

Greensboro Civil Rights Suit:

Confronting American Death Squads

At 11:18 on Saturday, November 3, 1979, 39 Klansmen and American Nazis drove into an anti-Klan demonstration in a Black neighborhood in Greensboro, N.C. They yelled obscenities and racial epithets at the gathering of 100 men, women and children. At a signal shot, Klansmen and Nazis jumped out swinging knives, clubs and sticks at the demonstrators. On cue most returned to their cars and sped away.

From the remaining cars in the rear of the caravan there issued a volley of gunfire. The shooters fired calmly and deliberately, smoking cigarettes, reloading when necessary, not seeking cover. When they were finished, four union organizers and leaders were dead — Bill Sampson, Jim Waller, Sandi Smith, and Cesar Cauce. Eleven others were injured. Pediatrician Michael Nathan died two days later.

Arriving police did not pursue escaping Klansmen. They arrested three demonstrators for “rioting”.

The entire incident was captured on videotape by cameramen from four TV stations.

One year later, in a verdict that stunned the nation, six of those seen on network news shooting demonstrators were acquitted by an all-white jury. All other charges were dropped and the state of North Carolina declared the case closed.

On November 3, 1980, survivors of the attack, represented by one of the most impressive legal teams in recent history, went to court to demand the truth, justice, and a deterrent to such atrocities. The massive Greensboro Civil Rights Suit designates as defendants not only Klansmen and Nazis seen shooting in the streets of Greensboro but also agents and officials of the Greensboro Police Department, the U.S. Treasury Department, the FBI and the Justice Department. It claims a massive conspiracy to violate the civil rights of those murdered, injured and falsely arrested, and an ensuing cover-up that continues to this day.

The Greensboro Civil Rights Suit has now been endorsed by the Congressional Black Caucus, the National Council of Churches, the American Civil Liberties Union, Operation PUSH and the Presbyterian Church. It is center-stage in the legal battle against the rising tide of racist violence and the threat of curtailment of our Constitutional rights.

Who were the victims of the attack?

All the five killed on November 3rd were members of the Communist Workers Party and were leaders in movements to combat racism and to build effective unions in North Carolina. All were outspoken opponents of the Klan as it began to reemerge in the summer of 1979. They recognized that the Klan and the racism it propagated were a real and present threat to minorities and to the union organizing efforts they were leading.



JAMES WALLER was a 37 year old doctor who worked and organized for three years in a Cone Mills Corporation corduroy finishing plant, the Granite Mill. There he successfully filed grievances, built union membership from 12 to 200 and led and won a strike against wage cuts. Elected president of his Amalgamated Clothing and Textile Workers Union (ACTWU), he actively fought against the prevalent racism and discrimination in the mill.



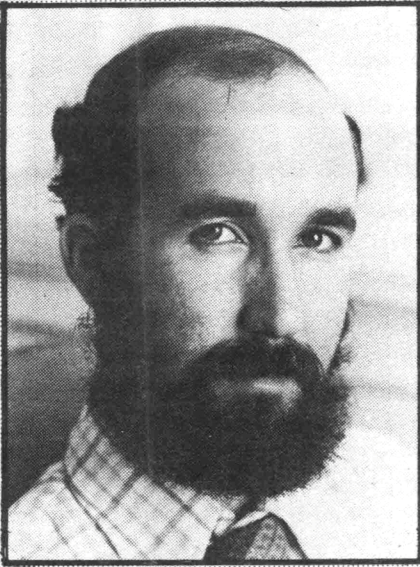
BILL SAMPSON was a former Harvard divinity student who left a potentially comfortable life to work in the steamy dye room of Cone Mills White Oak Plant. There he, like Jim Waller, led a surge in rank-and-file union activity for worker health and safety that propelled him into a race for presidency of his local and threatened company control over its workers.



SANDI SMITH, 28 years old, had been a leader of the Black student movement while attending Greensboro's Bennett College. Afterwards, she worked in and chaired an organizing drive at a third Cone Mills Plant. With the workforce almost entirely Black and mostly female, Sandi gained renown for her opposition to the company's blatant discrimination in promotion and to its widespread sexual harassment.



CESAR CAUCE was a *magna cum laude* graduate of Duke University. After college he stayed at Duke Hospital and became a leader of the 10-year-old struggle to unionize mostly Black hospital workers.



MICHAEL NATHAN, M.D., was a long-time community activist organizing on behalf of poor and Black people's right to education, housing and health care. He was openly supportive of hospital unionization efforts and was leading a drive for medical support for Zimbabwean refugees when he was shot.

The murder of these leaders, out of a crowd of one hundred, is more than coincidence. According to newspaper reports, Nazis "knew who was to be shot" prior to the attack. One Nazi bragged on film after the shootings of having "destroyed them damn unions". This is consistent with eye-witness cameramen's stories that the shooters appeared to be singling out their victims, that the killings looked conscious and predetermined.

Government-Backed Right-Wing Death Squads, American Style

Planning and deliberation went into the attack in the months before November 3rd. Meetings of Klansmen and Nazis were held throughout North Carolina.

The Klan and Nazi conspirators were not alone. At least two government agents participated in those meetings, both encouraging and organizing, one eventually leading the attack.

The activities of the agents interlocked with those of the Greensboro Police Department, which consistently and consciously refused to protect the demonstrators. Meanwhile, the FBI

chose to investigate the Communist union organizers but not the Klan in the week before the murders occurred.

What is emerging is an outline of a complex and coordinated set-up of the labor organizers for attack by a government-directed right-wing death squad. The chilling scenario is sharply reminiscent of repression in Central America.

* The Klan group was recruited, organized and led by Ed Dawson, paid informant of the Greensboro Police Department who was reporting to police and to the FBI. At the prodding of police, Dawson began meeting and planning with Klansmen 100 miles from Greensboro weeks prior to November 3rd. On the morning of November 3rd, he admits that he was "in charge" of the group and led them to the anti-Klan demonstration in a city which was foreign to most of the attackers.

* A full-time undercover agent for the U.S. Treasury Department's Bureau of Alcohol, Tobacco and Firearms (BATF) was instrumental in gathering Klansmen and Nazis into the United Racist Front, the coalition which forged the November 3rd attack. Bernard Butkovich attended the Nazi planning meetings including the most important on November 1st. There he encouraged them to bring guns to Greensboro on November 3rd. Though he did not participate in the caravan, afterwards he tried to persuade other Nazis to harbor guns and fugitives. He left town on November 4th after suggesting to a jailed Nazi that he would burn down the Nazi's house and make it appear that the communists did it.

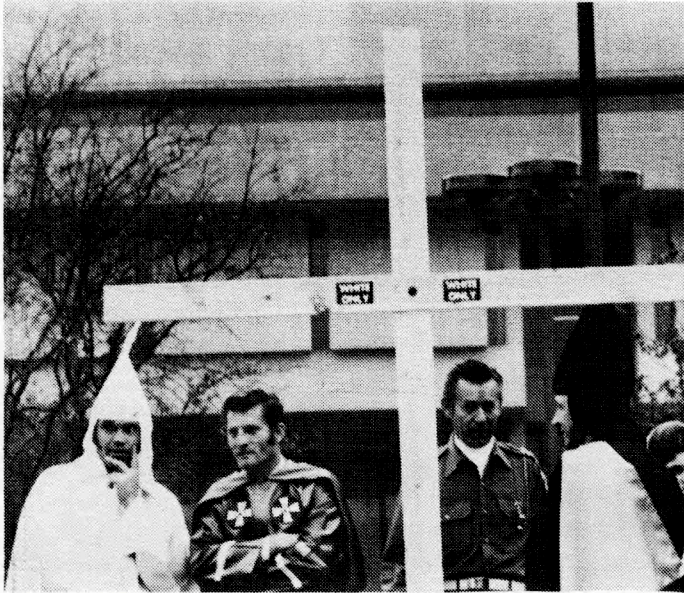
* Though the Greensboro police were in touch with Dawson on the morning of November 3rd, surveilled the house where Klansmen and Nazis were preparing for the attack, and then had an unmarked squad car driven by Dawson's control agent follow the caravan across town to the anti-Klan demonstration, squad cars were kept away from the site of the attack. The occupants of the surveilling police car took pictures of the shootings. Most of the attackers escaped and were never arrested.

* The FBI led an investigation of the Communist Workers Party organizers from October 22 to November 2, 1979. One witness has stated that she was approached during this time by agents who asked her to identify pictures of Sandi Smith.

* The FBI was receiving reports from both Butkovich and Dawson. A Klansman told the grand jury he warned agents of impending violence in Greensboro one week before. Another witness has sworn that he called the FBI Raleigh Office on November 2 to tell them of planned Nazi assassination at the march. Yet the FBI did not warn the victims and later claimed no previous knowledge of any violence.

The Cover-up

Multi-agency involvement in the murders was matched by a coordinated cover-up that brought in Justice Department, NC State Bureau of Investigation and city government. The immediate result was a suppression and manipulation of evidence of government complicity, excusing of the Klan and Nazis and their racist violence, and blaming of the victims.



Klansman/FBI and Greensboro police informant Edward Dawson, convicted of shooting a black man in the late 60's (third from left) and indicted Klan leader Virgil Griffin (second from left) are pictured at a Klan rally.

* Within 24 hours of the murders, the **Justice Department's Community Relations Service (CRS)** had begun coordinating misinformation and suppression of dissent. Under CRS direction, North Carolina State Bureau of Investigation and FBI agents visited residents of the local black community, public officials and the press. They interpreted the murders as a "gun battle", a "shoot out", and a "showdown" and attributed the violence to the anti-Klan demonstrators who were "outsiders" and "extremists".

Later the CRS attempted to stop the National Anti-Klan Network's massive February 2, 1980 protest march. Among tactics used, the CRS attempted to block use of the city's coliseum for the march and employed FBI agents to discourage North Carolina student leaders from participation by warning of inevitable bloodshed.

* The **Greensboro Police Department**, in numerous public statements and in the official Administration Report, covered up Dawson's activities

and blamed the CWP for "violent rhetoric" and for non-existent conflicting messages about the march starting point.

* The **FBI and the Justice Department** opened a full-scale domestic intelligence investigation of the Klan, Nazis and the victims immediately after the murders. The report has never been made publicly available.

The Justice Department Criminal Division, in a letter to the Greensboro City Manager in April, 1980, officially exonerated the Greensboro Police of all wrongdoing in the case.

Local FBI agent Thomas Brereton and a local police officer erased a tape of an interview of a Klansman seen on videotape shooting Cesar Cauce point-blank.

The FBI's highly technical audio analysis of the videotape of the shootings for the first time threw into question the source of shots 3, 4 and 5. This laid the basis in the trial for the Klan claims of "self-defense". The results of the analysis are contradicted by eyewitness testimony, material evidence and the videotapes themselves.

* The **District Attorney** in February, 1980, stated to the press that "most of the people in Greensboro feel the communists got what they deserve."

Prosecutors dropped conspiracy charges against the Nazi who owned most of the guns and the cars that carried them; refused to press assault or conspiracy to assault charges; refused to indict implicated police or government agents or officials; but did bring felony rioting charges against six of the demonstrators.

The District Attorney Michael Schlosser successfully argued against the widows' request for a private prosecutor to aid in the case.

The prosecution picked a trial jury that was all-white, openly pro-Klan and anti-communist, and chose as its foreman an anti-Castro Cuban who had participated in the CIA-led May 20th organization.

The victims were never depicted as human beings with families who had made contributions to society.

Neither Dawson nor Butkovich was called to testify in the trial.

The prosecution introduced the FBI audio analysis as evidence, providing the mainstay for Klan/Nazi defense.

The official disinformation campaign, suppression of evidence, refusal to prosecute, and a blatantly biased jury made possible the acquittal of 6 Klansmen and Nazis on November 17, 1980. All other charges were dropped and the Klansmen and Nazis were set free.

Federal Investigation and Trial

For more than a year after the acquittals, the Justice Department, charged with prosecution of civil rights violators, claimed no jurisdiction to investigate this atrocity. Finally, as a result of Greensboro and nationwide citizen pressure, a federal grand jury was opened on March 22, 1982.

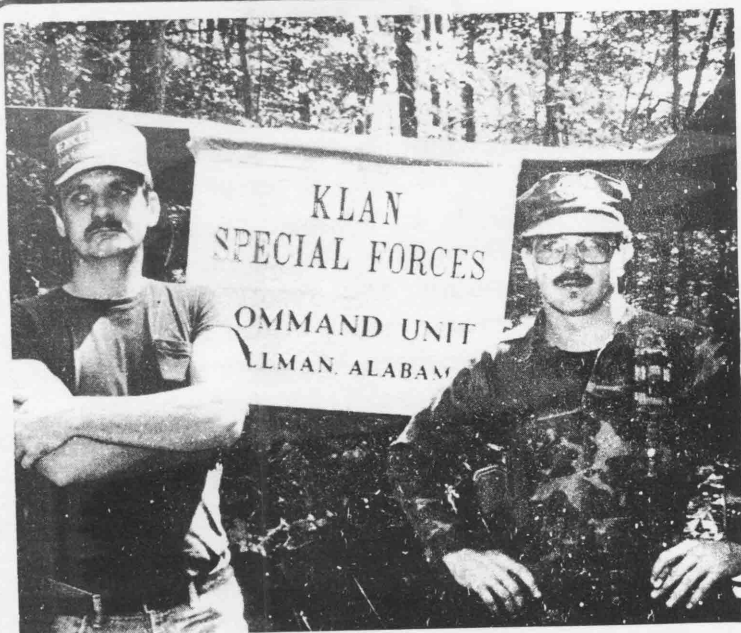
Though federal prosecution of the criminals in the Greensboro Massacre is obviously necessary, the Justice Department could not be expected to carry out an investigation and prosecution independent of its own apparent collusion and cover-up in the case. As one local citizen stated, "To ask the Justice Department to run the case is like asking the fox to investigate the chicken house the morning after."

The Justice Department attorney in charge of the entire investigation was the man whose letter had exonerated Greensboro Police in 1980. The chief field investigator, local FBI agent Thomas Brereton, had had past financial dealings with Edward Dawson and had been involved in erasing tapes of a Klansman's testimony.

The Greensboro Civil Rights Fund demanded and then sued for a special prosecutor, an independent individual, to take over the prosecution. That suit, partially successful, was appealed by the Justice Department.

On April 22, 1983, nine Klansmen and Nazis were indicted by the Justice Department's grand jury. The group included five of the six originally tried and informant Edward Dawson. They were charged with conspiracy to violate the civil rights of injured and murdered demonstrators by attacking an integrated group with a lawful parade permit.

Ignored in the indictments was the evidence of conspiracy against union organizers and officials. Excused was the role of the Greensboro Police, BATF, FBI, Community Relations Service, and all other agencies and officials that directed, aided or covered up the conspiracy. The indictments gave no assurance to minorities, political activists, civil liberties advocates or anyone else that they would be safe from similar government-directed death squads.



The Klan organizes paramilitary training camps in numerous locations across the country.

2-A • THE STATE — Columbia, S.C., Wednesday, Nov. 19



The day after the acquittals of the murderers, Nazi leader Harold Covington called the verdict in the Greensboro Klan/Nazi trial a "triumph for freedom."

The Greensboro Civil Rights Suit:

An Answer to the Threat

The whole truth, justice, and deterrence against similar terror form the purpose of the Greensboro Civil Rights Suit. Filed on November 3, 1980 in Federal District Court in Greensboro, the suit alleges a conspiracy between government and Klan and Nazis. The conspiracy aimed at disrupting and neutralizing labor organizers and anti-racist political activists and the Communist Workers Party. That neutralizing included spying, harassment, physical attack, murder, jailing, and cover-up of the illegal activity. Defendants in the suit are Klan, Nazis, Butkovich and his superiors, Dawson, officers of the Greensboro Police Department, officials of the FBI, Community Relations Service and Justice Department. The suit is filed under the old anti-Klan or Civil Rights statutes.

True to form, the federal government has done everything it can to block the suit. The Justice Department, along with the city of Greensboro and State of North Carolina, has filed motions to dismiss the case. It stopped depositions of Edward Dawson and Nazi Raeford Caudle and blocked all further discovery (public investigation).

The Justice Department claims in its legal arguments that federal agents, though they may know of impending illegal activity, have no responsibility to stop it or to warn the victims. Further, it asserts that those agents are simply immune from prosecution under the civil rights statute. Both arguments, ethically abhorrent, are also legally without basis.

The Greensboro Civil Rights Suit holds the possibility of full, open investigation into the activities of all perpetrators of the Greensboro Massacre. The discovery process can give access to witnesses that have never before testified publicly and to documents which have until now remained secret. The \$48 million in damages sought will provide punishment and deterrence for this type of criminal activity.



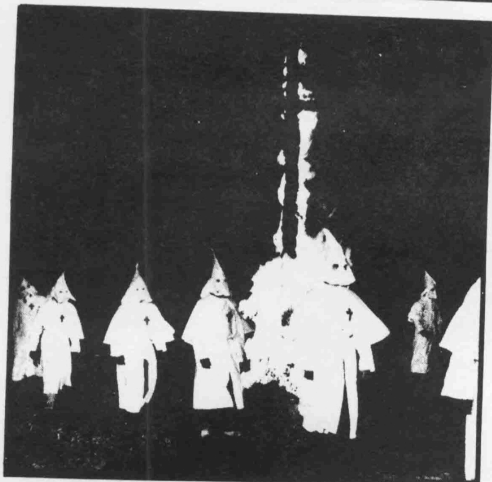
Sandi Smith at an anti-Klan rally, July 1979, in Charlotte, N.C.

The Greensboro Civil Rights Suit and the 1980's

The years since the Greensboro Massacre have seen a massive resurgence in violence connected with the Ku Klux Klan, the Nazis and other racist groups. Hundreds of acts of terror have been scored since 1979. Lynchings, crossburnings, vandalism and threats are now commonplace in sections of the South. That resurgence is being condoned and encouraged by local and federal officials. The Greensboro Massacre is the most blatant example of a rapidly emerging pattern.

Federal agent involvement in the Klan and police protection of racist violence is an old story. FBI informants participated in the murder of Civil Rights activist Viola Liuzzo and the beating of Freedom Riders in Birmingham in the 1960's. The FBI established 43 Klan chapters in North Carolina in the 1960's under its Counterintelligence Program (COINTELPRO).

Furthermore, FBI involvement in physical at-



tack and murder of political leaders it does not like is also not new. In the 1960's and 1970's, the FBI was involved in the murders of 27 members of the Black Panther Party and of Black leader Malcolm X. Suits have revealed FBI responsibility for the beating and unlawful jailing of anti-war demonstrators.

In the mid 1970's, public outcry and Congressional hearings forced official leashing of FBI activities. The result was curtailment of the Bureau's most abusive practices and the adoption of those practices by intelligence agencies not subject to the Levi Guidelines: local police, state bureaus of investigation, and the Bureau of Alcohol, Tobacco and Firearms. The FBI tended to act more as coordinator of domestic political intelligence operations, rather than doing the field work.

In 1983 new federal rules, the Smith Guidelines, gave expanded discretion and powers to FBI agents. The Smith Guidelines, combined with recent executive orders and legislation destroying the public's right to know what their government is doing, are opening the floodgates to illegal police agency activity. The potential result: police terror and collusion with the right wing to destroy public dissent, particularly among minorities.

The only weapon we have against this threat is an informed public demanding action. The Greensboro Civil Rights Suit is a key component in illustrating to the world the potential of an unleashed secret police and unrestrained right-wing terrorists.

We must act now. The Greensboro Civil Rights Suit relies for support entirely on the interest and concern of private citizens. The stakes are high; the task is monumental. We need your help.



Endorsers of the Greensboro Civil Rights Suit

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Dr. Donna Allen, Women's Institute for Freedom of the Press*
Ed Asner, Actor
Patti Duke Astin, Actress
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GREENSBORO CIVIL RIGHTS FUND

1324 NORTH CAPITOL STREET, NW
WASHINGTON, D.C. 20002
(202)797-8106

OTHER OFFICES:

853 BROADWAY, ROOM 1912
NEW YORK, N.Y. 10003
(212)254-4695

SOUTHEASTERN BUILDING,
SUITE 301
102 NORTH ELM STREET
GREENSBORO, N.C. 27401
(919)275-6589

P.O. BOX 15726
DURHAM, N.C. 27704
(919)477-6076

DIRECTORS

ROBERT ALPERN
UNITARIAN UNIVERSALIST
ASSOCIATION
REV. BEN CHAVIS
UNITED CHURCH OF CHRIST*

WILLIAM J. DAVIS, S.J.
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NATIONAL EMERGENCY CIVIL
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SARA NELSON—PROJECT DIRECTOR
KAREN SILKWOOD FUND*

* Affiliation for Identification Purposes Only

LEGAL COUNSEL

CHRISTIC INSTITUTE
(COORDINATING COUNSEL)

ROB HAGER
LEWIS PITTS
DANIEL SHEFFAN

AMERICAN CIVIL LIBERTIES UNION
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Cover photo: Jim Wren and Kate White, in
the aftermath of the Greensboro shootings.

What You Can Do:

1. EDUCATE YOUR GROUP OR CHURCH ABOUT THE MASSACRE AND KLAN/GOVERNMENT COMPLICITY. For speakers or showing of the videotape of the murders, write to the Greensboro Civil Rights Fund or call 919 275-6589 in Greensboro.

2. ENDORSE THE GREENSBORO CIVIL RIGHTS SUIT, EITHER AS AN INDIVIDUAL OR AN ORGANIZATION.



3. GIVE TO THE GREENSBORO CIVIL RIGHTS FUND. The civil rights suit will cost more than \$1 million to prosecute. That is the price of justice in such a case! The only source of funds are individuals and groups committed to righting the terrible wrong in Greensboro. Your contribution to the Greensboro Civil Rights Fund is tax deductible.



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