

Ronald Reagan Presidential Library  
Digital Library Collections

---

This is a PDF of a folder from our textual collections.

---

**Collection:** Raul, Alan Charles: Files  
**Folder Title:** Jefferson Sessions – [Judge –  
Southern District of Alabama] (3)  
**Box:** OA 19166

---

To see more digitized collections visit:

<https://reaganlibrary.gov/archives/digital-library>

To see all Ronald Reagan Presidential Library inventories visit:

<https://reaganlibrary.gov/document-collection>

Contact a reference archivist at: [reagan.library@nara.gov](mailto:reagan.library@nara.gov)

Citation Guidelines: <https://reaganlibrary.gov/citing>

National Archives Catalogue: <https://catalog.archives.gov/>

1 and somehow fair. Neither the Feds, Billingsley, nor  
2 Cunard had voiced a single criticism of white political  
3 skulduggery in Perry County.

4 Do you believe that was is said here, that the Reagan  
5 Administration--Senator Jeremiah Denton, responding to whites  
6 such as Cook, tried desperately to persuade the Justice  
7 Department to reject the Perry County redistricting plan.

8 I can bring a lawsuit against Mr. Chestnut in that  
9 paper for that. Because there is a pattern--I intend to,  
10 okay?--there is a pattern in that newspaper and by Mr.  
11 Chestnut to make allegations against me from malice which  
12 are absolutely untrue.

13 Do you believe that Jeremiah Denton had something to  
14 do, anything to do, with persuading the Justice Department  
15 to reject the Perry County redistricting plan? I do not  
16 know anything about the Perry County redistricting plan. I  
17 did not know about the Perry County case until I read about  
18 it in the newspaper?

19 Do you actually believe otherwise?

20 Mr. Sanders. Senator Denton, let me say first that I  
21 certainly do not want to be sued, either. And I do not know  
22 whether you had a role or not. And I have never said that  
23 you had a role. But I do not know whether you had a role  
24 or not.

25 Senator Denton. You are under immunity. Nothing you

1 say here can be held against you in the sense of a suit.

2 Mr. Sanders. Well, I do not know whether you had a role  
3 or not, Senator Denton. I do not know. And in fact, I have  
4 never made that statement.

5 Senator Denton. Well, can you answer why I would  
6 be interested in intimidating black voters against voting for  
7 me when all of the polls show that more blacks would support  
8 me than any Republican in history, I would not need 40 percent  
9 of the black vote to get as big a landslide as Senator Hefner,  
10 in fact maybe more. Because my opponent did not have that  
11 many.

12 And why would I want to intimidate black voters from  
13 voting? The testimony was given yesterday that it was the  
14 side from which you were coming that was trying to intimidate  
15 voters. All of the Justice Department which has testified  
16 here have said the same thing.

17 So if you think you are going to turn, as someone in  
18 the audience said, not representative of that 40 percent,  
19 that you are going to turn the votes around, I think you are  
20 wrong.

21 I think that as Mr. Lavon Williams testified yesterday,  
22 there are more and more blacks becoming sick and tired of  
23 being intimidated into voting one way or the other. And I  
24 do not want to be elected to the Senate or to any other  
25 office with intimidated votes. That is the place where I

1 was in prison seven years, seven months; not the United  
2 States of America.

3 I can understand vote-cheating and vote fraud. That  
4 has taken place in various parts of the United States. It  
5 still is, to some degree, and I am hoping we will get rid of  
6 it. But intimidation is another thing. And I do not like  
7 it. And I want that on the record.

8 Senator Denton. I would ask, did you tell Albert Turner  
9 that prior to his trial--let me rephrase the question.

10 Is it true that Albert Turner was your campaign manager  
11 when you ran for the office you know hold?

12 Mr. Sanders. Albert Turner was a person who worked very  
13 closely with me, and in Perry County, he certainly served  
14 in that role.

15 Senator Denton. So do you believe you can be impartial  
16 as far as his case is concerned?

17 Mr. Sanders. Senator Denton, I never felt that I should  
18 be impartial as far as Mr. Turner's case is concerned. And  
19 the reason for that is, that I had known Mr. Turner over the  
20 years. And I had known him to be a very dedicated and hard  
21 working person who believed very firmly in the right to vote.  
22 And that he worked very hard to see that all kinds of people  
23 would be able to vote. I did not feel that I needed to be  
impartial.

24 I was representing him, and I do not think you need to be

1 impartial when you are representing somebody.

2 Senator Denton. The immunity I told you about a little  
3 while ago, as you know better than I since I am not a lawyer,  
4 is only with respect to suing for slander; that sort of  
5 thing. This question is not in that category.

6 Did you ever warn Albert Turner that if he did not  
7 watch his handling of absentee ballots, he was going to get  
8 into serious trouble?

9 Mr. Sanders. No, what we did--

10 Senator Denton. Excuse me; the answer was no?

11 Mr. Sanders. Did I ever warn him?

12 Senator Denton. Did you ever warn Albert Turner that if  
13 he did not watch his handling of absentee ballots, he was  
14 going to get into serious trouble?

15 Mr. Sanders. No. What I did--I would be glad to tell  
16 you Senator what I did.

17 The people in Perry County, I have met with them to  
18 discuss with them the legalities and illegalities of  
19 handling absentee ballots. And we went over that in detail.

20 And in going over that in detail, I encouraged them to  
21 avoid even any appearances of impropriety; and I believe  
22 they did that.

23 Senator Denton. Let me ask you if you ever--you have  
24 alleged in your prepared statement that Mr. Sessions failed  
25 to investigate allegations of white voter fraud in the

1 1984 elections.

2 Can you name specific instances of such offenses  
3 which Mr. Sessions failed to prosecute?

4 Mr. Sanders. Yes, sir. In fact, Mr. Turner, whenever  
5 he testified, on yesterday, raised a series of those. And  
6 one of those, of course, involved Mayor Andrew Hayden.

7 Senator Denton. No, Mr. Kimbrough testified yesterday  
8 that he advised Mr. Sessions not to take on this voter fraud  
9 case in Perry County because he would simply get himself  
10 in trouble.

11 Mr. Kimbrough did not have any doubt that he expressed  
12 in disagreement with the Justice Department that it should  
13 be prosecuted, but only that he would be smeared and get  
14 into trouble if he did not.

15 Also, Mr. Sessions has been cited as having a remarkably  
16 heavy case load, which he put unusually, extraordinary heavy  
17 work in. So the fact that he did come out there and  
18 investigate one seems to have turned you against him.  
19 You are rather selective about the ones you want him to  
20 investigate.

21 You criticized the fact that the grand jury in the  
22 Perry County investigation first convened in Mobile rather  
23 than in Selma. As a lawyer, are you aware that at that  
24 time no grand jury had ever been convened outside Mobile  
25 in that Federal District?

1 Mr. Sanders. No, but I am also aware that the grand  
2 jury did meet in Selma, and did take testimony. And they  
3 took that testimony from young, capable people who were able  
4 to go back and forth. On this very case.

5 Senator Denton. Did J.L. Chestnut ever warn Albert  
6 Turner that if he did not watch his handling of absentee  
7 ballots he was going to get into serious trouble?

8 Mr. Sanders. I am not familiar with that at all,  
9 Senator Denton.

10 Senator Denton. Well, for your information, I do have  
11 a sworn affidavit from E.T. Bolison, Jr., Assistant U.S.  
12 Attorney, swearing that he did.

13 Mr. Sanders. The idea--I did not do anything such.

14 Senator Denton. Here is what the affidavit says, in  
15 part: Prior to the trial of Albert Turner, Jr., I had a  
16 conversation with Hank Sanders, Jr., about Albert Turner, Jr.,  
17 and the 1982 election. I told Hank Sanders, Jr., that I had  
18 received information that J.L. Chestnut had publicly warned  
19 Albert Turner that if he did not watch his handling of the  
20 absentee ballots, he was going to get into serious trouble.

21 Hank Sanders told me that I had received inaccurate  
22 information in that it was not J.L. Chestnut that had  
23 given Albert Turner, Jr., the warning, but it was he who had  
24 given the warning. And it is signed E.T. Bolison, Jr.

25 Mr. Sanders. No--yes, I have a comment. I have never

1 told him that I gave Albert Turner a warning, that if he  
2 did not, he was going to get into serious trouble.

3 Senator Denton. Do you know Jeff Sessions personally?

4 Mr. Sanders. I have met him a number of times.

5 Senator Denton. Were you present when Mr. Larry  
6 Thompson testified yesterday, a man who knew Mr. Sessions  
7 personally?

8 Mr. Sanders. Yes, I was present when he testified.

9 Senator Denton. What did you think about his testimony?

10 Mr. Sanders. I thought that Mr. Thompson's knowledge  
11 of Mr. Sessions was very limited; that he worked with him  
12 in one situation dealing with one project, as I understood  
13 it; I thought that someone who had been in his office, who  
14 had seen him on a day-to-day basis, who had had a range of  
15 interaction, would have a far greater appreciation for what  
16 his problems were and what his strengths were and what his  
17 abilities were than someone who had worked with him in a  
18 very limited situation.

19 And I could understand Mr. Thompson doing that.

20 Senator Denton. Well he did work in the same line of  
21 work with him. He knew him over a period of a number of  
22 years. As a black man I suppose he would have had some  
23 sensitivity about the task of civil rights.

24 But you, being of an opposite party, and involved in  
25 many articles here of an extremely political nature, I will

1 not try to characterize with any adjectives what I think  
2 of that kind of politics, but I would say that his  
3 objectivity would certainly stand closer scrutiny than the  
4 likelihood of yours.

5 Senator Heflin?

6 Senator Heflin. I would like to have the affidavit  
7 made a part of the record.

8 Senator Denton. Without objection, it shall be in. It  
9 was an omission on my part.

10 [The following was received for the record:]  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Senator Denton. You do have questions, do you not,  
2 Senator?

3 Senator Heflin. Yes. I was just reading.

4 Senator Denton. Yes, sir.

5 Senator Heflin. This--maybe it would save time just to  
6 read it aloud again.

7 E.T. Rolison said that "prior to the trial of Albert  
8 Turnery, J., I had a conversation with Hank Sanders, Jr.,  
9 about Albert Turner, Jr., and the 1982 election. I told  
10 Hank Sanders, Jr., that I had received information that J.L.  
11 Chestnut had publicly warned Albert Turner that if he did not  
12 watch his handling of the absentee ballots, he was going to  
13 get into serious trouble. Hank Sanders told me that I had  
14 received inaccurate information in that it was not J.L.  
15 Chestnut that had given Albert Turner, Jr., the warning but  
16 it was he who had given the warning. E.T. Rolison, Jr.

17 Do you recall having that conversation with Mr. E.T.  
18 Rolison?

19 Mr. Sanders. No, in fact, there are several things.  
20 Albert Turner, Jr., is the son of the Albert Turner who was  
21 involved in this case. But I assume that they are talking  
22 about Albert Turner. And second thing, I am not a junior; I  
23 am not a junior at all.

But I did not have--I never told Mr. Rolison that I  
warned Albert Turner, or that Chest did not warn--J.L.

1 Chestnut--

2 Senator Heflin. Do you recall any conversation with  
3 Mr. Rolison about the '82 elections in which there was some  
4 discussion of absentee balloting, and Albert Turner, who  
5 was a defendant in the case?

6 Mr. Sanders. Yes, on one occasion I did. In fact  
7 what I told Mr. Rolison on that occasion was that I knew  
8 that nothing had been done wrong, because I was the person  
9 who had met with them after '82. And I said, let us sit  
10 down. Bring your workers in.

11 And I went over in the Marion Court House--I mean in the  
12 Perry County Court House in Marion and held a session on  
13 what can be done and what cannot be done in that situation.

14 And I told him that that was why I knew that they had  
15 not done anything wrong in that case.

16 Now, that is the only conversation I have had with him  
17 about that.

18 Senator Heflin. That is all.

19 Senator Denton. Senator Ease?

20 Senator East. I have no questions, Mr. Chairman.

21 Senator Denton. I have no further questions, Senator  
22 Sanders.

23 Hold on just a moment, please.

24 We would ask that you please remain available for  
25 further questions.

1 Reverend O.C. Dobyne.

2 Rev. Dobyne. Mr. Chairman, Senator Heflin, Members,  
3 I am O.C. Dobyne. I am being duly sworn and disposed to  
4 say the following. However, due to some errors, I would like  
5 for you to go with me to paragraph five--I am sorry, paragraph  
6 six:

7 When I arrived in Maryland for the departure site early  
8 in October I saw a bus surrounded by six Alabama State  
9 Troopers, Maryland City policemen, nine FBI Agents, and  
10 game wardens. It looked like an armed camp. The streets  
11 around the courthouse, and about eight officers stood on  
12 different corners, with their guns drawn.

13 It should have been really far drawn--not drawn--

14 Senator Denton. Excuse me, sir. Where are you? I  
15 could not get it fast enough.

16 Rev. Dobyne. Paragraph six.

17 Senator Denton. Okay. On page two?

18 If we have the same copy. Yeah, that is paragraph  
19 seven on mine.

20 Rev. Dobyne. Well--

21 Senator Denton. It is okay. I just want to get---

22 Rev. Dobyne. --all right. I want that straightened  
23 out.

24 Senator Denton. Where are you there, sir, then  
25 exactly? I still have not found it?

1 I have--their guns drawn, I have that.

2 Rev. Dobyne. Ready to be drawn.

3 Senator Denton. All right. Should be ready to be  
4 drawn.

5 Rev. Dobyne. Yes.

6 Senator Denton. With their guns ready to be drawn.

7 Rev. Dobyne. One more error that I should find--or  
8 did I lose a sheet somewhere?

9 Senator Denton. While you are looking, Rev. Dobyne,  
10 if you do not mind, since the television cameras have  
11 rolled up their tents and gone away, having heard from Mr.  
12 Figures, but Senator Heflin, as he faithfully has, is  
13 still here; and has been. I must mention that we do have--we  
14 have just received affidavits by telephone with the notary  
15 public, have made sworn statements, and they refer to the  
16 charge by Mr. Figures that he was referred to as a boy.

17 We will have to wait for the final copy of the  
18 affidavit. So go ahead, Rev. Dobyne.

19 Rev. Dobyne. The latter part of paragraph six, two  
20 more police cars escorted a bus nearly twenty minutes out of  
21 the City Limit of Marion.

22 Senator Denton. Out of the city limits?

23 Rev. Dobyne. Out of the city limit of Marion; not from  
24 Mobile.

25 Mr. Chairman?

1 Senator Denton. Yes, sir.

2 Rev. Dobyne. Can I go on with my statement?

3 Senator Denton. Sure.

4 Rev. Dobyne. I am a resident of Perry County, Alabama.

5 Can I submit my affidavits?

6 Senator Denton. Is that what you just--

7 Rev. Dobyne. No, no, no. With the correction that I

8 have asked for, can I submit this as a part of the record?

9 Senator Denton. Since there is a delay, I will read  
10 this now-final form from Diana Waterman, General Counsel,  
11 Senate Judiciary Committee, who processed this affidavit  
12 from Jenny S. Grenade. Which says:

13 My name is Jenny S. Grenade. I am been an Assistant  
14 United States Attorney since 1977 in the Southern District  
15 of Alabama. It is my understanding that during the  
16 confirmation hearing Mr. Thomas Figures stated that on  
17 one occasion, in my presence, Mr. Sessions referred to Mr.  
18 Figures as "boy".

19 I have never heard Mr. Sessions refer to Mr. Figures  
20 as "boy" or to call him by anything other than his given  
21 name.

22 Signed by Jenny S. Grenade. And I hope that some of  
23 the staffers will notify Senator Kennedy of this.

24 The other affidavit is from Mr. E.T. Rolison, Jr.

25 My name is E.T. Rolison, Jr. I have been with the

1 United States Attorney's office in the Southern District  
2 of Alabama since 1975. I understand that Thomas Figures has  
3 today testifying before the Senate Judiciary Committee  
4 hearing that I, on occasion, had referred to him in a  
5 derogatory manner as a "boy".

6 That statement is a flat-out lie, and I never referred  
7 to him by anything other than his given name. Signed,  
8 E.T. Rolison, Jr.

9 We have received the Telefax, notarized versions of  
10 those statements, which are being reproduced now.

11 I am sorry to have interrupted you, Rev. Dobyne. But  
12 it is 4:30, and Senator Kennedy and the television cameras  
13 left. I do not have any doubt about how that will be  
14 covered in the newspapers--or rather, on television  
15 tomorrow--but for what it is worth, I desperately offer it  
16 at this point.

17 Go ahead, Reverend.

18 Senator Heflin. Well, now, I may be too judicial and  
19 technical in this instance. And since there is going to be  
20 time involved in this, if you have a telefax, but an  
21 affidavit out to have a signature of the affiant affixed  
22 to it.

23 Senator Denton. We have them.

24 Senator Heflin. It may well be. I have not seen that,  
25 and it may well satisfy the technical requirements. But

in TL odw  
(end

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

I think that, due to the fact that you will have time for a record being prepared and other things, that a proper affidavit ought to be submitted to verify any type of thing, and it ought to appear in some manner by which it can be properly verified to meet the technical requirements for submission to the Committee.

And I am sure that there is time later for that to be done.

Senator Denton. Yes, sir. I made that announcement at the risk that that would not be done. It is done now. But I thought the timeliness of it was important.

Copies of it are being distributed now, with signatures and a notary public seal and signature.

Mr. Figures should be given a copy.

I am sorry, Rev. Dobyne, but that is an important item. We have newspeople that leave, and have to leave. And this man is being tried--that is, Mr. Sessions--in the media, because the Senators do not come here, except for some. And they are not going to be aware--they have no idea of what is going on here except what they read.

The Majority Leader asks me about that everyday. So we are at the mercy of what is printed. And I am not terribly disappointed about yesterday.

end dkw

1           Senator Denton. Have you finished making your technical  
2 corrections, Reverend Dobyne?

3           Reverend Dobyne. So I did while you were talking and  
4 I asked that with the proper corrections, they would enter  
5 it into the record. Then Senator Heflin said they would.

6           Senator Denton. All right, it will be entered without  
7 objection.

8           [Statement follows:].

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1           Senator Denton. Did you want to read your statement  
2 or are you changing previously sworn testimony? Why did  
3 you not change it before it was presented as sworn testimony  
4 to the Committee?

5           Reverend Dobyne. This was typed for me and I do not  
6 know how some of it got like this. Maybe my handwriting  
7 is not that good. These changes were made.

8           Senator Denton. Well, it will be entered in the record  
9 as in the context which you have made the corrections. I  
10 do not know the technicalities, Senator Heflin, with respect  
11 to having received testimony to which was referred yesterday  
12 and then the change made when the gentleman comes here.  
13 But before, as he is actually testifying, perhaps you can  
14 clarify that.

15           Senator Heflin. Well, I do not claim to know all of  
16 the answers to all of this right now, but I assume that any  
17 question about it, questions can be raised as to the sequence  
18 of events and the earlier statement and the corrected  
19 statements, and his explanation and inferences drawn therefrom  
20 as they are drawn from different documents and different  
21 testimony and different people interpret them in different  
22 ways.

23           Senator Denton. Thank you, Senator Heflin. You are  
24 a very valuable man to have here. You did get your law degree,  
25 finally, Senator East?

1 Senator East. Yes, I finally did get it.

2 Senator Denton. I have been confused many times about  
3 whether you are a political scientist or a lawyer.

4 Senator East. Both.

5 Senator Denton. All right.

6 Reverend Dobyne, regarding the boarding of Grand Jury  
7 witnesses on the bus, in Marion, Alabama, were you aware  
8 that the FBI had learned of threats to prevent the witnesses  
9 some witnesses from boarding the bus?

10 Reverend Dobyne. I did not quite understand your  
11 question.

12 Senator Denton. Did you know that the FBI had learned  
13 of threats to prevent witnesses from boarding the bus,  
14 just as threats were made against Mr. Lavonne Williams  
15 and by affidavit, by others, to others?

16 Reverend Dobyne. No. I had heard some hearsay  
17 talk that I could not believe by no means those threats  
18 were given by Ms. Albert Turner. I heard from some outside  
19 source talking. But I certainly believe those threats  
20 were untrue and I do not see how they could have been  
21 no way founded because I have never known Ms. Albert Turner  
22 to give those kind of threats.

23 Senator Denton. Well, if you believed as the FBI  
24 did, that those threats were true, would you not expect  
25 there to be some kind of police protection?

1 Reverand Dobyne. No. I do not know. You asked the  
2 question, do you think they needed some kind of protection?

3 Senator Denton. And do you think the protection afforded  
4 was excessive? I will ask you that question. Do you think  
5 the protection afforded was excessive--

6 Reverand Dobyne. Certainly.

7 Senator Denton. --in the light of--you will have  
8 to just assume that the threats were made, because the  
9 FBI was persuaded they were--and under that assumption,  
10 do you think that the protection afforded was excessive?

11 Reverand Dobyne. I do think it was, more than needed,  
12 sir.

13 Senator Denton. All right, the chief of police has  
14 submitted an affidavit which reads as follows, Sentor Hefner,  
15 and Senator East. "I am John Anderson, Chief of Police,  
16 Marion County, sworn and subscribed before Sabra H. Agee,  
17 notary public, State of Alabama, at-large on the 17th day  
18 of March, 1986.

19 Senator Heflin. Is this the same affidavit referred  
20 to--I believe that you read from Anderson--is this a different  
21 one?

22 Senator Denton. It is the same affidavit. We did  
23 not ever read it in completion.

24 Senator Heflin. There was some reference made to  
25 it?

1 Senator Denton. Yes, sir, it is the same one.

2 Senator Heflin. I think I have got a copy of it.

3 Senator Denton. I will read in part, "On October  
4 21, 1984, Special Agent Leslie Sue of the Federal Bureau  
5 of Investigation contacted my office and informed me that  
6 he had received information that was going to be an attempt  
7 to prevent the Federal Grand Jury witnesses from going  
8 to Mobile to testify before the Grand Jury concerning the  
9 Perry County vote fraud investigation.

10 When I received this information, it was decided that  
11 the police department would provide whatever security was  
12 necessary to protect these witnesses from harrassment.

13 On October 22, 1984, my department supplied two officers,  
14 Lt. Don Caver, and Patrolman Gabriel Jones as security,  
15 while the witnesses were boarding the bus bound for Mobile.  
16 Also on the scene was conservation officer Mike Nichols  
17 who was assigned to Perry County at that time and who worked  
18 out of the Marion police department.

19 Three FBI agents were also present at the loading  
20 site, one was the aforementioned special agent, Leslie  
21 Sue, and two were agents from Montgomery. I do not know  
22 the names of the Montgomery agents. Captain George Jones  
23 of the Alabama State Troopers came to Marion but waited  
24 inside the Marion police department along with three other  
25 troopers. The bus loading zone was at a public parking

1 next to the U.S. Post Office, directly across the street  
2 from the Perry County Courthouse, and after all, the Grand  
3 Jury witnesses were loaded on the bus, the Alabama state  
4 troopers drove over to the loading site and waited for  
5 the bus to leave for Mobile."

6 In other words, they were the escort for the bus on  
7 motorcycles apparently.

8 "The only uniformed law enforcement personnel in the  
9 immediate vicinity of the bus, were Lt. Caber, and Officer  
10 Jones of the Marion Police Department."

11 That is what this affidavit essentially says.

12 And therefore, I question the excessiveness of the  
13 security provided.

14 Reverend Dobyne. Standing by the door of the bus,  
15 yes, you will find, I believe, Mr. Jones, but on the corner,  
16 across the street from the bus, on the--just across the  
17 street from where we loaded between the Post Office and  
18 the Church, there were some officers, more than these officers  
19 that are in this statement, sir.

20 Senator Denton. Were they somehow involved in the  
21 loading operation, or were they passing by?

22 Reverend Dobyne. Standing by on the corner.

23 Senator Denton. Well, I would be glad to receive  
24 any information specific about further people that were  
25 there. All I have is that affidavit and your corrected

1 testimony.

2 We have Lavonne Phillips' testimony from yesterday.

3 Senator Heflin?

4 Senator Heflin. I do not believe that I have any  
5 questions.

6 Senator Denton. Senator East?

7 Senator East. No, I have nothing.

8 Senator Denton. Reverend Dobyne, you are excused  
9 sir, thank you.

10 [The witness was excused.].

11 Senator Denton. The last gentleman on this panel  
12 is Duval L. Patrick, Assistant Counsel, Legal Defense Fund,  
13 New York, New York.

14 Mr. Patrick. Thank you, Mr. Chairman.

15 My name is Duval Patrick and I am Assistant Counsel  
16 at the NAACP Legal Defense Fund. Together with two of  
17 my colleagues, I defended Spencer Hogue, in what has been  
18 referred to over the last several days of these proceedings,  
19 as the Perry County case.

20 As a preliminary matter, Mr. Chairman, and members  
21 of the Committee, I would like to introduce formally as  
22 a part of the record, several materials, which I understand  
23 have been circulated to the Committee, already.

24 First, the statement and affidavit of Morton Stavis,  
25 who is co-founder and president for the Center for

1 Constitutional Rights, and who could not be here today  
2 because of his other responsibilities to his new client,  
3 President Aquino, of the Philippines, in New York.

4 I would ask that those two items be made formally  
5 a part of the record at this time.

6 Senator Denton. Without objection, they shall be  
7 made a part of the record.

8 [Statement follows:].

9 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Mr. Patrick. Secondly, the statement already submitted  
2 and the affidavit of Lonnie Guinere, who is a colleague  
3 of mine at the Legal Defense Fund, and was my co-counsel  
4 in the trial last summer in the Perry County case, which  
5 has also been made available to the Committee.

6 Senator Denton. Without objection, it shall be made  
7 a part of the record.

8 [The information follows:].

9 \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Mr. Patrick. Thirdly, Mr. Chairman, the affidavit of Bobby Singleton, which I gather has also been circulated to the Committee, I would ask that it be made a part of the record.

Senator Denton. I am not familiar with that offhand, so if you have a copy?

Mr. Patrick. I have a copy and I can make available as many copies as you like. I have a copy now, which I can submit now and I understood that it had been submitted in number to the staff.

You are welcome to my copy, if you like.

Senator Denton. Maybe, I could just glance at it.

I do not remember having seen this, perhaps the distribution was as selective as the original, anonymous document which I learned about the night before the hearing and had been circulated for some time, to others, I understand.

Mr. Patrick. Mr. Chairman, I know nothing about the circulation. I am offering it only because Mr. Singleton is not here and I had been asked to put it before the Committee formally to be a part of the record.

Senator Denton. Without objection it shall be entered into the record.

[The information follows:].

1 Mr. Patrick. Thank you.

2 Next is the brief of the United States in the case  
3 of the United States versus Howard Moore, which was filed  
4 in the United States Court of Appeals for the 11th Circuit,  
5 and prepared by Mr. Sessions' office.

6 I would wish that that--I gather that that also has  
7 been circulated to the Committee, and I would ask that  
8 that be made a part of the record at this time.

9 Senator Denton. Without objection, so ordered.

10 [The information follows:].  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1           Mr. Patrick. Similarly, the brief of the United States  
2 in the matter of United States versus Spencer Hogue, also  
3 filed in the United States Court of Appeals for the 11th  
4 Circuit, and prepared by Mr. Sessions' office, I would  
5 ask that that be made a part of the record.

6           Senator Denton. Without objection, so ordered.

7           [The information follows:].

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1           Mr. Patrick. And lastly, Mr. Chairman, my own prepared  
2 statement and affidavit which have previously been made  
3 available to the Committee, I would ask that they be made  
4 a part of the record.

5           Senator Denton. Without objection, so ordered.

6           [The information follows:].

7           \*\*\*\*\*COMMITTEE INSERT\*\*\*\*\*

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1           Mr. Patrick. Mr. Chairman, I have been here three  
2 days now, and I suspect that these days are as long or  
3 longer for you as they have been for me and for everyone  
4 else who has suffered through what seems to be a really  
5 painstaking process.

6           I will stand by my statement and affidavit, as they  
7 are submitted, and I would ask that you consider those  
8 and other materials that go to the question of the Perry  
9 County case, not as going to the question of whether that  
10 case ought to have been prosecuted, but really how it was  
11 prosecuted.

12           Because it is on the matter of how they were prosecuted,  
13 I think that information is material to the nominee's quality  
14 as a lawyer, and to his integrity as a public servant.  
15 And without further comment, I will take any questions  
16 and in the interest of time, waive any further statement.

17           Senator Denton. I do not have any questions.

18           Senator Heflin?

19           Senator Heflin. I have nothing, Mr. Chairman.

20           Senator East. I have none, Mr. Chairman.

21           Reverend Dobynes. Mr. Chairman?

22           Senator Denton. Yes, Reverend.

23           Reverend Dobynes. Is it possible for me to read  
24 paragraph 6?

25           Senator Denton. Let me get your statement so that

1 I can follow you, is that what you are referring to in  
2 your statement?

3 Reverand Dobyne. Yes.

4 Senator Denton. I end up with paragraph 7 being the  
5 one where it says, when I arrived at the Marion departure  
6 site.

7 Reverand Dobyne. That is the paragraph that I would  
8 like to read.

9 Senator Denton. All right, I think it is 7, sir.

10 Reverand Dobyne. "When I arrived at the Marion  
11 departure in early October, I saw a bus surrounded by six  
12 Alabama State Troopers, three or four Marion city policemen,  
13 about nine FBI agents and four Game Wardens. It looked  
14 like an armed camp. The streets around the courthouse  
15 were blocked off, about eight officers stood on different  
16 corners, with their guns ready to be drawn. I learned  
17 later that law enforcement officers surrounded the city  
18 while the buses were being loaded with witnesses. It was  
19 one of the most imposing chaotic scenes I have witnessed.  
20 Approximately 25 people, many of them in their 70's, Mrs.  
21 Pearl Brown, in her 80's and even 90's, most ailing and  
22 frightened, were loaded onto a bus under the watchful eye  
23 of more than 20 police officials."

24 Senator Denton. Do you have any further changes you  
25 want to make?

1 Reverand Dobyne. No, sir.

2 Senator Heflin. Reverand Dobyne, if a pistol is  
3 in its holster, is it ready to be drawn?

4 Reverand Dobyne. Provided if you have the safety  
5 mechanism loose. In any event if a police official or  
6 anyone who is carrying a pistol would fall, this pistol  
7 would stay there, but when the safety mechanism, then it  
8 is considered ready to be drawn.

9 Senator Denton. Yes, sir, it is the work of an instant  
10 to flick the strap so that you can draw the gun and then  
11 you have to take positive action on a hammer action pistol  
12 to pull the trigger. It is not like a rifle, with a hair  
13 trigger or anything like that.

14 But that, perhaps, is not germane.

15 We have your changes sir, and I would like to excuse  
16 everyone except Mr. Figures, at this point.

17 And thank you for your testimony.

18 I would like to call Mr. Ed Volevich to the witness  
19 table. He is the Assistant U.S. Attorney in Mobile, Alabama.

20 Senator Denton. Mr. Volevich, will you remain standing,  
21 so that I can swear you?

22 Would you raise your right hand, sir?

23 Do you swear that the testimony that you will submit  
24 to this hearing, is the truth, the whole truth, and nothing  
25 but the truth, so help you, God?

1 [Witness answers in the affirmative.].

2 Senator Denton. Please be seated.

3 I do have questions but if you wish to make a statement,  
4 you may do so, sir.

5 Mr. Volevich. Well, the only statement I care to  
6 make sir, is that I came here on short notice. I read  
7 the morning paper, with certain allegations that were being  
8 made against Mr. Sessions. If there is anything that I  
9 can try to do to combat those allegations, which I think  
10 are unfounded, that is why I am here.

11 Senator Denton. Could you identify yourself by full  
12 name, your position, and how long you have served in that  
13 position?

14 Mr. Volevich. My name is Edward John Volevich, Jr.,  
15 and I am Assistant United States Attorney, in the Southern  
16 District of Alabama and I have served in that capacity  
17 since October of 1969.

18 Senator Denton. Mr. Volevich, I understand that you  
19 have followed this hearing in the press, and have requested  
20 to testify?

21 Mr. Volevich. That is correct, sir.

22 Senator Denton. You have expressed concern over some  
23 of the testimony before this Subcommittee, which has been  
24 reported; would you tell the Committee of your concerns?

25 Mr. Volevich. My concern is the tenor of the allegations

1 against the integrity of Mr. Sessions, his abilities, his  
2 qualifications, to hold the important job that you are  
3 considering.

4 I know him to be a man of utmost integrity, of fair  
5 and good judgment, of total impartiality, and I think it  
6 is a bum rap when he is accused otherwise.

7 I have read statements attributed to Mr. Thomas Figures  
8 that were supposed to have been made by Mr. Sessions. I  
9 have only read this in the newspaper. I was in the office,  
10 the entire time that Mr. Figures was there. Obviously,  
11 I did not hear every conversation that took place between  
12 the two, but I never saw any of the conduct on Mr. Sessions'  
13 part that he has been accused of, such as trying to prohibit  
14 investigations. Mr. Sessions evaluates a case on its merits  
15 and on its merits only. He has had to prosecute friends,  
16 and I know that it hard but that has never entered into  
17 it. And he does his job and he does it right.

18 Senator Denton. Have you ever heard Mr. Sessions  
19 or anyone else in the U.S. Attorney's Office in Mobile,  
20 refer to Mr. Figures as a boy, or a boy?

21 Mr. Volevich. No, sir, I have not.

22 Senator Denton. Would you be surprised to learn that  
23 today, without having made previous reference to it, in  
24 all of the allegations, written and otherwise, he accused  
25 Mr. Sessions of, on a number of occasions, calling him

1 boy and having asserted that it was made in the presence  
2 of some others, two of whom we have received. He also  
3 accused Mr. E. T. Rolliston, Jr. and Mr. Farr, now deceased,  
4 of calling him boy. We have received today, an affidavit  
5 from Mr. E. T. Rolliston, Jr., denying that he ever referred  
6 to him in a derogatory manner as a boy. We also have one  
7 from Genny S. Granade, who Mr. Figures testified was in  
8 hearing when he was called a boy by Mr. Sessions. And  
9 she says, "I have never heard Mr. Sessions refer to Mr.  
10 Figures as boy or to call him by anything other than his  
11 given name."

12 I thought that I heard you, Mr. Figures, mention  
13 Mr. Volevich's name as a source of that epilation. Is  
14 that correct?

15 Mr. Figures. Senator, my recollection of my testimony  
16 is that at the time that Mr. Sessions called me boy, he  
17 was standing in the doorway of Ms. Granade and that Ms.  
18 Granade and Mr. Rolliston were in the office. That was  
19 in response to a question as to who would have witnessed  
20 this statement.

21 I said at that time and I stand by it, Senator. You  
22 next asked me, subsequently asked me, who else called me  
boy in that office?

And my recollection of my testimony is that Mr. Faab  
and Mr. Volevich called me boy, and I stand by that testimony.

1 Mr. Volevich. Sir, I would love right now to  
2 categorically and emphatically deny that. I did not make  
3 any such reference to this man.

4 Senator Denton. Mr. Volevich, yesterday Mr. Kimbro  
5 in answer to a question from me, and I will rely on whatever  
6 the transcript said, but I asked him something to the effect,  
7 if Mr. Figures might be considered exceptionally racially  
8 sensitive, might have been or had some tendency to be overly  
9 touchy about that?

10 And his response was generally affirmative, but I  
11 will defer to Senator Heflin's memory or Senator East.  
12 The only reason I mention that is I would like to ask you  
13 you about that, whether having served under a number of  
14 administrations, you would characterize Mr. Figures in  
15 any particular way, as to his personality or to his ability  
16 to work with others, any special moodiness that might affect  
17 his judgment or perhaps, even his job performance, anything  
18 in that order, because his allegations are extremely material  
19 to the judgment of Mr. Sessions' reputation and deportment.

20 Mr. Volevich. In my opinion, sir, he is racially  
21 sensitive. He carries his feelings on his sleeve from  
22 what I observed in the office. He did have considerable  
23 difficulty dealing with some investigative agents or agencies.  
24 For what reasons are best known to him. I would say that  
25 he is a pretty good lawyer with a pretty bad attitude problem

1 And that is the way he generally came across. His legal  
2 ability I have no question with, but his attitude, in my  
3 opinion, was his main problem, getting along with people.

4 Senator Denton. Were there any occasions with some  
5 adverse development from his point of view, such as Supreme  
6 Court ruling of the day, or some development in the newspapers  
7 reflecting Justice Department matter or any other thing  
8 that might have touched him off? Did he ever become secretive  
9 or show that he had perhaps more suspicion than need be  
10 or any tendency toward a persecution complex?

11 Mr. Volevich. He was very much to himself. I would  
12 say that maybe and I think that he had somewhat of a  
13 persecution complex. I might best describe it as the man  
14 in a football stadium with 80,000 people but he thinks  
15 that when the team huddles, they are all talking about  
16 him.

17 And in general that was my impression of his complex.

18 Senator Denton. Are you aware of a statement attributed  
19 to Mr. Sessions, by Mr. Figures, to the effect that Mr.  
20 Sessions wished that he could decline all civil rights  
21 cases?

22 Mr. Volevich. No, sir, I am not.

23 Senator Denton. Is there anything in Mr. Sessions'  
24 performance that would lead you to believe that such an  
25 allegation was true?

1 Mr. Volevich. Not at all, Senator. Mr. Sessions  
2 is an aggressive prosecutor and lives up to the oath that  
3 he took in the performance of his job as such.

4 Senator Denton. Having served there for the number  
5 of administrations that you did, and having your association  
6 with Mr. Figures, over a period of time, how would you  
7 have expected him to react if you had called him boy?

8 Mr. Volevich. Well, I tried to get to know Thomas  
9 Figures quite well when he first came there. I would not  
10 have called him boy, for the obvious reason that I know  
11 black people do not like to be called boy. The history  
12 behind it is such that it would be derogatory.

13 I would imagine that he would have shown me that he  
14 was bigger than I was in size, had I called him by that  
15 name.

16 Senator Denton. Do you have anything else that you  
17 would care to offer?

18 Maybe any opinion as to whether Mr. Figures is entirely  
19 objective within the testimony, the nature of the testimony  
20 he has offered against the nomination and confirmation  
21 of Mr. Sessions?

22 Mr. Volevich. Only to say, sir, of course I did not  
23 come up here to try to do in Mr. Figures. I did come up  
24 here to try my best to see that Mr. Sessions was not done  
25 in and I do not think that Mr. Figures' observations or

1 totally objective. To my knowledge, Mr. Sessions put him  
2 in charge of civil rights actions, had confidence in him,  
3 worked with him, worked with local authorities, and I do  
4 not know why he feels like he does, obviously I do not.

5 I do know Mr. Sessions has not conducted himself in  
6 the manner described. That he has done nothing but conduct  
7 himself in the manner in which he should and which he is  
8 sworn to do.

9 Senator Denton. Did you ever hear any reference to  
10 the now-famous Klan joke, and what do you know of the  
11 circumstances or nature of that event?

12 Mr. Volevich. If that is the thing I read in the  
13 paper about supposedly a statement attributed to Mr. Sessions  
14 about liking the Klan or not disliking them--I never heard  
15 him make any such statement. He prosecuted one of the chiefs  
16 of the Klan in Mobile. I know he has no use for them what-  
17 soever.

18 Senator Denton. Thank you, Mr. Volevich.

19 Senator Helfin?

20 Senator Heflin. I did not understand exactly. You  
21 say that you have been an Assistant U.S. Attorney since  
22 1961?

23 Mr. Volevich. 1969.

24 Senator Heflin. And I understand you that you came  
25 on your own after reading in the paper that you thought

1 that Mr. Sessions was getting a bum rap and so you paid  
2 for your own air ticket to come up here?

3 Mr. Volevich. Yes, sir.

4 Senator Heflin. And you have come on your own, relative  
5 to defending Mr. Sessions?

6 Mr. Volevich. Yes, sir.

7 Senator Heflin. That is all.

8 Senator Denton. Senator East?

9 Senator East. I have nothing.

10 Senator Denton. On balance, I think, Mr. Figures,  
11 I should offer you an opportunity to say anything you wish  
12 regarding Mr. Volevich's testimony.

13 Mr. Figures. Senator, the only thing that I can  
14 say is that I stand by my statements contained in my formal  
15 statement and I stand by my testimony earlier given.

16 Senator Denton. All right, thank you both, very much.  
17 You are excused.

18 [The witnesses are excused.].

19 Senator Denton. I have now to make a decision about  
20 the next panel which was the favorable panel, which was  
21 to have balanced the day. It is late, they cannot stay  
22 for tomorrow in spite of the fact, that we have lost, of  
course, all of the electronic media, except one radio that  
I know of. And we have some tired journalists over there.  
I have no choice since these witnesses stayed yesterday

1 to ask the last panel to come forward.

2 Thank you, Mr. Figures, and thank you, Mr. Volevich.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

## PANEL 3

1  
2 STATEMENTS OF HON. BRAXTON KITTRELL, JUDGE,  
3 THIRTEENTH JUDICIAL CIRCUIT, MOBILE, ALABAMA;  
4 REV. BEN SAWADA, ASHLAND PLACE UNITED  
5 METHODIST CHURCH, MOBILE, ALABAMA; GEORGE  
6 HORN, MOBILE COUNTY REPUBLICAN EXECUTIVE  
7 COMMITTEE, MOBILE, ALABAMA; BOBBY EDDY,  
8 CHIEF INVESTIGATOR, DISTRICT ATTORNEY'S  
9 OFFICE, MOBILE, ALABAMA.

10 Senator Denton. Judge Braxton Kittrell will be first  
11 because he has a flight. Next will be Bobby Eddy.

12 This panel is the Honorable Braxton Kittrell, Judge,  
13 Thirteenth Judicial Circuit, Mobile, Alabama; Rev. Ben  
14 Sawada, Ashland Place, United Methodist Church, Mobile,  
15 Alabama; George Horn, Mobile County Republican Executive  
16 Committee, Mobile, Alabama; and Bobby Eddy, Chief Investigator,  
17 District Attorney's Office, Mobile, Alabama.

18 Please raise your right hands.

19 Do you swear that the testimony that you will submit  
20 in this hearing today, will be the truth, the whole truth  
21 and nothing but the truth, so help you, God?

22 [The witnesses answered in the affirmative.].

23 Senator Denton. Please be seated gentlemen.

24 And we will take a three minute recess.

25 [Whereupon, a brief recess was taken.].

1 Senator Denton. The hearing will come to order.

2 Senator Heflin, in view of the time constraints, Judge  
3 Kittrell and Mr. Bobby Eddy would ilke simply to submit  
4 oral statements, and not be subject to questions.

5 Judge Kittrell, will you go first?

6 Judge Kittrell. Mr. Chairman, and Senator Heflin,  
7 I appreciate the opportunity to be here today. I am on  
8 a tight schedule and I am going to abbreviate my remarks.  
9 I just want to say that I have known Jeff. Sessions for  
10 a number of years and he is a person of the highest character  
11 and integrity. I have never known him to make racial slurs  
12 or remarks, nor has any attorney or anyone else for that  
13 matter, ever reported to me that he has ever made such  
14 remarks other than what I have heard coming out of these  
15 proceedings.

16 Judge Sessions is not a racist. If I thought that  
17 he was I would not be here today supporting his nomination.  
18 Jeff Sessions is not insensitive to blacks. If he, in  
19 fact, had made the remarks which have been attributed to  
20 him, I am satisfied that they have been taken out of context,  
21 as Jeff Sessions is not that kind of person. He has an  
22 excellent reputation and I urge you to confirm his  
23 nomination.

24 Senator Denton. Thank you very much, Judge Kittrell,  
25 I know that you have to run.

1 We will have questions for you for the record, and  
2 we can answer them that way, at your leisure.

3 Mr. Bobby Eddy, I know that you are in a hurry too,  
4 sir, so please go ahead.

5 Mr. Eddy. Mr. Chairman, and Senator Denton, I am  
6 Bob Eddy and I am the Chief Investigator for the District  
7 Attorney's Office in Mobile County, in Mobile, Alabama.  
8 I am here at the request of Senator Denton's office to  
9 testify before this Committee. I have been in law  
10 enforcement for 19 years. I have investigated several  
11 cases in my career, including several civil rights cases;  
12 this includes the Klan bombing at the 16th Street Baptist  
13 Church in Birmingham, Alabama in 1963. And the bombing  
14 conviction of J.V. Storer, an avowed racist for bombing  
15 a black church in Birmingham in 1958.

16 I came to know Mr. Jeff Sessions during my involvement  
17 with Michael Donald case and this was a crime committed  
18 by Tiger Knowles, and Henry Hayes, members of the Kent  
19 Klu Klux Klan in Mobile, Alabama. They took Micheal Donald  
20 and later hung him from a tree across from Henry Hayes'  
21 apartment. Tiger Knowles became a government witness and  
22 pled guilty to a civil rights charge and is now serving  
life in prison in a federal prison.

Henry Hayes was tried and convicted of capital murder  
by the District Attorney's Office in Mobile and sentenced

1 to die in the electric chair by Judge Braxton Kittrell  
2 who is now on this panel. Mr. Sessions cooperated and  
3 made available the total resources of his office as did,  
4 Moss Stack, the agent in charge of the FBI in Mobile, to  
5 help the state come to its successful conclusion in this  
6 case.

7 Mr. Sessions expressed on several occasions his desire  
8 to see this case come to a successful conclusion and to  
9 include everyone possible involved in a conspiracy to kill  
10 Michael Donald.

11 Mr. Sessions was concerned that the investigators  
12 proceed against any member of the Klan, or others outside  
13 of the Klan who had knowledge or who had helped in any  
14 manner. On one occasion, in his office, Mr. Sessions  
15 expressed his frustrations to me at the lack of evidence  
16 against others involved in this conspiracy and wondered  
17 aloud, if there was anything that we had missed, or anything  
18 still to be done.

19 He was not complaining of the lack of talented investi-  
20 gators, he thought that others knew more than they were  
21 telling.

22 This crime shocked him as it shocked the community.  
23 Many felt that we were not doing our best to solve this  
24 case. The end results proved otherwise.

25 Mr. Sessions expressed his concern to Mr. Gilanis

1 and me on more than one occasion, that others involved  
2 should not be given any immunity for testifying, that we  
3 worked to prove our case, charging as many as we possibly  
4 could. His desire, as well as Mr. Gilanis' was to see  
5 them vigorously prosecuted.

6 Without his cooperation, the state could not have  
7 proceeded against Henry Hayes on a capital murder charge.  
8 I have worked with white collar crime and political corruption  
9 cases with Mr. Sessions, also and all have been successful.

10 Never have I heard Mr. Sessions make a racial slur  
11 or found him to be racially biased or insensitive. I was  
12 shocked as many in Mobile are to read in the media of those  
13 accusations. His record as U.S. Attorney proves otherwise.

14 Thank you.

15 Senator Denton. My original information was apparently  
16 incorrect. I think you two gentlemen can depart as late  
17 as a quarter to six, to make the airport. Is that correct?

18 Would the other two witnesses mind if I asked some  
19 questions? Do you have to make a plane quicker than that,  
20 sir?

21 Judge Kittrell. No, sir.

22 Senator Denton. Let me ask Judge Kittrell, then,  
23 as a Circuit Judge, you meet the lawyers of Mobile on a  
24 regular basis. Could you give your estimate of how they  
25 view Mr. Sessions?

1           Judge Kittrell. I think that they view Mr. Sessions  
2 as a courageous prosecutor and a very intelligent attorney  
3 and I think they hold him in the highest regard.

4           Senator Denton. Do you know of any action taken by  
5 Mr. Sessions that you thought was motivated by racial pre-  
6 judice?

7           Judge Kittrell. Absolutely not.

8           Senator Denton. Have you ever heard him say or make  
9 any racially derogatory remark?

10          Judge Kittrell. I have not.

11          Senator Denton. He has led his office through a series  
12 of extremely intense and highly publicized prosecutions,  
13 very successfully in most cases, and at some risk, according  
14 to Mr. Kimbro, who advised him not to take on the Perry  
15 County case, because of the political risk even though  
16 there was no doubt about the need to take it on.

17          Could you tell us your estimate of how he has conducted  
18 himself under this intense pressure?

19          Judge Kittrell. Senator, of course, Mr. Sessions  
20 has been in the Federal court and I have been in the state  
21 court, but what I have seen of Mr. Sessions and what I  
22 know of him, he has always conducted himself in the highest  
23 manner and he has always been able to handle the pressure  
24 and prosecute those cases with great vigor.

25          Senator Denton. Who is Judge Robert Hodnett?

1 Judge Kittrell. Judge Hodnett was our presiding Judge,  
2 who immediately preceded Judge McRae who testified yesterday.

3 Senator Denton. Has Judge Hodnett worked closely  
4 with Mr. Sessions?

5 Judge Kittrell. He did, particularly, during hte  
6 the prosecution of two judges in our city, and as a matter  
7 of fact, Judge Hodnett asked me to convey to this Committee,  
8 if I had the opportunity, his desire to appear here, before  
9 it, but he could not do so because of health reasons.

10 Judge Hodnett holds Mr. Session in the highest regard,  
11 he worked rather very closely with him during those  
12 prosecutions and is very familiar with Mr. Sessions and  
13 Judge Hodnett is satisfied that Mr. Sessions is not  
14 insensitive to blacks.

15 Senator Denton. Do you think that Mr. Sessions has  
16 the proper judicial temperament to qualify him to serve  
17 as a federal judge?

18 Judge Kittrell. I think that Mr. Sessions has the  
19 skill, the experience, and the temperament which are necessary  
20 and important qualities in a judge.

21 Senator Denton. Judge, how would you characterize  
22 yourself, as principally a democrat or a republican?

23 Judge Kittrell. I am a democrat.

24 Senator Denton. We had Mr. Kimbro who called himself  
25 a yellow-dog democrat yesterday, would you characterize

1 yourself that way?

2 Judge Kittrell. I do not believe that I would character-  
3 ize myself as a yellow-dog democrat; I am a democrat.

4 Senator Denton. Mr. Eddy, where do you live?

5 Mr. Eddy. Mobile, Alabama.

6 Senator Denton. How long have you lived there, sir?

7 Mr. Eddy. Six years.

8 Senator Denton. What is your occupation?

9 Mr. Eddy. Chief Investigator, District Attorney's  
10 Office.

11 Mr. Eddy. Where else have you lived during your  
12 professional career?

13 Mr. Eddy. Huntsville, Alabama; Montgomery, Alabama;  
14 small towns outside of Montgomery.

15 Senator Denton. If you do not mind my asking, what  
16 is your political party affiliation?

17 Mr. Eddy. I am a democrat.

18 Senator Denton. Have you ever held a party or elected  
19 public office?

20 Mr. Eddy. Yes.

21 Senator Denton. You worked on the staff of the Alabama's  
22 Attorney General, is that correct?

23 Mr. Eddy. Yes, I did.

24 Senator Denton. Was he a democrat?

25 Mr. Eddy. Yes, sir, he was.

1 Senator Denton. Were you involved in any civil rights  
2 cases, in that position?

3 Mr. Eddy. Yes, sir. Under Bill Baxley, the Attorney  
4 General at that time, I worked the 16th Street church bombing,  
5 which killed four young girls, and the J.V. Storner bombing  
6 which was in 1958, a church bombing also where no one  
7 was killed.

8 Senator Denton. Could you tell us your involvement  
9 in those cases and the results of those cases?

10 Mr. Eddy. I was assigned to those cases in 1976,  
11 by Attorney General Bill Baxley, and worked with the FBI  
12 and other officers in bringing those to a successful  
13 conclusion. In the conviction of Robert Chandliss in the  
14 bombing that killed four girls and the conviction of J.  
15 V. Storner.

16 Senator Denton. Recognizing your modesty, would it  
17 be fair to say that you are credited, publicly credited  
18 with having broken open that case?

19 Mr. Eddy. Yes, sir.

20 Senator Denton. What was the result of the prosecution?

21 Mr. Eddy. They were both convicted.

22 Senator Denton. Do you know the nominee, Mr. Jeff  
23 Sessions?

24 Mr. Eddy. Yes, I do.

25 I became acquainted with him during the Michael Donald

1 case, which I think is about 3 and a half years ago.

2 Senator Denton. And over what period of time, did  
3 you work closely with Mr. Sessions?

4 Mr. Eddy. From that time on, I have worked, not only  
5 that case, but other cases out of his office, or that were  
6 handled out of his office. I worked with his investigators  
7 and with him.

8 Senator Denton. Would you refresh the Committee on  
9 your recollection of the facts in that case, considering  
10 there have been much reflecting on Mr. Sessions' eagerness  
11 to prosecute the case.

12 Mr. Eddy. You are talking about Michael Donald?

13 Senator Denton. Yes, sir.

14 Mr. Eddy. As I remember, the first time I talked  
15 to Mr. Sessions about it was at the YMCA and he just stopped  
16 me one day and asked me to reflect on the case. The case  
17 had been investigated by the Mobile police department.  
18 The FBI had gone through one investigation on it, or a  
19 preliminary investigation on it, for a civil rights violation.

20 He without success, had not come to any conclusion  
21 or any suspects at that particular time. He asked me to  
22 reflect on it at that time and what I felt about it and  
how I felt it should be proceeding.

23 Shortly after that time, Mr. Gilanis asked me to review  
24 the FBI records and also to review what had been done in