

# Case of 1964 civil rights killings goes to the jury

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The murder case against Edgar Ray Killen, accused of masterminding the murder of three civil rights workers in 1964, went to the jury in Philadelphia, Mississippi on Monday, June 20. Tuesday marked 41 years to the day that Michael Schwerner, James Chaney and Andrew Goodman, participants in the “Freedom Summer” campaign to register black voters in the Deep South, were killed.

Schwerner and Goodman were among hundreds of youth who had traveled from other parts of the US to participate in Freedom Summer. Chaney was a young Mississippian who joined the struggle.

The current trial is the first on murder charges in connection with these racist killings. Eighteen Ku Klux Klan supporters faced federal charges of violating the victims’ civil rights in a 1967 trial. Only seven were convicted, and none spent more than six years behind bars. Even though Killen was linked by witnesses in the 1967 trial to the planning of the killings, he walked free after the jury deadlocked 11-1 for conviction in his case.

Now 80 years old, Killen, a sawmill owner and preacher, has reached a ripe old age. On the first day of the trial, he was excused after complaining of high blood pressure.

The victims of the 1964 killings, young men who represented the very best of their generation, were robbed of their lives on the cusp of adulthood. Schwerner was 24, Chaney 21, and Goodman 20.

Schwerner was the main target of the Klansmen. A native of New York and a graduate of Cornell University, he had been working in Mississippi along with his wife Rita for nearly six months, as part of the Congress of Racial Equality, which had established a chapter in the town of Meridian, a larger city about 30 miles away from Philadelphia.

One of the first witnesses in the current trial, which began on June 15, was Schwerner’s widow. Rita Schwerner Bender, since remarried and now working as a lawyer and living in Seattle, told the court about the repeated harassment and threats they faced in Mississippi.

She related how, while they were at a civil rights training session in Ohio in June 1964, they received word that the Mount Zion United Methodist Church, near Philadelphia, had been burned to the ground by the Klan. “They had to go back and see those people,” Ms. Bender told the jury. “You don’t abandon people who have put themselves at risk.”

Schwerner, Goodman and Chaney drove from Ohio back to Mississippi. They reached Meridian, and then drove on to Philadelphia the next day, June 21. Arrested for “speeding” and taken to jail, they were held only long enough for the local deputy sheriff, himself a Klansman, to arrange for them to be abducted when they were released. The three young men were ambushed and executed, although their bodies were not found until 44 days later, buried in an earthen dam.

Rita Bender’s testimony was followed by the reading of parts of the 1967 trial transcript, including the accounts of some witnesses who have since died. These included James Jordan, a Klansman who helped round up other conspirators. “Reverend Killen said they had three of the civil rights workers locked up, and we had to hurry and get there and were to pick them up and tear their butts up,” Jordan told the jury in 1967.

Jordan gave more details of Killen’s role, including the fact that Killen was dropped at a wake taking place at a funeral home, providing him with an alibi for the killings. However, Mississippi law draws no distinction between the organizer of a murder and the individual who pulls the trigger, and the testimony of Jordan and

others made clear Killen's role in planning the crime.

Joseph Hatcher, a former Meridian police officer and also a one-time Klansman, testified in the current trial that Killen told him where the three young men were buried. Mike Winstead, who is now serving a prison sentence, came forward with testimony after the investigation was reopened in 1999. Winstead said: "My grandfather asked [Killen] if he had anything to do with those boys being killed, and he said yes and he was proud of it."

Other prosecution witnesses included Carolyn Goodman and Fannie Lee Chaney, who lost their sons 41 years ago. Both women, now in their 80s, broke down on the witness stand.

Fannie Lee Chaney wept through most of her testimony. Carolyn Goodman read aloud a postcard sent by her son Andrew just a day after he had seen Mississippi for the first time, and hours before he was killed: "Dear Mom and Dad, I have arrived safely in Meridian, Mississippi. This is a wonderful town, and the weather is fine. I wish you were here. The people in this city are wonderful, and our reception was very good. All my love, Andy."

Defense witnesses included Killen's brother and sister, who each testified that Killen was at a family gathering at the time of the killings, an alibi which the above-mentioned testimony showed was deliberately staged and which did nothing to answer the evidence that he had planned the crime.

On Monday, just before the summations and the judge's instructions to the jury, one of the final defense witnesses was a former mayor of Philadelphia, Harlan Majure. Majure, who held the post as recently as the 1990s, said that the defendant was a "good man." When questioned on the Klan, he said it "did a lot of good up here...As far as I know it's a peaceful organization."

If convicted, Killen faces a sentence of up to life in prison. He could be convicted of manslaughter, which would carry a sentence of up to 20 years.

The latest trial is one in a number of high-profile cases dealing with racist terror reopened and prosecuted in the last decade. On June 1, the FBI exhumed the body of Emmett Till as apart of a continuing investigation into the 1955 murder of the 14-year-old black youth from Chicago. Till was killed while visiting relatives in Mississippi. It is believed that ten

or more people could have been involved.

In 1994, Byron de la Beckwith was convicted of killing NAACP leader Medgar Evers in 1963. Beckwith died in 2001 while serving a life sentence.

Robert Chambliss, Thomas E. Blanton Jr. and Bobby Frank Cherry are in jail for the 1963 church bombing in Birmingham, Alabama that killed four young girls. Chambliss was convicted in 1977, but the others not until 2001 and 2002 respectively.

Rita Schwerner Bender and others who lost their loved ones in the struggle for racial equality have stressed, in light of the current trial, that the issues raised by the struggles of forty years ago have not disappeared. Ms. Bender told a memorial service for her husband, Chaney and Goodman on June 19 at Mt. Zion Church, the same church burned down by the Klan 41 years ago: "It's important that we seek to understand how a government became complicit in terror and how good people looked aside and let it happen." She said it was important to understand the Mississippi events of the 1960s because "governments can run amok again."



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