

**LET
JUSTICE
ROLL
DOWN**

John Perkins

Endnotes

Chapter 13: The Whole Gospel

1. Neil R. McMillan, "The Development of Civil Rights: 1956-1970," *A History of Mississippi*, ed. Richard Aubrey McLemore, vol. 2 (Hattiesburg, MI: University and College Press of Mississippi, 1973), p. 156.

Chapter 17: Green Power!

1. "On each occasion the demonstrators were under the close surveillance of numerous uniformed and plainclothes officers of the Mississippi Highway Patrol, who followed each march and took pictures of the participants with motion picture and still cameras." *Perkins v. State of Mississippi*, 455 Federal Reporter, 2nd series (1972), p. 14.

Chapter 18: Ambush!

1. "Sam Ivy, the director of the Identification Bureau of the Highway Patrol, testified that he had dispatched at least two of his 15 agents to Mendenhall to cover the February protest activities, while Inspector Lloyd Jones, the officer in charge of the uniformed patrolmen of the Jackson Division, stated that at least six of his men were on duty at that time, including a specially trained photographer and an 'electronics surveillance man.' The officers employed a number of devices for identifying the leaders and participants in the marches, either by cross-checking with each other or by verifying vehicle registrations, and during the demonstrations they operated radar and VASCAR speed traps on the highway leading in and out of Mendenhall.

"Inspector Ivy also testified that the Highway Patrol maintained a permanent file on investigations involving the Mendenhall civil rights movement." *Perkins v. State of Mississippi*, 455 Federal Reporter, 2nd Series (1972), p. 14.

2. *Perkins v. State of Mississippi*, pp. 14-15.
3. *Perkins v. State of Mississippi*, p. 15.
4. *Perkins v. State of Mississippi*, p. 8. "Baldwin further testified that he had received no radio message to stop the van. It was not until all the individuals had gotten out of the van that he recognized he had stopped people associated with the demonstrations in Mendenhall." *Perkins v. State of Mississippi*, p. 9.

Yet "the official radio log of the Mississippi Highway Patrol for February 7, 1970, contains an entry pertaining to a vehicle license check

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- radioed to the scene of the arrests: ‘R/6152770 (panel truck) involved in demonstration.’” *Perkins v. State of Mississippi*, p. 17.
5. *Perkins v. State of Mississippi*, p. 15.
 6. *Perkins v. State of Mississippi*, p. 15.
 7. *Perkins v. State of Mississippi*, p. 8.
 8. *Perkins v. State of Mississippi*, p. 15. “The State did not attempt to impeach or refute this evidence with the testimony of Patrolman Baldwin. It is uncontradicted.” *Perkins v. State of Mississippi*, p. 15. “Baldwin admitted under oath that in making the call he might have said, ‘I’ve got a truck load of niggers and there’s a white with them.’” *Perkins v. State of Mississippi*, p. 15.
 9. *Perkins v. State of Mississippi*, p. 15.
 10. *Perkins v. State of Mississippi*, p. 9.
 11. “In his testimony Patrolman Baldwin never managed to satisfactorily account for the arrest of the 19 passengers:
 - “Q. ‘Officer, why did you arrest the people inside the van?’
 - “A. ‘Well they wanted to go.’
 - “Q. ‘Did every one of them indicate that they wanted you to place them under arrest?’
 - “A. ‘Sir?’
 - “Q. ‘Did every one of them come up to you and say, “Officer, I would like to be arrested.” Is that a fact?’
 - “A. ‘The statement was made that one person wasn’t going unless all went.’
 - “Q. ‘One person made that statement?’
 - “A. ‘Yes.’
 - “Q. ‘Nobody else made that statement?’
 - “A. ‘I couldn’t say.’
 - “Q. ‘And on the basis of that statement, you arrested them all, is that right?’
 - “A. ‘Yes, sir.’” *Perkins v. State of Mississippi*, pp. 15-16.
 12. *Perkins v. State of Mississippi*, p. 16.
 13. *Perkins v. State of Mississippi*, p. 16.
 14. *Perkins v. State of Mississippi*, p. 16. “Although Officer Thames was available to testify, the State did not call him. Huemmer’s testimony is uncontradicted.” *Perkins v. State of Mississippi*, p. 16.
 15. “This is the Court’s second encounter with this individual. The first was *United States v. Edwards*, 5th Cir., 1964, 333 F. 2d 575, in which the Department of Justice sought an injunction under the Civil Rights Act of 1957 to restrain his interference with the Federally protected right to vote after he beat up a black citizen waiting to register in the Rankin County courthouse. Affirming the District Court’s denial of injunctive relief on the theory that

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the defendant had not engaged in a continuing and systematic course of intimidation, the Court referred to the incident as an ‘isolated occurrence’ and accepted the finding that ‘there was no reasonable justification to believe that such an incident would ever occur again.’ 333 F.2d at 577.

“As a dissenting member of that panel my conclusion then was that the affair was ‘no case of isolated momentary violence.’ 333. F.2d at 581. Implicit was my conviction that such flagrantly lawless conduct would be repeated and that injunctive relief was imperative. Now, more than seven years later, this record—even when read most favorable to the sheriff—bears out my prediction.” *Perkins v. State of Mississippi*, p. 18.

16. *Perkins v. State of Mississippi*, p. 17.
17. *Perkins v. State of Mississippi*, p. 17. “Neither Thames nor anyone else contradicted this testimony.” *Perkins v. State of Mississippi*, p. 17.
18. “The sheriff testified that Rev. Perkins swung at him for no apparent reason and that he responded by hitting him two or three times with his fist. For some unexplained reason neither Rev. Perkins nor any of the other prisoners were charged with assaulting the sheriff or any other officer.” *Perkins v. State of Mississippi*, p. 18.
19. *Perkins v. State of Mississippi*, p. 18. (Emphasis added.)
20. *Perkins v. State of Mississippi*, pp. 9, 19.
21. *Perkins v. State of Mississippi*, p. 20.
22. *Perkins v. State of Mississippi*, p. 19.
23. *Perkins v. State of Mississippi*, p. 19.
24. *Perkins v. State of Mississippi*, pp. 18-19.

Chapter 19: Beyond Brandon

1. “Hotheads and Professionals,” *Time* (August 10, 1970), pp. 42-43.
2. “Advocacy of social equality between the white and black races—the activity involved in the Mendenhall demonstrations and sheltered against prosecution by Title 1 of the Civil Rights Act of 1968—is a criminal offense in Mississippi. On the date of the events in question all Mississippi law enforcement officers were under a statutory duty imposed by the State Legislature to ‘lawfully’ prohibit any attempt to cause ‘a mixing or integration of the white and Negro races in public schools, public parks, public waiting rooms, public places of amusement, recreation or assembly’ in the State.” *Perkins v. State of Mississippi*, p. 48.
3. “‘We find that terror hangs over the Negro in Mississippi and is an expectancy for those who refuse to accept their color as a badge of inferiority.’ Report of the Mississippi Advisory Commission to the U.S. Commission on Civil Rights, Administration of Justice in Mississippi 23 (1963).” *Perkins v. State of Mississippi*, p. 49.

Chapter 20: Mississippi Justice

1. Not until 1975 in Mississippi were justices of the peace even required to be high school graduates.

Chapter 21: At the Gates of Justice

1. “At the hearing in the District Court the petitioners presented overwhelming proof that all of the charges pending against them are totally without foundation. Rather than attempting to counter this massive barrage of testimony, the State of Mississippi stood virtually mute. Under such circumstances silence by itself constitutes evidence of the most convincing character.” *Perkins v. State of Mississippi*, p. 51.

“The District Court made no explicit findings with respect to the credibility of any of the witnesses . . . Instead, relying entirely upon findings of probable cause for the arrests, without referring specifically to any of the petitioners’ testimony regarding their treatment on Highway 49 and at the Rankin County jail, and bypassing entirely the allegations in the removal petition that the prosecutions were groundless and instituted solely for the purpose of intimidating the defendants because of their previous exercise of . . . rights, the District Court simply remanded on the basis of a general conclusory finding that the defendants ‘were not arrested by these officers for doing anything which they had a federal right to do.’ The fact that there is no evidence at all to support any of the charges was never even considered.” *Perkins v. State of Mississippi*, p. 58.

2. *Perkins v. State of Mississippi*, p. 12.
3. *Perkins v. State of Mississippi*, p. 12.
4. “We must conclude that Douglas Huemmer and his 19 passengers were arrested and charged and now face prosecution in the State courts because—and only because—they had participated earlier in the day in the Mendenhall protests, activities immunized against official intimidation by the Civil Rights Act of 1968. Rev. Perkins, Rev. Brown and Buckley were similarly treated because—and only because—they had dared to exercise their Federally protected right to protest racial segregation in Simpson County. There is simply no other rational explanation to account for what happened.” *Perkins v. State of Mississippi*, p. 51.
5. *Perkins v. State of Mississippi*, pp. 49-50.
6. *Perkins v. State of Mississippi*, pp. 11-12.

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