Civil Rights and Restorative Justice Project  
Northeastern University School of Law  
2010 Year End Report

Civil Rights and Restorative Justice (CRRJ) at Northeastern University works closely with lawmakers, lawyers, civil rights-era crime victims, activists, researchers, and journalists to develop a range of approaches to redress civil rights-era harms, including criminal prosecution, civil litigation, truth and reconciliation projects, scholarly research, and legislative remedies. In 2010, under the direction of Professor of Law Margaret Burnham, CRRJ continued to expand its programs in a number of areas, including legal support for civil rights-era crime victims, remediation of harms stemming from civil rights-era violence, research, and support for policy initiatives.

Legal Support for Victims of Civil Rights-Era Crimes

In 2010 CRRJ significantly expanded its cold case docket, rendering legal assistance to the victims of civil rights-era violence in Arkansas, California, Georgia, Massachusetts, Mississippi, Texas and New York. Developments on major cases this year include:

**Moore v. Franklin County**

In June 2010 CRRJ secured a landmark settlement in the *Moore v. Franklin County* case. Filed by CRRJ in the Federal District Court for the Southern District of Mississippi in 2008, the suit was brought on behalf of the families of Charles Moore and Henry Hezekiah Dee, two African-American teenagers who were killed by the Ku Klux Klan in May 1964 in Franklin County, Mississippi. The suit alleged that County officials, including the sheriff and his deputy, were involved in the events leading up to the murders and actively covered up this involvement during the ensuing federal investigation. The case was the first successful Section 1983 action against a law enforcement agency for collaborating with Klan killers.

Franklin County sought to dismiss the suit on statute of limitations grounds but plaintiffs prevailed and ultimately settled the matter before the scheduled trial date. The settlement of the civil suit followed the 2007 criminal conviction of James Ford Seale, now serving three life sentences for the murders. Margaret Burnham noted that the Moore and Dee families were looking for three things...
when they sought review of this cold case: “Justice, which the conviction afforded them; the truth, officially declared; and reparation. They succeeded on all counts.”

In November, CRRJ hosted the families of Charles Moore and Henry Dee at Northeastern to discuss the impact of the settlement and the legacy of civil rights-era violence. CRRJ convened an interdisciplinary virtual conference to consider the Moore and Dee case. For the reflections of historians, journalists, political scientists, sociologists, legal scholars, poets and musicians on the case, see our website.

Isadore Banks

CRRJ represents descendants of Isadore Banks. Murdered in June 1954, just a month before his 60th birthday and about a month after the Supreme Court’s decision in Brown v. Board of Education, Banks was found tied to a tree, mutilated and burned outside Marion, Arkansas. A successful landowner, Banks was a well-respected figure in the African-American community in Marion. He served in World War I and, in 1925, helped to bring electricity to Marion. In 2010, more than 50 years after his murder, Banks received a full military burial. However, no one has ever been prosecuted for his murder. While the exact motive for the murder remains unclear, speculation has centered on Banks’ land, which, after Banks’ death, fell out of the family’s hands.

CRRJ Fellow Tasmin Din and student Brian Hillburn investigated the Banks matter in Marion. Many community members recounted to the CRRJ team the terror left in the wake of the killing.

Rubén Salazar

Rubén Salazar, a columnist with the Los Angeles Times and the news director for KMEX, California, was killed in Los Angeles in August 1970 at a demonstration protesting the Vietnam War. Prior to his death, Salazar had been reporting on civil rights violations and police brutality against Mexican-Americans, which drew the ire of the law enforcement community. So respected was Salazar as a journalist that in 2008 the US Postal Service issued a stamp in the American Journalists series in his honor.
On August 29, 1970, Salazar and his crew were covering the Chicano Moratorium demonstration. Salazar was shot and killed instantly at the Silver Dollar Cafe in East Los Angeles by a tear gas projectile apparently fired by a Los Angeles Sheriff’s deputy. No one was ever charged in connection with Salazar’s death.

CRRJ is advising filmmaker Phillip Rodriguez, who is producing a documentary about the life and times of Rubén Salazar.

**John Earl Reese**

In a case that drew on restorative justice strategies and principles, CRRJ assisted the community of Mayflower in East Texas to honor the life of 16 year old John Earl Reese, who was shot to death in that town in October 1955. CRRJ took on the Reese matter in 2008, working with local investigators and journalists to reconstruct the record of the case in the courts. Young Reese was murdered in a drive-by shooting as he sat in a café. Two cousins who were with him were shot and wounded, including CRRJ’s client, Joyce Nelson, who was 14 at the time of the crime and still lives in the area. These three young people were caught in the crossfire of a community dispute over a bond issue. Coming just a few months after *Brown v. Board of Education* was decided, the perpetrators of the attack, two young white men, were protesting the proposed construction of a new school for black students. One of the men was prosecuted and convicted for killing Reese, but spent no time in jail.

To establish the truth of what occurred, CRRJ recorded witness accounts and obtained legal documents, which formed the basis for a meaningful, community-based restorative response to the shootings and related events. CRRJ students visited the community several times, consulting with local residents, public officials – including the mayor, county commissioner, judges, and public librarian – and regional college educators and students. CRRJ conducted extensive interviews with the only journalist who, in 1955, covered the events thoroughly.

On October 23, 2010, which marked the 55th anniversary of Reese’s death, the Mayflower community sponsored a day of commemorative events. A county road was renamed for John Earl Reese, two commemorative plaques were dedicated and a new headstone was placed at his gravesite.

CRRJ students Kaylie Simon and Nataniel Johnson-Gottlieb took the lead in assisting the Mayflower community to organize the event. Under the leadership of Simon and Din, CRRJ also successfully petitioned county officials to amend the 1955 Reese death certificate, which recorded the cause of death as “accidental;” hence, the amended...
A Truth and Reconciliation Project

Boston's School Desegregation Crisis

CRRJ is consulting with the Union of Minority Neighborhoods, a Boston community organization that is the sponsor of the Boston Busing Truth and Reconciliation Project. UMN’s project aims to examine the legacy of the 1970s-era school desegregation crisis. As is well known, in 1974 the federal court in Boston ordered the city to desegregate its schools and to transport students to schools to achieve racial balance in the system. Immediately controversial, the court order led to school boycotts, attacks on bused children, violence, and protests and counter-protests to resist implementation of the integration plan. The controversy lasted for years, during which time racial violence erupted repeatedly.

The central premise of the UMN’s truth project is that these traumatic events left scars on a city deeply divided by race – wounds that are yet to be confronted and addressed. CRRJ Alumni Fellow Jeremy Wolff assisted UMN in researching the historical and legal circumstances of Boston school desegregation. Wolff produced a report of the desegregation process, covering more than 10 years of litigation and agency actions at the local, state and federal level, as well as the day-to-day events associated with the boycotts, protests, and racial violence. This report describes and analyzes all the major events that will be the focus of the Boston Busing Truth and Reconciliation Project.

CRRJ Conferences in 2010

CRRJ sponsored two major conferences in 2010. CRRJ students organized and participated in these sessions:

Civil Rights Crimes and the

Continuing Pursuit of Justice
Jackson, Mississippi

In March 2010, in Jackson, Mississippi, CRRJ hosted a two day conference, Civil Rights Crimes and the Continuing Pursuit of Justice: Courts, Media and Community, in connection with an annual gathering of civil rights veterans. Speakers included Perry County, AL District Attorney Michael Jackson, who, in November 2010 successfully closed the Jimmie Lee Jackson murder case, and FBI Cold Case Unit Chief Cynthia Deitle.

State and Local Legislators Workshop
Little Rock, Arkansas

In November 2010 CRRJ hosted a workshop for state and local lawmakers from Arkansas, Georgia, Louisiana, Mississippi and Oklahoma at the Clinton School of Public Service in Little Rock, Arkansas. The workshop focused on steps that can be taken at the state and local level to address unsolved homicides and other law enforcement wrongdoing from the civil rights-era.

The workshop attendees discussed challenges in redressing past racial violence, including an often hostile political landscape and the peculiarities of the investigative and prosecutorial authority of state and local
officials. The discussion also focused on efforts to involve a wide array of actors in the work, including academics, community organizations and cultural institutions.

CRRJ Clinic Activities

In the Fall of 2010, CRRJ welcomed two guests to Northeastern to discuss work on civil rights-era cold cases with clinic students. Thomas Perez, Assistant U.S. Attorney General for Civil Rights spoke with students about the efforts at the Department of Justice and FBI in pursuing cold cases under the Emmett Till Unsolved Civil Rights Crimes Act and the challenges in doing so. Margaret Russell, Professor of Law at Santa Clara University School of Law in California addressed students on the subject of her research in the field.

CRRJ In the News

The work of CRRJ in 2010 was featured in a number of media reports:

- Teen’s 1955 East Texas shooting death identified as early civil rights killing, Denton Record-Chronicle, October 21, 2010.

On May 13, 2010, the Justice Department submitted its Second Annual Report to Congress Pursuant to the Emmett Till Unsolved Civil Rights Crime Act of 2007. The report makes reference to the “extensive research” on cold cases performed by CRRJ students, and acknowledges the importance of CRRJ’s Jackson, Mississippi, conference which took place in March of this year.

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This year CRRJ’s work was supported by the Nathan Cummings Foundation, the Cristina Callan Charitable Trust, and the law firms of Bingham McCutchen and DLA Piper. We thank our long-time individual supporters - Michael Avery, Geraldine Hines, Jean Entine, David Kelston and Deborah Kuhn, Nancy Madden, Emily Spieler, and many, many others. Playwright Eve Ensler sponsored much of our work on the Reese matter. The University’s support, material and intellectual, is what drives our program, but we could not maintain our national caseload without the support of individual donors. Please consider a contribution to support our work here at Northeastern.

**CRRJ relies on individual support to cover litigation expenses, student travel, and its reconciliation projects.**

To Donate Online: [click here](#). Check the Law School box under the “College” line and write CRRJ in the “special instructions” box.

**OR:** Mail your check (made out to “NUSL – CRRJ”) to Northeastern University School of Law; Civil Rights and Restorative Justice; 140 DK; 340 Huntington Avenue; Boston, MA 02115

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**CRRJ staff and students with Thelma Collins and Thomas Moore, Nov 2010**
Civil Rights and Restorative Justice

Training the Civil Rights Lawyers of Tomorrow

www.neu.edu/crrj

Northeastern University
140 DK 340 Huntington Avenue
Boston, MA 02115

617-373-8243
crrj@neu.edu

John Earl Reese’s Family, Mayflower, TX, October 2010