

T. 5-8-62

Director, Federal Bureau of Investigation

Boris Marshall
Assistant Attorney General
Civil Rights Division

MAY 10 1962
MAIL ROOM 10,316
144-32-579
G. F.

Detective Richard M. Tompson;
James L. Lamy - Victim
Civil Rights

Reference is made to the attached clipping from the New Orleans Times Picayune of April 26, 1962.

Please follow local developments.

9/14
5/9/62
JPM
5/9
A
24
5/10

cc: Records
Chrono
Tranen
Murphy
USA, New Orleans, Louisiana, (air mail)

FILED
HF
MAY 16 1962

SENT BY MESSENGER
COMMUNICATIONS SEC.
MAY 10 1962 C.J.R.

ONE SUSPENDED IN BEATING CASE

Jeff Sheriff Acts as Jockey's Story Is Aired

Jefferson parish Det. Richard M. Tompson, 28, was suspended from the sheriff's force Wednesday during an investigation into the alleged beating of a handcuffed jockey.

The suspension order came in a written announcement by parish Sheriff John G. Fitzgerald, although the sheriff was not present in the East Bank sheriff's office as investigators quizzed the victim, several deputies and witnesses.

The alleged beating of James LeMay, 22, occurred Tuesday about 2:30 a. m. in the rear of 6157 Air-line hwy., where he resides.

At his home Wednesday morning Fitzgerald said he had not heard of the beating until 7 a. m. when informed by a reporter.

VICTIM'S STORY BACKED

LeMay, with a bandage on his head which he said was caused by a deputy hitting him with an object, told deputies that he was struck and kicked after he was handcuffed by the police.

The jockey, who injured his leg in March at Jefferson Downs when the horse he was riding ran through a fence, was backed up by several witnesses who said they saw him being hit and kicked, although he was not attempting resistance.

The announcement of Tompson's suspension said his conduct was unbecoming an officer, and his suspension is in effect pending outcome of the investigation.

Chief criminal deputy George Gillespie said he expects the investigation to last until Thursday.

FIRE AT FLEEING MAN

Gillespie and Capt. Richard J. Morris, chief of detectives, handled the investigation Wednesday. They said that LeMay was asleep in a parked car in front of his residence during the early morning hours when deputies woke him up in pursuit of a burglar.

LeMay resided in a motel.

Cont. in Sec. 1, Page 2, Col. 1

Continued from Page 1

operated by A. M. Terrase, who also operates a restaurant there.

Gillespie and Morris said the place had just been broken into by burglars and the deputies arrived on the scene in pursuit, firing two shots at a man who fled through the rear door.

The investigators said that deputies saw LeMay in the car and thought that he might be involved in the break-in. LeMay was ordered out of the car, and the alleged beating followed.

IMPLICATED BY LEMAY

Gillespie said that Tompson was suspended because he may have exerted too much force in arresting LeMay as a burglary suspect.

Gillespie said witnesses told him that Tompson appeared to be the only person implicated by LeMay. But Gillespie was not clear as to whether he felt Tompson unnecessarily struck the jockey, who had been handcuffed after he was ordered out of the car.

LeMay told investigators that when he was awakened by deputies, they said: "Get out of that car with your hands up or we'll blow your head off."

KICKING WITNESSED

The jockey said he complied with the requests of the police.

Terrase, who was awakened by gunfire, said he had seen a policeman kick LeMay unnecessarily. But Terrase said he did not know the identity of the policeman.

"We haven't determined who did the kicking yet," said Gillespie, who also said that LeMay might have bumped his head on the car post when he came out of the car.

Jefferson coroner, Dr. Charles B. Odom, who treated LeMay after the incident, said the jockey suffered lacerations of the scalp and a mild cerebral concussion.

'HIT' MOSTLY BY ONE

LeMay said he wanted to have his chest x-rayed but that he did not have funds for this. He said he was kicked in the chest.

The jockey was undecided whether he would file court action in the matter, and said he did not know the names of

the persons who beat him. He said the hitting was done "mostly by one."

Gillespie said that Tompson told him that he used the necessary force to effect the arrest. Gillespie would not elaborate on this statement.

FITZGERALD COMMENTS

When Fitzgerald was contacted Wednesday morning about the case, he said:

"I don't know anything about this. I had two staff meetings yesterday and nobody told me anything about it.

"I'm always getting on these guys for slugging. Of course, sometimes you get into a position and you have to get rough with persons arrested."

Witnesses in the sheriff's office Wednesday were, in addition to Terrase, V. H. Henderson, Sar Antonio, and Guy Marlin, horse trainer at Jefferson Downs and a resident at the motel.

SUSPECT PICKED UP

Mr. and Mrs. John Phillips, also reported to be witnesses, left the city early Wednesday.

Marlin and Terrase said they dressed and went out to see what was happening. Other witnesses watched from the inside of the building.

Gene E. Musser, 28, 3517 1/2 Franklin, was picked up Tuesday and admitted that he was one of the men who tried to force his way into the motel owned by Terrase.

LeMay was also accompanied to the sheriff's office Wednesday by Lonnie Abshire, a representative of the Jockey's Guild.

10,316

DOCKETED

MAY 7 1962

DVI SEARCHED

Times Picayune
New Orleans, La.

Date: 4/26/62

M. Y.

144-30-579	
DEPARTMENT OF JUSTICE	RECORD
19 MAY 3 1962 M. Y.	
RECORDS BRANCH	
CIV. RIGHTS DIV.	
Vol. Cr. Lit. Sec.	

NEW

Lemay Repeats Beating Story

Jockey, Others Questioned by Probers

A jockey who said he was beaten and kicked by Jefferson parish police was questioned again Thursday.

Capt. Richard Morris, chief of detectives of the Jefferson sheriff's office, said James LeMay, 22, the jockey, repeated a statement that he was beaten after being handcuffed by Jefferson police early Tuesday morning in the rear of 6137 Air-Line hwy., where he resides.

Det. Richard M. Tompson, 28, or the sheriff's force since 1956, has been suspended for conduct unbecoming an officer, pending outcome of the probe.

Capt. Morris said, in addition to LeMay, Doyle Standifer, a resident at the motel where Le-

May lives, was also questioned. "ROUGHING UP SEEN" Capt. Morris said Standifer "was a distance away" from LeMay but that he appeared "to be roughed up."

LeMay according to parish coroner Dr. Charles B. Odom, suffered lacerations of the scalp and a mild cerebral concussion.

LeMay also said he was kicked in the chest after his arms had been handcuffed behind his back.

A. M. Terrase, owner of the motel where LeMay resides, was also questioned again Thursday. Terrase said that LeMay was unnecessarily kicked.

SHERIFF TO GET REPORT

The jockey, recovering from a leg injury sustained when a horse he was riding in March at Jefferson Downs ran through a fence, was asleep in a car

at the entrance to the motel when police ordered him out of the car.

Capt. Morris said the police were on "hot pursuit" of burglars and were under the impression that LeMay might be implicated in a breakin of a restaurant operated by Terrase.

The attack on LeMay is alleged to have occurred after LeMay was ordered from the car.

Capt. Morris said three witnesses will be heard Friday, after which a written report will be handed over to Sheriff John G. Fitzgerald.

Witnesses Wednesday backed up LeMay's story that he was struck and kicked by police.

Times Picayune
New Orleans, La.
Date: 4/27/62

144-32-579

DEPARTMENT OF JUSTICE		RECORDED
19	MAY 3 1962	
RECORDS SECTION		

U.S. DEPARTMENT OF JUSTICE
- 617 - U.S. DEPT. OF JUSTICE

#10,011



144-36-156

U.S. Attorney General Robert F. Kennedy
Washington, D.C.

FILE	SEARCHED	INDEXED	SERIALIZED
APR 1964			
Gen. Inv.	Spec.		

Dear Mr. Kennedy, I'm an

old lady who was sent out of the hospital after seven weeks complication of disease, but I feel I ought to work for justice and I don't know of anyone who can help but you. Therefore, I have the temerity to write.

I am enclosing a clipping from one of our papers, both controlled by the same person. They are about to crucify St. Bernagar one of the best of our police men.

Everyone knows our city has been under the control of Big House gamblers and racketeers. When my sister was a newspaper reporter and took his neck out so often we fully expected he would be murdered. God was good. He died a natural death. However, the way he

was buried a police escort accompanied him to church but had to hurry off to escort the body of Big Nose Sam's mother, who was buried from the Celtic Church. I wish I could remember her name.

St. Finanigan is a brilliant young man from a large poor family. While on the police force he worked his way through American International College. He was put on the vice squad - he did such a good job, even had ribs broken by one boogie, that he was demoted by his good friend Chief Gallagher. He retained his full pay and Lieutenancy.


Shortly afterward Chief Gallagher suffered a stroke and as St. Finanigan manages to pass all examinations, and might become Gallagher's successor, he looks to me as though he is being framed. The newspapers are in yellow journalism. They became non-union many years ago, and I imagine can't help being controlled.

I had thought of writing to Gov. Fiedora, but I was sure he too would be controlled.

My admiration for you and your deeds
is boundless. I have great confidence
that you will ~~be~~ help as usual.

However, I realize my own danger if
this become known so I am asking that
my name be not used ~~to~~ and that you
do not answer this letter.

Very respectfully,



CITY POLICE INDICTED

Lt. Flanagan, Sgt. Williams Accused of Beating Man Held in Child Abuse Case

TWO CITY POLICE

(Continued From Page 1)

and for assault and battery on two seven-year-old Springfield girls.

Picked Up Girls

Police said that Vermette picked up the girls in his auto and asked them if they wanted to attend a birthday party for his daughter. He took them to a utility room in his home where he tied them up and slapped them. He later untied them, treated a dog bite wound suffered by one of the girls earlier, and gave them ice cream. One of the girls telephoned her home and her mother came for her.

Vermette was arrested the following day. While he was being held at Police Headquarters he became ill and was taken to Wesson Memorial Hospital under guard.

At the hospital he underwent surgery for a ruptured spleen. His attorney, Edward L. Donnellan, obtained police permission to photograph what he said were bruises on Vermette's side while the accused was confined to the hospital.

He was arraigned in Springfield District Court on April 10, 1961, and was committed to Northampton State Hospital for 35 days' observation. Indicted by the Grand Jury which convened in May, 1961, Vermette went to trial on May 25, but changed his pleas to guilty before the hearing had proceeded far. He was sentenced by Judge Frank W. Tomazello.

W. J. Vermette, Now in Prison, Said Badly In- jured by Kicking in In- cident in 1961

Det. Lt. Robert P. Flanagan and Det. Sgt. James P. Williams, members of the Springfield Police Department, were today indicted by the federal grand jury at Boston for extracting a confession from a local man by "beating, kicking and striking him."

No date was set for the arraignment of the local policemen.

The indictments were returned today after three weeks of hearings before the federal grand jury. Asst. United States Atty. William J. Koen prosecuted the case.

Took Place in 1961
The jury returned its verdict to Federal Judge Francis J. W. Ford, stating that the policemen violated the civil rights law in the case of Wilfred J. Vermette, 32, of 117 Corcoran Blvd., who is now serving a sentence at the Massachusetts Correctional Institution at Walpole.

The indictment says the incident in question occurred on Feb. 25, 1961, at Springfield police headquarters. At that time, the indictment states, Lt. Flanagan and Sgt. Williams "did beat, and kick, and strike (Vermette) for the purpose and intent of imposing summary punishment and forcing a confession from him."

Following the incident, Vermette was confined to Wesson Memorial Hospital with a ruptured spleen and for many days was carried on the danger list there.

Many Testify
During the three weeks of hearings in Boston members of the Springfield Police Commission, numerous policemen, a jilted woman, and a local attorney gave testimony. Members of the Police Department who testified were primarily those of the police Crime Prevention Bureau, where Lt. Flanagan and Sgt. Williams were assigned at the time.

Capt. James J. Collins, head of the Crime Prevention Bureau, was one of the witnesses to appear at Boston.

Vermette was arrested by members of the Crime Prevention Bureau on Feb. 25, 1961, on various charges arising out of a morals case investigation involving two small girls.

In Hampden County Superior Court on May 25, 1961, Vermette was sentenced to a term of three to five years for kidnaping

(Continued on Page 10)

T. 5/10/62

MM:INT:eg
144-32-579

D. A. K.

MAY 11 1962

FILED
BY ELDON
17 MAY 1962

[Redacted]

Dear [Redacted]

9/11
5/11/62

Reference is made to your letter of April 26, 1962.

This Department has already received information concerning the alleged beating of James Leiby and this matter is under active consideration. If you will furnish us with additional information regarding the pulling out of beards in Jefferson Parish Jail, we will give this matter our consideration.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

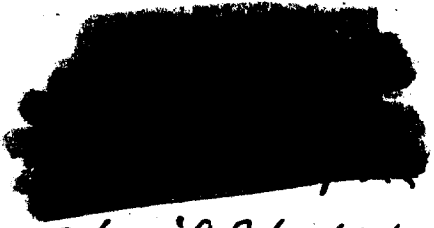
By:
JOHN L. MURPHY, Chief
General Litigation Section

cc: Records
Chrono
Tranen

INDEXED AND FILED
COMMUNICATIONS SEC.
MAY 11 1962 CJR

Confidential

#10,316



April 26, 1962

The Hon. Robert Kennedy
Washington, DC-

Dear Sir,

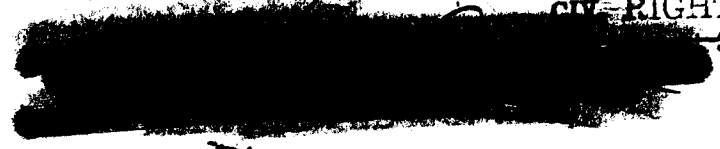
Inclosed is an article from
the New Orleans paper that is
self explanatory, I also have
some information with reference
to two negro prisoners who had
their heads pulled out with pliers
while in jail in Jefferson Parish.
Sir, would you have your office look
into this brutality at the earliest
date possible.

144-32-579

Change
CR 5/9/62

144-32-0	DEPARTMENT OF JUSTICE	RECORDED
15	MAY 2 1962	RECORDS BRANCH
		CIVIL RIGHTS DIV.

Sincerely yours



T. 6/14/62

Director
Federal Bureau of Investigation

BN:INT:sab 10,316

Mark Marshall
Assistant Attorney General
Civil Rights Division

A. T. M.
144-32-579

JUN 19 1962

Richard Morris Thompson;
Fred Roth, Jr.;
James Frederick Le May - Victim
Civil Rights

Reference is made to your memorandum of May 10, 1962, with the report of Special Agent [redacted], dated May 4, 1962, at New Orleans, attached.

Please interview [redacted] and [redacted]. Attempt to make a positive identification of the subjects through photographs or personal viewings.

Handwritten notes on the left margin:
4/18
D
6-19

SENT BY MESSENGER
COMMUNICATIONS SEC.
JUN 19 1962 C

cc: Records
Chron
Tranen
Murphy
USA, New Orleans, La. (air mail)

FILED
BY WELDON
JUN 26 1962

Oaxton

Bmi Int: eq.

144-32-579

#1036

FILED
M R
JUN 27 1962



May 24 - 1962

Mr John L. Murphy
Washington D.C.

144-32-579
2
28
CIV. RIGHTS DIV.

DOCKETED

MAY 31 1962

File # 14

Dear Sir.

This will acknowledge your letter dated
April 26, 1962 in which you requested
more information in connection with two
prisoners heads being pulled out by
Jefferson Parish Sheriff Deputies. all the
the information that I have Sgt. Russell
Civillo ^{who is a Deputy} told me that the Deputies pulled
out the heads and put buckets over
their heads and beat the buckets over
did not call the names of the Deputies he
but if I remember correctly the names
of the two negroes who ~~lost~~ lost the heads
were brothers and their name was
Bridges. There is one other thing

that I would like to see you look
into in Jefferson Parish jail that I'm
sure comes under your jurisdiction
because it is a violation of Civil rights
as you know everyone that goes to jail
is not guilty. When any person is put
in the east bank jail in Jefferson Parish
they are locked up in dungeons. Just
bars between the prisoners no matter
who they are women or men black or
white if they have to use the restrooms
they have to sit on a commode out in
the middle of the floor while men and
women look on depending on who might
be in jail. I'm sorry that I did not
answer your letter sooner but I have
been looking into a case here in Forest
Miss. where a negro was suspected
of stealing some money from another
negro who was running a moonshine
joint for a white man.

The negro I was told was put in jail
4 or 5 days with the understanding he would
be released if he would build a house
for this white bootlegger who owned the
joint. All of the information on this stems
is hearsay but it came from highly
respectable citizens. Thought you might
like to have this information.

Sincerely yours



T. 6/15/62

BM:INT:sab 10,316

144-32-579

A. T. MC

JUN 19 1962

AIR MAIL

Honorable Kathleen Ruddell
United States Attorney
New Orleans, Louisiana

FILED
BY ~~WALDON~~
JUN 23 1962

Re: Richard Morris Thompson;
Fred Roth, Jr.;

[REDACTED] - Victim
Civil Rights

Dear Miss Ruddell:

Reference is made to the letter from your office, dated May 10, 1962, in the above captioned matter.

I have carefully considered the information contained in this file and have determined that a violation of Section 242, Title 18, United States Code is disclosed. Witnesses [REDACTED] and [REDACTED]

all saw the victim beaten by the subjects with no provocation. The victim was found asleep in an automobile outside the motel which had been entered. The officers were not called upon to use any force whatever unless the suspect either attacked the officers or attempted to resist and flee. There is no evidence to support either of these alternatives.

Under these circumstances the force used by these officers was entirely unnecessary to effect the arrest and maintain custody. Its use, therefore, must have been for the purpose of punishment, which the officers had no authority to impose.

cc: Records
Chron
Trans

INSPTD AND MAILED
COMMUNICATIONS SEC.
JUN 19 1962 G

AIR MAIL

6/15/62
JRM
6/18
C-19

Feb
9/14

- 2 -

I am requesting a further investigation of this matter and a positive identification of the subjects for purposes of grand jury presentation.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

T. 9/6/62

Director
Federal Bureau of Investigation

Burke Marshall
Assistant Attorney General
Civil Rights Division

Richard Morris Thompson;
Fred Roth, Jr.;
[redacted] Victim
Civil Rights

A. T. M.
REC'D
REC-10,316
144-32-579

SEP 12 1962

Reference is made to your memorandum of July 30, 1962,
with the report of Special Agent [redacted] dated
July 25, 1962, at New Orleans, attached.

Positive identification of the subjects in this matter
was requested by the showing of photographs to witnesses
[redacted]
and [redacted]. Please continue to attempt to locate
and interview [redacted]

9/7/62

[Handwritten signature]

9/7

9-10-62

cc: Records ✓
Chrono
Tranen
Murphy
USA, New Orleans, La.

SEARCHED
SERIALIZED
INDEXED
FILED
2
USA

T. 12-20-62
BM:INT:rb 10,316
144-32-579

A. T. M.

DEC 26 1962

AIR MAIL

JAN 3 1963

Honorable Louis C. LaCour
United States Attorney
637 Federal Building
New Orleans 12, Louisiana

Re: Richard Morris Thompson, et al.;
[REDACTED] - Victim
Civil Rights

Dear Mr. LaCour:

Reference is made to the reports of the Federal Bureau of Investigation in this matter.

These reports disclose that on the night of April 24, 1962, the victim was sleeping outside his uncle's motel when subject officers saw the motel office being burglarized. They attempted to apprehend the burglars but were unsuccessful. The victim was then found sleeping in his automobile.

The subjects, according to the victim, ordered him out of his car and beat, struck, and kicked him with no provocation. Subsequently, the victim, James Frederick LeMay, was released from custody when one of the burglars was apprehended and informed the police that LeMay was not known to him and had not taken a part in the attempted burglary.

Inasmuch as Detective Thompson admits kicking the victim and there are witnesses to the victim's being beaten, I think that this matter should be presented to a Grand Jury as a violation of Title 18, Section 242, United States Code.

Enclosed you will find a proposed indictment. Please inform me as to when this matter will be presented.

Enclosure

Sincerely,

INSPTD AND MAILED
COMMUNICATIONS SEC.
DEC 26 1962 C

cc: Records
Chrono

AIR MAIL

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

9/14
12/21

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

v.

RICHARD MORRIS TOMPSON
and
FRED ROTH, JR.

Defendants

INDICTMENT No.

18 U.S.C. 241

The Grand Jury charges that:

COUNT I

On or about April 24, 1962, in Jefferson Parish in the Eastern District of Louisiana, Richard Morris Tompson, a Detective of the Jefferson Parish Sheriff's Office, acting under color of the laws of the State of Louisiana, did wilfully hit, strike and kick James Frederick Le May, an inhabitant of the State of Louisiana, with the intent and purpose of imposing summary punishment upon him, and did thereby wilfully deprive James Frederick Le May of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of liberty without due process of law.

In violation of Title 18, Section 242, United States Code.

COUNT II

On or about April 24, 1962, in Jefferson Parish, in the Eastern District of Louisiana, Fred J. Roth, a Detective of the Jefferson Parish Sheriff's Office, acting under color of the laws of the State of Louisiana, did wilfully beat and strike James Frederick Le May, an inhabitant of the State of Louisiana, with the intent and purpose of imposing summary punishment upon him, and did thereby wilfully deprive James Frederick Le May of a right secured

and protected by the Constitution and laws of the United States,
to wit, the right not to be deprived of liberty without due
process of law.

In violation of Title 18, Section 238, United States
Code.

A TRUE BILL

Foreman

United States Attorney

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : Mr. John L. Murphy, Chief
General Litigation Section

DATE: November 30, 1962

FROM : Irving N. Tranen, Attorney *INT*
Constitutional Rights Unit

INT:iwd 10,316

144-32-579

SUBJECT: Richard Morris Tompson, Et Al;
[REDACTED] - Victim
Civil Rights

The victim, [REDACTED], was sleeping in an auto outside a motel owned by his uncle. Subject officers cruising in the neighborhood, saw the motel being burglarized. The burglars got away but subjects found the victim in an auto. They told him to come out and according to the victim they wanted the name of his accomplice. They beat the victim in an effort to secure the name of the supposed accomplice. Victim was also kicked in the stomach after he was handcuffed. Victim was released by police after the motel burglar was apprehended and stated victim not an accomplice. No action taken by sheriff against the subjects. Permission is requested to present this matter to a Grand Jury.

144-32-579	
DEPARTMENT OF JUSTICE	RECORDED
4 DEC 27 1962	
RECORDS BRANCH	
CIV. RIGHTS DIV.	

Gen. Lit. Sec.

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. Mr. Marshall	
2.	
3.	John Murphy
4.	Call the good
5.	work. J

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Note return of indictment at New Orleans. 144-32-579

This case involves the beating by New Orleans detectives of a young man who came home rather late one night and had forgotten his key. He went to sleep

FROM	BUILDING, ROOM, EXT.	DATE
NAME		

in his car and the police
discovered him when they
came to investigate a reported
break-in attempt. Without
giving the victim a chance
to explain, they beat him up.
John

T. 11-27-63

BM:INT:peb 10,316
144-32-579

NOV 29 1963

Honorable Louis LaCour
United States Attorney
New Orleans 12, Louisiana

Re: Richard Morris Thompson and
Fred Roth, Jr.;
[REDACTED] - Victim
Civil Rights

JMY
11/29/63
[Signature]
11/29

Dear Mr. LaCour:

I have been informed by the Federal Bureau of Investigation that the above entitled matter has been set for trial on November 27, 1963. Enclosed you will find jury instructions which might prove helpful.

Please keep this office informed of developments in this case.

Sincerely,

NOT INSPECTED FOR
MAILING BY R.A.O.

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records ✓
Chron
Tranen

By:
JOHN L. MURPHY, Chief
General Litigation Section

Enclosures

NOT DIRECT FROM
CIVIL RIGHTS DIVISION MAIL ROOM
DATE 11/29/63
BY [Signature]

T. 4/13/62

Director
Federal Bureau of Investigation

BM:DMT:sub 10,011

Burke Marshall
Assistant Attorney General
Civil Rights Division

114-36-156

O. M. B.

Unknown Subjects
[REDACTED] - Victim
Civil Rights

APR 19 1962

REC'D
A. C. [unclear]

Reference is made to the attached copies of a document from Wilfred J. Vernetta, Norfolk, Massachusetts.

Please interview the victim as to the alleged beating of the victim for the purpose of coercing a confession, also determine whether the voluntariness of the victim's confession was raised and passed upon by the court in his trial. Also check the court records.

Handwritten notes on the left margin:
7/14/62
4/16
D
7/1
Y

FILED
BY BH
ON APR 24 1962

cc: Records
Chrono
Murphy
Tranen
USA, Boston, Mass.

COMMUNICATIONS SEC.
APR 19 1962

United States Supreme Judicial Court

Copy.

10, 011

6 March 1962

Clerk of Court
U.S. Supreme Judicial Court
Washington, D.C.

DOCKETED
MAR 29 1962

Wilfred J. Vermette
Box 43, Norfolk, Mass.
Defendant.

D/I SEARCHED ✓

See DJFile

Docket No. —

Clerk of Court;
Dear Sir;

please call the attention of the
presiding judge, I hereby inclose a billing
fee of five dollars with this notice.

Whence my allegations and contentions
annejed to my claim, and this court sets
a date to be disposed of; I hereby pray
the court will issue out a Writ-of habeas corpus
to the authorities of Norfolk Correctional Institution,
directing the proper officials to bring me before
this bar for the hearing.

144-36-156

NEW # 1-36-0

a copy of this letter of notice is sent to the
District Attorney's office, Hampden County,
Springfield, Massachusetts.

DEPT. OF JUSTICE
1962
CIV. RIGHTS DIV.
Gen. Lit. Sec.

also a copy of this letter of notice is sent to the
U. S. General attorney's office

MAR 12 1962

CERTIFIED

MAR 8 1962

REGISTERED

no record

Washington, D.C.

Respectfully Yours

Annexed to the claim.

Wilfred J. Vermette.

United States Supreme Judicial Court

Copy.

Clerk of Court
U.S. Supreme Judicial Court
Washington, D. C.

6 March 1962
Wilfred J. Vermitt
Box 43, Norfolk, Mass.
Defendant.

v. s.

Commonwealth of Massachusetts.

Here comes the defendant with his allegations and contentions to be disposed of:

On 25 February 1961 I was arrested by police officers last names of Williams and Flanagan.

On 25 February 1961 thereafter I was beaten and kicked almost to death to force me to sign a confession.

By this brutality my spleen was ruptured and thereby 27 February 1961 admitted in the Wesson Memorial hospital (Springfield Mass.)

On this day 27 February 1961 thereabouts I was operated and my spleen removed. I here by submit this claim to force this police department

Court Street Springfield Mass. To show cause
by what authority the police officers had to
beat and kick me almost to death, so far as
to rupture my spleen to sign a
confession unwilling.

a copy is sent to the District Attorney's Office
Springfield, Mass. Hampden County.

also a copy is sent to the United States
General Attorney's Office
Washington, D. C.

Respectfully Yours

Wilfred J. Vermette.

T. 8-1-62
Director, Federal Bureau of
Investigation

Earle Marshall
Assistant Attorney General
Civil Rights Division

RM:INT:rb 10,011
144-36-156 O.M.E.

Rec'd

AUG 2 1962

[Redacted] and
[Redacted] - Victim
Civil Rights

Reference is made to your memorandum of July 16,
1962, with the report of Special Agent [Redacted]
dated July 12, 1962, at Boston, attached.

It is expected that this matter will be presented
to a grand jury. Will you, therefore, complete a
preliminary investigation.

JH
8/1/62
John
8/1

8/2

cc: Records
Chrono
Tranen
Murphy
USA, Boston, Mass.

SEARCHED BY MESSAGE CENTER
COMMUNICATIONS SECTION
AUG 2 1962

T. 12-6-62
BM:INT:rb 10 O.M.B.
144-36-156

DEC 11 1962

Honorable W. Arthur Garrity, Jr.
United States Attorney
1107 U.S. Post Office and
Courthouse Building
Boston 9, Massachusetts

BY CAS
OL DEC 11 1962

Re: [REDACTED] - Victim
Civil Rights

Dear Mr. Garrity:

Reference is made to the report of Special Agent [REDACTED] dated August 30, 1962, at Boston, Massachusetts.

The investigative reports in this matter, disclosing substantial physical injuries to the victim under questionable circumstances, make this matter one that should be presented to a Grand Jury. However, in view of Dr. Joseph Tauber's reluctance to state the cause of the victim's injuries and the lack of evidence as to the victim's condition prior to his arrest, the proceeding before the Grand Jury will have to be in the nature of an investigatory proceeding.

Enclosed is a copy of a proposed indictment. Please keep this office informed of developments.

Sincerely,

Enclosure

cc: Records
Chrono
Tranen

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division
DEC 11 1962 C.J.R.

12/9/62
12/10
[Handwritten initials]

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

ROBERT P. FLANAGAN and)
JAMES WILLIAMS)

INDICTMENT NO. _____

The Grand Jury charges that:

COUNT 1

On or about February 23, 1961, at Springfield, Massachusetts, in the District of Massachusetts, Robert P. Flanagan and James Williams, officers of the Springfield, Massachusetts, Police Department, acting under color of the law of the State of Massachusetts, did wilfully beat, strike, kick and assault Wilfred J. Vermette, an inhabitant of the State of Massachusetts, with the intent and purpose of coercing a confession of the commission of a crime from him, and did thereby wilfully deprive Wilfred J. Vermette of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of liberty without due process of law.

In violation of Section 242, Title 18,
United States Code.

A TRUE BILL

FORGEMAN

UNITED STATES GOVERNMENT
Memorandum

DEPARTMENT OF JUSTICE

TO : John L. Murphy, Chief
General Litigation Section

DATE: September 26, 1962

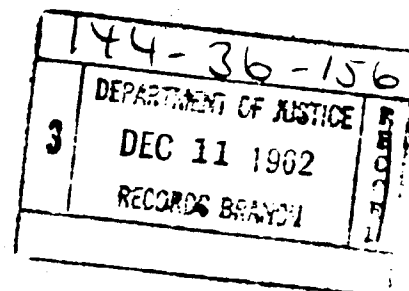
FROM : Irving N. Tranen 743
Constitutional Rights Unit

BM:INT:sab 10,011

144-36-156

SUBJECT: [REDACTED] - Victim
Civil Rights

The victim, [REDACTED] was arrested and charged kidnapping, assault by means of a deadly weapon and assault and battery. The day after his arrest the victim complained that he had been beaten by [REDACTED] and [REDACTED] and his attorney called a doctor. The doctor had the victim removed to a hospital and found victim suffering from a ruptured spleen and a fractured rib. Victim states that these injuries were caused by subject's beating of him in order to secure a confession which he gave. Subjects deny mistreating the victim. However, despite the lack of eyewitnesses to the beating, the existence of these substantial injuries, necessitating an operation, makes this a matter which should be presented to a Grand Jury.



Retyped 6-25-63
BM:INT:rb10,011
144-36-156

J. B.

JUN 26 1963

Honorable W. Arthur Garrity, Jr.
United States Attorney
Boston, Massachusetts

Attention: William J. Koen, Assistant
United States Attorney

Re: [REDACTED] - Victim
Civil Rights

Dear Mr. Garrity:

Reference is made to your letter of May 7, 1963, recommending that this matter be closed.

Your reasons for closing this file are based on the fact that the beating could have taken place after the victim signed the confession. The time of the beating is immaterial as pertaining to jurisdiction under Title 18, Section 242 of the United States Code. An information charging defendant with a violation of 18 U.S.C. 242 was held to be sufficient where in two charges the defendant was charged with: (a) under color of law wilfully striking a prisoner to extort information, etc., and (b) while acting under color of law wilfully mistreating a prisoner for the purpose and with the intent to impose illegal summary punishment upon the prisoner. U.S. v. Jones, C.A. Fla. 1953, 207 F. 2d 785.

You are, therefore, requested to present this matter to a grand jury as soon as practicable. Enclosed is a proposed indictment which can be used if the grand jury finds that the victim was beaten but that such beating was not for the purpose of securing a confession.

Enclosure

cc: Records
Chrono
Tranen

INSPTD AND MAILED
COMMUNICATIONS SEC.
JUN 26 1963 P.R.R.

JUL 1 1963

6/25/63
6/26

- 2 -

Please keep this office informed of developments. If you need assistance in presenting this matter, an attorney can be made available from this Division.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

v.)

ROBERT FLANAGAN and)
JAMES WILLIAMS)

INDICTMENT NO. _____

The Grand Jury charges that:

On or about February 25, 1961, at Springfield, in the District of Massachusetts, Robert P. Flanagan and James Williams, officers of the Springfield, Massachusetts, Police Department, acting under color of the law of the State of Massachusetts, did wilfully beat, strike, kick and assault Wilfred J. Vernetto, an inhabitant of the State of Massachusetts, with the intent and purpose of imposing summary punishment upon him, and did thereby wilfully deprive Wilfred J. Vernetto of a right secured and protected by the Constitution and laws of the United States, to wit, the right not to be deprived of liberty without due process of law.

In violation of Section 242, Title 18, United States Code.

A TRUE BILL

Foreman

United States Attorney

T. 10/10/63

BM:INT:sab 10,011
144-36-156

OCT 15 1963

Honorable W. Arthur Garrity, Jr.
United States Attorney
Boston, Massachusetts

Re: [redacted] et al;
[redacted] - Victim
Civil Rights

Dear Mr. Garrity:

We have been furnished by the Federal Bureau of Investigation with a copy of a clipping from The Springfield Union of September 24, 1963, concerning the Vermette case.

This newspaper story states that both [redacted] and [redacted] sought to appear before the Grand Jury. Would you please furnish us with the facts concerning any such request and denial so that we might be in a position to intelligently answer any questions concerning this incident.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records ✓
Chron
Tranen

By:
JOHN L. MURPHY, Chief
General Litigation Section

RECEIVED MAILED
COMMUNICATIONS SECTION
OCT 15 1963 UH

9/10/63
10/14/63
Jum
10/14

T. 3-6-62

Director, Federal Bureau of Investigation

Burke Marshall
Assistant Attorney General
Civil Rights Division

FILED
BY ESE
MAR 13

EM:GJ:rb 9843

50-14-3

L.H.H.

[REDACTED]
- Victim,
Unknown Victims (4);
Involuntary Servitude and Slavery

MAR 8 1962

Reference is made to your memorandum of February 26, 1962, with the report of Special Agent [REDACTED] dated February 16, 1962, at New Haven, attached.

Please conduct a preliminary investigation. Should the victims indicate that they are being held against their will, this investigation should include an interview with the subject.

Handwritten notes:
KMF
3/6/62
[Signature]
3/6
[Signature]
3/7
m
3/7

cc: Records ✓
Chrono
Jones
Murphy
USA, New Haven, Conn.

COMMUNICATIONS SEC.
MAR 8 1962 C

T. 4/12/62

414

Director
Federal Bureau of Investigation

BM:CMJ:sob 9843

Burke Marshall
Assistant Attorney General
Civil Rights Division

50-14-3

L.H.H.

110

[REDACTED] et al - Victims
Involuntary Servitude and Slavery

APR 16 1962

Reference is made to your prior memoranda with the reports of Special Agent [REDACTED] at Philadelphia and Special Agent [REDACTED] at New Haven, attached.

Please interview the [REDACTED] of victim [REDACTED] as to their knowledge of circumstances surrounding their stay at subject Shackney's farm.

Aug
4/12/62

Jim
4/12

~~Jim~~
4/12

WJ
4-16

INSPTD AND MAILED
COMMUNICATIONS SEC.
APR 16 1962 C.J.R.

cc: Records
Chrono
Jones
Murphy
USA, New Haven, Conn.

T. 5-24-62
EM:GW:rb 9843
50-14-3

J. I. K.

JUN 13 1962
I LEH
O. JUN 22 1962

Honorable Robert C. Zampano
United States Attorney
Post Office Building
New Haven, Connecticut

Re: [REDACTED] aka.,
[REDACTED] - Victim,
et al.
Involuntary Servitude and Slavery

Dear Mr. Zampano:

Reference is made to the investigative reports in the above-captioned matter.

I have examined carefully the contents of these reports and am convinced that this case is worthy of prosecution under the peonage and involuntary servitude statutes. Therefore, unless you have some serious objection, please arrange to present this matter to the Grand Jury as soon as possible and advise me of the date when this will be done.

I am enclosing herewith a suggested form of indictment and I shall be happy to assist in any way that I can.

INSPTD AND MAILED
COMMUNICATIONS SEC.
JUN 13 1962 GJR

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chrono
Jones

Enclosure

Handwritten notes:
6/5/62
6/8/62

Handwritten initials:
Jlm
6/8/62

Handwritten initials:
M
6-12