there starts to be a little bridging right—but I do see that they're cooperating. and I don't know why they are or what they can do. but maybe they can help. It looks to me to be a beginning. I just wish there was more whites and blacks sitting next to one another like that.

Sheriff Hall. It needs to happen for the betterment of the community.

Mr. Max. Thank you very much. Jerome. one more question.

Mr. Gray. I want to get back to the church burning, the reason why we were here initially. From your perspective—they haven't solved the church burnings. Do you feel that you and your department were included as you should have been in this whole investigatory process? And also I heard some talk about the FBI seemed to have given more attention to the voter fraud thing than to the church burning issue. Would you comment on that in terms of how you and your department feel about the work and the cooperation that—or support from you and your department?

Sheriff Hall. Again, our department is small. Now, we did have an officer assigned to the church burning detail, and he dedicated numerous hours to that investigation along with the FBI, but I felt from the beginning that it was kind like a situation where the agency, the Justice Department, the FBI, and all, kind of acted improperly from the start, when they first came into the county.

They came to the mayor of Boligee, who was supposed to be the chief, bypassed the sheriff's department. Now, I alluded to that the last time I was up here, and I made it clear to the Justice Department that I felt they should have come to the sheriff's department. Now, I had reservations, still have reservations about this investigation with the church burnings, as I alluded then, that you devoted enough manpower to go out there and find a suspect out here, you know, certainly you get five or six black churches or three or four churches burning here, and where the manpower needed to be—put somebody at these burning of the churches.

But it seemed like as long as it was a hot issue, everybody jumped and made strides or steps toward it, and then when it cooled down, play the avoidance game, let it alone, it will die. And

that may be what's happened. I don't hear anybody saying anything about the church burnings at this point, very little is being said about the black churches being burned.

Now, where they are with the investigation? They have not come back to me and given me a report, so I can't say where they are on it, but I think it would have been the thing for them to do is come back and talk to me. I mean, they were the lead investigators, and I think they should have come back to me and said, "Sheriff Hall, we're at this point here; we don't have this; we do have this." But it just seemed like it just faded away. I thought that's probably what would happen in the end, from the beginning, after a period of time it would just die. And I hope that's not the case, but I get that feeling.

Mr. Max. Any other questions or comments? Sheriff, thank you for being here. We appreciate it. We have in the audience Nancy K. Ferrell, United States Department of Justice, the Community Relations Service. Nancy, if you wouldn't mind coming up, and what's interesting about Nancy's position is she's not from Boligee or from Greene County, and she has with her team of workers been in the community and observing, and perhaps we can get a neutral and outside view of what you have seen since the time your group has been here. Nancy?

Statement of Nancy Ferrell, Community Relations Service, U.S. Department of Justice

Ms. Ferrell. I appreciate the opportunity to come. Director Jenkins asked that I share a little bit of an overview of what we've been doing in Alabama, and then specifically the kinds of activities that are going on here in Greene County. And in that regard I gave him a printed sheet, so if you miss some of this, it is in print. The Community Relations Service of the Department of Justice, for those who are not aware, is a part of ground force for conflict resolution. CRS was created with Civil Rights Act, 1964. Title X of the Civil Rights Act created the Community Relations Service. So we've been around for a long time, working quietly behind the scenes, resolving conflicts. I haven't been around that long, but the agency certainly has and it's been doing good work all over the country.

When the Church Burning Task Force was put together, 15 people were assigned to the Southeast region specifically. Before that, this

region had five people working. That increase reflects the kind of emphasis the agency put on the church burnings. On and off through the last year there have been one to three full-time agency people working in Alabama. I've been here since June of last year.

The team has done onsite assessment of community tensions related to the church burnings in 15 locations across Alabama. We've assisted in the development and delivery of training to AmeriCorps workers. Some of those folks were here in Greene County. Training dealt with conflict resolution skills and how they could become on the ground conflict resolution folks, where they were working. We did some training on law enforcement in diverse communities, and presented conflict resolution models to the U.S. attorney's State law enforcement meeting, to about 500 law enforcement people from Alabama.

A couple of weeks ago we probably put together the most aggressive program. It was focused in Decatur, but it involved people from Greene County and all the way across the northern district of Alabama. That program was a 2-day program called Building Community Together. We brought people from 11 different communities to do problem solving, brainstorming, to one location with resources to assist participants with problem solving and team building. We had about 10 resource people from the Community Relations Service. We had two ATF trainers, and the U.S. Attorney for the Northern District of Alabama worked with us.

CRS has established rebuilding community task forces in different communities around the State. One of those task forces has been operational here in Greene County since September of last year. We've also worked with church groups to identify available resources for rebuilding efforts. It was not as much of an issue here in Greene County; the resources seemed to become available here. There were some places, like in Greensboro, where it was a little more difficult to identify resources and get them channeled into the right direction.

Sometimes when a church fire was not originally identified as an arson, they were not given resources, and we helped them find other ways of getting resources to rebuild, even though they weren't designated as arson. CRS had mediated disputes between churches and funding sources,

as I just described, where it appeared they weren't going to get funds because they were not identified as an arson. We were able to mediate that. We've been able to mediate between some of the building code regulations where churches were having difficulty getting their churches rebuilt, and we've been able to help in those areas.

And we've helped resolve some disputes between black and white citizens groups, which represents the core of activity that this agency has been involved in, not just black and white, but certainly other ethnic groups in other parts of the country. Throughout its history, that's been the primary focus. The agency has worked with Federal and local and State law enforcement and other jurisdictional groups to help resolve conflicts and help with needs. We've convened meetings with all the jurisdictions to help develop some statewide programming for conflict resolution.

In Greene County, in particular, we started working with a group, as I said, in September. We started meeting at the Southfork Restaurant once a week, every week, for 6 weeks. Then we began meeting once a month. We had a diversity of people coming. We had folks from Mr. Kirksey to Mr. Spiver Gordon, to everybody in between, white folks and black folks. We had from 25 to 2 during those 6 weeks.

As time passed, that group was opened to anyone. It was made public. The meeting dates and times were made public. And basically the group that finally has evolved is the group that stayed. It was open to whoever came. It was not ever an official roster created that said this is the team or this is the group. It was whoever showed up to work is who became the group.

The thing that I learned early on was the work that the Leadership Greene County group was doing. Alabama Power has been involved. That group puts a team of, I believe, 20—and someone else might know—about 20 citizens, and it is a biracial group, and they have cycled at least three different groups through that program, and it's an annual program. It is not a small effort.

So for 3 years they have cycled 20 people in this community through this Leadership Greene County program, learning how the community works and learning what the problems are. This team identified a project that they're going to take on, and they're going to solve a problem

with their team. So they're learning problem solving through that, and they were doing that before any of us showed up. The Citizens for a Better Greene County, again, it's a mixed group. I've been with them a couple of times. I've met with them. When we started working with the task force, we intentionally separated that group away from the Citizens for a Better Greene County or any political agenda.

We realized too, as Rodney realized early on, that the political situation, the indictments, the kind of political stuff that was going on, was not going to be productive in terms of trying to do problem solving with the elected officials at that point in time. And we intentionally separated away from that. Everything we dealt with was community based and relationship based. How are we going to deal with each other? How are we going to relate to each other? One of the things we talked about that was brainstormed was, What kind of thing can we do? Where can we put energy that says the black and white community wants to work together? And one of the operating styles that I have is that whoever comes to the table, I assume their motives are pure. If they're there, I assume they want to be there. And we work. Until somebody tells me to go away, I keep working.

So the process of identifying the project, and it did evolve down to what became known as a Homecoming Celebration 1997, that they're going to sponsor on July 5, and I just want to read you a statement that came out of, I think, the Tuscaloosa paper. Probate Judge Erlene Isaac wrote this article and she's been a part of the planning group. "We're determined to host an affair in this county that draws from the black and white race. We have as a long-range goal to prove once and for all that the people of Greene County all want the same things, and that we are all alike in many respects, and that our commonalities are stronger than our differences."

They, the planning group, intentionally talked about the folk festival, the need to be supportive of that, biracially supportive of that. They intentionally talked about the pilgrimage, an event that's identified as white, and said we all need to be supportive of that, it brings a lot of money in our community. What can we do that's not political, that's not culturally based? And it was the 4th of July. And that's what they came up with to develop a celebration of unity around.

Is it something they need to continue? I don't know. It's something there's some energy around right now, and they're excited about it. They've done a lot of work on it, and I think they're committed to continuing to do some things together. This particular rebuilding community task force, as I said, intentionally has not had any politician agenda. It hasn't tried to redo any kind of commissions, boards and commissions.

When our agency gets involved in a community, one of the first things we're going to start looking at is the representation on boards and commissions. That was not appropriate in this community at this time. And so our interest was what can we do to create energy around the people who want to have better human relations with one another, and work towards a common goal.

Now, I know the project you're talking about is some kind of renovation, restoring of the county courthouse. Maybe they can do that someday. When they talked about the history of this county, they talked about the black-white history as it really was and is now. The restoration project could help them learn to understand where they all came from. So that's been an exciting thing for me.

The training that we did here in Greene County was with the AmeriCorp group, but we also did three of the law enforcement and diverse community training, and that's the first time I started learning about some of the other problems that were going on here. We had two 4-hour sessions and one 2-hour session. Black and white folks came to this training. And they started talking about some of the things they were already doing together in the community. That was my first introduction to some of these other efforts.

We have assisted in some fashions with working in Boligee. When the sheriff and the chief were having some discord over the relationship and who should have been called first, we worked with them on trying to help resolve that, so that they could be mutually supportive in law enforcement in the county.

So those are the kinds of things that we've been trying to do. I think the group that chose the name, Rebuilding Community Relations Task Force, their intentions are to continue to improve relationships and to say to this group and to the community at large, "There are lots of folks here who do get along. We've been doing

some stuff together and doing some problem solving together for 3 or 4 years, and we're going to continue doing that."

Our agency at this point, as I said, is trying to be a coach in terms of how to process problem solving and that's the focus, other than the training that we've done. So if there are any questions, I'll be glad to respond.

Mr. Max. Anyone on the panel have questions or comments? We saved you for last here, and yet you're my first ray of hope of things that are happening together, although I've heard about the food situation. Do you see the group that is now together as being able to further their efforts? I heard you say that there were meetings and sometimes 20 or more, but it got down to 2.

Ms. Ferrell. Right.

Mr. Max. Are they still meeting?

Ms. Ferrell. Yes, and I say down to 2 and up to 15, so it was—a lot of it had to do with what's going on in the county and who had time. The core group ended up being about 15 people who are still working together.

Mr. Max. Fifteen—tell me white-black ratio?

Ms. Ferrell. It was probably six white, eight black, or seven, eight kind of makeup.

Mr. Max. All right. And Erlene Isaac was a part of that—

Ms. Ferrell. Right.

Mr. Max. —group. Do you see that group having the attention of the community? Are they bringing other people in it or are they—

Ms. Ferrell. Right.

Mr. Max. —their messages being heard in the community? Are others reacting to it?

Ms. Ferrell. I think they are the grassroots of the community—

Mr. Max. Yes.

Ms. Ferrell. —I don't think they are the political people. I think they're the grassroots who want to get on with life.

Mr. Max. Help me understand this. I know Mr. Kirksey is sitting in the back there—how do you see them, this group, relating to the Citizens for a Better Greene County? What's the relationship?

Ms. Ferrell. When they first started meeting, some of their members were involved, and when they first came, one of the agendas that they were very strongly working on was for political change

Mr. Max. When you say they?

Ms. Ferrell. Citizens for a Better Greene County. One of their issues was political, and we intentionally talked about that and said this group is not going to do that, that is not our agenda, and the ones who participated, who were also members of Greene County, honored that. When they got together as Citizens for a Better Greene County, if they're talking about political stuff, I was not involved and would not attend.

Mr. Max. So of that group, the core group, there are some of those that are a part of the group—

Ms. Ferrell. Right.

Unidentified Speaker. The—

Mr. Max. —the festival and I want to ask a question.

Ms. Ferrell. I would like to say that certainly the festival was—the benefit of the festival to this community was honored, and the way it was discussed was with honor, and for what it brought to the community, and the interest was not to try to usurp anything from the event, but to try to support it in a more biracial way.

Unidentified Speaker. Anyone connected—

Mr. Max. Excuse me. You will have your opportunity. Please honor the protocol. We really appreciate it. You'll have your opportunity. I'm sorry, Nancy. Go ahead.

Ms. Ferrell. I don't know anything about either of those two events. I only knew what the people in the group were talking about, and they talked about both of those events as valuable to this community, and the first thought was maybe we can do something with these events, and then it was discussed what can we do that's not connected with either event, that's something that celebrates us as a community, something new.

They talked about the history, the history of people coming back to Greene County for homecoming, and that happened around the 4th of July. It was a natural kind of thing. They then talked about the founding of Greene County anniversary, and I don't remember, I think they said it was the 180th anniversary. They talked about doing it on the anniversary, but it was in January and that didn't make much sense, so they decided to make it a 4th of July celebration. So it was a deliberate discussion.

Mr. Max. Could I ask you—our record stays open until July something, I think the 26, the

end of July. Would you please give us a report of this event—it's going to be a 4th of July event.

Ms. Ferrell. Yes, it's going to be on a 5th.

Mr. Max. Could you give us a report of that event and what the participation is, and just any dynamic that is relevant to race relations? I'd like for that to be in our record, if our record is closed.

Ms. Ferrell. Sure.

Mr. Max. Any other questions? Yes, Chair. I'm sorry.

Commissioner Berry. I realize—I understand the mission of CRS very well, and I realize how tough these things are, but don't you think it's a particular problem to have to not involve oneself or your agency in politics or with the political leadership, in a community where people fought long and hard and marched and died in order to elect political leaders? And then to finally be able to elect them, and to look to them for leadership—

Ms. Ferrell. Right.

Commissioner Berry. And they are the natural leaders, whatever criticisms one might have, whatever issues may be surrounding whatever it is, and for CRS not to be able to engage itself with those, and don't you think that there would be a natural tendency if one does not deal with the elected leaders, community, local people I'm talking about, and with traditional organizations and their leaders, when people see them as the people who engaged in struggle to bring them as far as they've come, that that would naturally generate suspicion on the part of people in the African American community at least that you somehow are trying to undermine the leaders? Now, don't you think that's a problem?

Ms. Ferrell. I think it's a definite potential problem, certainly potential problem of perception. We on several occasions tried to meet with county commissioners. We don't force ourselves on anyone.

I did meet with the Eutaw mayor, and some of the leadership there. I had many meetings and joint meetings with the sheriff. I got the same impression that Mr. Max did as far as trying to engage at that political level and trying to move forward, and basically decided to see what we could do and start where we could, and where we could start was at a point of human relations. And where there are some people who

choose to come together and some of those political folks came early on, and then chose not to come, for whatever their reasons were. I could have stopped them. As long as there were people in the community that believed that what we were doing was helpful to them, I felt obligated to come back, so I did.

I think the rest of that arena is certainly going to have to be addressed, but if you can't start there, do you stop? And I said no.

Commissioner Berry. Well, I don't know what the answer is, but I have a sense it's sort of a choosing sides going on from the people who testified earlier and who testified the last time and from being around here in the community, and that one wouldn't want to be seen as choosing up some particular side in this question, and I really don't know how you avoid it, so I'm just probing here.

And you do have to try to work with society to get somebody to get something done, but there has to be a way to draw in the leadership. After all, the people elect certain people as their leaders, then they have a right to choose who they want as their leaders, especially if they fought and died for it, their relatives did.

Ms. Ferrell. And I have seen the same happen when the predominant leadership is white, and the leadership doesn't want to work with us, but we don't walk away. And there were black and white folks here that wanted us to continue to help them.

Commissioner Berry. The only other question I'd ask is, Doesn't it make your situation difficult too when there's no solution to the fires? I mean, in terms of suspicion on the part of—the same people were suspicious already or would be, if this all goes on and people stop discussing the fact that nobody ever figured out who did what.

Ms. Ferrell. Right.

Commissioner Berry. That makes it tough too, doesn't it?

Ms. Ferrell. Yes, and I read the report from last time where ATF Agent Cavanaugh discussed the difficulties related to the investigation, and I don't have any answers to that. And I don't pretend to know anything about that deal. I know what it says. I know what people perceive, and I know it does cause problems. But again, my interest was, Where can we start?

Commissioner Berry. I understand.

Mr. Max. I think the point that Chair Berry makes is a good one from this standpoint. Nancy. You've got a community that for whatever reason these forces are opposed to one another. They happen to want the same thing, but they don't talk to one another. Then they have suspicions that are incredible. You know, what—it's the way they go about it as opposed to what they're trying to do, not what they're—it's the way they're saying it to each other.

But ignoring that just a minute, the Chair suggests, and she's right, that through the process people have risen to power, and while in a forum—I have observed the same thing you have. They don't want to come to a group because their constituencies may ask questions why they're there, so in that particular area you may not want them, but somehow I find that the mayor of Boligee, the principal of the school, the sheriff, other public officials who are groping for ways—now, I hope we've encouraged them tonight to not be complacent in their leadership and reach out, and as again the Chair said, take risks. But I think they could probably use some shots of penicillin from you and your organization in giving them some creative ideas of how to safely take risks.

Ms. Ferrell. Right.

Mr. Max. Maybe privately that one on one instead of doing it in a group form like we're doing now, and to the extent you can do that, maybe we can find next time we come here that there are things beyond the food thing that we heard about. Any other questions or comments for Nancy? Nancy, thank you very much for being here. We do appreciate it.

Mr. Zippert, you said you wanted an opportunity and following protocol, we're going to give you 2 minutes to give us some statements, so—is that the right time?

**Statement of John Zippert, Copublisher,
Greene County Democrat**

Mr. Zippert. I'm John Zippert. I'm the copublisher of the *Greene County Democrat*, and you heard from my wife last time. We had our fourth grandchild was born today, and so she is doing that part of her job.

Mr. Max. Fantastic.

Mr. Zippert. I also work for the Federation of Selling Cooperatives, which works throughout the South, and that's my real job, and I wanted

to take 3 or 4 minutes, because you said what is different, what has changed, and nobody here really addressed economic development. And I wanted to say a few words about that. And then I want to say 1 minute on the festival and 1 minute on the food program, because our name was brought up in both of those topics.

Mr. Max. Do what you can to limit it as best you can.

Mr. Zippert. Well, I just want to say in terms of economic development that Greene and Sumter Counties are designated by the President as an rural enterprise community, and we have received \$3 million from the Department of Agriculture and the Department of Health and Human Services, which comes through us through the State of Alabama Department of Human Resources, which has not been exceptionally helpful, but we do have these resources. We do have a 17-person board with people selected by the political officials, by the business community, and by the community at large. Four of them are white or about 20 percent.

And this \$3 million has attracted some willingness of people to work together across racial lines, even though to me Greene County is really—we are in poverty. There's a confluence of those issues here. It's not merely race; it's race and poverty, and they're interrelated, and we have—we have three funds, a revolving loan fund that we made three loans so far. We wish to make more. We've had a lot of trouble with the State of Alabama getting this program off the ground.

We have made six infrastructure grants to help bring industries into Greene and Sumter County, and we're working on an education and training strategy for young people in the schools and young people in the community, and we've taken some time to put those programs together because we really want to make sure we did the job right. In Greene County we have had a plant to close since you have last been here. Vanco, a sewing plant, 150 jobs, thanks to NAFTA, went to Mexico, sewing jobs.

So whatever we do, we are already fighting against a deficit, so to speak. We've also been told very shortly that 300 people in Greene County who are receiving Aid to Dependent Children are somehow to find a job in the community where we've had double digit unemployment since the end of World War II.

You did pass by Tire and Wheel Assembly, which is a new plant that is the only spinoff of Mercedes Benz in the Black Belt. And if this is a statewide commission, I think you need to ask some questions about the State's policies of economic development because when you give a company like Mercedes Benz \$175,000 a job incentive, and you don't give Federation of Southern Cooperatives 3 cents, and you expect us—we did get the enterprise community money, but we got no help from the State of Alabama directly, nor has Greene or Sumter County, or much of the Black Belt, really gotten help for industrial development, really gotten help to locate industries in these counties.

And I think that that's part of the answer. Not only do we have P&WA, which the county went and got that plant built there for \$10 million of CDBG, section 108 loan, which is one of the most creative programs, was the first one done in the State of Alabama. We also have across the road Green Co Dimensions, which is a small plant making wooden drumsticks, musical drumsticks. Now they're going to use the hickory dust to make, you know, a dust for meat curing, and they have about 20 people hired. So this county has not been totally asleep. Work has been done to bring some jobs.

There's a sweet potato pie plant that would have hired 200 people that we were trying to get, but we don't have the capital support. The State of Alabama is jumping over benches from Mercedes Benz and they have not done what they should do for these poor counties, and I would just say as an overall statement that this committee needs to look at the racial class and economic and rural discrimination of the State of Alabama, its program of economic development.

We also started a project that the federation is sponsoring that's under construction in Eutaw, the Eutaw Elderly Village, since you were last here. It took us 10 years of battle, and the new mayor of Eutaw, who was referred to, has been very helpful to us. But we had a lot of trouble to get 30 units of housing for the elderly in downtown Eutaw in walking distance of the people.

Now, you talk about people going out of their way to do things. You know, I'm a part of a group of people who is willing to do that. I have taken my share of abuse for trying to do things in this county to help people economically, and I do feel this Committee has some responsibility to

say to the State of Alabama that you have abandoned the poorest and the least among us, those who live in the Black Belt counties. And for you to give this kind of incentive to Mercedes Benz and not make sure that their work force and their spinoffs and their benefits really go equitably to all the people in the State is an issue you may need to look into.

Now, some of our problem here is that industries don't want to come because we have a segregated school system and because we are racially polarized. But I'm saying the State has some responsibility to come here and work with those of us who want to work. Government officials, private leaders, businesses, to try to bridge these gaps, and I think that the private school could be closed and make them get together with the public school board and they could work something out if they really wanted to.

And I think it could be done and most people are good faith in this county would support it. I sent all three of my children to the public schools and they've all done well. One is a doctor, one is a chemical engineer, and one is a mechanical engineer, and they went to every single day of school in Greene County, Alabama. Now, they had help at home, I admit that, but the school system can produce good people, has produced good people, so we really need to put it together.

Now, the thing that I have a problem with about this festival, and my wife has been involved with this festival for 20 years, and it's under the Society of Folk Art and Culture, and they have a group of a dozen board members who run that festival, and that festival is open to everybody, and they have had white people to participate on the stage, in the booths. It's predominantly black, but there have been white people in the audience, and what we receive at the newspaper was a press release about Homecoming '97, which denigrated the festival as a black festival and therefore not worthy of Greene County support.

Now, Ms. Ferrell categorized it differently. That was the way I interpreted their release, and I have been a member of Leadership Greene County. I'm not a part of this class, but I'm saying that the way my wife received information

about Homecoming '97 was not in a favorable light, and I just want to put that on the record.

And this question of dealing with people—Ms. Ferrell says she never talked to anybody with the Society of Folk Art and Culture. Homecoming '97 talked to them. If maybe they had talked to them, we could have done the thing together better than it was, and that's my problem with the way they have gone about it. Now, the other thing is that the Citizens for a Better Greene County, they're brought two or three people to the newspaper office, with a release about food source, and you have to go to the Citizens for a Better Greene County office to sign up for food source. So I said, "Well, isn't this political, if people have to go to a political organization to sign up for a food program?" and they denied that. So I ran the article and tried as best I could to limit the reference to the fact that it was a political program, and I also told them that they were lying to me when they told me it wasn't a political program, and that was my statement on food source.

So you know, I'm going to take up their invitation. I'm going to try to go to some of their meetings, and like I told them, the day that the Citizens for a Better Greene County vote to close the private school is the day that I'll join their organization.

Mr. Max. Thank you. Any questions or comments from the Committee? I'll say this, there are several of us who have long trips back home. I've got about a 2½ hour drive. I don't know what time it is. I appreciate everyone's being here tonight. We'll be glad to talk to you off the record, Mr. Kirksey, and the record is open until July 26 or something, so you may submit to us a statement. That's not just for you—excuse me just one second—I appreciate everyone's being here. Thank you, Chair, for coming again to Alabama. You are great when you come here with your questions and your leadership. Please continue.

Please, you all work together, leave your baggage at the station and let's move this thing together, especially the two of you.

Thank you all very much.

[The proceedings concluded at 9:35 p.m.]



UNITED STATES
COMMISSION ON
CIVIL RIGHTS

Central Regional Office
Gateway Tower II
400 State Avenue, Suite 908
Kansas City, KS 66101-2406
(913) 551-1400
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RECEIVED

September 4, 1998

'98 OCT -9 P 1:00

Mayor and City Council Members
City Hall
Eutaw, AL 35462

Dear Mayor:

Pursuant to the rules and regulations governing State Advisory Committees to the U.S. Commission on Civil Rights, "if a report of a State Advisory Committee tends to defame, degrade or incriminate any person, then the report shall be delivered to such person thirty days before the report shall be made public in order that such person may make a timely answer to the report." Each person so defamed, degraded or incriminated in a report may file an answer to the report not later than twenty days after receiving said report. Please review the enclosed pages of the Alabama Advisory Committee's transcript of a community forum held on June 26, 1997 in Boligee, Alabama at the Paramount High School.

We ask that you provide your timely response. However upon showing good cause an extension may be granted to you. Your response shall plainly and concisely state the facts and law constituting your reply to the allegations contained in the report. Your answer shall be published as an appendix to the report.

Thank you for your cooperation in this undertaking. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Melvin L. Jenkins", written over a horizontal line.

MELVIN L. JENKINS, Esq.
Director

Enclosure

CITY OF EUTAW

COUNCILMEN

Joe C Sanders
Cecil Durrett, Jr.
Spiver W Gordon
Reginald Henderson
David Spencer

EUTAW, ALABAMA 35462

TELEPHONE 205/372-4212

JAMES E. GAY, JR., Mayor

CLERK

PEGGY H. STRIPLING

September 22, 1998



Melvin L. Jenkins, Esq.,
Director
U.S. Commissioner on Civil Rights
Central Regional Office
Gateway Tower II
400 State Avenue, Suite 908
Kansas City, KS 66101-2406

Re: City of Eutaw, Alabama

Dear Mr. Jenkins:

I am in receipt of your letter of September 4, 1998, concerning the Meeting of the Alabama Advisory Committee to the United States Commission on Civil Rights held at Paramount High School in Boligee, Alabama, on June 26, 1997. On behalf of the City of Eutaw and its governing body, we appreciate your having given us the opportunity to respond to comments made by one of our own City Councilman and Sheriff Hall.

I will first direct my response to the comments made by Spiver Gordon, a member of the City Council of the City of Eutaw. Mr. Gordon indicates that while Reginald Spencer, an African American, was selected as a Police Chief of the City of Eutaw (on June 24, 1997), this was done "... but not without the white members of the council finding it necessary to create another position, calling it director of public safety, ..." The City's minutes from that meeting, with regard to this matter show that Mr. Gordon apparently did not feel that way two days earlier:

"Mayor Gay asked Councilman Cecil Durrett, Jr., to talk to the Council at this time. Councilman Durrett advised they had a long process of six months and it had been difficult of all of the Council because of sickness and different problems for the Police Committee to have a meeting concerning the Chief of Police. He advised that he would like to make the motion to appoint Reginald Spencer as Chief of Police and create a position of public safety director and ask Mike Turner to fill that position seconded by Councilman Spiver Gordon and aye's by all members present. (The City Council is made up of three white members and two African American members, including Mr. Gordon.)

SUPT. WATER DEPT.
Walter D. McCaa

STREET SUPERVISOR
Billy Elliott

BUILDING INSPECTOR
Joel Henderson

CHIEF OF POLICE
~~Benno Stripling~~
Reginald Spencer

Melvin L. Jenkins, Esq.
September 22, 1998
Page 2

Mayor Gay asked Councilman Spiver Gordon to talk to the Council at this time. Councilman Gordon advised it had been a long drawn out process and they were aware of the feelings of the community and they had made a decision and they needed their support and understanding that this was in the best interest of the community to move forward and work together as a community."

It is certainly interesting that two days prior to appearing before the Commission it was not only the "white members of the Council" but also Mr. Gordon and the remaining African American member of the City Council (Davis Spencer) who found it necessary to create this position.

There were concerns expressed from members of the community with regard to elevating Mr. Spencer from Assistant Chief to Chief of Police. However, it should be noted that when the "practice" of elevating the Assistant Chief to Chief of Police began, the first person so appointed was the only other full-time police officer the City had. The second person so appointed had served between fifteen and eighteen years as a police officer in the department as had the third person to be elevated from Assistant Chief to Chief. At the time Mr. Spencer applied for the job of Chief of Police, he had been with the City's Police Department only approximately six years. It should also be noted that when elevated to the position of Assistant Chief, he was chosen over at least two white officers with more experience but who were deemed to be less qualified than him.

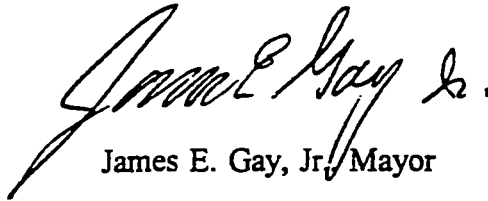
While we acknowledge that there have been difficulties in the past, the current Council and the ones serving prior thereto since I became Mayor, have worked awfully hard to attempt to minimize division between the races within the City of Eutaw. The credit for these accomplishments should in my view be spread equally among Councilman Gordon, Councilman Spencer, and the white members of the Council as they have all attempted to look at the City's problems and opportunities in a manner that would be of the utmost benefit to all citizens of the City of Eutaw, both African American and white.

Finally, with regard to the allegations made by Sheriff Hall, he failed to mention that he had filed a charge with the United States Equal Employment Opportunity Commission in connection with his not being hired as the Police Chief by the City of Eutaw, Alabama, in August of 1984. Nor did he mention that the EEOC, after a thorough investigation of the charge, determined that there was no reasonable cause to believe his allegations of discrimination were true. (See attached "Determination" and "Notice of Right to Sue" which are attached hereto as Exhibits "A" and "B", respectively.) This Determination by the EEOC was not challenged by Sheriff Hall, nor was suit filed by him concerning this matter.

Melvin L. Jenkins, Esq.
September 22, 1998
Page 3

Again, we thank you for giving us the opportunity to respond to the comments made during the June 26, 1997, meeting.

Yours very truly,

A handwritten signature in cursive script that reads "James E. Gay, Jr." with a stylized flourish at the end.

James E. Gay, Jr., Mayor

Enclosures



ALABAMA DISTRICT OFFICE
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
2121 8TH AVENUE, NORTH
BIRMINGHAM ALABAMA 35203-2397

CERTIFIED MAIL NO. 362659 & 362660

Charge No. 042 85 0825

George W. Hall
Route 2, Box 163-A
Boligee, Alabama 35443

Charging Party

City of Eutaw.
116 Main Street
Eutaw, Alabama 35462

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue, on behalf of the Commission, the following determination as to the merits of the subject charge.

All jurisdictional requirements have been met. Charging Party alleges that he has been discriminated against by the Respondent, in that he was denied a promotion to the position of Assistant Chief of Police, because of his race, Black. Examination of the evidence in the record indicates that there is not reasonable cause to believe that this allegation is true. No determination is made as to any other issues which might be construed as having been raised by this charge.

This dismissal concludes the Commission's processing of this charge. Should the Charging Party wish to pursue this matter further, he may do so by filing a private action in Federal District Court against the Respondent named above, within 90 days of receipt of this letter and by taking the other procedural steps set out in the enclosed Notice of Right to Sue. Within one year after the date of this letter I intend to destroy the case file in accordance with the Commission's records disposition instructions.

On Behalf of the Commission:

JUL 12 1985
Date

George Frank Jordan
George Frank Jordan
District Director

NOTICE OF RIGHT TO SUE
(Dismissal)

TO:
George W. Hall
Route 2, Box 163-A
Boligee, Alabama 35443

On behalf of a person aggrieved whose identity is
CONFIDENTIAL (29 C.F.R. 1601.74a).

FROM:
U.S. Equal Employment Opportunity Commission
Birmingham District Office
2121 8th Avenue, North, Suite 824
Birmingham, Alabama 35203

CHARGE NUMBER
042 85 0825

EEOC REPRESENTATIVE
Jerome C. Rose, Regional Attorney

TELEPHONE NUMBER
205/254-0793

(See Section 706 (f) (1) and (f) (3) of the Civil Rights Act of 1964 and the additional information on reverse of this form.)

TO THE PERSON AGGRIEVED: This is your NOTICE OF RIGHT TO SUE. It is issued because the Commission has dismissed your charge. Your charge was dismissed for the following reason:

- No jurisdiction for the following reason, and therefore the Commission has no authority to process your charge further.
- Your charge was untimely filed with the Commission, i.e., you waited too long from the date of the action(s) of which you complained to file your charge and it was therefore outside the time prescribed by law. Therefore, the Commission cannot investigate the allegation(s) contained in your charge.
- The Commission has determined that you did not allege or otherwise demonstrate that you were directly affected by the practice described or effectively deterred from acting because of the practice.
- Respondent employs less than 15 employees.
- Other (briefly state) _____

- No reasonable cause was found to believe that the allegations made in your charge are true, as indicated in the attached determination.
- You failed to provide requested necessary information, failed or refused to appear or be available for necessary interviews/ conferences or otherwise refused to cooperate to the extent that the Commission has been unable to resolve your charge. You have had more than 30 days in which to respond to our final written request.
- The Commission has made reasonable efforts to locate you and has been unable to do so. You have had at least 30 days in which to respond to a notice sent to your last known address.
- The respondent has made a written settlement offer which affords full relief for the harm you alleged. At least 30 days have expired since you received actual notice of this settlement offer.

The issuance of this NOTICE OF RIGHT TO SUE terminates the Commission's processing of your charge. If you want to pursue your charge further, you have the right to sue the respondent(s) named in your charge in United States District Court. IF YOU DECIDE TO SUE, YOU MUST DO SO WITHIN 90 DAYS FROM THE RECEIPT OF THIS NOTICE OF RIGHT TO SUE: OTHERWISE YOUR RIGHT TO SUE IS LOST.

On behalf of the Commission:

JUL 12 1985
(DATE)

George Frank Jordan
TYPED NAME AND TITLE OF COMMISSION OFFICIAL
George Frank Jordan
District Director

cc: (to respondent)
City of Eutaw

EXHIBIT "B"

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See Privacy Act Statement on reverse before completing this form.

FEPA
 EEOC 04285 0825

_____ and EEOC
 (State or local Agency, if any)

NAME (Indicate Mr., Ms., or Mrs.) **Mr. George Hall** HOME TELEPHONE NO. (Include Area Code)
(205) 372-9458

STREET ADDRESS **Route 2, Box 163-A Boligee, AL 35443** CITY, STATE AND ZIP CODE COUNTY

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME **City of Eutaw** NO. OF EMPLOYEES/MEMBERS **Over 15** TELEPHONE NUMBER (Include Area Code)
(205) 372-4334

STREET ADDRESS **116 Main Street Eutaw, AL 35462** CITY, STATE AND ZIP CODE

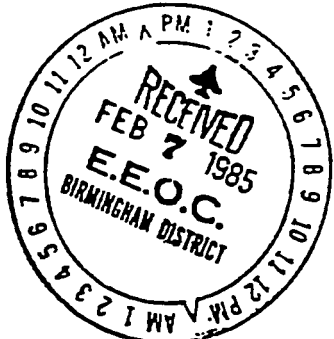
NAME _____ TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS _____ CITY, STATE AND ZIP CODE

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))
 RACE COLOR SEX RELIGION NATIONAL ORIGIN
 AGE RETALIATION OTHER (Specify)
 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (Month, day, year) **8-15-84**

THE PARTICULARS ARE (If additional space is needed, attached extra sheet(s)):

- I. I was denied a promotion by the above-named employer during August 1984. I was initially hired in 1972 and rehired in 1979.
- II. No reason was given to me as to why I was not selected for the promotion.
- III. I believe I have been discriminated against because of my race, Negro. The following supports my belief:
 - a. During August of 1984, the assistant chief of police position became available.
 - b. In August 1984, I was informed that a less qualified Caucasian male was appointed to the position by the Council.
 - c. I believe that the method and/or procedure used in filling vacancies are discriminatory, in that, it denies Negro employees consideration for promotion and promotions.



I also want this charge filed with the EEOC.
 I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary to meet State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year)

X *[Handwritten signature]*

Appendix B



**UNITED STATES
COMMISSION ON
CIVIL RIGHTS**

**Central Regional Office
Gateway Tower II
400 State Avenue, Suite 908
Kansas City, KS 66101-2406
(913) 551-1400
(913) 551-1413 FAX**

September 4, 1998

**Mr. Rob Langsford
Federal Bureau of Investigation
2128 8th Avenue, North
Birmingham, AL 35242**

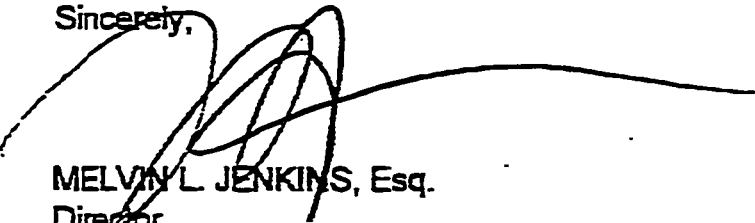
Dear Mr. Langsford:

Pursuant to the rules and regulations governing State Advisory Committees to the U.S. Commission on Civil Rights, "if a report of a State Advisory Committee tends to defame, degrade or incriminate any person, then the report shall be delivered to such person thirty days before the report shall be made public in order that such person may make a timely answer to the report." Each person so defamed, degraded or incriminated in a report may file an answer to the report not later than twenty days after receiving said report. Please review the enclosed pages of the Alabama Advisory Committee's transcript of a community forum held on June 26, 1997 in Boligee, Alabama at the Paramount High School.

We ask that you provide your timely response. However upon showing good cause an extension may be granted to you. Your response shall plainly and concisely state the facts and law constituting your reply to the allegations contained in the report. Your answer shall be published as an appendix to the report.

Thank you for your cooperation in this undertaking. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,


**MELVIN L. JENKINS, Esq.
Director**

Enclosure



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

2121 8th Avenue North
Birmingham, AL 35203
October 13, 1998

Melvin L. Jenkins, Esq.
Director
U.S. Commission on Civil Rights
Gateway Tower II
400 State Avenue, Suite 908
Kansas City, KS 66101-2406

Dear Mr. Jenkins:

This office is in receipt of your letter, dated September 4, 1998 and addressed to Rob Langford. For your information, Mr. Langford has retired from the FBI and I succeeded him as Special Agent in Charge of the Birmingham field office in December, 1996.

In response to your letter, I am enclosing this office's response to the relevant portions of the report of the State Advisory Committee.

If you need additional information, please do not hesitate to contact me at (205)326-6166

Sincerely,

Joseph R. Lewis
Special Agent in Charge



Answer of the FBI Birmingham field office to relevant portions of the Report of State Advisory Committee related to meeting on June 26, 1997, at Boligee, Alabama.

1. Page 15, first full paragraph on the page along with first paragraph of statement of Mr. Gordon;

FBI response -

This section, discussing the city council and the hiring of a police chief, is not in any way applicable to the FBI Birmingham.

2. Page 16, Second full paragraph, statement of Mr. Gordon concerning the mingling of the "vote fraud thing with the fire burning."

FBI response -

Mr. Gordon's assertion that the mingling of the voter fraud and church-burning investigations was a "guise" to conduct the voter fraud investigation is incorrect. In December, 1995 and January, 1996, three churches with predominantly African-American congregation were burned in Greene County. A task force of various agencies including the FBI, ATF, Alabama Bureau of Investigation, Alabama Attorney General's Office, as well as the Greene County Sheriff's office commenced an aggressive investigation of these fires. In February, 1996, as part of the ongoing probe of potential absentee voter abuses in Greene County, a decision was made that investigators for the FBI, ABI, and Attorney General's office would interview approximately 800 people in Greene County. At this time, a supervisory decision was made to add to the voter fraud interview format certain questions regarding the church burnings. This decision was made to save manpower and resources, while at the same time giving agents an opportunity to contact as many as 800 people in Greene County to determine if any of them had information about the church burnings.

~~3. Page 16, third full paragraph, statement of Mr. Gordon;~~

FBI response -

The matter asserted here by Mr. Gordon, selective prosecution on the part of the FBI, was the subject of a hearing (United States v. Frank Pinto Smith and Connie Tyree, Case no. CR-97-S-45-W) before Magistrate Judge T. Michael Putnam, Northern District of Alabama in June and July, 1997. On July 29, 1997, Judge Putnam issued a Report and Recommendation, twenty-nine pages in length, dismissing the defense motion of selective prosecution. Subsequent to this, on September 18, 1997, a federal jury returned guilty verdicts against defendants Smith and Tyree on various charges related to voter fraud.

4. Page 19, second paragraph, statement of Mr. Gordon;

FBI response -

The assertion of Mr. Gordon that "during the church burning investigation, you could hardly find an FBI," is untrue. As previously stated, a task force consisting of agents and officers of the FBI, ATF, ABI, Alabama Attorney General's office and the Greene County Sheriff's office launched an extensive investigation in response to the church fires which occurred in Greene County in December, 1996 and January, 1997. These investigators were present in full-force and on a full-time basis for a number months. The churchfire investigations were considered of high priority and at all times provided the necessary resources to accomplish thorough and complete investigations.

5. Page 29; second column, statement of Sheriff Hall;

FBI response -

It is the position of the FBI Birmingham that Sheriff Hall and his department were not "bypassed" in the church-burning investigations. Sheriff Hall and his department were very much an important part of the investigative task force. The Mayor of Boligee, who was also the chief of police, was indeed contacted by investigators at the outset of the investigation but this was entirely appropriate contact and the Mayor had some unique information concerning the church-burnings.

U.S. COMMISSION ON CIVIL RIGHTS
Central Regional Office
Gateway Tower II
400 State Ave., Suite 908
Kansas City, KS 66101-2406

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE \$300