

THIRTEEN LOOPS:
RACE, VIOLENCE,
AND THE LAST LYNCHING IN AMERICA

by

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A THESIS

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ABSTRACT

Thirteen Loops: Race, Violence, and the Last Lynching in America blends creative nonfiction with journalistic inquiry to examine the interconnected and racially related murders of Vaudine Maddox (1933, Tuscaloosa), Sergeant Gene Ballard (1979, Birmingham), and Michael Donald (1981, Mobile).

Research methods included, but were not limited to, archival work, personal interviews, as well as the author's first-hand explorations of the locations referenced herein.

The primary objective of this work is not to put forward any definitive conclusions on race, but rather, to present the facts objectively, creatively and honestly in order to allow the reader to arrive at his or her own conclusions.

DEDICATION

To the victims, of whom there are many.

ACKNOWLEDGEMENTS

This book would not have been possible without the incredible efforts of various journalists, archivists, interviewees, and advisors.

Thank you to the wonderful reporting set forth in *The Tuscaloosa News*, *The Birmingham News* and *The Mobile Register*. Kathy Jumper and Michael Wilson's reporting, in particular, proved invaluable. Similarly, the *Press-Register* was quite generous with photographs.

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And finally, to my wife, who allowed me to dedicate my days and nights to conjuring the ever-present ghosts of history.

AUTHOR'S NOTE

This account was based on various sources, relying heavily on newspaper reports, interviews, archival resources, and FBI files to recreate the scenes herein. I have made every effort to depict the story as accurately as possible, though certain passages were subject to educated conjecture. For example, we cannot fully comprehend Michael Donald's innermost thoughts or those of his murderers', but for the sake of the narrative, I have attempted to recreate the full experience as logically as possible with the available information.

Further, much of the dialogue was taken directly from court testimony or interviews in which the interviewee recited both halves of the conversation, and as such, is placed in quotations marks. However, in a few instances some conversations were implied based on the examination of other sources such as witness statements. These conversations are italicized in order to differentiate.

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INTRODUCTION: BRAIDING THE ROPE

The hangman's knot is not a difficult knot to learn.

First, make a U-shaped bight, then a second bight, then an N-shape. Next, take the working end around the bight until it turns back in on itself. Work away from the noose, wrapping the desired number of loops around the coil.

Pull down.

Tighten.

Constrict.

This information is readily available on Wikipedia, along with a helpful illustration.

“Each additional coil adds friction to the knot, which makes the noose harder to pull closed or open,” the website notes. “The number of coils should therefore be adjusted depending on the intended use, the type and thickness of rope, and environmental conditions such as wet or greasy rope. Six to eight loops are normal when using natural ropes. One coil makes it equivalent to the simple slipknot.”

If I know how to tie a simple slipknot, do I know how to tie a noose?

There were thirteen loops on the hangman's knot they slipped around Michael Donald's neck.

According to Wikipedia, it must have been a difficult knot to pull open.

*

People are hanged for any number of reasons.

They are hanged for arson, they are hanged for robbery, they are hanged for suspected robbery. They are hanged for assault, for attempted assault, for incendiarism, for suspicion of rape, attempted rape, alleged rape, for rape, for burglary, for wife beating, for suspected murder, for attempted murder, for alleged murder, for alleged complicity in murder, for murder, for barn burning, alleged barn burning, self defense, poisoning wells, alleged well poisoning, insulting whites, no offense, alleged stock poisoning, being black, among various other offenses.

In 1893, Alabama claimed 25 hangings, followed by 24 in Georgia, eighteen in Louisiana, seventeen in Mississippi, fifteen in South Carolina, ten in Tennessee, eight in Texas, eight in Kentucky, seven in Arkansas, seven in Florida, three in Missouri, two in Kansas, one in Illinois, and one in Indian Territory.

Listed beneath their crime, journalist Ida B. Wells recorded their names, as well as the date of their hanging and the city in which they were hanged.

Benjamin Jackson of Jackson, Mississippi was an alleged well-poisoner, so he was hanged on September 15th of that year.

Charles Martin of Shelby County, Tennessee was charged with no offense, so he was hanged on July 21st.

On Christmas Day, Calvin Thomas was hanged near Bainbridge, Georgia for assault.

On November 4th, Edward Wagner, William Wagner, Samuel Motlow and Eliza Motlow allegedly burned a barn, so they were hanged, comprising 40% of the total number of people hanged in Virginia that year.

Sometimes the sheer number of names makes it easy to forget that once, these were real people.

But they were.

The Wagners and the Motlows were real people.

And then they were hanged.

Allegedly, they'd burned a barn.

*

In 1930, on a cool summer night in Marion, Indiana, Tom Shipp and Abe Smith were hanged for allegedly raping and murdering a young, white woman.

A third person—sixteen-year-old James Cameron—was accused of the same crime.

But as the throngs of people began tightening the noose around his neck, they were interrupted. A man—said to be either the raped girl's uncle or the head of the local American Legion—stood atop a car, informing the mob of Cameron's innocence. The man said stop so they stopped, allowing the rope to hang limp.

Later that evening, when the police arrived from neighboring towns they reported “a scene of peace and remarkable good humor.” Writer James Madison recounted, “One of the mob who had helped with the rope went with his young wife to a nearby restaurant for a late dinner...A woman nursed her baby. Fathers held up older children to see the two bodies. Many stood on top of cars.”

That night, Cameron suffered little more than a rope burn while the other men dangled from trees.

Perhaps you've seen a picture.

Or a postcard.

Tom Shipp and Abe Smith became famous.

*

According to the *Oxford English Dictionary*, the term "lynch" means "To condemn and punish by lynch law. In early use, implying chiefly the infliction of punishment such as whipping, tarring and feathering, or the like; now only, to inflict sentence of death by lynch law."

To lynch someone does not necessarily mean to hang a person from a tree by a noose. Instead, it simply implies a brand of vigilante justice in which citizens punish the accused prior to a legal trial. While hanging is typically associated with the term, it is not a necessary component. For instance, if a child is accused of shoplifting and is subsequently beaten by the storeowner, then that child has been lynched. Or if a man is suspected of cheating at cards and finds that the air has been let out of his tires, then he, too, has been lynched.

The term "mob" is equally convoluted. While its primary definition—"to attack or surround in"—appears quite self-explanatory, it leaves various questions unanswered.

Such as: How many people constitute a mob?

In 1920, the Dyer Anti-Lynching Bill was first introduced to Congress, putting the question to rest. The legislation defined a mob as "an assemblage composed of three or more persons acting in concert for the purpose of depriving any person of his life without authority of law as a punishment for or to prevent the commission of some actual or supposed public offense."

By this definition, the child thief and the cheating man were not lynched by a mob unless three or more were involved in serving them their comeuppance. In these scenarios, at least according to semantics, they were simply lynched, but a mob was not to blame.

While it is true that a lynching can occur without a mob and a mob can occur without a lynching, between 1880-1930 in the southern half of the United States, they often went hand in hand.

*

This is the story of the interconnectedness of three innocent victims, all of whom suffered violent deaths through no fault of their own: Vaudine Maddox (1933, Tuscaloosa), Sergeant Gene Ballard (1979, Birmingham), and Michael Donald (1981, Mobile). While the death of Vaudine Maddox is not directly tied to the deaths of Sergeant Ballard or Michael Donald, it serves as a cautionary tale for the violence that would occur in the same region nearly fifty years later.

Nevertheless, the deaths of Gene Ballard and Michael Donald *are* inextricably linked, two threads woven together by circumstances beyond their control. The two never met—had no knowledge of one another’s existence—and yet their connectedness would forever alter the fabric of United States’ race relations. This book sets out to trace their transference, examining the light they cast upon one another and the shadows cast upon them.

However, beneath the surface, it is also the story of a naïve, white, middle class Northerner who thought himself somehow exempt from the past until confronted with it. Parsing fact from fiction was no simple task, and I initially found myself examining ancient newspapers in an attempt to stumble across something worth believing. I never expected to tackle such a subject, nor did I feel qualified to do so. But as I continued researching, I became invested in recounting the stories the victims could no longer tell themselves. Today, I still remain the outsider looking in, but enough time has passed since the crimes in question that the victims’ family members were willing to open up for the first time. It is my great hope that the outsider’s perspective might offer a fresh lens through which to view the oft-trodden terrain of southern racial violence without resorting to sensationalism or hyperbole.

In matters such as these, the truth is often enough.

While this book examines the deaths of Vaudine Maddox, Sergeant Gene Ballard and Michael Donald, Donald remains the focus. My attempts at understanding his story, in particular, led me deep into the heart of Alabama, requiring me to ask difficult questions of the victim's family, dialing numbers and sending letters to strangers.

However, throughout the course of this project, I was continually astounded by people's willingness to assist in uncovering the truth. The deeper I delved, the more I relied upon people I'd never met, perfect strangers willing to help.

Yet that is not always the case.

Nearly thirty years ago—on March 21st, 1981—two strangers pulled to the side of a Mobile street and called nineteen-year-old Michael Donald over to their car.

They asked him for directions to a nightclub.

They asked him to come closer.

Throughout this project, I followed him as far as I could.

-B.J. Hollars
Tuscaloosa, AL
February 2010

PART I
TYING THE KNOT

FIRST LOOP: A PAIL OF FLOUR

TUSCALOOSA, JUNE-AUGUST 1933

“I asked the Lord to bring me back to Tuscaloosa...”

Vaudine Maddox walked with a pail of flour. The early morning sun glinted through the trees as the 21-year-old white girl shuffled along the clay road in Big Sandy, twelve miles south of Tuscaloosa. June 12th, 1933 started off cool, though by noon, temperatures reached a scorching 91 degrees, sending Alabamians sprawling beneath the shaded trees.

Vaudine was the oldest of four siblings. After her mother’s death nine-years prior she took charge of the house and began looking after the younger children.

They lived in a run-down, two-room house previously owned by blacks. Though the Maddox family was white, they were poor, and so lived in a predominantly black community.

Across the woods from her family’s shack lived an elderly white couple that Vaudine worked for, doing odd jobs—cooking, gardening—tasks their brittle bodies could no longer perform. As Vaudine and her neighbors discovered, when supplies ran low it was easier to share from their own reserves than make the trip into town.

And so, that morning, Vaudine woke early, slipping into the pantry to fill a pail of flour for her neighbors.

They never received it.

*

The day after Vaudine’s murder, *The Tuscaloosa News* reported, “Tentative theories in the inquiry indicate clearly that someone ‘friendly’ to the Maddox girl either actually committed

the crime or possesses guilty knowledge in connection with it. A small pail of flour which the girl had been carrying to the neighbor's house was found beside a tree trunk at the side of the road.”

The sheriff's department concluded that the untouched pail pointed to the possibility that Vaudine had placed it down on her own accord while taking a seat on a log alongside an acquaintance—proof enough for Tuscaloosa Sheriff R.L. Shamblin that Vaudine knew her murderer.

Monday and Tuesday passed with no sign of her, though her father didn't appear overly concerned, assuming she'd “just gone off with somebody.” But by Wednesday, Vaudine's younger sisters, Gladys and Audis, proved their father wrong—stumbling across their eldest sister's bloodied body in a ravine a few hundred feet from the road. Vultures circled overhead, small animals gathering around the three-day-old corpse in the woods. The sheriff's department was contacted. The questions began.

Vaudine's body was taken to the coroner for further study, though the late stages of decomposition made securing additional information difficult. Still, facts began emerging, most importantly, the discovery of the murder weapon: two bloodstained rocks.

Sheriff Shamblin crouched over the rocks in the Big Sandy wilderness, studying them, shifting the focus of his investigation from *how* she was murdered to *why*.

But he had another question as well: Had Vaudine Maddox been raped?

Shamblin anxiously awaited the coroner's results, though after a thorough examination, the coroner offered more questions than answers, citing that the body's three days in the woods made any signs of rape impossible to determine with certainty.

*

On the morning of the murder, a witness stated that an eighteen-year-old black man named Dan Pippen, Jr. was spotted walking past a field near where Vaudine's body was later discovered. A second witness reported that earlier in the day, Pippen had picked up a rock, boasting that he was planning to kill somebody with it.

Neither the police nor the newspapers could confirm these allegations.

Nevertheless, despite an alibi from his employer—African-American landowner Will Jemison—Pippen was taken into Sheriff Shamblin's custody by noon on Friday, June 16th.

The Tuscaloosa News reported that Jemison wasn't alone in having seen Pippen at work during the time of the murder. Several of Pippen's fellow employees confirmed his whereabouts on that early Monday morning.

Sheriff Shamblin ignored these claims.

"Dan Pippen, Jr., was without court record," claimed one report, "he had finished the course at the local one-teacher school; he took a very active part in church work, and had sung in a quartette and read a paper at the local church service on the Sunday before the Maddox girl was murdered."

Regardless of character testimony and a strong alibi, the Tuscaloosa authorities had all the proof they required.

After all, Pippen *did* live within half a mile of the Maddox's shack. And further, Pippen and Vaudine were known to have been acquaintances, one report even claiming that they had recently bickered over whether or not to shear a dog. His proximity, in conjunction with his and Vaudine's knowledge of one another's existence, was, in Sheriff Shamblin's eyes, sufficient for the arrest. The unverifiable testimony that he had supposedly threatened to kill someone with a rock seemed only to further solidify the case against him.

Within days of the murder, Shamblin assured Tuscaloosa that he was confident he had successfully apprehended Vaudine Maddox's murderer.

At least he was confident he had one of them.

*

Two days later, fifteen-year-old African-American A.T. Harden was taken into sheriff's custody as well. While no physical evidence linked Harden to the crime, after a day behind bars, the young black boy was more than willing to confess that he had witnessed Pippen raping and murdering the girl.

Despite his cooperation, Sheriff Shamblin decided to keep Harden in custody as well, at least until the conclusion of the trial.

Finding himself still behind bars, Harden quickly retracted his story. While he initially claimed he and Pippen had crossed paths with Vaudine on the morning of June 12th—that Pippen had told him to “stand aside” while he thrust her into the brush and out of view—Harden quickly recanted.

“It's all a lie,” he admitted to the sheriff, claiming he'd simply been intimidated by the questioning.

But Shamblin refused to budge. The inconsistencies in Harden's testimony were all the more reason to keep him locked up.

While there were now two black teenagers behind bars in less than a week, the citizens of Tuscaloosa found themselves continually dissatisfied with the slow speed of justice. Two black teens behind bars wasn't enough. They required sentencing, and if the courts couldn't find the time to do so, the citizens knew men who could.

*

On the night of June 21st—exactly one week after the discovery of Vaudine’s body—a mob of “unattached young men and teen-age boys” began collecting on Greensboro Road. Eventually, as dusk approached, they gathered at the county jail.

Let’s see the prisoners, they demanded. We want to get a look at ’em.

Sensing trouble hours before, Sheriff Shamblin had the foresight to transport Pippen and Harden to the Birmingham jail just before nightfall. Meanwhile, in Tuscaloosa, a mob continued to grow.

While the mob was informed that Harden and Pippen, Jr. were no longer being held in the Tuscaloosa jail, Walton Morris and Bernard Marler demanded to see for themselves. The sheriff agreed, and it was only after Walter and Bernard concluded their examination that they grudgingly informed the crowd to disperse.

While *The Tuscaloosa News* refused to call it a mob—preferring the term “jail gathering”—they did note that the “gathering” consisted of approximately 100 onlookers, along with a few dozen cars lining up and down Greensboro. The semantics were important, particularly for a southern newspaper during this time period.

“It appeared less like a mob than any group I have ever seen gathered for a similar occasion,” remarked Judge Henry Foster. “It was not an inflamed spirit and was easily and peacefully dispersed after the curiosity of the boys had been satisfied.”

Less than a week later, Walton Morris—a Tuscaloosa High football player—and Bernard Marler—“a former star halfback” according to *The Tuscaloosa News*—were arrested and required to pay 1500.00 bonds for conspiracy to commit a felony and unlawful assembly, quite a high fine for simply gathering around a jail as had been reported.

Yet on the night of the first mob, not a single person was arrested. The judge's tempered words cooled the high tensions and encouraged the men to return home, seemingly satisfied.

As the days wore on, their satisfaction wouldn't last.

*

The summer sweltered on, tensions as high as the temperatures, with Tuscaloosa reaching triple digits the day prior to the third and final arrest.

On June 23rd, Elmore "Honey" Clark—a one-armed black man—was found hiding beneath Big Sandy Bridge. While it is unclear what—if any—evidence, linked Clark to the crime, he was taken into custody soon after.

You Elmore Clark? a deputy called, cutting his way through the brambles, handcuffs in hand.

Yes, sir, I am.

Well, get out from that bridge then. We need to talk with you.

The court proceedings that followed more closely resembled an elaborate game of finger pointing than a courtroom. While fifteen-year-old Harden swore to have witnessed Pippen and Clark drag "the Maddox girl into a clump of bushes by the roadside" and "to have heard noises which convinced him that they raped and murdered her," Pippen's story denied the claim, placing the blame squarely on the newly arrested Clark.

Meanwhile, the sheriff's department had their own theory—that Clark and Pippen raped and murdered Vaudine while Harden functioned as a lookout at the side of the road. But despite their great efforts, the prosecution couldn't cobble together that particular version from the various versions at their disposal. The blame continued to pass from one to the next until eventually all three were indicted for murder.

The news of their indictments traveled north, and soon after, the International Labor Defense—a liberal leaning defense organization from New York—rushed to their aid, offering Pippen, Harden and Clark a full arsenal of defense lawyers.

It's debatable whether or not the defendants requested their assistance, but it didn't matter.

The Northerners were invading.

*

Just months prior, in March of 1933, the International Labor Defense legal team represented the nine black men charged in the Scottsboro case. The men were charged with brutally raping two white, homeless women while on a train from Chattanooga to Memphis. Despite their legal support, the Scottsboro boys were found guilty and eight were sent to death row, though their death sentences were later reduced. Regardless, the I.L.D.'s role in the case granted them great notoriety within the legal world, and upon hearing of Harden, Pippen and Clark's legal troubles, three representatives boarded the first train to Tuscaloosa.

It would be understatement to say that the Northern lawyers were not welcome. In fact, southern whites were wholeheartedly averse to the idea, refusing to allow Northern "communists" to infiltrate their city and corrupt the sanctity of their courtroom, despite that one of the three "Northern" lawyers actually resided in Birmingham. Citizens began establishing watch groups and writing letters to *The Tuscaloosa News* to express their frustration. Equally averse to the outside lawyers was the African-American community itself. So adamant, in fact, that over a dozen prominent African-American reverends addressed the problem in the July 31st issue of *The Tuscaloosa News*.

Perhaps fearing that the International Labor Defense—which actually *did* have clear ties to the Communist Party—would only litter the road to equality with greater obstacles, the reverends publically decried the interference, claiming that they too didn't want “outside influences” intervening in the courtroom, believing that the “Christian integrity of the citizens of this community will see to it that justice is given in these cases.”

I.L.D. organizer Louis Harper was said to have convinced the three accused men to consider outside lawyers affiliated with his organization, and while they initially agreed, Harden and Clark quickly recanted, though some sources note that Pippen remained firm in his desire for outside legal assistance.

Perhaps due to mixed messages, the International Labor Defense arrived soon after, gallivanting into a Tuscaloosa courtroom fully unprepared for their arrival. Immediately, representatives for Harden and Clark testified that they hadn't requested I.L.D. assistance and quite to the contrary, much preferred their current counsel. Pippen, as well as his parents, quickly agreed.

After much debate, Judge Henry Foster refused to recognize I.L.D. lawyers Frank Irvin, Irving Schwab, or Allan Taub, their role in the trial concluding before ever getting its start. Judge Foster remained certain that John McQueen, Fleetwood Rice, and Reuben Wright—the three local lawyers assigned to the case—were more than sufficient. *The Tuscaloosa News* noted that McQueen, Rice and Wright were "generally regarded as among the leading attorneys in the state," McQueen even serving as president of the Alabama Bar Association prior to taking the case.

Despite Judge Foster's decision, the city remained furious by the I.L.D.'s brazen showiness and complete disregard for the Southern court system. Tuscaloosa's citizens

interpreted the I.L.D.'s brash behavior as a direct insult to their town and their way of life—both unforgiveable trespasses.

To make matters worse, two of the three lawyers were Jewish, which only furthered anti-Semitic sentiment around town. According to *The Tuscaloosa News*, prominent local Jewish merchant William P. Bloom took it upon himself to defuse the matter. In a letter to Rabbi Stephen S. Wise of New York he asked the rabbi to "exert his best efforts" to ensure that the International Labor Defense steered clear of Tuscaloosa. Bloom—who later played an integral role in passing the anti-masking law in Alabama (making it illegal to appear in public wearing a mask, and in effect, disrupting the Ku Klux Klan's hooded trademark)—recognized the importance of siding with his city in order to protect Tuscaloosa's Jewish community and acted accordingly.

Yet Tuscaloosa citizens' frustration stemmed not from any political or religious group within the city limits, but rather, from the simple fact that Northern outsiders were attempting to assert themselves in a local matter.

Fearing that the I.L.D. might cause a second mob, the governor called in the National Guard, which immediately set to work dispersing the growing crowds by launching tear gas into the throngs of gatherers. Well aware of the excitement brewing in the streets, the judge ordered those inside the courtroom to stay put, hoping the violence would subside by the time the three I.L.D. lawyers left to catch their afternoon train. But as the violence continued to grow, the Northern lawyers had no choice but to disguise themselves and sneak over to the county jail, at which point they were given a police escort to the Southern Railroad station to board their train on Greensboro Avenue.

The I.L.D. lawyers left soon after their arrival, though their presence lingered, leaving a trail of anxiety long after the locomotive smoke dissipated.

*

The I.L.D.'s short-lived trip to Tuscaloosa managed to set the town ablaze, sending whites into fits in which they claimed Northern Communists were corrupting their loyal, Negro citizens.

An August 3rd headline in *The Tuscaloosa News* read:

“I.L.D. Interference Costs State and County \$1500”—a figure far more accurate than Tuscaloosa might have hoped.

The city footed a 500.00 bill while the state hefted twice that amount, the cost of transporting 66 National Guardsmen from Fort McClellan to Tuscaloosa. It was a high price to pay to ensure the safety of three Communist lawyers who, according to the Tuscaloosa courtroom, had no business interfering with local issues in the first place.

Many concurred that the witch-hunt that followed was a direct result of the I.L.D.'s trip.

While various frenzied reports decried the influx of Communists in Tuscaloosa, one levelheaded article more accurately assessed the reality of the situation:

“Despite the earnest statements of officials and leading white citizens, who seem to have thoroughly convinced themselves that Communists [are] all over the country-side...persistent inquiry reveal[s] only meager traces of their presence.”

And yet, regardless of facts, much of the white citizenry of Tuscaloosa remained convinced that Communists had infiltrated every arena of city life, that their encroachment was rampant, and in the most extreme case, that groups of carpetbaggers were actually advising African-Americans to “take liberties with white women.”

Sheriff Shamblin capitalized on the citizens' fears, asking residents to report any strangers they happened to spot around town.

It was as if the entire city had suddenly lost sight of the original charges.

Tuscaloosa had a murderer on its hands (or, according to Sheriff Shamblin, three murderers, all of whom were in custody), yet Vaudine Maddox's death opened the doors to far more repressed fears—the incursion of Northern “strangers” and “Communists”—fears that had been left to fester since Reconstruction.

Civil unrest continued to grow, and while the trial for Harden, Pippen, and Clark had been set for August 22nd, rumors began circulating of a lynching to take place on Saturday, August 12th, ten days prior to the court date.

Judge Anthony caught wind of these rumors, and at 7:00 p.m. on Saturday, August 10th, decided to transport the three prisoners to Birmingham once more to minimize their risk. He left the task to three deputies—R.M. Pate, N.W. Holman, and W.I. Huff—though when the judge phoned at 9:00 p.m. he was baffled to learn that the prisoners had not yet made the trip. All the while, the unnecessarily long discussion that preceded the prisoner's relocation allowed the townspeople's fervor to reach a fever pitch just beyond the jail doors.

Tuscaloosa's citizens were angry and anxious to act, and thanks in part to the seemingly lackadaisical attitude of the sheriff's deputies, their opportunity was unfolding.

*

Deputies Pate, Holman and Huff took their time transporting the men, dragging what should have been a quick-clipped ninety-minute drive into a leisurely two and a half hour sojourn. Their car pattered north along the road, their headlights cutting through the heavy darkness. After two and a half hours, they had only managed to make it thirty miles outside of

Tuscaloosa, indicating that the deputies drove at approximately ten miles per hour, suspiciously below the speed limit. Prior to the prisoners' leaving, four other deputies had driven ahead in order to ensure the road was clear for transport.

The deputies failed miserably.

Halfway into their trip, the transport officers were met by two cars, their headlights blinding. A twelve-person mob blocked the road, their faces covered with black masks, small eyeholes punched through the fabric. The men shifted their weight from one foot to the other, brandishing their guns.

As the deputies stepped from their car into the cricket-sound-filled night, one of the masked men spoke.

“We want those niggers and we are going to have them, and we don't want any argument about it.”

The deputies hesitated, but Pippen, Harden and Clark—all handcuffed together—obediently climbed from one car to the next, settling into the seats.

“Now drive on to Birmingham,” one of the masked men ordered, “and don't stop until you get there. Don't turn around.”

The deputies returned to their car, driving a mile down the road toward Birmingham before hurrying back to Tuscaloosa.

They screeched to a halt outside the sheriff's department at a little before 1:00 a.m. The deputies immediately spread word of the abducted prisoners and search parties began to assemble, preparing to scour the Alabama countryside. The searchers divided into cars before beginning the painstaking process of marching through the tall grass along the roadways, keeping their eyes to the ground for any traces of struggle. Despite their efforts, their search

proved fruitless until 10:00 a.m. the following morning, when the bullet-riddled bodies of A.T. Harden and Dan Pippen, Jr. were found approximately seven miles from where they were first apprehended, their blood dried to their overalls. Most likely, the search party would have continued throughout the day if it weren't for a tip from a passing motorist who reported what he mistook as "two drunken negroes lying near the roadside."

Yet remarkably, Honey Clark's body was not among them.

The search continued, though Clark was not found until Monday, alive but injured, and recuperating from three gunshot wounds in a black woman's cabin outside of Vance, ten miles from where Harden and Pippen's bodies were discovered.

In the thirty-six hours following the unlawful executions, an injured Clark limped between twelve to sixteen miles through the wilderness before stumbling across the woman's cabin. Clark's injuries were so serious that the woman called upon a neighbor to walk 25-miles back to Tuscaloosa for medical aid. African-American doctor B.H. Mitchell was beckoned, and the deputies recovered Clark soon after, though not before the I.L.D. contacted President Roosevelt requesting federal protection for the lone survivor of the assault. However, the request was superfluous; this time around, Judge Foster called in National Guard Companies A and D, as well as the First Battalion, all to ensure Clark's safety. One hundred and twenty soldiers began patrolling the streets and no mob dared challenge the armed-men.

Barbed wire was stretched on all sides of the courthouse, transforming the quaint southern town into a military occupation. The townspeople watched helplessly as uniformed men overtook Tuscaloosa, blocking off city streets until Clark was called to court to recount the events of August 12th.

Once on the stand, a nervous Clark explained the night to the best of his memory.

“Two cars were standing in the road,” he recalled, “one of them was kind of dimmed and cut off just before they got to us...They drove up on in front and to the side of us too...I seen the pistols.”

He went on to explain how they were forced from the police car and ordered to get into the backseat of one of the mob’s two vehicles, how they sat quietly while the men proceeded to fix a punctured tire.

“They asked A.T. who killed the girl and A.T. said Dan was the one killed the girl,” Clark testified. “They asked him how he knew he killed her he said, ‘I was with him,’ and he asked who all was with him and he said, ‘no one but me and Dan’...That was all that happened in the way of talking.”

The three young black men were lined up in the dark as the mob aimed their guns and fired. The shots rang out, piercing the night, and Clark felt the hot shrapnel tear into his one remaining arm. He collapsed beneath Harden and Pippen’s lifeless bodies, blacked out, and when he awoke some time later, the mob had vanished.

He tried reorienting himself, staring blurry-eyed into the field as his arm continued to throb. He sat up, his hand falling to a nearby pine knot. Finding himself handcuffed to a dead body, he took the pine knot and began hitting the weak joint of the cuff.

“[The cuffs] kind of hurt my hand,” Clark admitted, “and something was telling me if you don’t get them off them folks will come back and kill you too. I hit the handcuff right smart. After I got loose I asked the Lord to bring me back to Tuscaloosa...”

SECOND LOOP: A CHALLENGE

TUSCALOOSA, AUGUST-OCTOBER 1933

“...a matter of profound humiliation...”

Despite speculation that the three Tuscaloosa deputies not only had prior knowledge of the mob, but actively took part in the murders, they were not convicted of any wrongdoing. Deputy R.M. Pate, in particular, had a reputation for being “quick on the trigger, where Negroes [were] involved,” a reputation he upheld just days later by killing 24-year-old Jack Pruitt, a black man who supposedly made threats to a white farmer before running toward the officer with a club. Pate was rumored to have killed about a dozen blacks at the time of the lynchings, and those who knew him suspected he was fully aware of the unfortunate events that befell the men he was entrusted to protect.

Meanwhile, the mob was found as innocent as the deputies.

In an editorial printed the following day in *The Tuscaloosa News*, one writer noted that Phippen and Harden weren't victims of the mob, but rather, of the International Labor Defense's intrusiveness.

“There was a threat of grave disorder in Tuscaloosa over this case and it all is the fault of the International Labor Defense,” agreed Judge Foster in *The Birmingham Post*. “If they had stayed out of this case I am confident there would have been no lynchings.”

Another editorial claimed that Northern carpetbaggers had disrupted the tenuous balance struck between southern whites and blacks years before, a silent code of conduct in which

alleged rape and murder were recognized as offenses punishable by death whenever the mob saw fit.

“May God forgive the carpet baggers of today who returned this foul thing [lynching] to our midst—human hearts cannot,” one letter writer asserted. “Dan Pippen and A.T. Harden, two young Negroes accused of the murder of a white girl, lie dead.”

Another editorial placed the blame on the I.L.D. even more pointedly.

"[T]he maggoty beaks of the belled buzzards of the International Labor Defense League are stained with the blood of the three Negro boys whose torn bodies this morning lay in newly-turned graves! The International Labor Defense League has at last accomplished what it has long sought. It has made martyrs of three Alabama defendants in a criminal case—dead martyr to a mock Cause."

The writer went on to claim that neither Harden, Pippen nor Clark wanted anything more than a fair trial, "[b]ut the boys' pleas failed to stop the belled buzzards. They continued to circle over Alabama and Tuscaloosa."

While the writer admitted the city's own implication in the murders he went on to decry the "belled buzzards" who continued leaving "vermin in their path across the state" and worse still, "blood on the Great Seal of Alabama."

The citizens of Tuscaloosa concurred.

Citizens refused to blame either the deputies or the mob, and instead, managed to shift the blame entirely on what they perceived as a Northern, communist threat. It was easier to blame outsiders than their neighbors, regardless of skin color. According to editorials, Tuscaloosa citizens lynched two black men, not because of any particular crime, but to send a message that New York lawyers were not to interfere with Southern issues of race. However, the

unintended consequence of sending such a message was that they were also informing the country that lawlessness had overtaken the town.

A special grand jury was called to investigate the violence, and while the judge wholeheartedly condemned the mob's actions, the surprise came during Honey Clark's testimony.

Perhaps all too aware of the consequences of his statement, Clark offered as little blame as possible, refusing to point fingers and instead, defended the deputies, claiming that the mob had swiftly overtaken them through no fault of their own.

"[The mob] had the guns on Mr. Pate and these other men and they had to turn us over to these men," Clark testified. "When we first stopped Mr. Pate got his gun and the others, too, but they could not do anything and had to give us up."

It was the answer the courtroom most wanted to hear—that the integrity of the sheriff's department remained intact, that the deputies acted heroically in the face of mortal danger.

Despite attempts to recess, Judge Foster demanded the lynching investigation proceed uninterrupted. It stretched throughout August and September, Judge Foster requiring that the jury actually visit the physical locations where the mob apprehended Pippen, Harden and Clark, as well as the location where they were shot. The Grand Jury ordered Dan Pippen, Jr.'s body be exhumed in order to remove a bullet from his abdomen which they believed could assist in the investigation. A bullet was removed from Clark's shoulder as well, and Birmingham ballistics expert Jack Stuart was called in to determine if the bullets could shed new light on the case. *The Tuscaloosa News* reported that aside from studying the bullets, Stuart also apprehended firearms from local sheriffs for what the paper called a "routine examination," though we can only

speculate whether this "routine examination" was due to Stuart's own suspicions regarding the sheriffs' involvement.

Alabama Attorney General Thomas Knight, Jr. offered his expertise in the investigation, though upon entering the courtroom on September 5th, Chief Deputy Sheriff Gilbert's high-powered rifle—which he'd haphazardly left on the courtroom floor beside his feet with the safety off—accidentally discharged, not only shooting Knight in the heel, but managing to injure Gilbert's foot as well.

It was just one of the many ironies of the investigation.

While it's uncertain exactly what role—if any—Tuscaloosa's law enforcement and court system played in the murders of Dan Pippen, Jr. and A.T. Harden, they had, at least in one instance, quite literally, shot themselves in the feet.

*

On October 2nd, the Grand Jury investigation of the lynchings returned a “No Bill,” concluding that there was not sufficient evidence to convict the mob responsible for shooting and killing two prisoners of the state.

When reading their position, they praised virtually everyone involved in the unsuccessful efforts to unmask the mob.

"We also wish to say that we have had no evidence introduced which in anyway causes us to lose our faith and confidence in [Sheriff] Mr. Fayette Shamblin," they concluded, perhaps muddying their objectivity in the process.

Next, they went on to thank the attorney general and the circuit solicitor for their fine attempts at tracking down the culprits, though not a single culprit was ever held accountable.

As one writer put it, “So all the officials were exonerated, all the lynchers were left unmolested—and nobody was surprised at the outcome.”

Yet one mystery remained:

Why had Pippen and Harden been riddled with bullets while Clark escaped virtually unscathed?

The Tuscaloosa News suggested that the mob organized a midnight trial, noting that Clark’s life was spared because the mob had found Clark innocent, that his strong alibi was proof enough for his release.

It’s a difficult scene to envision: a lynch mob conducting a midnight trial and achieving what the courtroom could not—full confessions from Pippen and Harden while exonerating Clark.

However, the midnight trial theory was soon disproved.

As Clark later described, the masked men simply asked who had killed Vaudine Maddox and Harden had pointed to Pippen while Clark maintained his innocence.

The mob didn’t care.

They fired on all three.

Clark collapsed directly beneath Pippen’s body, shielding himself from further injury.

Elmore “Honey” Clark wasn’t spared by the mob; he simply benefited by its inability to check for a pulse.

*

A month later, Dennis Cross, a 49-year-old paralytic black man, was charged with tearing a dress and attempting to attack Alice Johnson, an eighteen-year-old female from a poor, white family.

Yet, as one writer reported, “it is a matter of fact that Dennis Cross was unable to run; that his brother had dressed and undressed him for four years; that his paralysis...made it highly improbable that he was capable of the crime implied by the woman’s accusations.”

The story is eerily similar to the one Harper Lee dreamed up, in which a crippled black man named Tom Robinson is accused of raping Mayella Ewell—a nineteen-year-old female who was also from “a very poor local white family”—despite the fact that Robinson’s own paralysis rendered the crime implausible.

In Lee’s novel, *To Kill A Mockingbird*, Atticus Finch stands guard over the jailhouse on the night of Tom Robinson’s attempted lynching. Meanwhile, Scout, Jem and Dill assist by employing their innocence to shame the mob back into the shadows.

Unfortunately for Dennis Cross, no innocent children or morally unshakable lawyers jumped to his defense.

Just before sunrise on September 24th, Cross was roused from his bed by a group of white men who claimed themselves police officers, informing him that he needed to pay a larger bond, and that they would gladly escort him to the courthouse to take care of the matter.

Instead, they drove Cross to a wooded area near the Black Warrior River—the site of the alleged assault on Alice Johnson—where he was shot four times, murdered for allegedly tearing a dress.

*

Throughout the summer of 1933, the city of Tuscaloosa made quite a name for itself.

“For the second time within little more than a month, Alabama is put to shame by a lynching,” wrote *The Birmingham News*. “And again it is Tuscaloosa County that is the scene of the outrage.”

The Birmingham Post added additional pressure, claiming that if “the sheriff of Tuscaloosa County and the three deputies he named to escort Dan Pippen and A.T. Harden to Birmingham had been courageous and alert in the discharge of their sworn duty, there would have been no lynching...”

Throughout the state, women’s groups made their disgust known in letters to the governor, in which they stated “the majesty of the law [has been] shamefully outraged within our beloved commonwealth,” and that the recent upswing in violence was a “matter of profound humiliation to every law abiding citizen of intelligence.”

Following their wives lead, men’s groups wrote, “Whatever the crimes of the prisoners, they were awaiting trial under the laws of the state, and all outside interference had been carefully excluded by the court. The majesty of the state cannot yield to lynch law.”

Yet John Temple Graves, II of *The Birmingham Age-Herald* offered the most scathing critique, calling the Cross lynching “one of the most shameful affairs with which Alabama has ever had to deal,” arguing that only “genuine efforts” would lead to justice.

Yet the entire county was mired in so many personal interests that any attempt at genuine efforts seemed far beyond its reach. The law—as well as the courts set up to uphold it—were rendered useless by what many whites determined was a racial obligation to their own.

After receiving heat from national papers, *The Tuscaloosa News* took matters into their own hands, sounding the call for reform by running a four-column front page editorial, asking, “Shall We Accept the Challenge?”

The editorial claimed that the I.L.D. had “inflamed the people to such a point that the community was tense with fear of racial disorders” and that when “the handful of men took the

matter into their own hands...a certain relief was undeniably felt by even the most thoughtful and law-abiding of our citizens.”

Yet it continued:

“But the International Labor Defense cannot be blamed for the murder of Dennis Cross.”

Despite efforts to place the blame for the city’s renewed violence squarely on the shoulders of outside interference, *The Tuscaloosa News* was the first to acknowledge that at least a portion of the violence had festered from within.

The editorial called upon citizens, social clubs, churches and the Tuscaloosa Bar Association to fight for a return to order. It was a skillfully written maneuver that allowed the city to save face by placing the power of reform within their reach. Those who had committed the violence were now in a position to be praised for halting future attempts.

Surprisingly, much of the Tuscaloosa community bought into it. The very people who just days before had taken pride in their city’s ability to keep the Northerners at bay underwent a miraculous change of heart. Citizens began defending all those weaker than themselves in exchange for some semblance of returning honor to their city.

Days later, *The Tuscaloosa News* reported, “The Rotary Club, the Kiwanis Club, the Civitan Club, the Exchange Club, the Chamber of Commerce, the Daughters of the American Revolution, the American legion” and scores of other organizations had all “pledged their full support” in scrubbing clean Tuscaloosa's violent past.

“Never before in the history of this newspaper had any editorial or other article received such a spontaneous, spirited and united response from the citizens of the community,” claimed one newspaper official. The publisher was rumored to have received so many congratulatory calls that he had to “remove the receiver from his home at midnight in order to permit sleep.”

As promised, swift action followed.

The County Council Against Crime (CCAC) was organized and immediately set to work passing resolutions and forming specific plans of action committed to halting the violence. They requested church services focused on community civility, as well as slideshows in local theaters addressing messages such as “(a.) Violence always hurts a community. (b.) Tuscaloosa is ‘on the spot’ before the eyes of the world. (c.) There must be no more violence in Tuscaloosa.”

Tuscaloosa was not accustomed to receiving such an audience, and the city reveled in its opportunity to prove to the nation that a small southern town could serve as the model of civility.

Yet despite the city’s growing enthusiasm, the CCAC soon found itself up against a rival group, the Citizens Protective League (CPL), whose main objective was to protect white citizens against unnamed threats, though their methods were questionable. They called themselves “Communist hunters” though they often confused Communists with blacks.

One report claimed that in the outlying areas between Tuscaloosa and Moundville masked men—most likely Citizens Protective League members—“maintained a reign of terror,” oftentimes breaking into African-Americans' homes and discharging firearms as a scare tactic.

One black man recounted waking to find robed figures gathered around his bed like specters. He leapt through a window and was fired at multiple times as he disappeared in the night.

Despite their wildly different objectives, the Citizens Protective League had a difficult time separating their goals from those of the County Council Against Crime. In the October 8th issue of *The Tuscaloosa News* they attempted to make their aim clear: “to protect the community from the ‘dastardly insults of the I.L.D.’”

However, virtually all signs of I.L.D. involvement in Tuscaloosa had dissipated months before when the three lawyers boarded the train. Nevertheless, the Citizens Protective League felt it their civic duty to continue to “combat [Communists'] sinister activities in our county with all honorable means that can be mustered at our command.”

Placing the focus on Northern invaders rather than their own racial biases allowed the citizens to ignore the issue that would continue to haunt them throughout the Civil Rights Movement. Rather than confronting the obvious problem, deflection allowed for a blind-eye approach to reform.

The editorial from the Citizens Protective League continued:

“We agree with all normal thinking people that lynch law must be condemned as it is degrading and barbarous, with tendencies to uproot and undermine the fundamental principles of civilization. Still we must ever be mindful of the human element responsible for such occurrences. When our neighbors’ wives or daughters are brutally attacked and murdered, having been victims of the atrocious crimes executed by white or black to satisfy their doggish lust, we wonder if our homes will not be next.”

The phrase “white or black” managed to deemphasize the Citizens Protective League’s racial overtones, leading the community to believe that their vigilante efforts did not necessarily stop at the color line.

The great irony is that many associated with the County Council Against Crime found themselves equally connected with the Citizens Protective League. Citizens were betting on both horses, certain one or the other would soon win out, and everyone wanted to stand with the victor.

Tuscaloosa’s sudden progressive shift seemed too good to be true.

And in all actuality, it was.

Throughout the entire first week of October, editorials in *The Tuscaloosa News* praised the town for its recent change of heart, giving Tuscaloosa's citizens reason to feel proud again. And while it seemed counterproductive to their recent call for order, even the Citizens Protective League was publically commended for their "great service" in managing to run "down rumors of all kind...without any compensation."

While the County Council Against Crime and Citizens Protective League both pledged to fight to protect Tuscaloosa's citizens, the tactics by which they chose to wage their wars were quite different. But as time revealed, the CCAC's church sermons, slideshows and letter writing campaigns proved far less effective than the more archaic weapons: masked men, guns, a propensity for violence.

*

From the spring of 1931 through October of '33, Tuscaloosa County recorded seventy murders—nearly two a month for a county whose population was approximately 65,000.

According to the National Archive of Criminal Justice, in 2000, Tuscaloosa County—with a population nearly three times as large as in 1933—recorded only fourteen murders throughout the course of the year. When compared with other data from the 1930s, it's evident that Tuscaloosa's homicide rate was keeping pace with Memphis and Atlanta—the most murderous cities in the country.

There were many theories for this heightened violence, including politics and economics, but above all else was simply the prejudices many whites still held toward blacks, believing blacks were intellectually inferior and therefore, "ordained to a position of subservience and servitude." Many whites felt it "unnecessary to provide for [them] either the educational

opportunities, the health facilities, or the police protection which it provides for the white person.”

The University of Alabama remained suspiciously quiet throughout the city’s sudden surge in racial violence. Rather than leading the charge for reform, it was said to have “lived quite within itself.” Not only did the university remain silent, but also, it offered few, if any, educational opportunities for local citizens. As proof of this failure to act, the literacy rate for whites in Tuscaloosa County ranked lower than the rest of the state, regardless of the city’s vast educational resources at its doorstep. The back-to-school issue of the university paper, *The Crimson White*, made no mention of the recent surge in violence throughout the community, preferring to report on the upcoming football season and what movies were playing at the Bama Theater.

However, one voice from the university did make itself heard above the silence, and it belonged to Professor J.R. Steelman, whose liberal leanings and investigations into the racial violence spurred a mob of Klansmen to approach him one night, accusing him of Communist ties. As writer Robin Kelley reports, "Although Steelman vigorously denied the charge, hostility toward him and his family forced him to leave the county."

In the fall of 1933, the Southern Commission on the Study of Lynching was asked, in light of the murderous summer, to investigate what caused the sudden uptick in violence. The result was a report entitled *The Plight of Tuscaloosa: A Case Study of Conditions in Tuscaloosa County, Alabama, 1933*—from which many of these details were derived.

The report concluded that the violence stemmed from Tuscaloosa’s awkward evolution from a small country town to an overgrown country town. The commission described

Tuscaloosa's streets as "filled with loitering whites and Negroes from the coal mines and abandoned farms" and that "[t]hese people live largely from public funds."

But the report noted a silver lining, as well.

"Tuscaloosa has some people who are thoroughly displeased with the recent mob outbreaks, lynchings, [and] futile grand jury investigations...this hopeful minority, so far largely inarticulate, can get the community to deal frankly and constructively with the unwholesome ...factors which produced the recent mob murders, community hysteria, and official incompetence."

While the report remained vague on exactly what those unwholesome factors might be, undoubtedly it included both issues of race as well as xenophobia. For some Tuscaloosa citizens, the only thing worse than a black or a Northerner was a black Northerner, which often spelled "Communist" for the anxiety-stricken citizens. While the city was only marginally successful in dealing "frankly and constructively" with the racial issues that had long been embedded within the town, the problem was acknowledged all the same. And while the city's breakneck speed of reform began to slow, it did not stall out completely.

In the end, local prosecutors took the greatest hit, though the blame also fell to the Supreme Court of Alabama, the Commission on the Study of Lynching charging it to fulfill its "obligation...to impeach officers who signally fail of their duty." The city's "good ol' boys' club" could no longer handle these issues in-house, though the commission's call for the removal of public officials was met with varied success.

Unfortunately, the robust debate that directly followed the terror of Tuscaloosa's summer of 1933 did little to halt the racially motivated lynchings that would continue to plague the state.

Over time, the barbaric practice began to subside, though not before a final hanging occurred nearly fifty years later, in 1981.

One cool March night, nineteen-year-old Michael Donald headed out of his sister's home for a pack of cigarettes.

He was found the next morning, dangling from a tree.

THIRD LOOP: A MOTEL SWIMMING POOL

BIRMINGHAM, NOVEMBER 29, 1979

“My name is Robert.”

November 29th, 1979 was an unseasonably cold day in Birmingham. A high of 38 degrees left the city shivering; men and women walking hastily down the sidewalks, burrowing their necks in their jackets.

At 3:30 p.m. 37-year-old Josephus Anderson—dressed in blue jeans, a blue and white striped sweater, a jacket and wool cap—walked casually into the Jefferson Federal Savings and Loan on Fifth Avenue and shoved a 38-caliber revolver directly into bank teller Shannon Hill’s face.

Money, he whispered. Now.

Hill was struggling with the safe when branch manager Jill Tapscott stumbled onto the scene.

Anderson redirected his gun.

You. Over here with her.

For the next five minutes, Tapscott stood within arm’s length of Anderson’s revolver, watching helplessly as her employee emptied her drawer. Hill handed over rolls of change, 150.00 of marked bills, as well as over 13,000.00 in traveler’s checks. Forced to stare down the same barrel, Jane Baird, another employee, offered the cash from her drawer as well. Tapscott offered additional traveler’s checks in an attempt to appease him. Anderson slipped the checks and cash into a yellow bag and left without firing a shot.

The bank employees estimated that Anderson exited the bank approximately six minutes after entering. He left on foot, converging with the other pedestrians on the busy city street.

Officer Frank Erwin was the first to arrive on the scene. After taking Tapscott's description of the robber, he immediately spread word across police radios—they were looking for a black male about six feet tall with a stocky build, wearing a three-quarter length brown coat and a matching colored hat.

At 3:55 p.m., Officer Charles Newfield—who had been working a shift at a nearby Sears department store—stepped outside to observe a man who matched the description. Officer Newfield watched as the suspect turned onto Second Alley, and while he started after him, brushing past people on the sidewalk, he soon lost visual contact.

However, the gunshots that erupted just moments later quickly placed him back on the trail.

A few blocks away, Officer R.E. Middleton, a plain-clothes police officer, spotted Anderson and shouted, "Halt, police!" to no avail. Anderson sprinted toward the Southern Motor Inn Motel, his yellow bag swinging behind him, and upon reaching for his gun, Middleton and his partner opened fire. Anderson returned fire, and after spotting the squad car squealing to a halt just before him, fired again. The officers in the squad car traded shots as well, downing Anderson directly beside the motel pool, his pockets overflowing with rolls of coins and travelers checks, his yellow bag crumpled beside him.

The Birmingham Police had apprehended their suspect with swift efficiency.

It would have been deemed good police work, if it weren't for the officer who lost his life in the process.

*

Always a team player, Sergeant Albert Eugene Ballard (“Gene” to his friends), agreed to take the temporary position as patrol sergeant to help offset the number of patrolmen who had been transferred to work the anti-crime task force. Trading in his cushy administrative position for police cruiser 117, Gene had begun patrolling the downtown beat earlier that day. A husband and father of two, Gene was known around the force as being trustworthy and dependable. Police Chief Bill R. Myers called Gene, “one of the finest police officers we have” and a “morally good man.”

Just minutes after leaving the bank, Josephus Anderson spotted Sergeant Ballard’s police car on the 200 block of 19th Street. Ballard called to him, motioning him over, and the man carrying the yellow bag obediently leaned into the patrol car as if to engage in friendly conversation.

Ballard opened his mouth to speak when Anderson pulled his gun, firing three times into Ballard’s chest at point black range.

*

Josephus Anderson was no stranger to the law.

At nineteen, he was first arrested for defrauding a hotel, and in the eighteen years leading up to the Birmingham bank robbery, he’d racked up an additional dozen convictions in various states. At the time of the shooting, there were warrants for his arrest for charges ranging from grand larceny to auto theft. Anderson had a habit of getting arrested, making parole, and drifting to new locations where people wouldn’t recognize him. In the early 60s, he received five years for armed robbery in Milwaukee, though he was released early before being arrested yet again for the very same crime in 1968. He was found not guilty of bank robbery in 1974, though he was convicted again in 1977, where he served two years of an eight-year sentence before his

release from the Federal Correctional Institution in Terre Haute, Indiana on September 16th, 1979. He'd headed south—most likely acquiring a gun in Atlanta—before continuing on to Birmingham, despite the unseasonably cold November chill.

Birmingham Police Chief Myers was at a loss for words upon hearing the news of Ballard's death.

“How many times have we said if we're going to cut down on crime we have to keep the habitual offender off the street... The entire criminal justice system must bear responsibility. This individual's record bears that out.”

Deputy Chief Tommy Rouse agreed, adding, “Virtually all [Anderson's] adult life has been spent in correctional institutions and he hasn't been corrected.”

*

Birmingham police worked round the clock in an attempt to pin their cop killer.

Detectives Hurst and Grubbs worked overtime, painting a violent history to their suspect—the man shot by the motel pool. Not only had Anderson been found with the marked bank bills, but also, two ballistics experts agreed that the “bullets found in Sergeant Ballard's body and his car were fired from the pistol taken from the appellant.”

Yet while Birmingham police had the suspect's fingerprints, they couldn't uncover his name.

Meanwhile, the Chicago police (who were also searching for Anderson) found themselves in the opposite situation—a name with no prints. As Detective Hurst later explained, “They had the name and wanted the prints and we had the prints and wanted the name.”

But managing workable prints out of Anderson was no easy task.

The Birmingham News reported that the Chicago Police Department had previously had a difficult time obtaining his fingerprints, most likely because Anderson had either developed a technique to ensure inaccurate printing or because of an oil-like secretion on his skin.

Regardless, eventually, their work paid off and the Birmingham police tracked his name from Chicago.

On Friday, December 8th, just a little over a week after Sergeant Gene Ballard's murder, three detectives, a deputy district attorney, a sheriff's deputy, a nurse, the chief of police, among others, crowded into the small room in Cooper Green Hospital where Anderson lay. Anderson had been shot twice by police—once in the abdomen and once in the mouth—warranting a brace around his jaw.

“Josephus Anderson?” the deputy asked, reading the indictment.

The room turned silent as law enforcement awaited an answer.

“Is that your name?” the deputy continued.

“My name is Robert,” Anderson croaked.

“All right Josephus R. Anderson,” the deputy agreed, glancing down at his papers. “I have warrants here, one for assaulting a police officer with a deadly weapon, make that two assaulting a police officer with a deadly weapon, robbery and a murder...”

Anderson stayed silent, remaining that way until the officers left him there to stare at his untouched food tray.

When asked about his impressions of the suspect, Police Chief Myers said, “It would be difficult for me to express my thoughts because it might prejudice the case—I obviously have particularly strong feelings about this case.”

Myers managed to bite his tongue, though others wouldn't.

Excessive news coverage of Sergeant Ballard's death allowed nearly every Birmingham citizen to become fully aware of the grisly details, making a fair and just trial virtually impossible within the city.

Anderson's hearing was eventually moved four hours south to Mobile, Alabama, where it was believed justice could more easily prevail.

*

Two years after Ballard's death, on the night Josephus Anderson's case was deemed a mistrial in a Mobile courtroom, nineteen-year-old Michael Donald watched his home team, the University of South Alabama Jaguars, lose to the Tulsa Hurricanes after coming back from a six-point deficit in the final thirty seconds of the basketball game. Disappointed, he left his sister Betty's TV room a few minutes later, wandering into the living room where other family members were gathered playing a game of Spades. Cards were dealt, and Michael's cousin Vanessa handed him a dollar, asking him to buy her a pack of cigarettes at the nearby Gulf station. He agreed and started toward the door.

"Hold up, I'll come with you," offered Michael's cousin, Victor, laying his cards down on the table.

"Naw, man. You ain't got to go. He can go by himself," cried the others, clutching their cards. "We're in the middle of a game here!"

Victor shrugged as Michael waved goodbye, heading toward the gas station in the dark.

Michael's sister, Cynthia, recalls it being "just another normal night."

She never expected it to be the last time she saw her brother breathing.

FOURTH LOOP: A FLOWER IN THE FOREST

BIRMINGHAM, NOVEMBER 29-DECEMBER 4, 1979

“Oh, God, I need help...”

In the days following Sergeant Gene Ballard’s death, the Birmingham Police Department honored his memory by displaying black armbands and patches on their uniforms.

On December 4th, Police Chief Myers sent an interoffice memo that read simply:

“Sergeant Gene Ballard was fatally wounded on Nov. 29, 1979 while driving police car 117. In his honor the number 117 will be retired effective immediately. This number will no longer be utilized to designate any police unit within the Police Department.”

The police wanted nothing more than a speedy prosecution, and while it appeared like an open and shut case, information remained spotty. Much of this was to blame on witnesses’ unwillingness to come forward. Gene Ballard was fatally wounded between 3:35 and 4:00 p.m. on a crowded city street in downtown Birmingham, yet the police officers arrived on the scene to find—quite frustratingly—that not a single person could so much as point in the direction the assailant had fled.

During a joint press conference with Birmingham mayor Richard Arrington the following day, Police Chief Myers made his frustration public.

“Something has been reported to me that is very shocking—people at the scene refusing to cooperate with police.”

“It’s completely disgusting to me after hearing all these remarks about law and order that so many people would refuse to cooperate when a police officer is murdered...It seems to me

many of the people in the area were more concerned about a little traffic jam than they were with apprehending the murderer of Sgt. Ballard. There were hundreds of people in the area where the crime occurred, and the greatest portion of them ran or refused to cooperate...If the public is going to demand that the police do something about crime in this city, then I'm going to demand that the public do its part. And right now they are not."

Out of those hundreds of witnesses, only ten initially came forward.

By the following Monday, an additional six slunk into police headquarters to make statements. Myers grumbled that while police officers were working the crime scene several citizens went so far as to curse the officers for interrupting their daily routine.

Myers chalked up the lack of witnesses as sheer cowardice, a "lack of guts," and stressed civic responsibility.

"It's about time we insist the public become more cooperative and accept their responsibility," Myers said.

For Birmingham, like Tuscaloosa years prior, it was time to accept the challenge.

*

Kathy Sutton remembers all too well the day Josephus Anderson shot and killed her father. She was twenty-four at the time and had just come home from work, returning to her Alberta City home.

The doorbell rang, an unexpected visitor.

"My aunt came over to tell me," she recounted. "But most people found out from the TV."

Upon hearing that her father had been shot, Kathy jumped in the car and made the hour-long trek to her stepmother, Kalliopi's, Birmingham home. There, she was abruptly introduced to the unwanted stardom thrust upon her.

“When my father was killed, the media would call our house to talk to somebody, they would be outside in the street...it was really hard to grieve because they were in your face. They were ugly, like, ‘You’re not going to talk to us?’ It was really hard because it takes awhile to process all that.”

This experience further solidified Sutton’s distrust in others, the media, in particular.

“People are so...judgmental. Dad would tell me don’t believe everything you read or see on TV. And to this day, I go by that because he was right. People—and reporters especially—can just be so bloodthirsty for a story.”

*

Kalliopi Hartley, Gene’s second wife and Kathy’s stepmother, remembers that day as well.

“The last time I saw him was around 9:00 or 9:30,” she explained. “I’d made breakfast and he’d eaten, gotten dressed, walked to the door. I’d come down with a bladder infection a few days before, so he’d call me a few times during the day to check on me. But he always did, three or four times a day. He called me around 2:00 p.m. that day, and I told him I’d gotten some medication, and I said thanks for checking on me and that was it. Whenever we hung up we always told each other we loved each other, and those were the last words he ever told me.”

Just a few hours later, she, too, received an unexpected knock on her door.

She had been crocheting an afghan at the kitchen table, occasionally glancing up at the television set as her fingers worked the needles. The clock read 4:15.

“Then I heard the knock and it was our pastor’s wife telling me that Gene had been hurt. She didn’t know anything else and Gene always told me, if anything happened to him just to stay put and they’d send someone for me. I called the police department to see if they’d heard anything, but of course they lied to me and said no. I asked if they were sending someone for me and they said yes.”

Kalliopi dressed, grabbed her purse, then waited dutifully on her front porch for the police car to arrive and take her to her husband.

“And I’m standing on the front porch when I see the guy in charge of the chaplain program and one of Gene’s best friends, Bobby Limb, walking up. And they have big smiles on their faces. I just started screaming because I knew what that meant. Nobody was saying, ‘Hurry, come on, time to go downtown and see Gene.’ They were just grinning like they knew he was with the Lord.”

The police chaplain walked Kalliopi back into her living room, sat her down in her chair and started praying.

“I just felt very calm and peaceful,” Kalliopi recalled, “and I knew everything was going to be okay and that God would protect us.”

Soon after, Police Chief Myers paid a visit to the home as well, and Kalliopi distinctly recalled gripping Myers’ hands and informing him that she wholeheartedly forgave the man who shot her husband because God had forgiven her sins as well.

“And in God’s eyes,” she continued slowly, “there’s no sin any bigger than any other. Whether you tell a lie or kill somebody, it’s all the same in God’s eyes.”

*

Sergeant Albert Eugene Ballard was pronounced dead a few minutes past four on Wednesday, November 29th, 1979, though the funeral wouldn't occur until the following Monday.

While they originally planned for a Saturday funeral, Sutton recalled that she and her stepmother felt great pressure from the Birmingham Police Department to postpone the funeral until after the Alabama-Auburn football game due to the number of officers required to work that day.

The family agreed to postpone until after the game to ensure that all the officers could properly pay their respects.

The Crimson Tide was undefeated going into the Iron Bowl on Saturday, December 1st, 1979. They were defending their previous year's national championship title, though on that blustery December afternoon, they found themselves playing more like the underdogs than the champions. They tried desperately to piece together a third quarter rally against rival Auburn, but four Alabama fumbles in that quarter alone seemed like certain defeat. Against all odds, Steadman Shealy's stunning touchdown in the fourth quarter gave Bama the win.

The sports section of *The Birmingham News* reported:

“Always Bible-quoting Shealy could paraphrase an Old Testament dictum describing what happened on a cloudless, cold Iron Bowl Day:

‘Alabama giveth, Alabama taketh away.’”

Forty-eight hours prior to her father's funeral, Kathy Sutton understood the poignancy of that quote far better than most.

*

Three hundred police cars arrived for the funeral procession, including cars from throughout the state, some even making the two and a half hour drive from Columbus, Georgia. The procession wove through downtown Birmingham, and behind the patrol cars, motorcycles, and honor guard, walked Birmingham Mayor Richard Arrington, as well as Police Chief Myers, among other local dignitaries.

The march ended at the back steps of City Hall, where Charles Smith, a fingerprint technician, played a haunting rendition of “Flowers of the Forest,” a Scottish lament for fallen warriors.

The funeral that followed was more than a bit unorthodox.

For one, rather than calling it a funeral, Kalliopi insisted it be called a “victory ceremony.” The Reverend Bobby Britt presided, quoting Kalliopi as saying, “Many people might not understand what [victory ceremony] means, but they will before they leave.”

Following the eulogy by Bob Fields, founder of the Fellowship of Christian Law Enforcement, Reverend Bobby Britt walked to the stage, making it known to all who were present that Ballard’s service as a police officer was “only a way to put food on the table, to pay utility bills...so he could spend his other time spreading the word.”

The reverend continued:

“I’ve never done this at a funeral, but I’m going to give you a chance to know Gene’s Savior.”

Then, he asked the people in the audience to walk to the front and publically commit themselves to Christ.

The choir sang as people began “to trickle out of the pews, most of them middle-aged policemen, some with their wives.” Police chaplains surrounding the casket met the newly

committed with open arms. The casket was suddenly inundated with both flowers and believers, sparking an indescribably powerful scene, according to Kalliopi.

“Our church held about 750 people,” Kalliopi, noted. “But on the day of Gene’s funeral, there were close to 2500.”

“The love that poured out for Gene,” she had stated in *The Birmingham News* thirty years prior, “was just magnified by those who came forward for the Lord.”

Yet daughter Kathy recalled how viewing her father in the casket hadn’t afforded her the same closure.

“This is the weirdest thing,” she began, “and my mother [Ballard’s first wife] had an experience similar to this. Dad must’ve been in horrible pain because when I saw him in the coffin it...didn’t look like my father. For years I would have dreams that he wasn’t really dead. It just didn’t look like him. I’d seen my grandmother in a coffin and she looked like she was sleeping, but this didn’t look like my father.”

Compounding the lack of closure was that by the December 3rd funeral, Ballard’s killer had yet to be formally charged. This wouldn’t occur until the following Friday, four days later, as the police officers entered his room at Cooper Green Hospital.

However, one positive result of Ballard’s funeral was a renewed sense of unity among Birmingham’s citizens. Mark Winne reported that white police officer George Sands, who, just the previous summer, nearly lost his job for mistakenly shooting African-American Bonita Carter, marched alongside African-American reverend Abraham Woods who had previously called for Sands’ removal. Yet both men put their squabbles aside in order to honor the memory of a police officer they both greatly admired. Earlier in the day, Mayor Arrington spotted Sands

and Woods situated alongside one another in the parade, noting that unity “may be Sgt. Ballard’s legacy.”

*

Measuring in at nearly six feet tall and 200 pounds, Gene Ballard was not a man to be reckoned with. His daughter made note of his “imposing figure,” recalling how dates would stop by her house to pick her up, only to step inside the front door to find her police officer father displaying all his typical accoutrement: gun, nightstick, handcuffs.

“I don’t think he was trying to scare them to death,” she laughed. “It’s just what he had on when he got home.”

Josephus Anderson never knew Gene for the football-loving father he was. Nor was he aware of Gene's predilection for *Jeopardy!*, his love for golf, or that he had recently been named a police chaplain. Anderson knew nothing of Gene’s childhood on a farm just outside of Gordo, where he and four brothers and three sisters—along with their parents—maintained a 223-acre farm. He knew nothing of the good or bad of Gene Ballard—his loyalty or his quick temper.

Gene and his second wife, Kalliopi, married on June 22nd, 1969, just weeks before the first troops were withdrawn from Vietnam, a month before man first walked on the moon.

“I can’t remember if it was our first anniversary or our second,” Kalliopi recalled, “but I was working that day and Gene had the day off. And when I walked in the door, he had the song...I think it was Ray Price...the song “Sweetheart Of The Year” playing on the stereo. And he had the table set, dinner prepared. It was just really special. He was always doing that kind of thing.”

“And another thing we always did,” she continued, “we never took our rings off. If he had to have surgery or something, I took his wedding ring off and put it back on afterward. The

same for me. The only time it was taken off by somebody other than me was when he passed, when the coroner took it off. But when we were getting ready for the funeral, I slipped the ring right back on his finger at the funeral home one last time. And he was buried with it.”

Yet Josephus Anderson considered none of this as he pulled the trigger.

He simply viewed Sergeant Gene Ballard as an obstacle between him and his freedom and so he aimed and fired, hardly skipping a beat.

One November afternoon, as Kalliopi crocheted an afghan at her kitchen table, as Kathy drove home from work, Josephus Anderson raised his .38 caliber revolver and shot the husband and father three times in the chest before falling himself just minutes later, by a motel swimming pool.

*

Sergeant Gene Ballard didn't die immediately.

If the bank tellers' timeline is accurate then we know that Anderson left the bank at approximately 3:34 p.m. and Gene's last radio cry for help occurred at 3:49 p.m. It's possible Gene lived for nearly fifteen to twenty additional minutes before University Hospital pronounced him dead at a few minutes after 4:00.

Around 4:00 p.m., as Gene struggled for his life, Anderson bled as well, at the Southern Motor Inn just a few blocks away.

Gasping, Gene's voice blasted across police radios one last time before signing off.

“Oh, God, I need help. 200 block of 19th Street...”

The impact of the bullets had forced Gene's foot into the accelerator, propelling his car forward into a utility pole, crumpling the hood.

While most of the witnesses fled, Sandra Parker, a nurse who happened to be passing by, ran to assist the wounded officer. Though her efforts were ultimately unsuccessful, Police Chief Myers was moved by her selfless act, offering her a commendation for her bravery.

“I’m just really touched by it,” Parker said. “I think it’s really nice of them to give this much recognition for something I thought was a citizen’s duty to do.”

In the past, Myers probably would have agreed, though after witnessing such a “disgusting lack of guts” by the other citizens who chose to flee the scene, Parker’s ability to fulfill her civic duty seemed all the more commendable.

*

The story of Sergeant Gene Ballard’s death isn’t simply the tale of a police officer that fell in the line of duty. Instead, it’s the story of a *white* police officer that fell due to three shots fired at close range by a *black* assailant. Neither man intended for their ill-fated interaction to strike such a racial chord, yet the circumstances made it inevitable.

On November 29th, 1979, Josephus Anderson, who happened to be black, walked into the Jefferson Federal Savings and Loan and demanded money. Minutes later, Sergeant Gene Ballard, who happened to be white, called the suspect over to his car.

Gene was simply in the wrong place.

Anderson was simply in the wrong place.

The intersecting forces that collided to bring them together at the 200 block of 19th Street was not the result of generations of racial violence or any personal ill-will toward one another. Anderson fired because Gene was there, though the racial overtones that ultimately seeped into the courtroom only allowed for the violence to ripple out further.

Gene Ballard, a veteran police officer, had served under the infamous Commissioner of Public Safety Eugene “Bull” Connor, whose most remembered for encouraging violent tactics such as high-powered water hoses and police dogs against Birmingham’s black civil rights protesters. Despite enduring a barrage of rocks and bottles thrown his way, Gene survived the riots unscathed, and as his daughter noted, managed to “put all racial issues behind him.”

She recounted a particular story in which her father—who had a rare blood type—received a call from the Red Cross informing him that a pair of newborn twins was in desperate need of his blood. Kathy recalled her father dressing and rummaging in his pockets for his car keys.

“Where are you going?” she asked.

“Red Cross,” he replied, stepping out the door. “There are two little black babies who need my blood or they’ll die.”

This is not to imply that Gene wasn’t deeply affected by the race riots—many police officers were—but Kathy recalled her father explaining it to her in terms she could understand.

“You know Kathy,” he began, “there are bad policemen just like there are bad everything. Not everything is good in every situation.”

“What’s sad,” he continued, “is that there are some people without a conscience. You won’t understand this because you have one. But I’ve seen kids who are whipped, not because they stole but because they were *caught* stealing. See the difference?”

She did.

It was a lesson she never forgot.

*

It's so commonplace it's almost become a cliché: the police officer who, just days before his retirement, dies in a heroic blaze of glory. Yet Sergeant Gene Ballard's death reminds us that clichés are often rooted in truth.

Gene was, in fact, eligible for retirement the following Saturday, just three days after his murder.

Not that he had any intention of retiring.

Most likely, he intended to celebrate his 20th anniversary on the force by watching the Iron Bowl along with the rest of the state.

On December 4th, 1979, the day following the funeral, Police Chief Myers remarked, "One thing I hope the community realizes from the tragic death of Sgt. Ballard is that a real danger exists on the street for police officers. Officers do have to make life or death decisions. If they make the wrong decision, sometimes it can cost the officer his life."

"I really had a lot of confidence in him," Kathy recalled. "He was above average intelligence. He was a good shot. I think...I just don't think he thought."

Jane Tidwell, the Ballards' neighbor, worked at the Jefferson Federal Savings and Loan and was present on the day Anderson walked in wielding his gun.

"And...she came to the house later that day," Kathy explained, "and I heard her talking to my stepmother about how upset she was that my dad was shot...he had lived through so much. But there was a reduction in force and he was put back on the street. Without a partner. I just don't think a policeman should ever be left alone."

The 1979 list of Alabama Peace Officer's Killed In The Line of Duty alluded to the force reduction as well. When summarizing Gene's death, the final lines read:

"[Josephus Anderson] was charged with bank robbery and murder of a police officer."

And then, quite chillingly:

“Ballard was alone.”

*

Today, his grave marker sags in the dry grass atop a slight incline at Jefferson Memorial Cemetery, a few miles outside of downtown Birmingham. It's a modest marker, the name BALLARD embossed in the center, a cross on one side and a police badge indicating his work as a chaplain on the other. His marker overlooks a busy city street, as well as a strip mall overflowing with Super Targets and Belks and Best Buys, all clearly within view. Flowers line the graves, though groundskeepers continually buzz past on their carts, cleaning out the vases and replacing the dead flowers with fresh ones.

On the day I entered the cemetery, I spent ninety minutes attempting to locate Ballard's grave marker, returning to the funeral home twice for more specific directions. I was offered various highlighted maps indicating where Ballard was supposed to be buried, though his marker wasn't where the funeral home employees assured me it was. And so, after filing through the rows to no avail, I recruited a pair of groundskeepers for help, and they, too, began scouring the vast land alongside me, jabbing their shovels into the earth, noting how sometimes grave markers get swallowed up by grass and time without anyone ever noticing.

Eventually, we stumbled across the marker, only a hundred or so feet from where the map had indicated.

"Believe it or not, they can be tricky to keep track of sometimes," one of the groundskeepers admitted. "The grass just grows so fast...it makes it easy to forget."

As I pulled out of the cemetery moments later, I noticed a sign to my left:

BIRMINGHAM POLICE DEPARTMENT FIRING RANGE AND TRAINING FACILITY.

An arrow pointed to a small road adjacent to the property line of the cemetery.

As I drove past, I couldn't help but wonder with what regularity Ballard frequented that range, how often he passed the cemetery where he would one day rest.

*

“Once,” Kathy Sutton explained, speaking slowly, “I saw Dad and my husband pick up a tree. Not just a log, but an actual tree. We were in Birmingham and this horrible tornado had come through, and...I saw him pick it up. And I thought, ‘My God.’”

Kathy went on to describe the tree’s hulk, how its great size and cumbersome shape made it virtually impossible to get a handle on it, how the tornado had ripped through the landscape, destroying everything in its path, regardless of anything but proximity.

How no roots wound deep enough to keep any tree upright.

How the tornado had caused the world to collapse all around her.

“And...and then I just saw Dad pick the tree up,” she explained, baffled, “and I just couldn’t believe he was that strong.”

She paused before continuing.

“But, you know, he was,” she whispered. “He really was. Believe it or not, my father was really that strong.”

PART II

THE LAST LYNCHING

FIFTH LOOP: A PACK OF CIGARETTES

MOBILE, MARCH 20-21, 1981

“And that was the last time I saw him.”

For Michael Donald, the morning of Friday, March 20th, 1981 started out just like any other. While Michael often slept late after spending a few nights a week working his part-time job as a stuffer for *The Mobile Register*, he was grateful to have that particular Friday all for himself.

He woke, dedicating much of the afternoon to playing basketball at various nearby recreation centers. One of Michael’s close friends recalled playing ball with him at the Busby Recreation Center on North Lawrence Street until close to 3:00 p.m., at which time his friend had to leave for work.

The friend—whose name has been omitted from the FBI files—noted that he and Michael always played on the same team and were never opponents. After the game the pair walked outside for a breather and to assess their performance.

“Then I told Michael I had to go to work around 3:00 o’clock and I don’t think Mike knew when I left because I left about ten minutes till 3:00 o’clock and he was still playing ball,” the friend recalled. “And that was the last time I saw him.”

Another friend—one who, according to his statement, considered himself Michael’s closest friend—confirmed playing basketball with Michael at the recreation center as late as 7:30 that night. He stated that Michael tried meeting up with him again around 8:45 p.m., though he himself hadn’t yet arrived home.

Later, another witness claimed he'd seen Michael at around 7:30 p.m. on Morgan Street, that he recalled his friend wearing trousers and a t-shirt, and that Michael had plans to go home and shower before heading over to his girlfriend's house.

Yet another claimed he'd spotted Michael at nearby Springhill Recreation Center at a little before 5:00 p.m.

"No, none of that's right," explained Cynthia Mitchell, Michael's youngest sister, now in her early fifties. "He didn't play basketball at all that day as far as I know. We started playing cards early."

"Real early," agreed Cecilia Perry, Michael's second youngest sister, preceding Cynthia in the birth order. "We were at [our sister] Betty's house around 5:00 or 6:00 p.m."

Despite conflicting reports of his whereabouts, Michael's closest friend—along with various other friends and family members—all agreed on one point:

Michael was a quiet young man.

The word "quiet" is repeated over and over again, both in the first-hand interviews as well as the FBI reports.

"Michael Donald kept to himself, was soft spoken and in fact spoke very little to anyone," explained a close friend. The friend went on to describe Michael as, "a clean cut type" and not the type of person to wander the streets. Michael "did not like to roam," the friend added, and "stayed pretty much around his house." He was "not a night person and did not drink alcoholic beverages." However, this friend later admitted that Michael had been known to smoke cigarettes on occasion and even enjoyed a rare marijuana cigarette, usually following his paydays on Mondays.

According to Michael's mother, Beulah Mae Donald, Michael was frugal, and she told investigators that to her knowledge, he did not smoke or drink. Later, she admitted to reporters that he did smoke, and though she'd warned him against it, he'd replied, "I'm going to college. Can't I have a cigarette?"

Similarly, while she initially noted that Michael never borrowed money, she later amended that statement as well, agreeing that he occasionally borrowed small amounts of money on Friday nights, though he'd always repay it by Monday after receiving his paycheck from *The Mobile Register*. He earned 124.00 a week, which may have contributed to his frugal nature.

"He was a quiet person," reiterated his sister, Cecilia Perry. "He loved to play basketball. He was just...quiet. When he wasn't working he just lay around the house, watched TV. He worked the nightshift, so Michael kept an eye out for my little boy during the days when I was at work. He was a good babysitter, and my son called out for him a long time after he'd passed because he was used to him being there. My boy was less than a year old when Michael died, but he'd call out for him a long time after."

After graduating from Murphy High School in 1980, Michael immediately began training as a brick mason at Carver Technical School in Mobile. Mrs. Donald described her son as "a slow talker who never had much to say," recalling that he'd told her he wasn't going into work that Friday night, and instead, was going to his sister Betty's to watch the University of South Alabama vs. Tulsa basketball game with various siblings and relatives.

One family member described Michael as "the sort of person who if he felt there was a difficulty on the street in front of him, he would cross the street and walk on the other side." The family member highly doubted that there was any likelihood that Michael would have entered a nearby nightclub to purchase cigarettes if the Gulf station was closed. He also explained that

Michael and his girlfriend (whose existence is unconfirmed and disputed by Michael's sisters) were "having some difficulties lately" and "this was one of the reasons why he was not visiting with [name omitted] on that Friday night."

Bob Eddy, an investigator for the Mobile District Attorney's office, concurred with these characterizations of Michael Donald, accurately recalling Michael's remarkably clean slate.

"He didn't have any enemies; no one who wanted to get even with him. It was nothing gang-related. Everyone who met him liked him. He was said to be a real good employee for *The Mobile Register*. And his family was just an excellent family, really good people, really fine people," Eddy confirmed.

"We could find nothing on Michael," agreed former Mobile Police Sergeant Wilbur Williams, one of the first officers to arrive on the murder scene that morning. "He'd never been arrested, never even had a ticket. It appeared that all he did was shoot baskets, work his job at *The Mobile Register* and go home."

Sometime early on Friday evening—perhaps between basketball games at the recreation center—one of Michael's longtime childhood friends recalled letting Michael borrow a soft drink bottle to spare him having to pay the deposit. Allegedly, Michael returned the bottle to his friend at 7:15 p.m. before reemerging once more around 8:00 p.m. Spotting him, the friend noted how he and Michael had talked and wrestled some in the backyard. The friend reported that, "Donald stated he was going to a party but he did not mention what kind of party or where the party was to be."

However, an unnamed female friend of Michael's recalled spending time with him between 7:00 and 8:00 p.m. as well, slightly contradicting the timeline set by the friend who had allowed Michael to borrow the bottle. The female friend noted that she had known Michael for

nearly two years and that they often played basketball together at Busby. She claimed that he rose to leave approximately 45 minutes after arriving, but not before grabbing a comic book that he promised to read while watching the basketball game at his sister's house.

The party turned out to be a family gathering at his sister Betty's home. Betty welcomed him into her Orange Grove unit on North Jackson Street near the State Docks. Michael was the youngest of eight, and as the baby of the family, Betty was used to keeping an eye on him. At 9:30 p.m. Michael wandered into the TV room where he met with a few male family members and sat down to watch the second half of the South Alabama vs. Tulsa game. March Madness was in full swing, and the previous night, the Indiana Hoosiers had defeated the University of Alabama-Birmingham Blazers 72-56, while Wichita State loss handily to LSU 56-72, knocking them from the tournament.

Certainly there were more high-profile games to watch that evening—the highly contested North Carolina vs. Kentucky match-up, as well as Virginia vs. BYU—though Michael preferred rooting for his home team: South Alabama in the NIT division. When Michael arrived at Betty's house at halftime, he was pleased to find his team holding its own, though the Jags' eventual 23 turnovers played a pivotal role in their downfall.

After the Jags' heart crushing 68-69 defeat, Michael most likely began watching *Fridays*—ABC's answer to *Saturday Night Live*, a sketch comedy show featuring Larry David and Michael Richards among others. Tiring of the show within minutes, Michael excused himself from the room, explaining to his family that he was going for a pack of cigarettes.

This too, however, is debatable.

While FBI files report Michael left the house to buy *himself* a pack of cigarettes (allegedly, he smoked Kools), Cynthia Mitchell distinctly recalled her brother leaving to buy a pack for their cousin, Vanessa.

“That’s right,” agreed Cecilia Perry. “I was there. Vanessa gave him a dollar to buy a pack of cigarettes for her. Michael didn’t smoke. When we were younger some of us did, but never Michael.”

Michael’s sister Betty—one of many card players around the table—asked him why he didn’t consider riding a bicycle to the gas station, and shrugging, he replied that it wasn’t too far.

His nephew Victor offered to come along, though the other card players told him not to interrupt the game, that Michael would be fine on his own.

After taking a dollar from Vanessa for the cigarettes, he waved goodbye and started toward the gas station.

Though blacked out (like most names in the FBI files), two more of Michael’s friends confirmed seeing him at precisely 11:05 p.m., as he stepped outside Betty Wyatt’s housing unit on his way to purchase cigarettes. The statement recounted:

“As they were leaving their residence and going to their automobile which was parked in front of their residence, Michael Donald walked out of the residence at [blacked out] and walked to the sidewalk which runs along Beauregard Street, and turned in a southwesterly direction, which would lead to the Gulf station on the corner of Broad and MLK Avenue, located several blocks away. As he was leaving, [blacked out] exchanged greetings with Michael Donald but no conversation was held with him.”

The second friend, who was also walking toward the automobile, noted that Michael walked along the “brick wall located on Beauregard Street...which eventually leads to the Gulf station located a block or so from that point.”

No witnesses reported seeing Michael after 11:05 p.m. on Friday, March 20th. The following day, police officers questioned the employees at the nearby Gulf station, as well as all other gas station attendants in the area, but no one had any recollection of the nineteen-year-old in the blue warm-up jacket, gray sweater, blue jeans and leather belt with the Led Zeppelin buckle.

“That’s because he wasn’t at the Gulf station,” explained Wilbur Williams, one of the lead investigators on the case and the current chief of police in nearby Andalusia. “The Gulf station was closed, so he was walking toward the 7-Eleven on the corner of Springhill and Kennedy.”

“No,” Cecilia Perry later disagreed. “It *was* a Gulf station at the time. And it was open. In those days they did stay open all times of night. It was just so strange to me that it would happen there because that service station was right up the road. Just right up the road from us.”

Cecilia paused.

“But you know, it was the strangest thing,” she continued. “At around 12:30, I dropped Cynthia off at home, but instead of us going the way we usually would have gone—down Springhill, past Herndon Avenue—we went another route, instead. It was strange to us. At the time all of this happened, we might’ve run right into it, but we went another direction. Michael left, he didn’t come back, so we just broke up the card game and went home.”

“We weren’t worried yet,” Cynthia Mitchell remembered. “We figured he’d just gone home. In fact, Michael’s niece [Vanessa] complained, ‘Michael took my money and went home!’”

But by 1:00 a.m., Michael’s mother, Beulah Mae, was growing concerned; it was not like Michael to stay out so late. She was used to him slipping in the doorway just before midnight and placing headphones over his ears before bed, losing himself in the music. She spent a mostly sleepless night waiting for the front door to squeak, announcing his arrival, though the house remained silent.

According to *New York Times* writer Jesse Kornbluth, Beulah Mae dozed off, only to wake from a dream in which she saw a "steel-gray casket in her living room." Beulah Mae described the dream in detail, noting that every time she attempted to peer into the casket, a voice said, "You don't need to see this."

Wide-awake, by 2:00 a.m. she sat restlessly on her couch sipping coffee until dawn, at which point she made her way into the yard to begin raking. As she collected the leaves, a woman delivering insurance policies spotted Mrs. Donald and casually informed her that a body had been discovered.

Soon after, at around 9:00 a.m., Vanessa Wyatt, Michael’s cousin, turned on the radio and began hearing reports of a black man found hanging in a tree. She and a neighbor made their way over to nearby Herndon Avenue to investigate.

“And that’s when they saw his clothing,” Cynthia Mitchell whispered. “And they came back screaming and hollering. They saw the body in the tree. They hadn’t taken him down yet.”

“Mom just kept calling everyone, saying he hadn’t come home, he hadn’t come home, that they believed they found him,” Cecilia Perry agreed. “We all just went to Mom’s house for news.”

Though the timeframe differs, according to Beulah Mae, at around 10:00 a.m. her phone rang, an elderly woman on the other end.

It was then that Mrs. Beulah Mae Donald heard the chilling words that haunted her the rest of her life:

That her son’s black, tri-fold wallet had been found, picked from a dumpster behind a church not far from their home.

At first, Beulah Mae read it as a good sign, proof that he was alive.

"No, baby," whispered the woman on the other end, "...they killed your son. You'd better send somebody over."

*

Recreating the timeline of the evening of March 20th and the early morning of March 21st is far more difficult than one might expect. So many witness statements contradict one another, rendering a full and accurate recreation of that night virtually impossible. Every detail is called into question, doubted, unverifiable.

Michael was walking to a Gulf station.

No, Michael was walking to a 7-Eleven.

Michael smoked Kool cigarettes.

No, Michael didn't smoke.

Michael played basketball throughout the day.

No, he didn't touch a ball that Friday.

Michael had a girlfriend.

No, he never came close.

This lack of agreement between the Mobile Police Department and the Donald family was perhaps emblematic of a greater problem: a perceived communication breakdown that eventually caused the Donald family to question the sincerity of the Mobile Police Department's investigation.

However, the FBI files confirmed what the Mobile Police Department had pieced together—that Michael *had* spent much of Friday afternoon playing basketball at Busby Recreation Center, and that he may have moved to nearby Springhill Recreation Center, where he played as late as 7:30 p.m.

However, it's even more difficult to track exactly what occurred between 8:00 and 9:30 p.m.

According to the FBI report, Michael and an unnamed female (Pamela, according to Cynthia Mitchell) spent nearly an hour at the female's mother's house, at which point Michael borrowed the comic book and continued on his way. At 8:45, his unnamed closest friend claimed Michael stopped by his house as well, though he hadn't been there to meet him. Various witnesses confirmed that by 9:30—halftime of the University of South Alabama vs. Tulsa game—a freshly showered Michael entered his sister Betty Wyatt's home and began watching television with family members. He stayed in Betty's home for the next ninety minutes before leaving one final time, for the cigarettes.

*

While sifting through the various versions of what occurred that night, I stumbled across statements that not only contradicted timelines, but contradicted Michael's character as well.

Some alleged acquaintances argued that Michael was not the basketball-loving, quiet young man prone to crossing the street when he smelled trouble. According to a few marginal, unsubstantiated witness statements Michael Donald was actually a drug-addled, homosexual hustler, as well as a dealer who regularly frequented prostitutes.

One prostitute claimed she met Michael on the corner of St. Francis and Hamilton, brought him home and had sex with him. She knew he often rode a bike, claiming that he'd parked it out back and that someone had stolen it on the night of their rendezvous.

“Did it appear as if this was his first time in, you know, the situation that he was in?” a detective later questioned the prostitute.

“No, it wasn't...he was well experienced,” she replied.

However, portraying Michael as a pimp or a frequenter of prostitutes are both difficult stories to swallow, particularly because Michael often worked nights at *The Mobile Register*, a more than sufficient alibi.

Yet the prostitute wasn't alone in her less-than-flattering assessment of Michael Donald.

A male witness claimed that Michael had sold him “sets” (pills) on numerous occasions.

The witness went on to explain that “Michael Donald and [name omitted] used to do sets together around the Flame Club and other clubs, and that they would beat the people for the money.”

The witness claimed that Michael had been selling “sets” for a year, and often hung out on Herndon Street, chatting up white girls. The witness assured the detective that Michael “definitely sold drugs” but was “definitely not homosexual.”

Wilbur Williams recalled how these unsubstantiated claims proved detrimental to the case.

“One day we had three black transvestites come forth with information that Michael Donald was living a double life,” Williams began. “They told us a story diametrically opposed to the other stories we’d been hearing about Michael Donald’s character. They started talking about this double life he’d been living, that they’d had sex with him, that he was known to solicit favors on the street, that he was a big dope smoker. So what do we do as investigators? We can’t afford not to find out the truth, so we start asking those kinds of questions to the family, and the family turns on us almost instantly. In their eyes, we weren’t the ones out there trying to find out who killed their loved one, we were the bad people. It was becoming a full-fledged, unadulterated racial situation. We had no choice; we had to run these things to get to the bottom of it, but by asking the questions our relationship with the Donald family changed.”

For the most part, Cynthia Mitchell and Cecilia Perry agreed with Williams’ assessment.

“But the police didn’t even come over that first day,” Cecilia recalled, shaking her head.

“We had to start harassing them,” Cynthia Mitchell added. “We kept calling them up, demanding answers.”

“And the first time they did come they went and ransacked Michael’s bedroom looking for drugs. You know how people tell stories,” Cecilia explained, brushing it off. “But there wasn’t nothing there.”

In fact, Beulah Mae Donald was so confident that Michael had done nothing to provoke the attack that she gave the Mobile Police permission to search his entire room at their discretion.

But despite the investigation that followed, no traces of drugs were ever found in Michael's bedroom or body.

As Major Samuel McLarty of the Mobile Police pointed out, "If he was into selling drugs, why would he have to borrow a buck from someone for cigarettes?"

“There were certainly some heated conversations,” Cynthia recalled, considering her family's relationship with the Mobile Police. “We’d go to the police station, and at one point, I actually cursed the chief of police out.”

“Well, the police in the area were flashing Michael’s picture, asking people if they knew him, like he was guilty of something,” defended Cecilia.

“They were trying to find an alibi that might explain why it occurred,” Cynthia said. “But the problem was, they couldn’t find one. And that’s when the rumors got going.”

“People were saying he got killed over a white woman, that it was a drug deal gone bad...”

“People were even saying that the police did it. But we never believed that, Cynthia admitted. “We all lived in these little projects so everybody was coming by saying whatever they thought would help. They were just saying anything.”

Of the multitude of contradictory statements related to Michael’s character, the vast majority concurred with the former: That Michael was quiet, considerate, a man without enemies. Nevertheless, an admitted prostitute, drug user, and a trio of transvestites depicted Michael as a hustler, a dealer, and a user, though their voices were certainly in the minority and were ultimately disproven.

“Turned out that was all a bunch of bull,” explained Police Chief Wilbur Williams. “But at that point in time, we couldn’t afford to ignore them. It was one of those ‘damned if you do, damned if you don’t’ situations. What if he had lived a double life and we’d ignored it? Then we’d be damned. But because we began asking those incendiary questions to his family members we were still damned. But we had to run it to ground. We had to investigate every lead. It was our job.”

The question of “Who was Michael Donald?” is far more complex than any individual assessment. Yet even when all the witness statements are taken together, we are still at a loss.

Despite any amount of research, there are still details we can never uncover, depths we have no way of reaching.

On Saturday, March 21st, 1981, Cecilia Perry locked herself in her brother’s bedroom and lay on his bed, weeping, staring up at the basketball posters that littered his walls, trying to remember all that she could of her brother.

Thirty years have passed since that day, and with them, much of the collective memory of Michael Donald.

*

News of Michael’s death spread quickly, and it seemed as if everyone had a story to share, which only managed to muddle the case further.

Cynthia and Cecelia blamed the media.

“There were four pages on Mardi Gras and whole sections about the lynching,” explained Cynthia. “The news was sensationalizing it, so everybody wanted to be in the know. I’d ride the bus and people sitting right next to me would say, ‘I know the Donald family, I know them. I’m a cousin. I’m a niece...’”

“We never gained so many relatives,” Cecilia Perry laughed.

In a newspaper article written decades prior, Cecilia stated, “We think he was in the wrong place at the wrong time,” echoing an assessment quite similar to those in both the Maddox and Ballard cases.

But nearly two years would pass before the police uncovered the true motive for Michael Donald’s death, eerily close to his sister’s initial assessment.

True, Michael *had* been in the wrong place at the wrong time.

But he also had the wrong skin color.

*

The following Saturday, March 28th, nearly 2000 people crowded into the stifling hot Revelation Baptist Church in nearby Maysville, where Dr. Leon Taylor preached for peace.

"We are hurting," he began, "but one wrong has already been done and another won't help."

He prayed that the Donald family would allow their fury to subside and that they would allow "God to work it out."

In attendance were various local black leaders, including NAACP presidents from as far as Florida and Georgia. In many ways it was similar to Sergeant Ballard's funeral—thousands packed into a church, dignitaries arriving from all regions of the south.

And there was something else they shared as well.

Taking a cue from Mamie Till Mobley, mother of Emmett Till—a fourteen-year-old boy who was gruesomely murdered and tossed in the Tallahatchie River in 1955—Beulah Mae Donald decided on an open casket, as did the Ballard family.

"I wanted the world to see what they did to my baby," Mamie Till Mobley had famously explained 26 years earlier.

And though it pained her immensely, Beulah Mae Donald did the same—keeping the casket door flung wide and allowing the world to peer in.

SIXTH LOOP: A DOMESTIC DISTURBANCE

MOBILE, MARCH 20-21, 1981

“There was about nine of us out there.”

In the early morning hours of Saturday, March 21st, 1981, the police were called to Herndon Avenue, though not for Michael Donald.

At around 2:00 a.m. 23-year-old Ralph Hayes was involved in a domestic disturbance with his girlfriend, Linda Odom, on nearby Dauphin Street. Linda had tried unsuccessfully to reach Ralph all night after he finished his shift as a pulpwood worker, but after listening to the phone ring one too many times, she decided to leave him. She gathered some belongings—including Ralph's stereo and television—and left Ralph's apartment on Herndon Avenue and made her way to a friend's house on nearby Dauphin Street.

“I guess she was mad at me for being so late coming home,” Ralph later confessed. “Somebody had told her that I had gone out after I got off from work and had spen[t] all my money and had got drunk. I didn't even get paid.”

Ralph took a cab back to Herndon Avenue, instructing the cab driver to wait outside his apartment while he slipped inside to retrieve the money. But rather than give the address to his own apartment, he had the cabbie park in front of a nearby apartment while he snuck in the back entrance to his own, stiffing the driver. He entered the empty apartment to find his girlfriend Linda missing, along with his TV and stereo.

A witness—Linda's friend—recalled hearing a knock on the Dauphin Street apartment door later that evening.

Linda's friend reached for the door handle as Ralph barged into the apartment, shouting, "Where is she?" to which Linda's friend replied she didn't know.

"Well, where is my stuff?"

She didn't answer.

"Bitch," Ralph shouted, "you know you know where they at!"

Linda stepped out from her hiding place, and she and Ralph began arguing.

"They was cursing," the friend remembered, before Ralph stomped into the bedroom behind Linda.

An unnamed person was apparently in the bedroom with her, causing Ralph to shout, "What the hell are you doing here with [name omitted]? This makes the third time I have caught you in the bedroom with [name omitted]."

Moments later, either Linda or her male companion picked up a large brown handled pocketknife, to which Ralph replied, "If you are going to use that, go ahead and stab me instead of acting like you want to do something."

Ralph and Linda took their fight to the streets, Linda's friend describing how Ralph was "hitting her and tearing her clothes off." The friend followed close behind as Ralph and Linda tromped in the direction of the WBLX radio station, just a little over a block away.

It's at this point when the friend recalled noticing something seemingly insignificant, though eventually, it would prove critical to the Michael Donald case—"this black car in the back of the apartments and these two white guys [coming] from somewhere."

She paid little attention to it at the time, and instead, watched in horror as Ralph Hayes and Linda began slapping and kicking one another, eventually storming off in opposite directions.

According to the police statement, at around 2:30 a.m., a police officer discovered Linda and her friend in the parking lot of the WBLX radio station, just down the street from both apartments. After being reassured that the dispute between she and Ralph had subsided the officer drove down Herndon Avenue to investigate yet another noise complaint.

Twenty-six-year-old Henry Hays, who had allegedly been playing Spades with friends throughout the evening, was engaged in a domestic dispute of his own with a female from across the street. At the same time, a call was made to police regarding the cab driver still parked outside of what was believed to be Ralph Hayes' apartment. Three officers responded to the various calls, and Henry Hays stepped outside to chat with them. Meanwhile, one of the officers knocked on the cab window, waking the driver, and when asked why he was parked there, the man explained that a 5'8", 150-pound shaggy-haired man who "gave the appearance of a gypsy" had stiffed him on his fare and that he had drifted off while waiting for his money. Henry Hays, whose father owned many of the rental properties on Herndon Avenue, agreed to assist the cab driver in tracking down the culprit, and the police officers left the pair to begin knocking on doors, unsuccessfully attempting to locate the man who had stiffed the cabbie.

But by this point, Ralph Hayes—the "shaggy-haired" cab stiffer in question—had already disappeared. According to former Mobile Police sergeant and current Andalusia Police Chief, Wilbur Williams, Ralph and his friend Jimmy Edgar returned to Herndon to pack a few things before asking Jimmy's brother Johnny to pick them up. Soon after, Johnny pulled up in his green Ford Torino and the trio left just before daybreak.

Hours passed, tempers calmed, and eventually, Ralph Hayes, Linda Odom and the others all stumbled off to separate bedrooms.

At around 5:30 a.m., a man on his way to work spotted a black male hanging in a vacant lot on Herndon Avenue, so the man flagged down a police officer to report it. Upon arriving at the scene, the officer discovered Michael's body in the camphor tree, just as it had been described to him.

Yet Wilbur Williams remembered the morning slightly differently from how the FBI described it.

"It was a beautiful morning in Mobile," Williams began. "Bright blue skies, no clouds, cool temperatures, probably in the 50s. That morning, there had been two calls to the Mobile Police Department almost simultaneously. One started out as a suspicious circumstance. An elderly gentlemen [Glenn Harold Davis, 61] who lived on Herndon Avenue had a serious heart condition and his daily routine involved walking up Herndon Avenue to Springhill, turning west on Springhill, and just a short distance up was a bus bench where he would catch his breath. He'd then walk on to a Winn Dixie and buy a morning newspaper, then he'd reverse his tracks. Being the first day of spring, the equinox, it was still dark so as he exited his residence he saw someone standing on the sidewalk on his side of the street. Being an elderly frail man he crossed to the other side of the street to get his paper. But when he returned, he saw the same man still hanging around there, so he went to opposite side of the street, called the police and said, in his words, that there was a 'suspicious black male hanging around on Herndon Avenue.' Minutes later, a stevedore drove by toward the state docks and saw a body there, so he used a payphone and called. Two separate police officers arrived from two separate calls. And they arrived to find probably the most ghastly scene they'd ever seen in their lives."

Williams, who arrived on the scene moments later, is still haunted by the grotesque manner in which Michael's body was hung—arm extended, rigor mortis already set in.

“Rigor mortis normally means a fairly significant amount of time had passed since the victim died,” Williams explained. “But when you are involved in some kind of confrontation, the body produces a large amount of adrenaline—that fight or flight mentality—and the adrenaline in the muscle tissue will cause the muscle tissue to go into rigor mortis much faster than if the body was relaxed. And that’s what happened to Michael.”

After county coroner Dr. LeRoy Riddick visually observed the body at the crime scene, the police officers wrapped Michael Donald’s body in a sheet and removed him from the tree. Sergeant Williams assisted in the process, his hands clasped to Michael’s body as they lowered him the few inches back to the ground.

“We did not untie the knot,” Williams recalled. “We cut the knot. We knew we had to preserve it.”

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As the days passed, pressure to find Michael Donald's murderer continued to mount.

Wilbur Williams worked nonstop from early Saturday morning until Monday evening, dedicating much of that time to searching for the murder scene.

“Michael had a considerable amount of powdery, dusty type material on him,” Williams remembered. “If you look at the pictures you can see those areas on his blue jacket, his blue jeans. Judging by that and his injuries we knew that somewhere there was a hell of a crime scene. And if that crime scene could be located it would yield a mother load of potential evidence.”

In the days that followed, Mobile Police scoured the area.

“We spent several hours on our hands and knees searching for evidence,” Williams recalled. “We went back to the Donald residence and determined within two or three minutes at what point he left.”

The officers began retracing his steps, walking the various paths from Betty Wyatt’s Orange Grove apartment to the gas station Michael never reached.

“Michael had a distance...probably as the crow would fly...half, maybe a sixth of a mile,” Williams explained. “But the way you’d have to walk with blocks would be a little different.”

Despite their efforts, Mobile Police would not uncover the scene of the murder until years later—a wooded area one mile north of the intersection of Highway 225 in nearby Baldwin County.

“All we found was one droplet of what appeared to be human blood on the sidewalk of the west side of Herndon Avenue,” Williams recalled. “And Michael’s body was on the east side.”

But one drop of blood was not enough to convict anyone, particularly in the days prior to DNA analysis.

As the police attempted to assemble a case, Wilbur Williams was made aware of a piece of information that would initially prove quite valuable—that Herndon Avenue was a hotbed for Ku Klux Klan activity, the street overflowing with Klansmen.

“We got statements from all of them,” Williams explained, “and then I looked at [a Klansmen’s] pickup truck kind of closely. I didn’t search it, of course—I didn’t have any warrant, and I didn’t have any probable cause to get one—but right in front of a Ford Truck was a black Buick Wildcat with red interior, which was identified as belonging to Henry Hays. I

walked by, kind of giving it a cursory look. If I had seen anything I could've gone further with it," he said regrettably, "but there was nothing there to see."

Tips began pouring in from all corners of the city, making it difficult for the Mobile Police to track down all the leads.

However, one tip, the testimony of a cab patron named Johnny Ray Kelly, proved particularly interesting to Williams.

"So early on March 21st, Johnny Ray Kelly stepped into my office and said, 'I was riding in a taxi cab with a friend of mine and we ran out of gas, and I was standing at the Freeman House, the coffee house, and all of the sudden, Ralph Hayes and Jimmy and Johnny Edgar walked up. Ralph Hayes was cleaning his fingers with a pocketknife. He had on a plaid flannel and a white t-shirt, and there was a spot of blood about as big as softball. He was cleaning something out of his fingernails, I thought it was blood. I asked him what happened and he said 'We just hospital whipped a nigger's ass.'"

Williams followed up on the lead, starting with Robert Davidson, the cab driver with whom Johnny Ray Kelly was supposedly riding.

"I located the cab driver, and I said, 'Robert, tell me about this Friday night and Saturday morning episode with Johnny Ray Kelly.' And Robert replied, 'Johnny said he had nothing better to do and wanted to ride with me, so we picked up a fare and took that fare to a club. I ran out of gas on the ride home. I coasted out and Johnny said, 'I'll sit here and wait,' and then he went to sleep."

Robert Davidson recounted how he snatched an empty plastic bottle from the back of a nearby pickup truck before walking to a nearby gas station where he purchased seventy-five cents worth of gas.

“Where was Johnny Kelly?” Williams asked Davidson.

“He was still asleep.”

“Did you go to the Freeman house?”

“No.”

“Did Johnny Kelly have a discussion with Ralph Hayes or Jimmy or Johnny?”

“Not that I know of.”

Williams took his police work one step further, tracing Davidson to the gas station where he bought the bottle full of gas.

“It just so happened that that service station was one of the first to have video [surveillance], and it was about 2:45 a.m. when the cab driver bought the gas, and the clerk remembered the transaction. That location is almost five miles from the Freeman House, so that conversation between Ralph Hayes, the Edgar brothers, and Johnny Ray Kelly simply did not occur.”

Nevertheless, on March 25th—just four days after the murder—the Mobile Police Department’s confidence in cab patron Johnny Ray Kelly’s testimony led to the arrests of Ralph Hayes and brothers Jimmy and Johnny Edgar—three Cajuns who Kelly had specifically named in his witness statement, as well as the men involved in the domestic disturbance with Linda Odom. Their criminal history, coupled with their involvement with the noise complaint on the night of Donald's murder, allowed the Mobile Police to paint the picture they needed.

Twenty-three-year-old Ralph Hayes had previously been arrested for burglary and marijuana possession, serving four months of a yearlong term in 1976. Likewise, 22-year-old Jimmy Edgar spent a year in prison for carnal knowledge and burglary in 1979. And while 26-year-old Johnny had never been arrested, Mobile Police officers were already informing

newspaper reporters that the men appeared to be “junkies”—casting the trio in a poor light from the start. Newspapers reported that the inside of the apartment reflected “boisterous living,” noting the “mattress on the floor, rock culture posters on the wall and stereo records heaped against the wall”—nearly crimes in themselves, judging by the police depictions.

The police apprehended their suspects in the middle of the night, taking Jimmy and Johnny from their grandmother’s home and Ralph from his mother’s.

While being transported to the police station, one of the three asked, “How many you’ all going to charge for this murder?” to which the officer replied, “As many as did it.”

After a pause, the man whispered, “There was about nine of us out there.”

Most likely, the man—whether it was Jimmy, Johnny or Ralph (the name was omitted)—was referring to the number of people present at the Dauphin Street apartment on the night of Ralph’s dispute with his girlfriend, Linda.

Still, the reply was ominous, particularly from an innocent man.

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On March 27th, Ralph Hayes and the Edgar brothers were escorted into the courtroom amid representatives from the black community, as well as policemen and plainclothes officers. Mobile County District Judge Sullivan set the bail at 250,000.00 for each defendant, ignoring arguments from Ralph Hayes’ lawyer—the only defense lawyer who bothered to show up—that the bail was excessive, and none of the three could even afford to pay 50,000.00, let alone five times that amount. Initially, the judge refused to budge, though a month later he agreed to lower the bail.

When the case went to the Grand Jury, 27-year old Johnny Ray Kelly—the cab passenger in question—informed the jury that he had observed “the trio near the area where Donald’s body

was found at about the time when the black man was killed around 2:30 a.m.” Kelly claimed that he had heard “two of the three bragg[ing] about having just attacked a black man who owed Hayes money for some pills.”

Kelly continued his false testimony, assuring the jury that he had viewed Ralph Hayes “with a large blood spot on his shirt” and Jimmy “cleaning his fingernails with a bloody pocketknife.” Later, he claimed Ralph had bragged that he had “hospital-whipped a nigger’s ass.”

Other witnesses quickly discredited the tale, and Kelly—who had a police record himself—was later accused of using his testimony as leverage for his own legal woes. However, his legal troubles only worsened once he was indicted for perjury.

“Well, the long and short of that story,” Williams explained, “is Johnny’s uncle was a police captain at a neighboring police department at Prichard, which borders the north side of Mobile. This captain had been hanging around the police department throughout the investigation. Johnny had three burglary charges pending against him in circuit court, and had he been convicted on any of those burglaries, he was facing the Habitual Offender Act, twenty to life. So he was looking for help. But he didn’t find any. Instead, Johnny Ray Kelly was charged with two counts of perjury for falsely testifying against Ralph and Jimmy and Johnny. We produced enough evidence to convict him and he was given two life sentences in prison. I think he died there.”

Hayes and the Edgar brothers were brought in front of the Grand Jury on June 5th, 1981 though without the testimony of Johnny Ray Kelly, the jury declared a “No Bill,” citing insubstantial evidence to prosecute. It was the same ruling the Tuscaloosa jury had found against the mob that murdered Dan Pippen, Jr. and A.T. Harden nearly fifty years before.

Much to the Mobile Police Department's frustration, the men were released and the investigation returned to square one. However, at least one police officer was pleased with the outcome—Wilbur Williams. Williams played an integral role in proving Ralph Hayes and the Edgar brothers' innocence, believing from the start that they didn't have the right men in custody.

“My initial assessment was that this was some bad stuff, and that it was very likely the Klan was involved,” Williams began. “Michael was hung, and it was the traditional hangman's noose, thirteen wraps. We were successful in getting the charges dropped against Ralph and Jimmy and Johnny, finally producing enough evidence once we discredited Johnny Ray Kelly. And eventually, we convinced District Attorney Chris Galanos that we were headed in the wrong direction, too.”

“But how did this all get put together?” Williams continued, referring to the arrests of three innocent men. “Well, I want to believe there was some kind of conscious effort to frame Jimmy, Johnny and Ralph Hayes, just to have it wrapped up. But what was the ulterior motive? I'm not absolutely totally convinced there's not a semblance of a chance that somebody said, ‘We need to give this to somebody else. This doesn't need to fall on the Klan.’ Now, I can't prove that, it's just one of those alternatives floating around. Personally, I care to choose that it was just an opportunity to wrap it up, lazy police work, incompetent police work—whatever you want to label it—that caused it to go out in this direction. I was never convinced it was some kind of cover-up.”

“But all along,” he concluded, “my first impression, my second impression, my third impression, and every impression in between was that the Ku Klux Klan was involved.”

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However, Cynthia Mitchell and Cecilia Perry were far less willing to chalk it up to police incompetence.

“It sure felt like a cover-up to me,” explained Cynthia.

Cecilia agreed.

“When we later learned there’d been a cross burning at the courthouse that same night, everything began falling into place.”

“And then when we found out there was thirteen loops in the knot, well, everybody knows that’s Klan,” Cynthia continued. “That’s Ku Klux Klan, and everybody knows that.”

While initially convinced that Ralph Hayes and the Edgar brothers were responsible for her brother's murder, eventually she agreed with the courtroom's ruling. Yet to this day, Cynthia and Cecilia remain convinced that Ralph Hayes and the Edgar brothers were aware of the true culprits; that throughout their tumultuous night on Herndon Avenue, surely they had seen something.

“It was a code of silence,” Cynthia explained. “When the Klan was running scared, when they thought they were going to be found out, Bennie Jack Hays [the Grand Titan of The United Klans of America and Henry Hays' father] told the other Klansmen that if they don’t talk about it for two months, it’d be forgotten.”

It wasn’t.

Meanwhile, a memo from the Mobile FBI office to the Director accurately expressed the disappointment that rippled throughout the black community upon the release of Ralph Hayes and the Edgar brothers:

“Black leaders in the Mobile area have been following the case closely since its inception and with the release of the 3 white males publically expressed shock over the turn of events.”

Demonstrations were held outside the courthouse, pamphlets and flyers distributed encouraging “firebombing and shooting ‘Klansmen-looking targets.’”

A copy of one of the racially-motivated propaganda flyers depicted a white man raping a black woman while a speech cloud above his head reads: “I freed my 3 Klan men with FBI and police court help for hanging ya’lls nigger Donald, they cut Donald’s penis off and stuck it in his mouth, too.”

The claim that Michael Donald’s genitals were in any way harmed is unfounded. According to the autopsy report, Michael’s genitals appeared unharmed—one of the few areas of his body that could receive such an assessment.

The flyer also depicted an illustration of a black man hanging from a tree, alongside an arrow identifying the corpse as Michael’s. Above the white man is a second speech cloud that reads: “I rape nigger women too.” Beneath him, the black woman shouts, “Save me Black Brother!” and “Please don’t rape me white man, black men please help protect me.”

Below the drawing is a call to arms:

“Young black men...stop hangings and rapes. Firebombs are made from gas filled bottles and rags. Make and light up firebombs and throw firebombs at night at any white klanman looking target you see. Like the old year out and the new year in, any black man with a gun should shoot at any white klanman looking target at night in June or July or August. The first shot is the signal for every black man to shoot and burn... Firebomb Uncle Tom preachers churches and black sellout politicians too. Struggle to win.”

Anger continued to mount, and feeling that the Mobile Police were not fully communicating with them, the Donald family helped organize a boycott of local stores.

“What the police didn’t tell you is that we began to protest,” Cynthia Mitchell explained. “We began to boycott malls, retail stores. We picketed. We picketed until the cops began to talk to us about what was going on.”

All of this anger came to a head in April of 1981, when Reverend Jesse Jackson arrived in Mobile.

“Don’t let them break your spirit!” Jackson cried to a crowd 8000 strong.

At the conclusion of his speech, Jackson and hundreds of other black men and women marched along Herndon Avenue brandishing an axe, determined to chop down the camphor tree from which Michael was hanged.

That day, the crowd did manage to bring a tree to the ground, though it was not the camphor tree.

According to one source, the newspapers had purposefully photographed the wrong tree “so that only the detectives and the killers would know which one held the body.”

However, Wilbur Williams disputed the claim.

“We never had anyone intentionally photograph the wrong tree,” he chuckled. Williams explained how an officer had misidentified the tree for a photograph that later appeared in a national magazine, leading Jesse Jackson’s crowd to believe they were chopping down the right one.

“But they never did chop the right tree because the last time I was over there it was still standing,” Williams said.

Yet again, Cynthia Mitchell and Cecilia Perry remember it differently.

“All I know is, after Jesse Jackson’s march we chopped that tree down to a stump. And then when we went back over there twenty years later, it was back up. I don’t know what happened,” Cynthia said.

“It regrew!” explained Cecilia.

Cynthia shrugged, skeptical herself.

“Well, I’d never heard of a tree growing back from a stump,” she admitted, “but I know they chopped it down because we were right there. Maybe it did grow right back. Because today there’s no stump.”

“All of us were blown away when we went over there because it was just clear land,” Cecilia said, shaking her head. “But now it’s a big tree again, just as big and strong as ever.”

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In the months following Michael Donald’s death, the city began its return to normal. There was no further violence, though Mobile’s black community did not soon forget.

Nor did the police.

Two years later, on Thursday, July 16th, 1983, the federal authorities pulled up to the Hudson Service Station on Battleship Parkway in Mobile, Alabama and carried out their warrant.

Charged for conspiracy against the rights of citizens, 28-year-old Henry Francis Hays, residing at 115 Herndon Avenue—the man who had chatted with police on the night of the murder, as well as assisted the cab driver in collecting his fare—was placed in handcuffs by federal agents.

Two years prior, the police had come close in arresting his neighbor, Ralph Hayes.

But the police simply had the wrong Hayes on Herndon Avenue. It was an honest enough mistake. The mailman probably made it all the time.

SEVENTH LOOP: A BEATING IN BALDWIN COUNTY

MOBILE, MARCH 17, 1981

*“While they was arguing about whether they should kill me or not
they decided to flip a coin...”*

On Tuesday, March 17th, just four days before Michael Donald’s death, Kenneth Jones, a white male identified as a homosexual, got off from work, picked up a cup of coffee at the McDonald’s on the corner of Washington and Government Street and then stopped for a drink at Crew’s Pub on St. Francis.

“I had a couple of beers there,” Jones recounted. “I came out and I struck up a conversation with these two white guys who was parked next to me. They suggested that maybe we, why don’t we go get a beer down at the Royal Club. So I got in the car with them.”

It proved to be a near-fatal mistake.

Instead of turning right, the man in the driver’s seat—wearing jeans and a nylon jacket—careened the black Buick Wildcat through the tunnel leading to Baldwin County, in the opposite direction of the Royal Club. Jones sat in the backseat with a greasy-haired man in a red shirt who “pulled a knife [with] about a 3 or 4 inch blade and said, ‘This is what[’s] going on.’”

“He put the knife to my throat,” Jones continued, “and made me get down on the floorboard of the car and actually made me lay my head down on the seat while he held the knife.”

The car veered onto a dirt road in Baldwin County, parked, and one of the men grabbed a rifle from the trunk. The two men pulled Jones from the backseat, smashing his glasses and

robbing him. Jones recalled the men discussing whether or not they should kill him. Finding themselves unable to come to a decision, one of the men laid down his rifle and began beating Jones and smacking his face.

“All the while,” Jones reported, “he did not even allow me to protect myself because they kept telling me they would cut my throat then, if I didn’t put my hands down by my sides.”

The man wielding the knife cut off a portion of Jones' beard, proving the blade's sharpness.

Kenneth Jones' shirt was ripped from his back, and “while they was arguing about whether they should kill me or not they decided to flip a coin. [A]t first, [one of the men] pulled a coin out of his own pocket and then he decided that since they was going to rob me anyway, I should supply the coin.”

Jones handed over the quarter that would decide his fate while the man with the rifle told the victim to continue stripping down, demanding he remove his shoes, socks and pants. After taking thirty dollars from Jones' wallet, the two men continued their conversation as to whether or not they should kill him, at which point the larger of the men decided killing him was unnecessary. The thinner man disagreed, explaining how he’d “done this one time before and they’d let the guy go and three days later, his house was burned.”

As they continued arguing, Jones was ordered to get on his knees and pray.

“I did a pretty good job of praying,” he admitted, “and [name omitted] turned to put my clothes in the car [name omitted] turned to put the rifle back down and I took this opportunity since both heads were turned away, to make a dash into the brush in the woods.”

Jones ran as the car peeled off, only returning to the scene once he was certain his attackers had fled. He grabbed what clothes remained before sprinting to a nearby store where

the manager called the sheriff. It was dark, and by the time the sheriff and the victim returned to the scene, they found only tire tracks and scattered footprints. A Mobile Police car arrived soon after and drove the victim back to Mobile, where Jones was checked into a hospital. He was discharged the following Sunday, by which point a second victim—Michael Donald—had already been driven to the same spot and murdered.

It was almost as if Jones' attackers had been practicing.

*

Years later, in June of 1983, a Buick Wildcat was recovered, half-buried in a weeded lot. The back right tire was flat, and the knee-high weeds had overtaken the majority of the back end of the car. The car's hood was removed, as was the engine and various other parts. Upon locating it, investigators transported the car to Duke's Garage and Bodyshop on 600 St. Anthony Street for further examination.

FBI agents observed any number of things crowding the backseat of the Wildcat: drink containers, an empty transmission fluid container, paper towels, two auto belts, a cardboard box, a paper bag, a chain, nuts and bolts, among other objects. The front seat held much of the same, including a rag and a beer can. Neither did the trunk hold much of interest: a toy mail box, two beer cans, wood glue, swimming trunks, shotgun shell casings, one brick, and a homemade wrench.

But most noteworthy wasn't what was obviously apparent, but what was to be seen under the FBI's microscopes: a single Negroid hair sample taken from a bag of debris in the trunk.

Other items related to the case were taken into the FBI lab as well, including Michael's t-shirt, blue jeans, jacket, shirt, sweater, undershorts, socks, shoes, a noose, as well as a length of rope—all of which pathologist Dr. Riddick had removed prior to the autopsy.

The FBI took great care in describing Michael's clothing.

His t-shirt was white and stained, size 38-40, brand "Golden Comfort." His blue jeans were 100% cotton Levi Strauss, size 30x33. His belt was leather, though his Led Zeppelin belt buckle was covered in dirt. His blue-lined nylon jacket was made of 100% nylon as well as 100% cotton in the lining. A size medium. Its tag read "Royal Knight." The jacket's left sleeve was torn, and there was another tear on the right shoulder. Michael's short-sleeved brown plaid shirt retained six buttons, though the second from the top was missing. Brand: Mad Man. His gray v-neck pullover was also of the Royal Knight brand, and it too was stained with blood and dust. Jockey briefs and size nine Converse shoes were all that remained of Michael Donald.

The FBI report included a hand drawn sketch of the noose, the top section apparently cut by Dr. Riddick, though the sketch artist labeled the cut "tied together" to explain that it had been uncut at the time of its use. The sketch also noted the "yellowish color" and the "melted end of rope" dangling down toward the lower half of the page. The only inaccuracy is in the number of loops: eleven in the sketch, two short of the thirteen used to take the breath from Michael Donald.

*

Throughout the spring and summer of 1983, the Mobile Police, in conjunction with the FBI, continued to conjure life from the lifeless.

Their top priority: examining the Buick Wildcat, as well as all that was once within it.

Police sent an eleven-page inventory of items found within the car to the Alabama Department of Forensic Science in the hopes that a microscopic view might reveal previously overlooked evidence.

They sent boots and shirts and jackets.

Bags containing sticks, a key, and rope.

A baseball bat.

A tissue.

Urine.

Blood.

Hair.

Fingernails.

Swabs.

A suede jacket.

Soil from Causeway.

Rope.

Cups.

Cigarette butts.

Meanwhile, the FBI turned over Michael's various belongings to the District Attorney.

One gray sweater.

One blue jacket.

Tennis shoes.

Socks.

Underwear.

Rope from the tree.

Rope from the noose.

A black wallet

Soil samples from Baldwin County.

While the lab work played an integral role in the investigation, equally important was the television footage captured by WKRG-TV on the morning of the murder.

The FBI contacted the news station and upon reviewing the taped footage, noticed Bennie Jack Hays—Henry Hays' father and a known Klansmen—as well as various other Klansmen lurking in the background just behind the crowd.

While the news footage offered no definitive answers, it raised more questions worth considering.

And for the FBI, the frozen frame of Grand Titan Bennie Jack Hays was reason enough to give the Klan a second look.

EIGHTH LOOP: A KLAVERN IN THE WOODS

MOBILE, MARCH 18-21, 1981

“...beat me just don’t kill me...”

On March 18th, 1981 United Klans of American (UKA) Klavern Unit 900 met at Grand Titan Bennie Jack Hays’ residence on Gunn Road in Theodore, Alabama, just a few miles outside of Mobile. Present were Henry Hays, James “Tiger” Knowles, as well as various other Klansmen including William O’Connor, Frank Cox, Teddy Kyzar, Thaddeus Betancourt, and Frank Ginocchio. The group met on a weekly basis, and while there was rarely new business to discuss, on that particular night, there was.

The ongoing trial of the shooting death of Birmingham Police Sergeant Gene Ballard had caused quite a stir throughout Birmingham two years prior, so much so that the trial required a change of venue to Mobile where the defense felt suspect Josephus Anderson stood a better chance for acquittal. In the midst of the trial, Klansman William Betancourt had cut a newspaper clipping reporting the trial and placed it in the Klavern scrapbook for all to read.

“I was under the impression at the time that it was the type of material that the Klan was interested in,” he later confessed.

The Klan watched from afar, anticipating a hotly contested trial, and as such, were the prime suspects of multiple cross burnings and hangman’s nooses that had recently sprung up throughout the county.

On Wednesday, March 18th, two days prior to Michael’s death and a day after Kenneth Jones was beaten in Baldwin County, the Klavern met on Gunn Road, like always, and in

response to the trial, Henry Hays announced, “A nigger ought to be hanged by the neck until dead to put them in their place,” to which Ginnochio concurred, “We gonna kill a nigger.”

The rest of the Klavern agreed, O’Connor stating, “If a nigger [Josephus Anderson] gets away with killing a white man [Sergeant Gene Ballard] then a nigger ought to be hanged.”

After the others left, Bennie Jack Hays, his son Henry, and seventeen-year-old Tiger Knowles began speculating “what people would think if they found a nigger hanging from a tree in Mobile County.”

While the details of the conversation are unknown, Tiger Knowles later testified that Bennie Jack specifically told them “not to do anything until after Friday” on account of a real estate deal in which he planned to sell his Herndon Avenue apartments. Tiger claimed to interpret Bennie Jack's pronouncement as a direct order, which implied that *after* the real estate deal was complete that Friday, they were free to act.

On Friday, March 20th, as several Klansmen and a few neighbors studied their cards inside Henry Hays' Herndon Avenue apartment, the ten o'clock news reported just what the men feared—the trial of Josephus Anderson had ended in a deadlock. The jury consisting of five men and seven women—eleven blacks and one white—had been incapable of finding Anderson guilty.

The Klavern had planned to burn a cross on the courthouse lawn in the event that Anderson’s trial ended in what the Klan considered a displeasing verdict—a deadlock or acquittal.

But upon hearing the news, a few of the Klansmen situated around the card table on Herndon Avenue had already begun feeling as if burning a cross was far too weak a response. In a witness report dated July 12th, 1983, an unidentified Klansman who had been sitting around the

table that night recalled Hays and Knowles being “mad about a trial” because a “nigger” had not received the conviction they had hoped for.

But it was Denise Hays’ testimony that proved most damning.

Henry Hays’ ex-wife later informed the jury that once Henry heard the news he grumbled, “Goddamn nigger got off,” at which point Henry and Tiger Knowles excused themselves from the room, slipping into Hays’ 1973 black Buick Wildcat and disappearing into the night.

The Klan had prepared for this outcome.

Not only had Henry, Tiger and Bennie Jack discussed possible retaliation for an unfavorable outcome, but earlier in the day, Henry, Tiger, and fellow Klansman Frank Cox—Henry’s brother-in-law—had taken action, driving to Frank’s parents’ home to retrieve a rope suitable for hanging.

Years later, Tiger testified that Frank Cox secured a rope from his mother and that after receiving it, Tiger had tied the hangman's knot himself.

“Was it a grass rope? Cotton? Nylon or what?” the prosecutor asked, to which Tiger Knowles replied, “Nylon rope.”

“About how long was it?”

“20-25 feet.”

“Frank didn’t ask what the rope was for,” Tiger added, though when Mrs. Cox asked, she was told it was to “tow Knowles’s mother’s car.”

The following morning, when she heard about Michael’s murder on the radio, Mrs. Cox asked her son Frank for the rope but was told that after towing the car “it broke into so many pieces that there wasn’t anything left to return.”

While on the stand, Henry Hays admitted to retrieving the rope, though he maintained that it *had* actually been used to tow a car.

“Mrs. Cox did come out and I talked to her for a little while, you know, about, you know, my sister and stuff, you know, just general conversation,” Hays agreed. “And, uh, Frank, you know, we needed to use a chain or something to pull Tiger’s car with on the Interstate. And she said, ‘Well, you know where everything is...And, uh, so he looked around and he couldn’t find a chain so he got an anchor rope off of his daddy’s boat.’”

After retrieving the rope, they made one final stop at fellow Klansman Johnny Matthew Jones’ trailer in nearby Theodore. Jones owned a .22 pistol—a good choice for easy concealment—and Henry Hays and Tiger Knowles said they needed to borrow it for the night.

As Henry, Frank and Tiger began their drive back to Herndon Avenue after assembling the necessary materials, Tiger Knowles sat in the passenger seat and began working the rope through his fingers, using Frank Cox’s lighter to burn the end to keep it from unraveling.

During the trial, when asked what he had done in the front seat and why, Tiger replied simply, “I was tying a hangman’s noose for the purpose of hanging someone.”

Despite other timelines that argue that Henry Hays and Tiger Knowles left the Herndon Avenue apartment later in the evening, Knowles testified that he and Hays slipped into the Buick Wildcat at around 10:00 p.m., prior to the end of the basketball game, looking for “a black person to kill.”

Hays drove the Wildcat along the city streets, eyeing potential victims, nearly stopping for an elderly black man talking on a payphone, though he and Knowles eventually decided that he might prove to be too much of a hassle due to his distance from the car.

“And he was real close to a telephone,” Knowles recalled. “And he was talking on the phone. And so we didn’t—we decided not to grab him, because he was on the phone. It might cause too much of a commotion.”

Knowles would later describe their coasting down Davis Avenue and side streets for between twenty to thirty minutes before coming across their victim—a shadowed figure walking in the direction of the Gulf station.

Most likely, Knowles’ timeline is slightly off because at 10:30 p.m. Michael was still in Betty Wyatt’s home, watching the end of the game.

What is known for certain is that some time between 10:30 and 11:15 p.m., Henry Hays pulled to the side of the road and Tiger Knowles leaned out to call to the young man walking past them.

“I asked him if he knew where a nightclub was and he started to direct me. I asked him to come closer and he leaned over and I pulled the gun out,” Knowles later testified. “I told him to be quiet and he would not be hurt.”

Michael stayed quiet.

It didn’t matter.

*

Rick Kerger, Henry Hays’ attorney, found various holes in Tiger Knowles’ testimony.

“I don’t think there’s much question that Henry committed the murder,” Kerger admitted twenty years after the trial. “But I think things just got off track. I don’t think Henry intended to commit the murder. I don’t think Tiger did, either. They had a gun and a short box cutter, and they had about twenty-feet of rope. And these pine trees, the lowest limbs are fifteen to eighteen

feet in the air. You're going to need thirty-feet of rope to hang anyone under those conditions, to make the noose and all."

Kerger went on to explain how Hays and Knowles didn't have any means to bind Michael Donald's hands, nor were they willing to shoot him.

"During the cross examination I asked Knowles, 'Well how were you going to kill him?' and he said he didn't know. Well, if you're going to go kill somebody, one would think you're going to have thought that out," Kerger pointed out.

He went on to describe how Michael had burst free once the car was parked in Baldwin County, how Michael had muscled the gun away from Knowles.

"And then a fight took place," Kerger continued. "Henry had had his hand injured in a work-related injury a couple of weeks before, so he was essentially fighting with one hand. Tiger was a beefy, not particular physically fit seventeen-year-old, and Donald was fearful for his life. So, [Henry and Tiger] were getting the worst of it for a while. Then somebody got a piece of wood and clubbed Donald until he stopped, and then they took the rope and choked him to death, then took the body back and frankly, they didn't know what to do with the body so they put it on Herndon Avenue because they figured nobody would expect to find it there," Kerger concluded.

"And sure enough, it worked better than they thought."

*

These are the moments reserved only for speculation.

With Michael dead, we are left only with the testimony of his killers, only half the story.

We will, for instance, never fully understand if Michael hesitated, if he considered running, whether or not he actually believed those men would shoot him as he walked down the

Mobile streets. We will never comprehend those initial moments, how he accounted for the violent act or why he felt it was wrought upon him. Nor will we ever know if the radio was on or off during the car ride, what song might have been playing, if the radio reported the jury's deadlocked decision or the basketball score. We know nothing of the temperature within that car, if the windows were open or closed, what food wrappers lay scattered on the floorboards where, just days prior, another man had been held captive with a knife to his neck.

What we do know is what Tiger Knowles tells us.

How he and Michael sat side by side on the red vinyl backseat of the Buick Wildcat while Hays drove them to Baldwin County, following the same route he'd driven just days prior when they'd abducted Kenneth Jones. And how at some point during the drive, Knowles ordered Michael to empty his pockets.

"He gave me a wallet," Knowles claimed, "and I laid it on the floorboard of the car."

Throughout the drive, a terrified Michael repeated, "I can't believe this is happening, I'll do anything you want, beat me just don't kill me."

"He kept saying, 'Please don't kill me,'" Knowles remembered thoughtfully.

He would later testify that Hays had told Michael, "You know all those little nigger kids that's been getting killed up in Atlanta? Well a lot of people think the Klan is behind it. But we are not. You know the same thing could happen to you..."

Chances are, Michael was aware of the Atlanta killings. Reports of the murders had been reported for weeks, even gracing the front page of *The Mobile Register* on Michael's last day on earth. The article reported that the supposed Atlanta killer had called Reverend Earl Paulk describing "a voice that would not leave him alone"—further evidence of a psychopath with no ties to the Klan.

Soon after, the Atlanta killings were charged to African-American Wayne Williams, though there is still much controversy over whether he actually committed all the murders for which he was implicated.

Meanwhile, inside the Buick Wildcat, the pleading continued.

“Please don’t kill me. You can do anything you want...”

After arriving at a deserted patch of land in Baldwin County, Henry Hays put the Wildcat in park and ordered Michael out of the car.

“Donald acted like he was a crazed mad man,” Knowles recounted. “I had the gun in my hand and he jumped me.”

“And we just—after fighting him for just a few moments, we got him down,” Knowles said. “And he was just—he was just lying there like a crazed animal after us fighting him for a while. And Henry went and got the rope. And between the both of us, we got it around his neck and we pulled the rope tight. Henry put his foot on Michael’s head to secure it to the ground so we could pull the rope tight. And he just—he just lied there. And I grabbed at the end of the rope. And Henry got a limb and he was hitting Donald with it. And I pulled the rope...He kept getting up and falling back down...Henry kept hitting him...And I had the end of the rope, the opposite end of the rope. And finally Donald just fell.”

Tiger recounted how Henry continued tugging at the rope, keeping a boot pressed firm against Michael's lifeless body.

"[I]t was like he was enjoying this," Tiger added.

Knowles admitted that he and Hays hit Michael with a limb over 100 times. The autopsy report concurred with Knowles' testimony, revealing that the greatest damage was inflicted to Michael’s head and upper torso.

The newspaper vividly reported the brutality with which Hays and Knowles “took turns hitting him with the limb and tightening the rope” until Michael eventually collapsed.

“Donald fell face flat on the ground and then we both got the rope and dragged him to the rear of the car,” continued Knowles. “We put the body in the trunk. He was laying on his back and Hays had the utility knife.”

As they stood in the clearing, peering down at the battered body, Tiger Knowles whispered, “Think he’s dead?” to which Henry Hays responded, “I don’t know but I’m gonna make sure.”

Hunching over, he slit Michael’s throat three times with the utility knife.

Once the bloodied body was in the trunk of the Wildcat, they slowly headed back toward Herndon Avenue, stopping first at Johnny Matthew Jones’ trailer to return the borrowed gun.

Tiger Knowles never spoke of the conversation he and Hays shared as they returned to Herndon Avenue with Michael's body in the trunk. Knowles was only seventeen at the time of the murder, Henry ten years his elder.

Nearly fifty years prior in Tuscaloosa, a masked mob decided to send a message that blacks couldn’t murder whites without recourse.

And in 1981, Henry Hays and Tiger Knowles were sending the same message, though they also wanted to make it clear that blacks had no business serving on juries, either.

Henry and Tiger had already sent their message to one black man, but one wasn’t enough.

They wanted to make sure everyone heard it.

*

This is not the story Henry Hays told police on April 20th, 1981, a month after the murder.

In Hays' version, he had spent the majority of the evening of March 20th playing Spades and watching television with friends. Sometime around 1:00 a.m.—after overhearing Ralph Hayes' domestic dispute with Linda Odom—he called the police to report a noise complaint, then wandered over to the cab driver that had been stiffed his fare. After he and the driver knocked on a few doors and were unable to retrieve the fare, Henry returned to his apartment and watched Farrah Fawcett in *Saturn 3*, as well as the opening minutes of Clint Eastwood's *The Enforcer*.

He admitted leaving his apartment one last time before going to bed, driving to a nearby gas station with his friends to pick up a pack of cigarettes.

Henry Hays' unexpected concern for the stiffed cab driver served as a much-needed alibi.

“[The cab driver and I] walked around the driveway between 115 and 111 and went around and there wasn't anybody in the other apartment because we went right to Linda Odom's apartment because they had several people coming and going all the time,” Henry explained. “So I just naturally assumed that if anybody, you know, was going to that apartment, you know, that apartment building they would be going to their apartment. So I went up with the white cab driver and knocked on the door. And Linda Odom came to the door.”

Hays went on to describe the conversation that followed, how Linda Odom claimed there was only one male in the house, so Henry asked for him to come to the door so the cab driver could get a look at him. Moments later, a greasy-haired man came into view.

“So this is the first time I'd ever seen Ralph Hayes,” Henry Hays admitted.

It was the first time the true murderer gazed upon the man who nearly took the fall.

But Henry Hays had arranged other alibis as well.

Linda Johnson, a neighbor and friend of the Hays' family, confirmed Henry Hays' interactions with the cab driver. She also confirmed his going out just after midnight.

"He drove to Delchamps and got some cokes and come back to the house," she testified. "He came back with some cokes and...another bag of chips."

Yet Henry Hays had also gone to great lengths to concoct his own alibi for the precise moments in which Michael was murdered.

"I went to the ComPac Store; well, 7-Eleven Store...I went up to the one on Catherine Street down on Catherine and Old Shell. It's on the corner there right by McGill School...Me, Tiger and Teddy [Kyzar] went to the store...See, I was on workman's comp, I had some food stamps and stuff like that, you know, and we got some cokes, some mountain dew and cigarettes and we played some pinball. They had one of those *Star Track* [sic] pinball machines, I remember that. And we played a couple of games of pinball and then went back to the house. We was gone thirty, forty minutes or so."

The similarities between the actual events of Michael Donald's night and the partially fabricated events of Henry Hays' are uncanny.

Both observed a game of Spades, both left for a pack of cigarettes.

The only difference:

One was black, one was white, and one returned home in the morning.

NINTH LOOP: A CROSS, A DUMMY, A PHONE CALL

MOBILE, MARCH 20-21, 1981

“...what appeared to be a dummy hanging in a tree...”

At a little after midnight, Klansmen Frank Cox and Teddy Kyzar drove to the Mobile County Courthouse and lit a burning cross on the courthouse lawn as a so-called "diversionary tactic." Yet burning a cross on the courthouse lawn just hours after a racially charged deadlocked trial and brutal murder seems far less tactical than the Klan may have initially thought.

Nevertheless, District Attorney investigator Bob Eddy claimed this “tactic” was actually quite common for the Klan.

“It was just typical for them to do things like that,” he explained. “Case after case, they did the same thing. Do one thing one place and something a lot worse somewhere else.”

While it’s difficult to discern the exact order of events that proceeded, reports show that at 2:45 a.m., two private security officers were driving their routine patrol near the intersection of Royal and Church Street when they noticed flames coming from the courthouse lawn. The security guards stopped the car to examine the fire more closely, stumbling across what appeared to be a three-foot tall, two-foot wide cross that was constructed entirely of burlap and wires. The poorly built fire was already smoldering by the time the security guards arrived.

At 2:52 a.m., the report was radioed to a Mobile Police officer who was called to investigate the supposed cross burning. Upon arriving at the scene, he noticed that the fire had already been extinguished and that if he hadn’t been told a cross had been burning, he would not

have known that the fire had taken that form. All he observed was a small “smoldering pile of what appeared to be burlap material.”

Teddy Kyzar recalled preparing for the cross burning soon after Hays and Knowles returned to the Herndon Avenue apartment at a little past midnight.

“And we all went down to the back of 111 Herndon, the old burned house, went back towards the back of the garage,” Kyzar explained. “Frank reached into the back of the garage and got the cross that was already made...Tiger reached in where the cross was and got a gallon of diesel fuel and put it in the back of the pickup truck. Frank went around to the driver’s side and I automatically got in on the passenger’s side and we pulled out and started out of the driveway.”

Klansmen Frank Cox and Teddy Kyzar circled the Mobile County Courthouse three times before Frank decided it was time to act.

"That's where I want it," Frank informed Teddy, pointing to a spot on the lawn.

“I still never did ask why the cross was going to be burned or where," Teddy explained. "And when he told me that’s where he wanted it, I got out of the truck, got the gallon of diesel fuel and cross out of the back of the pickup truck, ran up to the—close to the building, laid the cross down, soaked it down and used all the diesel fuel, stuck it up in the ground and made sure it was going to light good.”

The pudgy, glasses-wearing Teddy Kyzar lit the match and, grabbing the empty diesel jug, bumbled down Water Street, eventually spotting Frank Cox at a red light and leaping into the truck while the cross began crackling behind him.

Later, Teddy described how he and Cox had turned off at the Fairhope exit where they stopped at a Waffle House to use the payphone. They were told to inform Henry Hays that the

cross had been lit without incident, but upon reaching the phone, both men realized they didn't have the proper change.

While Frank Cox and Teddy Kyzar squealed off into the night, Hays and Knowles had a job of their own. Within two to four hours following the murder, the pair was busy hoisting Michael's body into the camphor tree just across the street from Hays' apartment on Herndon Avenue, quite near the site of Ralph Hayes' violent interactions with his girlfriend.

It's difficult to envision the scope of the scene in its entirety: a cross burning on the courthouse lawn, Ralph Hayes chasing his girlfriend into the night, a snoring cab driver, three police officers on Herndon Avenue, and Hays and Knowles pulling a yellow nylon rope through the Y of a camphor tree, raising a dead, bloodied body just a few inches above the ground.

The FBI files on the Michael Donald case—nearly 1500 pages available to the public—record countless statements of virtually every man, woman and child in the vicinity of Herndon Avenue on the night of the hanging. And yet despite the cab drivers, the fighting couples, the card games, and the police officers, apparently no one witnessed anything to link Hays and Knowles to the crime.

The one witness who came closest was Linda Odom's friend who recalled seeing, "this black car in the back of the apartments and these two white guys came from somewhere."

The two white guys, most likely, were the murderers.

Yet despite that Henry Hays was an admitted Klansman living just feet away from the tree in which Michael was hanged, and despite that the property was owned by Henry Hays' father, Grand Titan Bennie Jack Hays, it still took officers over two years to make an arrest.

One report noted that at 2:00 a.m., fresh from murdering Michael Donald, Henry Hays called the police on Ralph Hayes and Linda Odom, citing a domestic disturbance and a noise

complaint. Brasher still, Hays apparently went outside to meet the officer and then proceeded to help the cab driver collect his fare in the hours between the murder and the hanging.

And all the while, just feet away, Michael Donald's body turned cold in the trunk of a Buick Wildcat, all thirteen loops soaked in blood.

*

In a witness statement dated May 11th, 1981, a white female reported what she observed after waking early the morning following the murder.

The woman woke between 4:30 and 5:00 a.m., at which point she rose and began riding her bicycle to the nearby Time Saver Store for a drink. Her dog accompanied her, trotting alongside as she rode in the dark. She rode past Georgia Street to Old Shell Street, then on to Herndon and Springhill until eventually reaching the Time Saver Store. She purchased her drink and started home. But as she headed back down Herndon, she saw something she had not seen during her initial ride past.

It appeared to be a dummy hanging in a tree.

She remembered shaking her head and telling her dog that it was too early for Halloween.

It never crossed her mind that the body might be real, and so she continued riding back to her residence. Just across the street, she also spotted a blue or red car parked with its trunk open.

Months later, this information, too, would prove invaluable.

*

On Saturday, March 21st, 1981, the sun rose at 5:56 a.m.

District Attorney Chris Galanos winced, waking to a ringing phone.

Hello? Galanos asked groggily.

Get down here now, barked Mobile Police Captain, Vince Richardson, *we got a black man hanging from a tree.*

Galanos arrived on Herndon Avenue approximately twenty to thirty minutes after the initial call.

“The body was being cut down by Dr. Riddick when I arrived,” Galanos recalled. “I don’t believe too many folks actually saw that body. It had already gone into rigor mortis. And it was...the arms were sort of bent at the elbows. And the noose, of course. From an investigative perspective, it was a huge piece of evidence. It was tied in what Captain Sam McClarty called the ‘classic Klan noose.’”

Galanos described the crowds that began gathering just after sunrise, large groups of “well-behaved but distraught African-American people.”

“They were in acute distress,” he remembered, “but quite understandably so. They were emotional, there was weeping, waving, people falling to the ground.”

He paused.

“I remember staring at that body and assessing the enormity of the task. I sought and received the assistance of the FBI, and the ABI [Alabama Bureau Investigation] so that by late Saturday afternoon or early Saturday evening, we had a task force. The lead agency, obviously, was the Mobile Police Department, but anything we needed from the federal government or state government, we got.”

But perhaps the District Attorney’s greatest asset was investigator Bob Eddy. As the months passed, and as the anger continued to swell from within the black community, Galanos called upon his trusted friend to take a look at some of the information gathered by the black

churches. Eddy, an investigator for the D.A.'s office who had experience working Klan cases, examined the materials, as well as the police reports, and began piecing together a theory.

“Basically, I just reexamined the obvious,” he explained.

When discussing the possibility of a Klan connection, a lieutenant with the Mobile criminal investigation department informed Eddy that the Klan wasn't involved, despite the fact that known Klansmen lived on the same block as the hanging.

“The body was hung right across the street from their apartment,” the lieutenant shrugged off-handedly. “They'd never do that. Too obvious.”

But Eddy, like Wilbur Williams, knew better than to give the Klan any benefit of the doubt.

However, it wasn't simply the proximity of the Klansmen to the body that spurred Eddy's interest. He knew something that the Tuscaloosa sheriff's department of 1933 hadn't—that proximity wasn't enough. A far more incriminating piece of evidence was the cross burning on the courthouse lawn on the same evening of the murder.

“In my experience working Klan cases, they always do something somewhere else when they did something they really don't want you to know about,” Eddy explained. “For instance, in Birmingham, they'd break windows downtown and then bomb a place somewhere else. It was just typical for them to do things like that.”

When Eddy asked the lieutenant whether he saw a connection between the murder and the cross burning, the lieutenant replied that he didn't think one was linked to the other.

Teddy Kyzar, one of the two men responsible for burning the cross, later testified to the contrary.

“[I]t was supposed to been set up for an alibi,” Teddy explained.

Galanos recalled that after Ralph Hayes and the Edgar brothers were released, “the focus immediately went to Bennie Jack and those people because they lived right across the street.”

The police and FBI began replaying the news footage from the morning Michael’s body was discovered and sure enough, “there was Bennie, walking up and down Herndon Avenue.”

“And according to testimony,” Galanos continued, “he was even foolish enough to look at the body and say—and I’m only paraphrasing here—‘Ain’t that a purdy sight.’”

While Mobile P.D. would later deny the charge, Eddy claimed to be one of the driving forces that continued putting full pressure on Henry Hays and the Klan.

After sifting through witness statements, Eddy stumbled across an inconsistency in the case. One statement described that on the night of the murder, two girls had spotted a “black and maroon car out behind that apartment complex” with its trunk open and two men talking to each other.

“But in the Hays boy’s statement,” Eddy continued, “the car was parked in the driveway of the apartment complex. He told police that his car was parked in the driveway all night and he hadn’t moved it until the next day around 10:00 a.m. But that didn’t fit with what the girls were saying. Plus, a photographer from the police department had taken pictures all up and down that street, and the strange thing was, the Hays boy’s car was in those pictures at 6:00 a.m.—right there in the street with all the other cars. It wasn’t in the driveway like he’d said. So I asked another investigator about that too, but he said not to worry too much about it, that the kid had probably ‘just forgot.’”

But Eddy wasn’t so easily convinced.

He wrote a memo to District Attorney Chris Galanos explaining his findings, noting, “If I were you, I’d form a grand jury and put every Klansmen in that apartment complex in front of it.”

“I told Chris, ‘If you get a Grand Jury, put them under oath, maybe we could break someone.’”

“So that’s what we did,” Galanos explained. “Once we had narrowed it down to a cast of characters, we just started dragging them in to the federal grand jury month after month after month because at some point we suspected, and fortunately, we were right, that one of them would break. And one did. And that was Tiger Knowles.”

*

When asked about the seemingly obvious nature of the case, how the classic Klan noose and proximity of Klansmen to the murder seemed to point to KKK involvement, Eddy countered:

“[The Mobile Police Department] just hadn’t worked a lot of Klan cases. They didn’t know a lot of details about how the Klan worked...For instance, you could ask an investigator down there how one Klansmen recognizes another and they wouldn’t know. What they do is, they walk with their little finger and thumb in their pocket and other three fingers out. Just a little signal they had.”

“But these cases are tough,” he continued. “Lots of time you get tunnel vision. It’s happened before. But it was obvious to me that we were overlooking too much, weren’t taking statements seriously, weren’t concentrating on what we really had, and saw, and heard. But if we’re not going to concentrate on what we’ve got, then what are we going to concentrate on?”

“You know, it’s one thing to *believe* that it was a Klan-related murder,” Galanos later explained, “but it’s another thing to prove it.”

PART III

UNTANGLING

TENTH LOOP: A CONFESSION

MOBILE, JUNE 1983-FEBRUARY 1987

“We’re going home with this like men and women.”

On June 16th, 1983, 28-year-old Henry Hays peered out the window of the Hudson Service Station where he worked and watched the federal authorities step from their cars bearing handcuffs.

Miles away, nineteen-year-old James “Tiger” Knowles was faced with a similar scene.

While Henry remained mostly quiet following his arrest, Tiger—who claimed he had watched his family endure enough questioning—readily pleaded guilty to the charges, implicating Henry Hays in his confession.

However, there are wildly different versions as to who actually broke the case.

According to FBI special agent Jim Bodman, the arrests of Tiger Knowles and Henry Hays came as a result of a phone call he received late one night from Knowles’ attorney Holmes Whiddon.

After receiving a tip, Bodman told his wife he was going out for a while before driving to a downtown hotel where he, Whiddon and Knowles met in the hotel parking lot in secret.

“You’re leaning on the wrong one,” Knowles informed Bodman, referring to the pressure placed on him and his family.

“You didn’t mean for it to go as far as it did, did you?” Bodman asked, to which Knowles miserably confessed, “No, sir, we didn’t mean to kill him.”

Yet Police Chief Wilbur Williams is far from convinced that Bodman and the FBI brought to case to a close on their own.

In Williams' version, prior to the parking lot rendezvous, Whiddon and Knowles walked into the Mobile Police Station where Whiddon discussed Knowles' confession with Mobile Police Captains Tommy Calhoun and John Phillips.

There, it was decided that Knowles' confession was, perhaps "too big for them" speculates Williams, and Knowles was told to confess to the FBI, instead.

"That's how the case ended up at the FBI," Williams explained. Williams also noted that he has possession of Captain Tommy Calhoun's report, proving that the meeting and confession took place prior to Bodman's arrests.

"The agent that claimed to have broken the case, Jim Bodman, talks about all these clandestine meetings at the back of motels," Williams chuckled, "but it's a bit anticlimactic when the guy previously walked into the Mobile Police Department and confessed."

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At the bond hearing of June 1983, a sunglasses-wearing Henry Hays confidently told the judge that he had "a good job" at the service station and that he wanted to "try to get this thing settled" as soon as possible so he could return to it.

Though only seventeen at the time of the murder, Tiger Knowles agreed to be tried as an adult, admitting his guilt privately in the judge's chamber.

"As part of the plea bargain, Knowles was expected to testify against Hays in exchange for a recommendation of leniency by state authorities," reported *The Mobile Register*.

Just two days after his arrest, a gag order was placed on Henry Hays for fear the Klan might begin intimidating witnesses.

“The Klan knows who these witnesses is and they have no intentions whatsoever to interfere,” Henry's father, Grand Titan Bennie Jack Hays, assured the courts. “You people have a job to do and we want it done and off our backs.”

A few days later, he added, “We’re one of the peaceful groups within the Klan. I’m Catholic myself, and when it comes to picking on a black fellow—well, God created them, too.”

Archbishop Oscar Lipscomb of the Roman Catholic Diocese in Mobile said he found it an "utter contradiction that a person can try to be an active Catholic and an active Klansman," noting that any Klansman would be refused the sacraments.

But Bennie Jack Hays maintained his pious position, assuring all he could that as a Catholic, he would never suggest that Klansmen harm blacks, that he was friends and business associates with many of them.

Less than a month after the murder, Al Sluder, a spokesman for the United Klans of America, had issued a similar statement.

"We do not condone everything that has happened," he began. "We are against violence whether the object of violence is white or black people. We feel shocked about the crime. We feel the people responsible for the crime should be punished within the full extent of the law."

Sluder concluded by offering a 1000.00 reward for anyone offering information leading to an arrest.

But both Sluder and Bennie Jack's words fell on deaf ears.

On June 22nd, 1983 Henry Hays was indicted for murder.

“This should be proof-positive that the city and the state, in addition to the federal government, are committed to preserving and protecting the rights of all citizens,” said District Attorney Chris Galanos.

On July 8th, 1983, Henry Hays pleaded not guilty to capital murder charges, smiling at his father throughout the proceedings.

As his son was led away in chains, Bennie Jack assured reporters that Henry was “holding up good” and maintained his innocence. Both father and son had been quite forthright in admitting their Klan affiliation, and after Henry’s arrest, Bennie Jack continued his public relations work, though he suddenly began sounding more like Martin Luther King, Jr. than the Grand Titan of the United Klans of America.

“A radical group?” he asked innocently. “We are not. No way. Who am I to say I’m superior over any people? We’ve got to live here together.”

*

On December 6th, 1983, Henry Hays—“a slight, muscular man sporting a mustache and slight beard” according to *The Mobile Register*—stepped into the Mobile courtroom amid tight security. Walk-thru metal detectors had been set-up for the trial, and the courtroom soon filled with over 45 people, including Michael Donald’s mother, Beulah Mae, and various relatives.

“When I first saw [Henry Hays and Tiger Knowles] I thought they were pure evil,” Cynthia Mitchell recalled. “Well, Tiger didn’t feel evil. By the end of the trial, you could look in his eyes and tell he was remorseful. He was young, eighteen or so, but Henry Hays had a smirk on his face like he was thinking ‘I don’t think you got me yet.’ And Bennie Jack was a real monster. He’d shake his cane at us and shout, ‘Nigger, what you looking at?’”

“I went to every day of trial,” Cynthia Mitchell continued, shaking her head. “Two weeks in December.”

“There weren’t no decorations or nothing that year,” Cecilia Perry said. “No Christmas.”

Henry Hays—dressed in pink slacks and a suit vest—spent much of the first morning scribbling on a piece of paper and only half-listening to the proceedings taking place around him.

Acting District Attorney Tom Harrison promised the court to bring Tiger Knowles to testify against Henry Hays, to which Hays' attorney, M.A. Marsal, scoffed that Tiger was “the biggest liar that ever came down the track.”

“It reeks of the worst corruption ever brought to a jury in Mobile County,” Marsal told the court. “You’ll find that Tiger is the culprit in this case. He’s sold his testimony for a reward.”

The attorney went on to discredit the witness, reminding the jury of the wildly varied interpretations that Tiger had already told the court, including the tale that Tiger and Henry had beaten Michael as an act of self-defense only after Michael had “swung a limb at Tiger.” Knowles had also claimed that he and Henry had considered driving Michael Donald to the hospital directly following the beating.

After eroding Knowles' credibility to the best of his ability, Hays' defense attorney, M.A. Marsal, turned to the jury and said, “You’ll find that the testimony of Tiger is not worthy of your belief.”

*

Tiger Knowles spent much of December 8th, 1983 testifying in the Mobile courtroom, elaborating on the details of the night of March 20th, 1981, causing Henry Hays to turn “pinkish-red” during the graphic testimony.

Throughout the questioning, Knowles elucidated on conversations shared between he, Henry and Bennie Jack in the days leading up to the murder.

“We discussed what people would think if they found a nigger hanging in Mobile County,” Knowles explained plainly. Then, he offered information regarding picking up the nylon rope from Frank Cox’s mother’s home and retrieving the gun at Johnny Matthew Jones’ trailer.

In grisly detail, Knowles recreated the murder—mashing boots to Michael’s face, tugging ropes, reaching for a utility knife. He explained how Henry later showed Frank Cox Michael’s body in the trunk of the Buick Wildcat, how he and Henry had hoisted the body into the camphor tree, how one could see Michael Donald dangling from Henry’s porch “if you strained real hard.”

However, Henry Hays’ defense attorney, M.A. Marsal, told a different story, noting that Henry was playing cards when Tiger “came to the apartment with Donald’s body in the back of his pickup truck.”

Tiger denied the accusation, claiming that while his truck had been used to transport the burning cross in the early morning hours that night, the Buick Wildcat had held Michael’s body, as forensics evidence would later prove.

The courtroom recessed, returning the following day for new testimony by Mobile County Coroner LeRoy Riddick. Dr. Riddick testified that the classic hangman’s noose “was pulled so tightly it left a broken bone and gaping gash in [Donald’s] neck.” Riddick concluded that Michael Donald’s death “was caused by strangulation,” that he had not died during the hanging itself, but prior to it, when the noose constricted around his neck while lying in the clearing in Baldwin County.

The clinical nature of Riddick’s autopsy report stripped Michael Donald of all human presence.

While the autopsy was performed on March 21st, the report concluded ten days after Michael's death, Riddick reporting that the "unembalmed black male measuring 5 feet 10 inches, weighing an estimated 160 to 170 pounds, and appearing somewhere between the ages of 16 and 17" (though he was actually nineteen) had endured "multiple injuries." The next seven pages of the report painstakingly detailed every cut, abrasion, swelling, hemorrhage and lesion on his body at the time of his death.

Michael's eyes were said to be "swelling in both periorbital regions" while his nose was filled with "bloodtinged fluid."

"There is a rope ligature around the upper portion of the neck at the confluence of the mandible of the submandibular region in the neck," Riddick continued before detailing the "lacerations of the scalp," the swollen "orbital region," the abrasion "over the bridge of the nose."

Riddick's autopsy report offered a unique witness to the murder, allowing Michael's body to speak in its own defense.

Riddick wrote:

"Internally within the scalp there is an extensive amount of hemorrhage on the left side from the left frontal region."

And we see:

Henry Hays and Tiger Knowles beating him with tree limbs.

Riddick wrote:

"On the right anterior lateral surface of the neck just to the right of the prominence of the thyroid cartilage there are 2½ inch long by ¾ inch wide gaping incised wound."

And we see:

Henry Hays reaching for his knife.

But Riddick dedicated the most time describing the injuries to Michael's neck.

“The ligature is composed of 3/8 of an inch three stranded synthetic fiber rope. On the left side just beneath the pinna of the left ear the rope is knotted into a classic hangman's knot, consisting of coils of the rope with 13 loops around the coils.”

When asked if the number thirteen had any significance, Tiger Knowles replied, “I have always been told that that's...when someone was to be hanged that that's the number of laps that was suppose to be on there.”

Thirteen.

Thirteen loops killed Michael Donald.

Of course, others might argue that racism killed Michael Donald, or madness, but it was the loops as well. It was the rope and the men who wielded it, tying knots with a boy scout's precision.

A utility knife did not kill him, or a tree limb, or the hanging itself.

Michael Donald died because Henry Hays pressed his boot to the young man's face, because he and Tiger took turns tugging on the rope, pulling so tightly that the veins popped from their forearms, the bones fracturing in Michael's neck.

Riddick was left to detail all that remained.

Michael's brain, “a dusky red-gray,” weighing in at 1300 grams.

Michael's heart, 350 grams.

Lungs: 750 grams.

Liver: 1700 grams.

Kidneys: 250 grams.

A congested pancreas.

Two hundred milliliters of stained fluid in his stomach.

Ten milliliters of bile in his gall bladder.

A small amount of urine in his bladder.

Dr. Riddick weighed him and examined him before piecing him back together.

All of which led Riddick to conclude that Michael Donald died of “asphyxia due to strangulation.”

The manner of death: Homicide.

*

Twenty-five years later, on the eve of his retirement, Dr. LeRoy Riddick sat down with *The Mobile Register* to discuss his 27-year career with the Alabama Department of Forensic Sciences.

Of all the bodies he examined, Riddick noted that Michael’s was “among [the] most dramatic he investigated.”

“I arrived at the scene a little after 6 o’clock in the morning,” he recounted. “I mean, that was a striking scene. I think that what I said to myself is, ‘This is a very important case; take your time.’”

Much like Police Chief Wilbur Williams, Riddick, too, recalled the pressure he felt from local leaders to gather as much evidence as possible that might lead to a speedy conviction.

However, Riddick also noted that after 27-years of work he had learned not to allow emotions to "override the basic objectivity which you are supposed to have.”

The highly clinical, highly professional autopsy report that he completed in the Michael Donald case is a testament to his objectivity.

In a recent phone interview, Riddick described his role upon arriving on Herndon Avenue on that early spring morning.

“Well, it’s all preliminary at the scene,” he explained, “so I checked for what injuries were present, made all the observations I could to determine the interval from the time he died until the time he was found. He was in a striking position because of the rigor mortis, indicating to me that he had died somewhere else and had been hung from a tree rather than being hanged.”

He recalled the autopsy as well, walking downstairs to the basement of the University of South Alabama Medical center—“a small but adequate room,”—where he, an assistant, and two police officers set to work securing additional evidence.

"There was the usual procedure of taking photographs of the body," Riddick recalled, "and then we removed the clothing and documented it all with diagrams and photographs, notes."

When asked if he was the one to remove the rope from Michael’s neck, he replied, “Oh yes. I remember it all. It was a classic hangman’s noose, thirteen coils, yellow...I don’t know if it was nylon but I remember it was yellow. And as I was doing it, I remember thinking this was probably the most important case I’d ever do.”

*

After four hours of deliberation, on a cool Saturday in December 1983, the jury found Henry Hays guilty of capital murder.

The jury consisted of ten women and two men, eleven of whom were white.

The racial makeup of Henry Hays’ jury was nearly opposite that of Josephus Anderson’s.

Prior to receiving his sentence, Hays marched dutifully to the stand one last time, tears streaming, and stated that he had never inflicted physical injury on anyone.

The jury ignored him, recommending life in prison without parole.

Opal Hays, Henry's mother, turned to the jury, pleading, "I'm his mother. Think about me, him and his family."

Beulah Mae Donald, Michael's mother, who was situated on the opposite side of the courtroom, could have made a similar plea on Michael's behalf.

In a rare display of affection directed toward his son, at the end of the trial, Bennie Jack said simply, "[Henry's] very dear to me. This is from the heart—I hope each and every one of them [jurors] can live with themselves."

While escorted from the courtroom by Klansmen, Bennie Jack reportedly assured the court that he was "accepting this like a man," promising that "due to this verdict you will not see from the Klan any destruction of property. We're going home with this like men and women."

Yet not everyone was so understanding.

Riled by the outcome, Henry Hays' lawyer told the jury "they would be the ones to 'do the pulling of the switch and the sizzling of the flesh,'" despite the fact that any discussion of the electric chair would not enter the courtroom for another two months.

Later, after emotions had calmed, Henry Hays brought the electric chair back into the equation upon asking a single, puzzling question:

"Why is it they give immunity to one [Tiger] and send the other to the electric chair?"

*

In February of 1984, Judge Kitrell broke Alabama precedent by ignoring his jury's recommendation of sentencing Henry Hays to life without parole, and instead, as Hays' attorney had predicted, condemned Hays to die by electric chair. It was a shocking display of strong-armed justice, Kitrell showing no mercy to the young convicted murderer.

District Attorney Chris Galanos said there was a "one in a million" chance that the sentence would hold up throughout the appeals process, but that if "anybody deserves it, Hays does."

To make matters worse, Bennie Jack and his wife, Opal—who had hired their son a high-priced defense attorney they could not afford—were themselves arrested for insurance fraud just a few months later. The lawyer fees had added up, and with no means to pay, Bennie Jack—who had an unsubstantiated history of arson (including Henry's apartment on Herndon Avenue the year prior)—set their Gunn Road house ablaze, claiming 50,000.00 in damages from All-State Insurance.

Court hearings continued to haunt the Hays family, returning like an unwanted specter soon after the criminal trial when the Southern Poverty Law Center launched a civil suit on behalf of Michael's mother, Beulah Mae. The Donald family had tried, unsuccessfully, to launch a civil suit long before, but Jeff Sessions—former U.S. Attorney General for the Southern District of Alabama and current United States Senator—denied the request, at least until famed civil rights lawyer Morris Dees entered the picture.

The civil suit launched by Morris Dees and the Southern Poverty Law Center would forever alter the course of legal precedent in regards to racial violence. The suit didn't simply go after Henry Hays and Tiger Knowles, but instead, quite ambitiously expanded the defendants to include the entirety of the United Klans of America organization, its Grand Wizard, Robert Shelton, the Mobile Klavern, the Alabama Rescue Service, Bennie Jack Hays, Henry Hays, Tiger Knowles as well as an assortment of other known Klansmen.

After the initial days of the trial, while driving home to Montgomery, SPLC lawyers Morris Dees and Bill Stanton began discussing the case. In his memoirs, Dees wrote of his

strategy of putting the United Klans of America organization on trial, rather than simply the murderers.

“Tiger Knowles and Henry Hays had not acted merely as individuals,” wrote Dees. “This was a classic Klan murder down to the thirteen knots on the hangman’s noose.”

During the car ride, Dees asked Stanton, “Why can’t we sue the Klan like you’d sue any corporation liable for the acts of its agents?”

Soon after their conversation, he would try.

In March of 1986—three years after Henry Hays' conviction—FBI files from the Civil Rights Division indicated a recommendation to close the Donald case, citing a difficulty in building a conspiracy charge against the United Klans of America organization.

"We cannot simply show conspiracy to burn a cross, hang a black, or the act of burning a cross, to convict," the report concluded. "The conspiracy charge requires a specific intent to intimidate jurors to influence black defendants' verdicts."

But the Southern Poverty Law Center disagreed, and in June of 1984, on behalf of Beulah Mae Donald, Morris Dees and the SPLC filed for ten million dollars in damages from the United Klans of America, Inc., a sum fully capable of forcing the Klan into financial ruin.

ELEVENTH LOOP: A VERDICT

MOBILE, FEBRUARY 1987

"...he was drenched in blood, just like if you jumped in a swimming pool..."

By February of 1987, the civil trial was in full swing.

Morris Dees entered the courtroom, offering his opening statement to the jury, explaining the case in its simplest terms.

"This case started, actually, in Birmingham, Alabama. A murder took place up there, a black man named Josephus Anderson. It's got nothing to do with this case or this Klan. But that's how this case got started. He killed a police officer, or so he was charged with—and he's later been convicted of that—but he killed a police officer in a pretty gruesome manner. And apparently that caught the attention of the Klan."

Dees went on to explain that Anderson's jury consisted of "11 blacks and 1 white. And the Klan expected them to find him not guilty when he was being tried."

"You're going to hear Mr. Knowles get on the stand and testify about what they did to [Michael Donald]," Dees continued. "But first they had a reason to do it. And their reason just wasn't revenge. They wanted to send a message to black people in the State of Alabama that if blacks were going to sit on a jury and judge white people—cases where black people are charged with killing white people, they better watch out if they didn't rule right, because this Klan has got a goal. And that goal is white supremacy."

Dees claimed that the murderers "all knew what they were doing. They had a plan and they did it."

“Now, they hung that body up there,” Dees continued, describing the scene on Herndon Avenue. “Daylight came. It was almost like Christmas. You will see. Waiting for daylight to come to go look under the tree. Somebody found the body and started screaming in the neighborhood, an old man going to get his early morning paper, and when he did, he knocked on the door of Mr. Henry Hays, in the house that Mr. Henry Hays lived in, knocked on the door and said: There’s a body hanging out there. And do you know what? Do you know what Henry Hays did? He got on the telephone. He didn’t dial 911. He already had the number written down. Channel 5 Television. Television cameras, I believe, beat the police to the scene. And he called his daddy down in Theodore...and it’s a long ways down there—and he got there before the police did, or about the same time.”

Dees’ eloquence painted a vivid picture to the jury, and when it was Bennie Jack Hays’ turn to speak on his son's behalf, he knew he was outmatched.

“Ladies and gentleman, I’m B.J. Hays,” Bennie Jack began. “I was the Titan of this Klavern at the time. And I want to tell you the truth from my point and what I feel about other people that has been named here. I cannot build you up a story like Mr. Dees has built, because I’m just not qualified for it. But I can tell you the truth, what I actually know...And all of this stuff here Mr. Dees has come up with I have heard, I have never in my life heard anybody planning or talking about hanging or hurting anyone. And as far as the Klan, that is absolutely a no no to even allow that to be discussed in a Klavern or in a meeting or anywhere in presence. We don’t know—we don’t want it. Because it’s radical, it’s stupid. And everything that happened to the fellow was one of the awfulest things I ever saw. And nobody being a decent human being could be proud of that I don’t care who he is.”

Bennie Jack recounted the events of that morning, how his son Henry had called him and told him to come over to Herndon Avenue.

“And so I did go over there,” Bennie Jack explained to the courtroom. “And what it looked like actually up close, I have no idea. But nobody could have been proud of it.”

*

Later that day, Dees placed Grand Wizard Robert Shelton on the stand.

Under oath, Shelton—who has served as the highest-ranking officer of the UKA since its incorporation in 1961—was asked to examine a 1979 copy of the *Fiery Cross*, the Klan’s newsletter.

Dees handed Shelton the newsletter, asking him to describe the cartoon on the front.

“It’s a picture of an individual looking out,” Shelton explained. “Apparently it’s a white man.”

“Okay. And what does it say?”

“[It says], ‘It’s terrible the way blacks are being treated. All whites should work to give the blacks what they deserve.’ Then it says, ‘Turn page.’”

“What do you see on the other page?”

Shelton turned the page, continuing.

“And it is a black with a rope on it...I was told it was used as a fill-in, for space.”

However, the so-called “fill-in” proved damning to the Klan’s case.

Dees brought the *Fiery Cross* newsletter into evidence in an attempt to implicate the Klan corporation with the murder of Michael Donald. If the Klan newsletter implied that Klan members were to lynch blacks, then perhaps the corporation could be held liable for the actions of Henry Hays and Tiger Knowles.

After days of testimony, the picture proved to be the deathblow for the United Klans of America.

One picture, one space-filler, and yet it proved the link.

*

Hours later, Tiger Knowles returned to the stand, relaying the events of March 20th, 1981 once more, returning the jury to the small, dark clearing in Baldwin County.

“[The knife] was on the ground and the Defendant and Donald and myself all three of us got aholdt of it and Donald kept saying, ‘If you’ll let me up I’ll cut you. I’ll cut,’” Tiger explained, emotionless. “And during that struggle somehow or another—he didn’t get aholdt of the knife... Henry Hays went to the automobile and got the hangman’s noose and the both of us, Henry Hays and myself, managed to get it around Donald’s neck. After we had done this Henry Hays had got aholdt of the rope and kind of run it, run the rope... started pulling on the rope and I got this limb that Donald had had and I started hitting Donald with it. And in the process of me hitting Donald and Hays pulling on the rope Donald would go to his...he would get up to his knees and then he would almost fall back down. And eventually after just a few short moments he managed to get to his feet and was kind of bent over and Hays was pulling the rope and I was still hitting him with the limb that I had picked up that Donald had had. Hays’ hand or something had started hurting him. I don’t recall exactly what it was but something promoted us to just switch places. I got to the end of the rope where Hays was and Hays got the club, the limb, and started hitting Donald. And just moments later Donald just fell face flat on the ground.”

A pause.

“And then Henry rushed over to the other end of the rope and grabbed the rope and started pulling it and it was like he was enjoying this,” Knowles continued. “And then he was pulling it and then I finally said, ‘Well, he’s dead.’ And so we got him and we put him in the trunk of Henry’s car. And then Henry took a razor knife and cut his throat and I asked what for. He said: ‘To make sure he was dead...’”

The prosecutor asked Tiger about the positioning of the rope, the specifics of the strangulation.

“So [Henry] put all his weight on it with his boot, his foot up against his head?” the prosecutor inquired.

“Yes. Well, he was standing—he was actually on his head.”

“On his head?”

“Not at an angle.”

“So in other words, he was standing with his foot right down on his head?”

“Yes.”

“And pulling straight up with the rope?”

“Yes, sir.”

“Getting as tight as he could get?”

“Yes, sir.”

According to Tiger, directly following the murder, he and Henry brushed the dirt off of one another, retrieved the gun, and then attempted to cover their tracks the best they could.

Dees handed Tiger the 1979 issue of the *Fierce Cross*, pointed to the cartoon and asked:

“Now when you saw this piece of information, how did you interpret that coming from Robert Shelton, editor in chief, as a Klan official?”

“That’s what blacks deserved,” Tiger explained, “to be hanged. And that we should go out and since this was a publication of the Klan telling us what we should do and telling the Klan’s beliefs, that’s what we should do, go out and hang black people.”

“Did Mr. Shelton himself ever give you an order or directive remotely suggesting that you or anyone else should commit an act of violence?”

“Not directly,” replied Tiger. “He instructed us to follow our leaders. And I followed my leaders which got instructions from Mr. Shelton.”

Though asked to testify, Beulah Mae Donald declined.

Instead, Vanessa Wyatt—Michael’s niece—testified on the family's behalf.

Whispering into the microphone, she described how, after watching a basketball game with two of his brothers, Michael had borrowed a dollar for the cigarettes.

“When did you last see him?” asked lawyer Michael Figures.

She leaned forward, positioning her mouth directly in front of the microphone.

“At the wake.”

*

Throughout the trial, Tiger Knowles' testimony would prove devastating to the Klan.

After the murder, Knowles claimed that he and Henry Hays returned to Herndon Avenue and removed Michael’s body from the trunk. He described laying the body between the car and the hedges.

“A car was coming by so we didn’t have much movement, we just stood there. After the car had passed Henry Hays and myself [took] the body of Michael Donald across Herndon Avenue...and we hang it in the tree. At first I was having trouble throwing the rope over the

limb so Henry Hays threw the rope over the limb and I lifted the body of Michael Donald and Hays pulled on the rope and between the two of us we finally got the rope tied.”

“You crossed the street carrying the body of Michael Donald?” the prosecutor asked incredulously, to which Tiger replied, “Yes, sir.”

That night, after Henry and Denise Hays went to sleep, Knowles confirmed that he, Teddy Kyzar and a non-Klansmen, neighbor David Kene, all left the Hays' apartment.

“The three of us walked out to the porch, the front porch, and you could see the body of Michael Donald if you strained real hard,” Knowles explained. “After just a few moments Teddy Kyzar kind of punched me and said, ‘good job, Tiger,’ and it shocked me because no one was suppose to of known about it, anything that happened other than Henry Hays and myself.”

When asked to describe the punch, Tiger said, “Well, just, you know, kind of like you would if you were in a sporting event and you were playing ball or something and you hit a home run or something and they punch you and say, you know: Good job, Tiger.”

Later in the trial, Teddy Kyzar explained how he knew Knowles was responsible for the crime.

“About twelve-thirty Henry Hays, Frank Cox and Tiger Knowles came in...” Teddy recalled. “Tiger was the last one to come in the door and when I looked up I saw blood all over his shirt. I made an excuse, I said, ‘y’all come see what somebody done to my windshield,’ and as I was going out the door I snatched ahold of Tiger and drug him out in the hallway. When we got out in the hallway and got away from the door I said, ‘There’s nothing wrong with my windshield.’ I said, ‘I don’t know what y’all been doing. Tiger, you got blood all over your clothes.’”

The courtroom listened in perfect silence.

“And he looked down,” Kyzar continued, “he had a blue jean type shirt that buttoned down the middle and from the end of the cuffs up both arms, down his chest and his stomach he was drenched in blood, just like if you jumped in a swimming pool with a tee-shirt on. It was soaked to him that much.”

“He looked down and saw the blood and he begin to snatch the shirt off. He didn’t unbutton it. The buttons popped off in the hallway.”

Kyzar continued:

“We all three—myself, Henry Hays—well, all four—me, Henry, Tiger and Frank—walked out on the front porch and Tiger went around wherever Frank had his car parked and got a shirt. And while Tiger was gone, I asked Henry and Frank Cox what was they doing for Tiger to have blood on his shirt and they didn’t say nothing. And a few minutes later Tiger came back and I asked again: ‘What have y’all been doing for Tiger to have blood on his shirt?’ And Tiger told me that they beat up a faggot and we all laughed about it. And about this time we all walked down, got off the porch and walked down the ground, around the sidewalk, the grass, and I told them the next time they do, I want in on it.”

*

Though a Klansmen himself, according to the prosecution, Teddy Kyzar appeared to be more of a victim than an accomplice. Kyzar was highly suggestible, oftentimes doing the Klan’s bidding without fully comprehending the repercussions of his actions. He also endured the most hazing from the Klan.

Kyzar recounted one particular instance in which his behavior ended in corporal punishment.

“I got the 50 lashes because I took an application on a guy, and myself and a former Klansman—he was a Klansman at that time—went down to Godfather’s Lounge in Mobile. We got drunk and I wound up spending the money for the man’s application. He got a hold of Bennie Hays about it and they voted on to either kick me out of the Klan for that or give me the 50 lashes. And they all voted to give me the 50 lashes.”

He recounted other instances as well.

“As a matter of fact, on four different occasions I got lashes for various things. One for building a cross out of a broomstick—in a restaurant. I gotten lashes for that...I built it myself, the first one I ever tried building. And the second was—there was a girl named Diane Walker. She was fixing to get sworn in and become a Klansmen, too, in the ladies Klan. She asked me did—did the men get whipped and punished like the women did for saying things. I said yes. Well, she went back and said something to Bennie Hays or Bennie Hays found out about it and I got 10 lashes for that...I believe there was one other time, too.”

After Henry’s arrest, Bennie Jack threatened Kyzar relentlessly. Kyzar had been doing odd jobs for Bennie Jack, and one day, while working on the top of a carport, Kyzar claimed, “Mr. Hays told me that I was on his payroll, that he was not telling me not to go down [to the police station] and he wasn’t telling me to go down, but since I was on his payroll, if I went down there, I would be off his payroll.” The ongoing investigation was continually searching for witnesses, and Teddy said Bennie Jack’s bullying made it quite clear that he “better not go down there and talk.”

On another occasion, while unloading a refrigerator, Bennie Jack informed Kyzar that he was “getting too heavily involved with the Klan.” Kyzar claimed he was told that “if anything ever was to happen and I wind up being a fall guy for it, keep somebody from going to jail, if I

kept my mouth shut and served a prison term, no matter how long it took, when I came out, my pockets would be padded with money and I wouldn't have to worry about working or any problem like that. But if I opened my mouth about anything about the Klan, that I was going to die within 8 hours, 24 hours at the most.”

The threats spurred Kyzar to buy a pistol and take various precautions.

When the defense asked if, on one occasion, his fear drove him to dress in dark clothes and hide behind his couch he answered truthfully, “Yes, sir, I sure did.”

Midway through the trial, Morris Dees no longer saw any reason to press charges against Kyzar. Kyzar's mental faculties were in question, and due in part to the violence he had endured by his fellow Klansmen, Dees decided to release him from the case. After all, Kyzar's lighting a cross on the courthouse lawn had not killed Michael Donald.

“Your Honor, at this time we would like to move for the Court's approval to dismiss Mr. Teddy Kyzar. I do not want to state the reason on the record, but I think our case is weakest on him,” Dees explained.

The judge replied, “All right. Mr. Kyzar?”

“Yes, sir?”

“Are you in agreement with that?”

“Yes, sir.”

“And so you are free to go,” the judge declared. “In other words, you're out of the case...Mr. Kyzar, you're free to go.”

Teddy Kyzar stared, dumbfounded.

“Home?” he asked weakly.

“Yes, sir,” the judge replied. “Wherever you want to go.”

Puzzled, Kyzar asked, “Am I supposed to come back tomorrow?”

The judge replied, “No. You’re discharged from the case. You’re dismissed.”

Kyzar continued to stare, the news not yet registering.

“You’re no longer a defendant in this lawsuit,” the judge tried again.

“Okay. Thank you, sir,” he nodded, still refusing to move.

“Now, you can go,” the judge assured him and finally, after much coaxing, he did, leaving the courtroom, leaving his Klansmen behind.

*

On the morning of closing arguments, Dees recounted waking early, working out, and taking a walk with Richard Cohen before stepping foot into the courtroom.

He wrote:

“My personal history and the history of the South were inextricably woven into the rope with which Michael Donald had been hanged. It was time to put that rope to rest forever.”

Dees’ ninety-minute closing argument hit the jury like a wallop.

He walked over to the defendant’s table, reminding the jury not to “come back with a verdict against the Klan because they have unpopular beliefs.”

“In this country you have the right to have unpopular beliefs just as long as you don’t turn those beliefs into violent action that interferes with somebody else’s rights,” he explained, “...but they put a rope around Michael Donald’s neck and treated him to an awful death on a dirt road in Baldwin County so that they could get out their message.”

Moving back toward Mrs. Beulah Mae Donald, he continued:

“No amount of money can ever truly compensate Mrs. Donald for her son’s death. But if you return a large verdict—a very large verdict—you will be telling Mrs. Donald and this nation that her son’s life was as valuable and as precious as anyone’s.”

In the trial’s chilling conclusion, Tiger Knowles asked to speak prior to the jury’s verdict.

The judge agreed, so Tiger returned to the stand, peering out at the jury before speaking.

“I’ve lost my family. I’ve got people after me. Everything I said is true,” he began.

“The rope that I tied in back of Henry Hays’ car in Frank’s presence and that was used to kill Michael Donald is the one that Frank Cox got from his mother. I was acting as a Klansman when I done this. And I hope that people learn from my mistake. And whatever judgment you decide, I do hope you decide a judgment against me and everyone else involved. And whatever it is, it may make a hardship. But I hope you decide on it. Because young people need to understand that this can’t happen.”

Turning to Beulah Mae Donald, he said:

“I can’t bring your son back, but I’m sorry for what happened. God knows if I could trade places with him, I would. I can’t. Whatever it takes—I have nothing. But I will have to do it. And if it takes me the rest of my life to pay it, any comfort it may bring, I hope it will. I will. I want you to understand that it is true what happened and I’m just sorry that it happened. And I hope people learn from what it cost me. Because my life has been ruined. So has Mrs. Donald’s and her family’s and a lot of their lives. And I do hope that you find a judgment against me and everyone involved. Because we are guilty.”

In a show of extraordinary strength, Beulah Mae looked directly at her son’s murderer and said simply:

“I do forgive you. From the day I found out who you all was, I asked God to take care of y'all, and He has.”

“We were all crying,” remembered Cynthia Mitchell. “He was crying and we were crying. And something just began to let us realize that he was wrong, he was manipulated, and we felt sorry for him because he was a kid and he was gone. His life was gone.”

But John Edmond Mays, the Klan’s lawyer, wasn’t willing to forgive so quickly, and immediately took aim at Tiger Knowles.

“When [Tiger] testified in this case he sat in that chair and gave the details of an atrocious murder like he was off ordering a cup of coffee and a doughnut for breakfast," Mays reminded the jury. "How much emotion did you see when he took you through the details of that atrocity?”

Next, he took aim at Dees’ argument, claiming that the United Klans of America could not be held legally responsible for the actions of two of its members.

“[Y]ou can’t make an organization responsible for violent acts of its membership when it did not encourage, solicit, assist, help cover up, take any action whatsoever with reference to the act on trial. I hope...you won’t be moved by the hard evidence in this case. Because I’ll tell you this: It is the position of the United Klans of America that everyone involved in the death of Michael Donald should rot in the penitentiary. Anyone involved in the death of Michael Donald should lose everything they have in the world. The very idea of picking a human being at random and killing him just to be killing is absolutely repugnant to common decency and the human race in general...In this country we do it differently. Those of you who go out and break the law, you get put in jail. Those of you who go out and destroy property, you have to pay for it. Those of you who go out and injure people or kill people have to compensate the family. But

you don't go back on the organization, not unless that organization stood up, said: Go out there and do that.”

Attorney Michael Figures offered the rebuttal, winding the case down by restating the facts that had already become deeply ingrained in the jurors' minds.

“Michael was a 19-year-old boy,” Figures began. “19 years old. Going to school to be a brick mason, working at night at *The Mobile Register*, who didn't do anything but play basketball over at Springhill Recreation Center and never got in any trouble. Watched the basketball game that night, according to Vanessa Wyatt's testimony, his niece. Went to get a pack of cigarettes, borrowed a dollar from somebody to go get a pack of cigarettes. A car approaches him. Two white males in it. In a totally black neighborhood. Was he alarmed? No. Did he wonder why they were there? No. It was a free country, free city. Go where you want to go. They beckoned him over to the car, asked for directions to some night club over there. And what does he do? He tries to help them. He's going to show them how to get there. Not concerned they are white in a black neighborhood. He wants to show them how to get there. And he gets a gun pointed in his face and is forced to the back of the car with Tiger Knowles and Henry Hays and taken to Baldwin County and to fight and plea for his life.”

He continued:

“Well, I submit to you that the only difference in Tiger Knowles' lying and the other lies you've heard in this courtroom, especially from Bennie Hays, is that Tiger Knowles has repented at an early age and Bennie Hays is still lying in his old age.”

Figures turned to the jury once more.

“Well, just by the luck of the draw, we have an all-white jury. That’s sort of coincidental, isn’t it? The very thing that led to all this results in what [the Klan] believe[d] they were trying to achieve.”

Henry Hays and Tiger Knowles had set out to show the country that blacks had no business serving on juries, accusing them of being incapable of passing a verdict against their own race. And yet fifty years earlier in Tuscaloosa, many whites felt a similar sense of racial obligation, refusing to convict the corrupt sheriff's deputies who had allowed Dan Pippen, Jr. and A.T. Harden to die alone in the Alabama countryside.

But that racial obligation vanished in the case against the Klan.

Figures continued:

“One of [the Klansmen] suggested that it didn’t make sense to kill Michael and then bring his body back and hang him across the street from the property that was owned by Henry Hays—or Bennie Hays. Of course it didn’t make sense," Figures agreed. "None of it makes sense. Crime does not make sense. The mind that could conceive and execute such an act cannot be expected to act logically after it does so. There’s no logic in this. There’s no reason in this. There’s no rhyme to it.”

“And oh, yes, it was Michael Donald on March 20th, 1981,” he continued. “But who will it be tomorrow unless you speak very loudly and very clearly to send that message throughout the country? Who will it be tomorrow?”

“They may decide in another 5 years they don’t like white women and come after you. The fact is we’re all involved in this together.”

Figures concluded by quoting John Donne’s poem “No Man Is An Island,” reminding the jury that we are all at risk when hate is the enemy.

“Each man’s death diminishes me,” he recited. “For I am involved in mankind and therefore never seem to know for whom the bells toll.”

The courtroom quieted as Figures returned to his seat.

The jury retired soon after.

*

In a recent phone interview, Richard Cohen, the current president at the Southern Poverty Law Center, recounted the highly emotional state of the courtroom on that February afternoon in 1987.

“It was a historic thing,” he began, “not just in retrospect, but you had the feeling of history being made at the time.”

He described the defendants’ table, which held a spot for Grand Wizard Robert Shelton. “He was a smooth gentlemen,” Cohen began before correcting himself. “Well, smooth’s not the right word—he wasn’t a sophisticated person, but he could be cordial—and it’s interesting to see someone who was responsible for so much hate and vitriol in an effort to be cordial to people who were his enemies.”

Next, he described Beulah Mae Donald sitting behind the prosecutor’s table, “a very determined woman” who “knew that there was risk to her involvement in the case. She knew that the Klan did not have an enormous amount of money, but she was very, very determined not to see other mothers suffer as she had. So we had the most notorious Klan group in modern history, and this African-American grandmother with great faith in the judicial system.”

Cohen paused.

“Of course, we also had Tiger Knowles...and his testimony was grisly and gripping and...he addressed the jury and said it was all true. Then he turned to Mrs. Donald and kind of

asked for her forgiveness. It was quite a moment. Usually trials are...I don't want to say mundane...good trials aren't mundane, they're morality plays. This was certainly a morality play.”

He described the “spine-tingling” sensation as the jury left the room to decide their verdict.

The stakes were high.

After all, the Southern Poverty Law Center wasn't simply trying a case against Henry Hays. They were putting the entire United Klans of America organization on trial.

“We put into evidence [the UKA's] complicity in the Birmingham church bombings that killed those four girls, their complicity in the beating of the Freedom Riders in 1961, their complicity in the murder of Viola Liuzzo in the Selma to Montgomery march in 1965. We put in this evidence that put into context—a large historic context—what had happened to Michael Donald. Michael's death was just the latest of a long series of Klan killings.”

When asked of his impressions of Tiger Knowles, Cohen hesitated.

“That's a difficult thing...I had mixed feelings about Knowles. On the one hand, I do believe in the power of redemption—not necessarily in the religious sense, but more in the sense that I don't think any of us is a reflection of our worst act...Tiger had been caught up in the hate when he was young, and he was kind of led astray by it. So I thought in some sense, in his own way...” Cohen said, pausing before continuing, “he was a victim of racism and hatred, too. In that sense, I could understand...kind of...I wanted to believe in his conversion.”

Another pause.

“On the other hand, there was an element of him that...I didn't know him personally, didn't spend time with him personally. I was not always so sure in the way that he had taken a

plea...the plea had spared his life, while his co-defendant at the criminal trial was given the death penalty and ultimately executed. I would say I was 75% convinced that Tiger was a new person, but I had some residual doubt.”

Later, Cohen would say he was “90% certain” of Tiger’s conversion, though he did wonder if the conversion was an attempt at “saving his own skin.”

Mobile District Attorney Chris Galanos was far less generous in his assessment of Tiger Knowles.

“I spent lots of time with Tiger Knowles,” Galanos recalled, “and it was pretty clear that Tiger wanted to cut a deal from the beginning. He was transported to numerous prisons throughout the United States and he was obviously feeding information to us on a piecemeal basis. I interviewed Tiger Knowles at least six to eight times, and it was always pretty clear he was trying to save his own ass. He had to be reminded on numerous occasions that unless he was more forthcoming, he, too, would be facing the electric chair because the agreement between the U.S. government and Tiger was not only that he tell the truth, but that he tell the *entire* truth. And he had to be reminded rather forcefully of that on numerous occasions.”

“In the beginning, I don’t think he was remorseful at all,” Galanos admitted. “He could talk about this murder as casually as if he were discussing an Alabama football game. I am not a clinician, but I thought he was a sociopath. He just did not have a conscience.”

D.A. Investigator Bob Eddy also recalled an occasion in which he sat down with Knowles and asked him point-blank why they had hung the body so close to the Hays’ apartment.

“Well, we didn’t think the police would think it was a Klan case because we’d hung it so close,” Tiger replied.

It was the same logic Bennie Jack would use during his testimony; that no one was stupid enough to do that.

“He was a seventeen-year-old kid,” Eddy reiterated “Tiger was seventeen-years-old. I just...it just kind of dumbfounds me that a seventeen-year-old kid is thinking like that, but he was.”

Cecilia Perry found it equally difficult to assess her brother’s murderer’s disposition.

“Well, if you think about it,” Cecilia Perry began, hesitating, “in a way, if it weren’t for [Tiger Knowles], we might never have gotten the truth.”

*

Four and a half hours later, the jury returned with its verdict.

“We, the jury, find for the plaintiff and against defendant United Klans of America... We fix plaintiff’s damages at seven million dollars.”

It was a crippling blow to the Klan, and the symbolism was lost on no one.

“History would show that an all-white Southern jury had held the Klan accountable after all these years,” Dees wrote in his memoir. “The healing could begin.”

Dees recalled Richard Cohen passing him a note at the conclusion of the trial:

“Thank you for letting me be a part of this.”

When asked how she felt about receiving such a reward, Beulah Mae Donald told reporters, "Money don't mean a thing to me. It won't bring my child back. But I'm glad they caught the guilty and brought them to court, because I did everything I could to help."

While money was the cause of Sergeant Gene Ballard's death—due to Anderson's botched bank robbery—it was the result of Michael Donald's.

"I don't need [money]," Beulah Mae reiterated in the months preceding her death. "I live day to day, like always. But there's some sad people in the world who don't have food to eat or a decent place to stay. I've been there. I know what it means to have nothing. If the Klan don't give me a penny, that's O.K. But if they do, I'm going to help a lot of people who don't have none."

Days after the jury returned the seven million dollar verdict, an editorial in *The Mobile Register* noted that the courts had sent "a loud, clear message that Mobilians, Alabamians, and Southerners will not tolerate the racist activities of the Klan."

While the Klan didn't have seven million dollars at their disposal, they did have one major asset: a seventy-four-hundred-square-foot building on the shores of Lake Tuscaloosa. The Klan headquarters was said to be worth 250,000.00, and Dees received the deed and the keys in the mail soon after, which he then turned over to Beulah Mae who would eventually sell it and buy her first home.

"When Center staffers went to see the building, they found it barren," Dees wrote. "Shelton and his aides had taken everything except a wooden plaque that hanged on a wall in the lobby. KKK YESTERDAY TODAY AND TOMORROW it read."

*

Today, the headquarters remains mostly the same as it had thirty years prior: a large structure with gray siding, a few flowerpots littered beside a small fountain. It sits atop a hill on Lester Taylor Road, a twenty-minute drive from downtown Tuscaloosa. From atop the hill, you can almost make out Lake Tuscaloosa just beyond the tree line. Currently, it's a private residence, though on Thursday nights, for a 4.00 cover charge, all are welcome to enjoy the blue grass concerts that take place there throughout the year.

When I knocked on the door, the current residents admitted the house's history, though they noted, "It's not something we really like to talk about." Instead, they much prefer discussing their Thursday night concerts.

"Come on back on Thursday," they shouted, "and tell your friends!"

Linda Phillips—a long time neighbor to the Klan headquarters—said she'd never had any problems with the Klan.

"I've lived here for over 30 years and they never bothered me and I never bothered them. I never saw any burning crosses or anything. In fact, they had a guard over there, and this one night we had a potential burglar, and that guard had him spread eagle on the ground just like that," Phillips explained.

She paused.

"You know, I wouldn't join them for a million dollars but...no one else tried breaking into our house while they were there," she admitted.

While the former Klan headquarters resides on one side of Lake Tuscaloosa, Prewitt Cemetery—one of the oldest slave cemeteries in the nation—sits on the other. It's an odd contradiction—one location for perpetuating hate and one for preserving love. Yet regardless of purpose, both locations are picturesque, hidden among the trees on quiet roads, just short walks from the water.

Undoubtedly, Lake Tuscaloosa has a sordid history with race, as does the city itself. While the 1933 lynchings of Pippen and Harden were not necessarily Klan-related, the KKK organization continued to grow throughout the late 40s and early 50s. According to the *West Alabama Breeze*, the first Tuscaloosa chapter of the Klan began in April of 1917, with the Imperial Wizard W.J. Simmons himself overseeing the fledgling club. While the 1917 papers

deemed the Klan the “latest and most needed patriotic, fraternal order” of “real men,” later Tuscaloosa papers would not offer it the same praise.

In late May and early June of 1949, Buford Boone of *The Tuscaloosa News* ran a series of Klan articles, one of which exposed the Klan for using a county building, the VFW lodge, to hold its Friday night meetings. Boone also exposed them for their “dirty talk,” noting that mid-meeting, one Klansmen actually stood up to protest “against the manner in which sessions are conducted,” informing the others that he knew some citizens refused to join because of the “indecent conversation.” As the articles continued to run, Klansmen feared a traitor in their midst, noting that a “bad man in this organization can do us a lot of damage.”

Nearly forty years later, at the conclusion of *Beulah Mae Donald vs. United Klans of America*, the UKA experienced this damage firsthand, their bank account running dry as a result of Tiger Knowles' confession.

Yet in the years following Boone's critical articles, the Klan's power throughout the state only intensified. In 1960, Robert Shelton became the Grand Wizard of the United Klans of America, a new group that brought the smaller factions together, concentrating their influence while simultaneously coordinating attacks. As Cohen alluded to, the UKA was accused of several violent crimes—including the 1963 bombing of the Sixteenth Street Baptist Church in Birmingham that left four girls dead, as well as the murder of Civil Rights activist Viola Liuzzo just two years later. Shelton and the UKA made their presence known, not only through violent acts, but also, by holding rallies throughout Alabama, including one photographed just off of U.S. 82 on April 23, 1965, crosses enflamed as the masked men peered out from their eyeholes at their destruction.

*

Twenty-one years after the rally, early on the evening of March 20th, 1981, Beulah Mae Donald remained a quiet, hardworking mother, though after her son was murdered later that evening she became anything but quiet.

She refused to allow Michael to be “just another colored man, as they say, gone on and forgotten.”

With the help of the Southern Poverty Law Center and the local and statewide divisions of the NAACP, she sued the Ku Klux Klan, eventually earning the title “the woman who beat the Klan” from various newspapers.

Michael was the youngest of seven children, the only one still living at home, and after his murder, Beulah was shocked by the random brutality that took her son.

“That boy wasn’t harming anybody,” she said, dumbfounded. “He was going to the store to get a pack of cigarettes.”

She claimed that Michael always came home by midnight, and she took comfort in his “listening to low music,” resting easy every night when he returned home safely.

Except for the night he didn’t.

“Sometimes I think if the Klan knows where I live, they will throw a bomb,” Beulah Mae admitted. “All they can do is kill me. The damage was already done when they killed Michael.”

Beulah Mae Donald died of natural causes in September of 1988, a year and a half after the conclusion of the civil suit.

“I believe it was her nervous system,” Cecilia Perry explained. “There wasn’t no medicine that could do anything for her.”

“Ever since Michael’s funeral,” Cynthia Mitchell agreed. “From that day on you could just see the change.”

“She’ll forever have a place in history as the woman who beat the Klan,” Morris Dees commented upon her death. “[S]he was a brave and courageous woman whose love for her son insured that he did not die in vain.”

He certainly hadn’t.

Michael Donald’s death cost the United Klans of America virtually every penny they had.

TWELFTH LOOP: A DATE WITH YELLOW MAMA

HOLMAN CORRECTIONAL FACILITY, FEBRUARY 1984-JUNE 6, 1997

“If I can help in the not too distant future, let me know.”

Henry Hays was put to death for a dollar.

He was originally indicted for “committing murder with a rope in the course of a kidnapping,” yet prosecutors realized that “murder-kidnapping was not a capital offense at the time.”

They revised their strategy, returning to the dollar Donald had borrowed to buy the cigarettes.

While shoved in the backseat of the Buick Wildcat, Henry Hays and Tiger Knowles demanded Michael empty his pockets to ensure he was unarmed. In the process, a single dollar slipped out, along with his wallet.

The Grand Jury stated that since Henry Hays “feloniously [took] the said currency and wallet of the approximate aggregate value of two-dollars (\$2.00), from Michael Donald’s person” Hays could be charged with intentionally causing the death of another person.

It could be considered robbery, and the indictment changed to murder in the course of a robbery—a capital offense.

If Michael had made it to the Gulf station first and a pack of cigarettes had fallen from his pocket rather than the dollar, there is a possibility that Henry Hays may have received life without parole. But Henry Hays and Tiger Knowles abducted Michael a few minutes too early, an error that put the death penalty back in play for the prosecution.

In July of 1993, Henry Hays appealed on what he described as “violations to his rights under the U.S. Constitution,” claiming that changing his indictment to include robbery just hours before his trial hurt his defense. He also claimed that Tiger had changed his story too many times to be considered a credible witness.

The courts denied his appeal.

He tried again two years later, though the court remained steadfast.

“The drums start to beat a little faster right now,” admitted Hays’ attorney, Rick Kerger, upon realizing the appeals process was coming to its end.

When asked of his involvement in the case, Kerger explained, “About two or three years earlier they had solicited lawyers who were willing to take pro bono death penalty cases and I agreed to do that. And then at the end of October 1986, I got a phone call from the NAACP Legal Defense Education Fund...They said they had nothing in Ohio, but they were having trouble finding someone for a guy in Alabama. They said it was the case of a KKK who hung a young black man down in Mobile. I said, ‘You’re the NAACP Defense Fund?’ and she said, ‘We work against the death penalty no matter who it’s directed against.’ And that’s how it started.”

In 1996, in a last ditch effort, Hays stood in front of the 11th U.S. Circuit Court of Appeals and argued, unsuccessfully, for a change of heart.

At the time of the appeal, Attorney General Jeff Sessions was in a runoff for the Republican nomination for the Senate, and perhaps politics played a role in Sessions' firm stance. While the Donald family believed Sessions had slighted them years prior during their unsuccessful petition for a civil suit, Sessions seemed to make up for it by upholding the death

sentence, forcing Henry Hays to come to terms with what the state of Alabama had understood for years:

The electric chair lingered just beyond Hays' horizon.

*

Holman Correctional Facility sits on an empty expanse of land in Atmore, Alabama, barbed wire coiling around the fences and a guard tower hovering within view. The prison was opened in the winter of 1969, originally to house 520 inmates, though currently, the prison boasts nearly twice that number. For nearly fourteen years, Henry Hays was one of them, along with Josephus Anderson, whose deadlocked verdict in the killing of Sergeant Gene Ballard had spurred Henry Hays to act. There is no evidence that Hays and Anderson ever knew one another or made the connection between their shared fates—how one murder had spurred another, sending both Anderson and Hays to prison—yet it's worth our speculation.

Did Anderson and Hays ever cross paths during their shared years at Holman Correctional Facility? Had they ever shared a cellblock? While Anderson remains in Holman to this day, he has not responded to my attempts to contact him.

*

In May of 1997, the Alabama Supreme Court settled on Henry Hays' execution date:

June 6, 1997, 12:01 a.m.

Nevertheless, Henry Hays maintained his innocence, claiming he had taken “no part in the random killing” and “unwillingly joined the United Klans of America to satisfy his father, Bennie Jack.”

While his second statement was most likely true, his innocence had been disproven years prior.

Michael Wilson of *The Mobile Register*, the reporter who likely knew Henry Hays best, intimately described the thought process of a man in his final hours.

“You wrap yourself in books and television and Mountain Dews and Marlboros, and you stop thinking about grass and cars and beer, and the yellow chair of wood and leather and wire where your life will end,” Wilson wrote. “Suddenly, there is a day on the calendar, and nothing after it; a Thursday that will end and a Friday that will dawn without you.”

On the day prior to his execution, Henry Hays publicly maintained his innocence once more, telling reporters he would die “an innocent man, trampled by ambitious prosecutors and the lies of his fellow Ku Klux Klansmen.”

“You’ll remember a smile we shared together,” Hays told reporters, “and say, ‘Maybe he didn’t do it. And if he did, he wasn’t such a bad guy.’”

Hays spent his last week visiting with family and writing goodbye letters. Meanwhile, Michael Donald’s siblings struggled through an entire spectrum of opinions related to Hays’ execution.

Michael’s older brother, Stanley, planned to witness the execution firsthand, telling reporters that he wanted to go in order “to see if it actually happens.”

Meanwhile, Betty Wyatt, Michael’s sister, believed Henry Hays had already been punished enough. “If he’s got a heart, he’s punished,” she explained. “I hope he asks the Lord to have mercy on his soul.”

Mary Jackson, Michael’s oldest sibling, represented the opposing view of her brother Stanley, though perhaps for a similar reason.

“He should never get no electric chair,” Jackson exclaimed. “He should just stay there to suffer and think.”

“Back then I was for it, but now I’m not,” Cynthia Mitchell recently confided, adding her voice to the chorus.

“Well, I was for it then, and I still am today,” replied Cecilia Perry. “I feel that you live by the sword and you die by the sword.”

Mobile's citizens remained equally split as well, though one death penalty advocate published a letter in *The Mobile Register* stating, “If the judge wants the death penalty for a murderer, let ‘Yellow Mama’ [the nickname for the yellow-colored electric chair] rock and roll.”

In his 1991 memoir, *A Season For Justice*, Morris Dees, who prosecuted Hays in the civil case, wrote, “If Henry Hays, who still sits on death row, loses his appeals, I intend to ask our governor to spare his life,” believing it would better honor Beulah Mae Donald’s wishes of sparing Hays the death penalty. Though as Hays’ death day approached, Dees recanted, stating, “It’s [the family’s] grief and I don’t want to get involved in it one way or the other.”

*

A surprising twist occurred just days before Hays’ execution.

A black mechanic by the name of Claude Wims suddenly came forward, informing authorities that on the night of the murder, he and Henry Hays had been “hanging Sheetrock until after midnight.”

“It’s a wonderful concept,” agreed Hays' attorney, Rick Kerger. “But there’s absolutely no testimony, including Henry’s, to indicate that was going on.”

Wims disagreed, claiming that he knew about Henry Hays’ Klan connections but that he was his “pal” anyway. Wilson reported that Wims “even went to a Klan meeting once, wearing a hood so no one would know.”

Michael Wilson continued:

“Wims’ gesture, while not likely to free Hays, is indicative of the rapport Hays had with his black friends when he wasn’t with the Klan.”

Cecil Williams—who had driven cement trucks with Hays and later served as one of his pallbearers—recalled Henry as being “the happiest-go-lucky fellow you’d ever meet in your life.” While filling up the trucks, Cecil recalled how he and Henry often “sang to get the day going, just singing and having a good time.”

When Gail Cox, Henry’s sister, called Cecil and asked him to assist in assembling the necessary pallbearers, Cecil reportedly grumbled, “I’d like to know where the hell the Klan’s at now. He can’t even get six guys together to bury him.”

Henry’s older brother, Raymond, was also present for the execution.

“There’s more victims to this case than just the Donald family,” he explained to reporters. “People forget that the family of the convicted, they’re victims too. Michael Donald was the ultimate victim. His mom, the rest of his family. My mom was a victim because she cared as much as she did for Dad and Henry. Dad was a victim of himself. His beliefs caused him to be where he was. He was a victim of, for lack of a better term, ignorance. Henry’s a victim because he never was able to stand on his own. If he’s standing there guilty, he was led there.”

Raymond, who joined the military and was stationed in Germany in order to distance himself from the family, vowed never to return to Alabama barring his brother’s execution.

After the June 6th execution date was established, Henry called his brother.

"You said the only thing that could bring you back to Alabama is my execution," Henry reminded him. "Looks like I’m giving you an excuse to come.”

*

Throughout his life, Henry Hays wore two hoods, one for the Klan and one as a result of his Klan actions.

In a recent interview, Attorney Rick Kerger recalled his final hours with Henry Hays.

“Essentially, Atmore’s visitation area is this plastic-walled booth, probably 70 by 70, with a bunch of metal tables fit into the floor. But in the corner there used to be a bunch of vending machines—soft drinks and chocolate—and when people would come to visit, it was a big deal for the inmates to walk the change over to those machines and make a selection. The same was true for Henry. It wasn’t just that he could get some candy or some soda pop, but that he had a choice. As opposed to taking what was given him, Henry could make a selection.”

He noted how death row was the only place in prison that was truly colorblind.

“The death row inmates were so tight with one another that there was never any regard to race.”

The impending electric chair became the great equalizer, and as Kerger explained, “Once you got to death row, everything was fine.”

At a few minutes before midnight on June 6th, 1997 Henry Hays was strapped into the arms of “Yellow Mama” and a hood was placed over his head.

Prior to Henry’s leaving the visitor’s area, Kerger recalled a conversation they shared.

“He told me that he understood from people he talked to that when you’re electrocuted, your body’s contorted and your hand slams shut. And he said that if he was able, he was going to try to keep his thumb up and I was to watch for that just because that was his way of saying he’d beaten the machine. Suffice to say, he couldn’t keep his thumb up when the current hit him. He was already gone.”

The Mobile Register reporter Michael Wilson, also present at Hays' execution, described how the procedure took place.

"Witnesses watch from two separate windows," he began, "the victim's family from one, the prisoner's family from the other. When the guards raise the window shades, the man in the chair looks for the last time at faces of love and disgust."

Kerger described it similarly.

"The death chamber is probably ten by ten and there's glass in the front and glass in the side and in the front area were representatives from the prosecution and the family and the press. And Donald's brother and [brother-in-law] were outside that room, to the left. If you wanted to, I suppose, you could have craned your neck to see them. But they did an excellent job of keeping everybody separate. In a sense, I can't imagine the warden and his staff conducting it any better. There was no way it could have been done better for such a horrible thing."

The scene is difficult to envision: a human being strapped and hooded and moments away from enduring an electric current designed to stop the heart.

Yet in the days prior to his execution, Hays reportedly maintained his sense of humor.

"If I can help in the not too distant future, let me know," Henry Hays wrote to a reporter.

As a kind gesture, in late April of 1997, Raymond Hays sent his brother a new pair of tennis shoes.

Henry proclaimed it a waste of money.

*

On his last day on earth, Henry felt the cool sun in the morning hours, a chilly 64 degrees, though eventually temperatures rose to a comfortable 76.

Yet by nightfall, temperatures became even colder.

Despite Archbishop Oscar Lipscomb's plea for clemency, Alabama Governor Fob James—who was vacationing in Canada at the time of the execution—refused to intervene on Henry Hays' behalf.

Upon hearing that the clemency had been turned down, Attorney Rick Kerger and his wife hurriedly drove down from Toledo to say their goodbyes to Henry.

“Unlike a lot of prisons, Henry and his family and friends had access to this whole visiting area all on their own from about 6:00 in the evening until 10:45, and they were able to talk to each other, hug each other, talk with Henry and just wander back and forth,” Kerger recalled. “But the most surreal part of it was, when you're around someone you know is sick and dying, you always know it's going to happen, but you don't know when. But with an execution, everyone knew with certainty when it's going to happen; it's going to be shortly after midnight.”

Kerger described how nobody wanted to look at his or her wristwatch. As he scanned around the room, Kerger noticed everyone sneaking glances at one another's watches, but nobody wanted to be caught glancing down at their own.

“Nobody wanted to be surprised when the time came,” Kerger explained, “but nobody wanted to look like they were measuring it.”

The minutes slipped by and Hays' family and friends offered their final goodbyes.

“All things considered, Henry was in good spirits,” Kerger concluded. “And I think he made the whole process easier because of it.”

*

At 12:10 a.m., 2100 jolts of electricity pulsated through Henry Hays' body for a duration of 20 seconds. Then, a lesser voltage coursed through him for 100 seconds, ending his life.

He was pronounced dead at 12:18 a.m.

“Before Hays was executed he said, ‘I love you,’ twice,” Wilson reported. “First to Stanley Donald, the brother of Hays’ victim, and to Dennis Perry, Donald’s brother-in-law; then to his own brother, Raymond Hays, and other supporters and ministers who also witnessed the execution.”

After his final appeal fell short, a resigned Hays told reporters, “I’ve lived in hell for nearly 14 years. I’m looking forward to heaven.”

Days before his execution, Hays lost yet another legal battle. He requested to be “spared the obligatory state autopsy,” though Judge Butler denied it.

“He just didn’t want to go through the mutilation of an autopsy to no good end,” explained Kerger. “We all know how he’s going to die.”

Despite his plea, the autopsy occurred the morning after his death.

The report is available to the public for ten dollars.

*

Henry Hays’ death would go down in Alabama history.

According to Wilson, he was the “first white man to be executed for the murder of a black person in Alabama in 84 years.” The last execution of that kind involved “two white outlaws” who murdered a “black cockfighting trainer on a mountain in northern Alabama” in 1911.

The outlaws were hanged from the gallows, though it was not a lynching as the punishment was decided within the court system.

Due to his circumstances, while in prison, Henry Hays became an advocate against capital punishment, becoming actively involved in a group called Project Hope.

Having become highly attuned to the race problem, Hays believed his execution would do little to further race-relations.

“If I go around there to be killed, they want to believe that tomorrow morning the sun’s gonna come up, the birds are gonna be singing, all this hatred you’ve been carrying around for me all these years is just gonna disappear, and you’re gonna wake up feeling all nice, fresh and new,” Hays mocked. “It’s not gonna happen. White and black children are going to be marching down the street together, singing songs of joy tomorrow because I’m gone?”

The Mobile Register columnist Ross Sloan agreed, noting that a state-sponsored “revenge killing” was no different than the vigilante revenge killing which Hays and Knowles wrought upon Michael Donald.

“Victims have never come back to life after their killers were executed,” Sloan wrote.

But Sloan was not speaking solely of Henry Hays.

In the days leading up to Henry Hays’ execution, another man’s life was placed in the hands of a jury. The trial for Oklahoma City bomber Timothy McVeigh was already in full swing as Hays glimpsed the world for the last time. On occasion, Hays and McVeigh shared the front page of the Mobile papers. Just a week after Hays’ execution McVeigh’s verdict would be reached as well: death by injection.

“Timothy McVeigh didn’t flinch, didn’t even blink,” reported Michael Fleeman in *The Mobile Register*. “He just stared straight ahead when he was doomed to the same fate suffered by 168 people in the Oklahoma City bombing.”

McVeigh was said to have “waved to his parents, mouthed, ‘It’s OK,’ and then made the same wave to the jurors, nodding his head up and down.”

Hays maintained a similar composure upon hearing his verdict handed down as well.

When comparing the two killers, *The Mobile Register* columnist Byron McCauley wrote of the “consequences of irrational hatred.”

“Hays and McVeigh have at least one thing in common,” he wrote. “Both committed heinous crimes and were motivated by illogical and irrational rage... If the horror of Hays’ and McVeigh’s crimes are shocking, their motivation is even more so. Hate.”

However, “hate” does not seem all that shocking of a motivation. Quite to the contrary, hate appears to be a motive for many violent crimes. While McCauley never indicated having known Michael personally, he did note that Michael once “walked the halls of [his] newspaper building as a mail-room employee.” It was an interesting detail to include in his column, one that points to our oblivious nature to those around us until tragedy strikes. But when something does occur, our own proximity to tragedy seems to affect us as well, allowing us to feel victimized by the hate endured by another.

After psychoanalyzing McVeigh, McCauley’s assessment of Hays feels overly simplified:

“Hays’ hatred was of nonwhites, pure and simple.”

But following his conviction, at least a few African-Americans jumped to Hays’ defense, Claude Wims, in particular. Similarly, Cecil Williams recalled he and Hays singing and joking with blacks as they filled up their fuel tanks in their days driving cement trucks together.

Others might argue (as Hays’ brother Raymond had) that Henry’s supposed hatred was actually the result of his inability to please his father; that Henry’s Klan affiliation was all part of an attempt to impress the man who had assigned him the nickname “Half-Assed Henry.”

*

The one experience shared between Michael Donald and Henry Hays was that they both faced their executioners. Michael met his on a cool, Mobile night in March of '81 while Hays met his sixteen years later, while strapped to Yellow Mama in the bowels of Holman Correctional.

Michael Wilson—one of only three reporters selected to witness the execution—recounted his experiences inside the viewing room, the counting down of hours to minutes to seconds, confirming what Kerger had noted, that, “in Henry’s final visit Thursday everyone wore a watch, but none of the visitors looked at their own wrists, for fear Henry would notice and be reminded—as if he could forget—that he had less than two hours to live.”

He described being led into the witness room and watching Henry’s lips whispering, “Mike,” upon recognizing the journalist.

He described Henry Hays appearing “small and pale in the big, bright, yellow chair to which he was strapped in eight places, from his wrists and biceps down to his ankles.”

He described the prison commissioner standing beside the phone, waiting for the reprieve that never came.

And he described Henry’s “oversized black hood” which “flutter[ed] a little when he breathed.”

Michael Wilson described how the “first shot [of electricity] kills the brain” and “a second longer one the remaining organs.”

He described Henry’s slumped body.

His stillness.

But he also described the after effects: reporters going home and calling in stories to their editors, the candle light vigil supporters blowing out their flames.

And he described finding his way to Raymond Hays' motel room at the Best Western later that evening, watching Henry Hays' grieving brother chain smoke as the others recounted stories of happier times, "great bursts of laughter" interrupted by "long, tearful silences."

But Henry Hays' death did not bring peace to everyone.

Following the execution, Michael's brother, Stanley Donald, met with reporters and admitted that while what he had witnessed was bad, "it was not as bad as my brother's body in the casket."

Cynthia Mitchell and Cecilia Perry remember waiting for Stanley and Cecilia's husband, Dennis, to return from witnessing Hays' execution.

"You have to be so far away from the prison, so we were down the street," Cecilia explained. "There's just this long stretch, and they had their candlelight vigil on one side, so we were across the street on the other side. The media was there; there were just so many people. But Stan says that even when they sat Hays down in the chair, he still had that evil smirk on him."

When asked if Hays' execution satisfied her brother Stanley, Cynthia Mitchell shook her head no.

"He wasn't satisfied. He cried for days after it happened."

Cecilia nodded.

"Oh, yes. My husband, Dennis, still has nightmares."

*

Attorney Rick Kerger, who has dedicated much of his career to fighting death penalty cases, recalled one moment, in particular, that helped him settle on where he stood on the issue of capital punishment.

Following an execution, Kerger rode back to his motel with the deputy warden. The car ride was mostly silent, except for when the deputy shook his head and said, “You know, the man we killed tonight is not the man we took in.”

“That’s something people don’t understand,” Kerger explained. “A lot of the death row inmates are young guys—in the late teens, early twenties—and they’re on drugs and alcohol, out of control. But by the time they get around to executing them ten to twelve years later...it’s completely different person. By and large there’s no daily use of drugs, they’re more mature, they’re older, they’ve gotten the chance to talk to other people, and they’re in a controlled environment off the street. And most of them probably have a far less significant risk than people we let go everyday.”

He paused.

“And then there’s the offshoot tragedy of death penalty work. There’s a bunch of guards who go off to work that morning, kiss their families goodbye and know they’re going to kill somebody that night. I don’t have a real good appreciation as to how difficult that must be. I’ve had to be around when pets got put down and that’s difficult enough, but to know you’re going to be part of dressing and helping and, in one case, strapping the guy in...and then watching him die...and then helping to pick the body up. I can’t imagine how difficult it must be for them.”

*

Henry Hays’ final words were not the ones worth remembering.

Far more poignant were the ones that came the Wednesday before his execution: a full confession to the prison chaplain, a black man named Reverend Bob Smith.

At Henry Hays’ funeral service, Smith made the confession public.

“He said, ‘You’re the only one who knows this,’” Smith quoted Hays before describing the forty-minute confession Hays shared with him.

“Brother Henry, you left me with a heavy burden.” Smith shook his head as he stared out at the funeral audience. Reverend Smith later explained that he made the confession public because “Hays asked that he tell Michael Donald’s brother.”

Henry Hays’ supposed detailed, 40-minute confession aligned nearly perfectly with Tiger Knowles testimony except for two differences.

“Knowles testified that it was Hays who stuck his boot in Donald’s face while tightening the noose around Donald’s Neck,” Wilson reported. “Knowles also said it was Hays who later slit Donald’s throat three times to make sure he was dead.”

According to Smith, Henry Hays took responsibility for the murder, though he implicated Knowles for these specific transgressions.

Allegedly, Henry Hays told the reverend that “Tiger Knowles, me, and you [Smith] and God” were the only ones who knew of his role in the murder. He later added that “he’d told his father and his first defense attorney” as well.

On the day of his execution, Hays denied the confession.

Chuck Blanton, Henry Hays’ old friend, said he asked Hays point blank whether he confessed to the crime. Blanton reported that Henry gave him “the strangest look and said, ‘I confessed to being in the Klan and being a sinner and stuff like that,’” though he claimed his confession ended there.

“He did say he has confessed what he had to confess to man and he confessed what he had to confess to God,” Blanton added.

The warden doubted the validity of Smith's claim as well, saying, "That's not right" in response to Reverend Smith's version of the meeting's arrangement.

The controversy grew, attorney Rick Kerger initially doubting the reverend's claims, too. "What difference does it make?" the reverend asked. "The man got his soul saved. That's over with. That's Hays, me and God. I'm sorry. I'm going to stick to my guns. I'm not discussing any of it. You can believe whichever you want."

Of course, whether or not Henry Hays actually confessed makes a cataclysmic difference. Had Hays' really admitted his role in the murder to a black reverend in his final moments? Or, as others suggested, did Smith lie about the confession in order to add closure and comfort to those involved?

The only clue we have is a last minute addition to those allowed to witness the execution. Exercising one of the few rights he had left, Henry specifically asked that Reverend Smith be present to watch him die.

*

Henry Hays was buried in front of thirty or forty guests in Tillman's Corner in Mobile, though even his funeral would cause controversy.

Since he'd served in the military, he was given a military burial, complete with a four riflemen salute and a flag presented to his brother, Raymond. In 1975, after getting caught with two underage girls, Henry was discharged under "other than honorable conditions," though it was later upgraded to "general under honorable conditions." While Henry had, in fact, earned his military funeral, following protocol did not assuage a growing number of rankled military men in the Mobile area.

“Why should this country allow a man who was kicked out of the Army and convicted of murder receive military honors, the same as a man who served 26 years in the service and retired with honors?” grumbled one veteran.

Despite the grumblings, Hays was laid to rest in a flag-draped casket on June 7th, 1997.

As promised, Cecil Williams, an old friend from seventeen years before, managed to find enough pallbearers to carry the casket.

*

In the days leading up to his execution, Henry and Kerger shared a conversation in which Henry fantasized about what he would do if he ever got out of prison.

“Henry told me he was going to get a motorcycle and some black leather and a helmet and just blow off down the road,” Kerger explained. “Well, the day after the execution, my wife and I were driving back to Toledo and we got a little south of Montgomery when this motorcycle blows past us, then slows down and pulls back in front of us. And the driver’s in all black, his helmet’s on, and you can’t make out his face. He just rode right there alongside us for about ten minutes and then rocketed off,” Kerger recalled.

“And...I got a chill. You see, there was no reason for the man on that motorcycle to have pulled back or rocketed ahead,” Kerger explained, baffled. “There was no reason. No reason at all.”

THIRTEENTH LOOP: A RETELLING

MOBILE, PRESENT DAY

“God chose him for the sacrifice to catch those killers. It needed to be him.”

If we examine any situation closely enough, there’s always some new clue worth uncovering. But history makes it too easy to search for clues in the aftermath, reading yesterday’s newspapers in search of the tea leaves for tomorrow.

In the wake of tragedy, everything transforms into signs, symbols, forebodings of things to come. Logic is replaced with possibility, truths with hunches, conviction with circumstance.

Everything becomes uncanny.

Such as the coincidence that on the day *The Mobile Register* printed the story of Michael’s hanging, they also printed a story related to his murderers—a Klan protest in Connecticut that had left a few Klansmen bloodied.

Or that just deeper into that section of the paper, a Kodak advertisement had the bolded phrase “Hang Them Up” (referring to print enlargements) eerily close to the story of Michael’s fate.

Or that the following day, March 22nd, the paper reported the legend of Dead Man’s Tree—a supposed haunted lynching tree in Baldwin County, the same county where Donald was killed.

When examining any story closely enough, we find ourselves grasping for connections, resorting to the alignment of stars and horoscopes for clues.

We begin substituting fiction for facts, inklings for interviews, examining crystal balls and tarot cards to fill in all the blanks.

And suddenly, the landscape of Michael Donald's murder takes on new, personal significance.

I can no longer enter Mobile County without thinking of what occurred there.

And even when driving through Tuscaloosa, my home, I often see green signs for Greensboro Avenue or Moundville and am reminded of Vaudine Maddox who, in 1933, was guilty of carrying a pail of flour, and her supposed murders, who were guilty of being black.

While driving to Birmingham on Interstate 20-59, I am continually reminded of Dan Pippen, Jr. and A.T. Harden and what occurred on that drive 76-years before.

The masked mob.

Their eye holes.

“We want those niggers.”

This is the price one pays for getting too close.

Less than 24-hours after Michael Donald was murdered in Baldwin County, a tornado touched down on the scene of the murder, destroying the nearby trees and limbs.

“Golf-ball sized hail rained down...”

“Heavy, high winds caused widespread power outages...”

W.L. Patterson of the Alabama Power Company noted the many trees that had fallen onto the lines, how his employees worked deep into Saturday night as the storms raged all around them.

If the storm had hit just 24-hours prior, perhaps Hays and Knowles might have stayed inside the warmth of the Herndon apartment instead, played another hand of cards.

Or perhaps Michael Donald might have been the one to stay inside to grumble about his losing Jags.

All it might have taken was a gust of wind or some rain.

A ripple of thunder.

A game gone into overtime or one more second on the play clock.

There are countless scenarios in which Michael Donald never walks past the Buick Wildcat, is never asked for directions, never held with a knife to his throat.

And yet, like all tragedies, somehow all the conditions allowed for the worst-case scenario to play out.

*

Only three men know what actually occurred on the night of March 20th, 1981.

Two of those men are dead.

The one who remains—Tiger Knowles—is imprisoned deep within the Witness Protection Program and despite my efforts, remains unavailable for comment.

It is difficult to decipher the mystery of Tiger Knowles, whether he is a victim of “racism and hatred” as Richard Cohen suggested, or quite to the contrary, nothing more than a cold-blooded murderer.

Perhaps the answer involves a question of intent.

While Rick Kerger contends that his client, Henry Hays, as well as Hays' accomplice, Tiger Knowles, intended to harass a black man, he remains firm in his conviction that the pair had no intention of killing anybody.

Nevertheless, when Kerger asked Knowles if he agreed with that statement, Knowles answered, “No, I believe we were going to kill him,” dooming his accomplice in the process.

*

In 1981, the year Michael Donald was found hanging from a tree, Ronald Reagan was sworn in as the 40th president of The United States of America, Walter Cronkite retired, and Robert Redford's *Ordinary People* won the Academy Award for Best Picture. A baseball game between the Pawtucket Red Sox and the Rochester Red Wings lasted nearly eight and a half hours, taking the record for longest professional baseball game. Pope John Paul II was shot. Ronald Regan was shot. Wayne Williams was charged with the Atlanta murders. And just three years later, *The Cosby Show* would become one of the most popular shows on television right around the same time Henry Hays received his sentencing.

It seems somehow inconceivable that Michael Donald was lynched the same week REO Speedwagon's "Keep On Loving You" was at the top of the pop charts; baffling that somehow, in an era of Cabbage Patch Kids, Pound Puppies and My Little Pony, such an act could still occur.

Acid washed jeans and parachute pants and a lynching in Mobile.

Undoubtedly, the act itself is anachronistic of the time period. Lynching had become thoroughly unfashionable, and yet Henry Hays and Tiger Knowles seemed momentarily unfamiliar with the time period in which they were living.

One night nearly thirty years ago, on a dirt road in Baldwin County, Tiger Knowles whispered, "Think he's dead?"

Reaching for his utility knife, Henry Hays answered, "I don't know but I'm gonna make sure."

Meanwhile, the University of South Alabama basketball team licked their wounds following their last second defeat against Tulsa.

That night, Beulah Mae Donald woke from a terrifying nightmare while miles away, her son hanged from a camphor tree.

*

On May 16th, 2006, just a few months after the 25th anniversary of Michael Donald's death, the city of Mobile renamed Herndon Avenue Michael Donald Avenue, in memory of the 19-year-old whose body was found hanging from the tree. The change came as a result of a push from the Donald family, as well as a city council initiative and a petition from Herndon Avenue residents.

“This is a reminder to put away our prejudices,” City Councilman William Carroll announced at the ceremony, “to be inclusive of everyone and to love our neighbors.”

The street sign was unveiled by Michael’s brother Stanley, one hand raised victoriously in the air beside his brother’s name splashed across the green street sign. Yet today, when driving down Michael Donald Avenue, a remnant of Herndon Avenue remains: a stone post with the street’s former name ingrained deep, half overgrown by weeds.

There are even fewer reminders of Sergeant Gene Ballard. A Google search brings up a single webpage, The Officer Down Memorial Page, Inc. There, his name is listed alongside the end of his watch: November 29th, 1979. His biographical information is not available, nor a photo.

The incident details are matter-of-fact:

Cause of Death: Gunfire

Date of Incident: Thursday, November 29, 1979

Weapon Used: Gun, unknown type

Suspect Info: Sentenced to Life

Ballard's life is shrunk to a single paragraph, which is all that remains aside from his family's remembrances.

When asked what she thought her father would think of Michael Donald's murder, Kathy Sutton replied, "I think my father would think that it was very stupid. I think it's evil. No. It would make him sick. It would just...that's not the way he raised me."

*

There are only so many ways to tell a story.

Once, Sergeant Gene Ballard put on his police uniform...

Once, Michael Donald walked for a pack of cigarettes...

One day, 47-year-old Ballard...

One night, nineteen-year-old Donald...

On November 29th, 1979...

On March 21st, 1981...

Forty-seven-year-old Gene Ballard, a lover of football and golf...

Nineteen-year-old Michael Donald, a lover of music and basketball...

Gene Ballard of the Birmingham Police Department...

Michael Donald, employee for *The Mobile Register*...

Ballard, a police chaplain...

Donald, a masonry student...

Ballard, a Crimson Tide fan...

Donald, a Jags fan...

Ballard, a football fan...

Donald, a basketball fan...

Ballard, after a hearty breakfast...

Donald, after watching the Jaguars fall to Tulsa...

Ballard, stopping his car at the 200 block...

Donald, heading in a southwesterly direction toward the Gulf station...

Ballard, when eyeing a suspect...

Donald, when stopped by a car...

When calling him over...

When stopped by a Buick....

When the man came closer...

When Michael came closer...

When asked what he was doing...

When asked for directions...

Ballard...

Donald...

One black man...

Two white men...

When asked to come closer...

When asked to come closer...

Ballard, from a family of eight...

Donald, the youngest of eight...

Ballard, a good brother...

Donald, the baby of the family...

Ballard, who cared deeply for his mother...

Donald, youngest son of Beulah Mae Donald...

Ballard, who would one day call, "Oh God, I need help..."

Donald, who would one day be found hanging from a tree...

Ballard, who was not like other men his age...

Donald, who was not like other men his age...

Ballard, who enjoyed spending time with his family...

Donald, who had never gone clubbing...

Ballard, who had married twice...

Donald, who may have never had a girlfriend...

Ballard...

Donald...

Gene Ballard...

Michael Donald...

One day...

One night...

A little after 4:00p.m...

Before midnight...

At 3:58p.m...

At 11:30 p.m....

Just after 4:00 p.m...

A few minutes past 11:00 p.m....

One black man on the street...

Two white men in the car....

He called for him to come closer...

He called for him to come closer...

Ballard called out, "Oh, God..."

Donald called out, "Oh, God..."

And then, at long last, there was silence.

*

Henry Hays began attending his father's Klan meetings as a teenager, marveling at the unexpected power his father possessed in front of a crowd.

"He saw his father being looked up to because of all this racial hatred," explained Hays' attorney, Rick Kerger. "You see, the Klan put most things in a context of the justice in the injustice. Before the murder of Michael Donald, a homosexual that lived in the neighborhood had propositioned a few Klansmen's children. The residents had complained to police and nothing had been done, so Henry Hays and Tiger Knowles went out and kidnapped this guy and took him out to exactly the same place they then took Michael Donald, and they stripped him naked and beat him and left him there as a lesson to stay away from the kids in the neighborhood. Henry offered that as an example of the Klan's attempt at protecting children. In his view, he wasn't being intolerant of sexual preferences, but just looking out for the kids. I certainly don't agree with the logic, but I can understand it."

Kerger alluded that Hays' reasoning for killing of Michael Donald might have followed the same skewed logic.

In their view, they weren't brutally murdering an innocent black man, they were defending an innocent white police officer.

“It makes me sick,” repeated Kathy Sutton. “That would just make my father roll over in his grave.”

*

While we remember the victim, the details of Michael Donald’s killers are often forgotten. For instance, we forget that Tiger Knowles was only seventeen-years-old at the time of his crime, two years younger than Donald. Similarly, we forget that Henry Hays was a husband, as well as a father to his four-year-old daughter, Michelle. These men had jobs and families and did not fit the description of the “unattached young men and teen-age boys” which described the mob that surrounded the Tuscaloosa county jail in June of '33.

And yet despite our understanding that both of these men undoubtedly had favorite songs and favorite restaurants and hobbies, it doesn’t make it any easier to humanize them.

Henry Hays’ siblings—Raymond and Gail—viewed their brother as a pawn used to carry out their father’s evil wishes, describing him as a victim of Bennie Jack’s impossible expectations. Rick Kerger concurred, admitting that Bennie Jack “had pretty much beaten the sensitivity, the logic, and the willingness to be somebody on his own, out of him.”

“Henry was a lukewarm Klansman who’d joined because his Daddy thought he should,” Kerger explained. “Once, with tears in his eyes, Henry told me, ‘The only time Daddy [Bennie Jack] ever said he was proud of me was when he came up here when I was on the row. He said he was proud of the way I was doing my time.’”

“That’s what his father did to him,” Kerger concluded. “Sometimes I think we had the wrong person in the chair.”

During the trial, Bennie Jack was asked if Henry had ever given him any trouble, to which he replied that Henry was “Just [an]average son, sir.”

“Just a boy, huh?”

“Yes, sir.”

Just an average boy.

However, Tiger’s family remained silent in his defense, rarely, if ever, offering any support whatsoever.

The years wore differently on the men. Tiger supposedly grew thinner and more contemplative in the four years between the criminal trial and the civil suit, while Henry put on weight as his prison sentence wore on. When comparing the smug, 28-year-old sunglasses-wearing Hays alongside pictures of him fourteen-years in the future, we witness a new face, his sunglasses replaced with a resigned look he cannot seem to shake.

“He is...well, he was...a very articulate guy,” Kerger recalled. “He was one of these individuals—and I don’t mean this to sound meanly—who makes a better appearance than his IQ would indicate. I have some clients in prison who are the other way around. You might think they aren’t intelligent, but they’re damn intelligent, just not very articulate. Henry talked very fluently. He had pretty good persuasion powers, but didn’t have a strong intellect or strong sense of character.”

Despite Bennie Jack's assertion to the contrary, it is quite hard to believe that Henry Hays was just an average boy.

*

While it's difficult to comprehend the madness of murderers, the victims often fall into archetypes.

Sergeant Gene Ballard was the tough-loving father of two, the Alabama football fan, the police chaplain just days from his retirement.

And Michael Donald was the good-natured basketball-loving teen, an obedient son with dreams of building his mother a home after completing his masonry training.

While the pair never met, they are inextricably connected by a web filled with hate and clouded judgment. They were the victims of circumstance in the same way that nearly fifty years prior, Vaudine Maddox was a victim of circumstance as well.

One morning, Vaudine walked through the woods with a pail of flour, though she'd never reach her destination.

One afternoon, Gene called a man over to his car just days before the Iron Bowl, though he'd never know the score.

And one night years later, Michael Donald walked down Beauregard Street on his way to the Gulf station, a dollar in his pocket for a pack of cigarettes he'd never buy.

It's easy to draw connections, tracing a path from Tuscaloosa to Birmingham to Mobile. From 1933 to 1979 to 1981.

However, it's far more difficult to ensure that these paths lead to some greater truth.

While the connectedness between Gene Ballard's death and Michael Donald's is inarguable, it's also skewed. It's no simple domino effect wherein one clattering tile falls into another. Instead, interfering forces come into play, linking a Birmingham bank robbery to a lynching that took place years later. Even more difficult is tracing a direct connection between Vaudine Maddox's murder and those that followed so far into the future. But perhaps the connection lies not in her murder, but in the murders of Dan Pippen, Jr. and A.T. Harden—the two teenagers who were shot and killed for a crime for which they were never convicted.

*

How can we ever accurately judge the deeds of the past? So far removed from the events themselves, we are often forced to rely on newspaper reports and history books. And yet the accuracy of any source is suspect—no one motiveless—leaving us to pull at truths from the tangles of history, hoping that eventually, we learn to pull the right threads.

Undoubtedly, first-person accounts offer a depth that words cannot, and so, in my attempt to reach those depths, on October 17th, 2009, I drove to Mobile for an interview with Michael's sisters, Cynthia Mitchell and Cecelia Perry. Prior to our meeting, I made my way to Michael Donald Avenue.

Wilbur Williams, the current police chief of Andalusia, as well as a former sergeant for the Mobile Police Department accompanied me, along with his son, Wilbur Williams, Jr., a Mobile Police officer himself.

I drove onto the street from Old Shell Road, spotting the boarded up houses on both sides. On the left hand side of the street, midway down, a two-story apartment complex faced directly out at the camphor tree. Mattresses, couches and other trash piled high along the street, while onlookers stared out at us from their houses.

“This was all blocked off,” Williams explained, motioning to Springhill Avenue on the far side of Michael Donald Avenue. “I drive in from this direction, and I parked the car right here,” he continued, pointing to the remains of a driveway. “Now right here was where Henry Hays and the others were playing cards that night. Here’s where Tiger Knowles’ truck was parked. And here's where Henry had parked his Buick Wildcat.”

“Over here is where the cab driver fell asleep," Williams continued, "and over here, right here near Tiger’s truck, this was the only spot of blood we ever found.”

He walked us ten paces across the street from where Henry and Tiger's vehicles had been parked and pointed up at the tree.

"And this is where I first saw Michael."

The tree looked as if three separate trunks had grown together. A historical marker noted the tree's significance, as well as the civil suit that followed.

"The rope was wrapped around this way," Williams recounted, running his finger along the bark. "It was tossed over this branch here, and it was tied off back here."

Wilbur Williams walked me back and forth along the street, pointing out landmarks—where Bennie Jack Hays' various properties once stood, where the crowds had gathered.

"Now Ralph Hayes and his girlfriend got into it over at the radio station, right over that way," he explained, pointing.

Eventually, we made our way there as well, recreating the path the patrol cars covered several times on the night of the murder.

Next, we returned to our own cars where Williams led me to where the Orange Grove housing projects once stood, where Michael Donald's sister Betty had lived.

"So Michael left from there and walked this way," Williams said, pointing down the street. "And by most accounts, he was probably picked up right around here."

We stopped at the corner of Adams and Pine to survey the grassy lots and small houses.

It wasn't difficult to envision what the location might look like at night, or what it might have looked like at night thirty years prior.

"The 7-Eleven was right down that way," Williams pointed, squinting into the sun. "He was almost there."

*

Hours later, I found myself sitting alongside Cynthia Mitchell and Cecilia Perry in Cynthia's living room, just a few miles away from Michael Donald Avenue.

“The thing is, we only have one picture of him,” Cynthia explained.

“He didn’t take pictures,” agreed Cecilia.

“Whenever we’d be together taking pictures, it’s like he would just vanish.”

“In fact, that January before he died, we took a family portrait and he disappeared. It was the strangest thing,” Cecilia shook her head. “We were getting ready to go because the church across the street was taking portraits, so we all lined up, and then someone asked ‘Where’s Michael?’ Somehow, he just disappeared.”

“One night after Michael died, my nephew came to my house and he said, ‘Cynthia, do you realize Michael made us famous forever?’ And I looked at him and I said, ‘I don’t want to be famous like that.’”

The women stared at their hands, silent.

“I don’t dream anymore,” admitted Cynthia Mitchell. “I used to, but after Michael died, it just stopped.”

“I think about him all the time, especially on his birthday,” Cecilia Perry agreed. “When July 24th comes around, I just can’t stop thinking about him. I visualize what he would be like if he was still living. He’d be married and have children. Laid back, he wouldn’t have much to say. That’s all he’d do. My other brothers are like that. They work and take care of their families. That’s what they were taught to do. He’d be the same way.”

Cecilia paused before continuing.

“One day after court one of my nieces went up and grabbed one of the Klansmen by the neck and said, ‘Ya’ll killed my uncle’ and when we found out what happened we were like ‘You’re not going to court anymore,’” Cecilia smiled.

“You know, it was hard to convince some of the younger kids—Michael’s nephews and nieces and cousins—that not all white people are bad,” agreed Cynthia Mitchell. “With that much evil, it doesn’t matter what color you are. There are demons everywhere, but you just got to love people first. We’ve been taught to love people, and a demon is a demon, but we learn to trust people and love people until they do things that violate that trust. I was angry for a long time, but one day I thought, ‘God gave his son, so who are we not to give our brother?’ This came to me long after his death. Long after Henry Hays died, too.”

“The more I studied [religion], the more I believed that the Klansmen had to be exposed, and that Michael had to be the sacrifice,” Cecilia explained.

“I still say if the Klan had chosen to kill somebody with a police record or a drug record, the police never would have found them. The Lord chose Michael, who had never really had a girlfriend, never been in a nightclub, never been out on his own in the world. God chose him for the sacrifice to catch those killers. It needed to be him.”

The sisters began discussing the similarities between Jesus and their brother before tossing the thought aside.

“Well, it’s something to think about,” laughed Cynthia.

“I think about all the time,” Cecilia admitted. “He never wanted pictures, and he was just here on earth for a minute and then he was gone. Like he had a single purpose.”

“He was just so quiet,” Cynthia whispered, “that today, I can’t even remember his voice.”

*

I returned to Michael Donald Avenue once more the following morning. I woke before sunrise, driving the car down the darkened streets, eventually turning right on Old Shell Road and parking directly before the tree.

A black and white spotted dog stood in front of the tree, staring up at me from his place beside the historical marker. I'd noticed the same dog the day before, though he hadn't ventured this close.

The neighborhood was empty and quiet, so I stepped from the car and made my way back toward the tree.

The dog trotted off, taking a safer position a few feet away as I pressed my palm to the tree, touched the bark, ran my hand toward the limb.

Just a few hundred yards behind the camphor tree rested Springhill Recreation Center, where Michael had clocked countless hours on the basketball courts, his shoes squeaking as he pivoted, as he passed, the echoing sound of a basketball just out of earshot.

Though I didn't know him, it's how I choose to remember him; the ball gripped tightly in his hands or weaving between his legs, his shoulder tucked low, releasing for the easy lay up. Or playing defense, perhaps, cutting off the lane and forcing the ball. Shooting the three, the free throw, the short jumper. The bounce pass, the chest pass, boys toppling to the wooden floor before laughing and picking themselves back up.

Boys toppling, laughing, wiping the sweat from their foreheads.

Boys doubled over, hands on their knees, attempting to catch a breath.

And all the while, Michael Donald's driving down the court, his eyes square on the basket, screeching to a halt just outside the arc.

He turns, he shoots, and the ball lingers just above him, spinning, tracing an invisible path.

And Michael's waiting now, watching, standing tiptoed as he tries to will the ball.

Heartbeat in his ears, fingertips trembling, he waits and he watches, lips parted, inhaling and exhaling the thick air.

And finally—just as he always knew it would—the ball sails silently through the open net.

His eyes close, his body relaxes, and then, he inhales again.

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NOTES

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