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***To Kill a Mockingbird***

**Information Texts**

**The Scottsboro Boys**

Directions: Read the following two articles about the Scottsboro Boys. Mark up the texts to show your thinking and to help you complete a summary of each text. Answer the questions that follow. This is due TODAY!

**Article One: The Scottsboro Boys: Background Information**



The case of the **Scottsboro Boys** arose in Scottsboro, Alabama during the 1930s, when nine black youths, ranging in age from thirteen to nineteen, were accused of raping two white women, Victoria Price and Ruby Bates, one of whom would later recant. The four trials, in which the youths were convicted and sentenced to death by all-white juries despite the weak and contradictory testimonies of the witnesses, are regarded as one of the worst travesties of justice perpetrated against blacks in the post-Reconstruction South.

The case quickly became an international *cause célèbre* and the boys were represented by the American Communist Party's legal defense organization. The death sentences, originally scheduled to be carried out quickly, were postponed pending appeals that hooked the case all the way to the U.S. Supreme Court, where the sentences were overturned. Despite the fact that one of the women later denied being raped, the retrials resulted in convictions. All of the defendants were eventually acquitted, paroled, or pardoned (besides one who escaped), some after serving years in prison.

While it has sometimes been thought that the case later inspired Harper Lee's Pulitzer Prize winning *To Kill a Mockingbird*, she denies this, claiming it was a far less sensational case that moved her to write the novel.

**Trials**

The nine were accused of raping the two white women on March 25, 1931. After they were arrested, a lynch mob gathered around the jail, prepared to storm and kill the youths. Given the situation, the governor of Alabama, Benjamin M. Miller, was forced to call in the National Guard to protect the jail. Authorities pleaded against mob violence by promising speedy trials and executions.

On March 30, the so-called Scottsboro Boys were indicted by a Grand Jury. In April, all were convicted and sentenced to death, except for one 13 year old, who was sentenced to life in prison. The NAACP and the International Labor Defense (legal arm of the Communist Party USA) both wanted to handle the defense and struggled to gain and retain the support of the boys and their parents; the ILD eventually won that battle and the NAACP dropped out of the case.

The case quickly became widely known, with rallies held in northern U.S. cities, international press coverage and thousands of letters written in support of the defendants. The Alabama Supreme Court upheld the convictions of seven of the boys who were on death row (the eighth was determined to have been a juvenile), but in November the U.S. Supreme Court, in the case of Powell v. Alabama, reversed the convictions and ordered new trials based on the fact that the Boys didn't have proper representation. The first time they were tried, their parents scraped together cash for a real-estate lawyer who urged them to plead guilty (no southern lawyer would try the case).

The ILD hired Samuel Leibowitz, a noted attorney from New York who was widely known for winning the vast majority of his criminal cases, to defend the Scottsboro Boys at the new trials, held in nearby Decatur. However, this would backfire on the boys as the whites from the south viewed Leibowitz as a total foreigner, a northerner, a communist, one that is representing blacks, as well as a Jew. This time one of the accusers, Ruby Bates, after disappearing for a time to escape from the pressure and the media attention, returned to testify in court and recanted her earlier testimony, now stating that she and Price had lied about being raped because they were afraid that, since they were found on a train with other homeless men where one party of homeless men was violently removed, and since they were homeless themselves, they might be charged with some offense. Jury members again voted for conviction, having apparently believed the prosecution's suggestion that Bates was now lying and had changed her testimony only because the defense had paid her to do so. The attorney for the prosecution, Attorney General (of Alabama) Knight attacked Bates, calling to attention her new clothes and accessories, and Bates could only answer that the Communists had supplied her with everything.

Eventually, Leibowitz with a motion to retry the sentences based on the fact that the juries were all white, such that the Boys weren't able to have a fair trial, was seconded by the Supreme Court of the United States, making it the fourth time that the Boys were to be tried. However this time, Leibowitz reluctantly recognized that the South viewed him as an encroacher upon their space, and following the conditions of the South, allowed a white southern lawyer to take over the defense. Shortly after Lebowitz let someone else take over, himself falling back to be the assistant attorney, the Boys' sentences were sealed.

In July, 1937, Clarence Norris was convicted of rape and sexual assault and sentenced to death, Andy Wright was convicted of rape and sentenced to 99 years, and Charlie Weems was convicted and sentenced to 75 years in prison. Ozie Powell pleaded guilty to assaulting the sheriff and was sentenced to 20 years. Four of the boys were released after all charges against them were dropped: Roy Wright and Eugene Williams who had been twelve and thirteen at the time of the alleged crime; Olen Montgomery, who was nearly blind and had been found alone in a car at the end of the train; and Willie Roberson, who when accused was suffering from syphilis.

Later, Governor of Alabama Bibb Graves reduced Clarence Norris' death sentence to life in prison. Norris was later pardoned by Governor George Wallace. All of the Scottsboro Boys were eventually paroled, freed or pardoned, except for Haywood Patterson, who had been tried and convicted of rape and sentenced to the death penalty. He escaped north to Detroit, Michigan. When he was arrested more than 20 years later by the Federal Bureau of Investigation in the 1950s, Governor of Michigan G. Mennen Williams would not allow him to be extradited back to Alabama.

**Article Two: Last of the Scottsboro Boys get justice long delayed: pardons**

FAIRHOPE, Ala. – The state of Alabama can't rewrite a history shot through with hate and violence, but with the help of one determined woman it has closed a chapter on one notorious episode.

On Thursday, Alabama's parole board pardoned the last of the long-dead Scottsboro Boys, nine black teenagers falsely accused of rape in 1931. Their case divided some residents here and united others, led to two landmark Supreme Court decisions, and helped spark the civil rights movement in the decades that followed.

All the while, though, justice remained undone for some of the boys as they became men, went into hiding, and eventually died with their reputations smeared, a situation that changed only after a long campaign by a Scottsboro woman.

In the mid-1970s, when Sheila Washington was 17, she found a package under her parents' bed: a pillowcase, which held something rolled in layers of plastic. She unwrapped it, and a book tumbled out.

**A Book That Changed Her Life**

"An old, thin paperback," she said Thursday of the book about nine boys who were black, like her. What she read changed her life.

In the depths of the Great Depression, young people throughout the South hopped trains – hoboing, they called it – looking for work. That March, along the rail to Memphis, nine teenage black boys, a few white boys and two white girls had hopped on at various stops in Georgia and Tennessee.

Someone got jostled, a fight started, and the outnumbered white boys jumped off and went to the police. In Paint Rock, Ala., authorities boarded the train and arrested every black male, ranging from 13 to 19 years old. They also found the two white girls, who claimed they had been raped.

As Sheila Washington read about one of America's greatest miscarriages of justice, her father caught her with the book and snatched it from her hands. She heard fear in his voice. "You don't need to know about that," he said. "Just keep quiet about this now."

She heard the words "keep quiet" again and again, for years, about the Scottsboro Boys.

**Her Father's Fear, Her Brother's Death**

In 1978, her brother died in Kilby Prison, the same prison where the Scottsboro Boys had been held. Guards had killed him, she said, after he had killed a white man in a fight.

These dark moments – finding the old book, her father's fear, her brother's death – hardened inside her as a young woman and she began work on a project on the Scottsboro Boys. She developed a museum, a monument to their suffering. People in town expressed outrage. "They said I was disgracing the good name of Scottsboro," she said.

After almost two decades of work she opened the Scottsboro Boys Museum and Cultural Center on Willow Street, where visitors could learn about the case out in the open, free of plastic wrap and pillowcases.

Along the way, she realized that civil rights leaders had abandoned the boys, she said.

"After Rosa Parks, everybody shifted to her case, because it looked better and smelled better," she said. Even after it became clear the Scottsboro Boys had committed no crime, they still lived with the stigma of rape.

**Case Reached U.S. Supreme Court**

Their nine trials had spanned just two days at the Scottsboro courthouse, before an all-white jury, argued by a defense lawyer who didn't know Alabama law. All but the youngest teen received the death penalty.

Afterward, the Communist Party USA intervened with legal help for an appeal, and the case eventually reached the U.S. Supreme Court, where it led to two historic decisions: that jury members cannot be systematically excluded by race, and that defendants have the right to adequate legal representation.

In 1937, one of the alleged victims took back her story, saying she had never been raped. That led to five of the boys' convictions being overturned. One of them, Clarence Norris, received a pardon in 1976.

By then, the remaining Scottsboro Boys had died, but Sheila Washington felt they still deserved to have their names cleared. She went before the Alabama parole board but was told there was no process for pardons after people had died, or posthumous pardons.

So she approached Arthur Orr, a white Republican state senator whose greatest remembrance of the case, he said, came from a television special about one of the judges.

"Alabama is such a different place now," Orr, who was moved by Washington's plea, said Thursday. "This felt like a chance to do something."

**Justice Delayed But Not Denied**

Orr drew up legislation that would allow for posthumous pardons in cases of racial discrimination. The last politician to make a stand on the case was Judge James Horton, who had declared the men could not receive a fair trial in a court filled with a hostile mob, and had been crushed in the next election.

But in April, when Orr presented his bill, he said, the state legislators "were filled with a sense of unanimity, Republican and Democratic." The law passed unanimously on the 45th anniversary of the assassination of civil rights icon Martin Luther King Jr.

On Thursday, when the parole board granted the pardons, the gallery burst into applause and Republican Gov. Robert J. Bentley issued a statement saying, "The pardons granted to the Scottsboro Boys today are long overdue."

John Miller, a professor at the University of Alabama, worked with Washington and Orr on the language that became law. He acknowledged that the pardon was, in a sense, symbolic, but that was all right. "Alabama has a history of being very good at political theater, but I think this is more than just theater. It's a declaration that justice delayed doesn't have to mean justice denied."

Sheila Washington said the decision felt like the satisfaction of a lifetime's work. "I believe the boys can rest now."

**Summaries**

Write a detailed summary of each article in the space below. Remember to not just write the main idea. Pull out the important details and information from each article to tell what the text says.

|  |  |
| --- | --- |
| **Article One** | **Article Two** |
|  |  |

**Reflection**

Answer the following questions to reflect on the articles about the Scottsboro Boys. Use complete sentences and incorporate details from the articles.

1. Based on your reading of the trials, what rights were the Scottsboro Boys denied? What should have been done to ensure their rights were protected?

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1. Even though the pardons for the most of the Scottsboro Boys came after their deaths, do you still think this is significant? Why or why not?

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1. Based on your reading of these articles, what predictions can you make about what will happen in *To Kill a Mockingbird?*

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1. What are you willing to do to fight for justice and to be sure all people are treated fairly?

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