

CIVIL RIGHTS
DIVISION

Notice to Close File

File No. 144-40-2133

Date: 7/06/2011

To: Chief, Criminal Section

Re: Unidentified Subject(s),
Greenwood, MS-Subject(s);
Freddie Lee Thomas (Deceased) - Victim
CIVIL RIGHTS

It is recommended that the above-captioned case be closed for the following reasons:

A. Overview

On August 19, 1965, the body of Freddie Lee Thomas, the victim, was discovered in the middle of Highway 29 in Greenwood, Mississippi. The Federal Bureau of Investigation (FBI) conducted a full investigation and determined that Thomas apparently stepped into oncoming traffic while intoxicated. Allegations were made by XXXXXXXX, a civil rights worker, that Thomas was killed by members of the Ku Klux Klan (KKK), however, the FBI investigation did not substantiate these claims.

B. Predication and Investigative History

On August 20, 1965, XXXXXXXX of the Mississippi Freedom Democratic Party and Alvin J. Bronstein of the Lawyers Constitutional Defense Committee (LCDC) contacted the Jackson Division of the FBI and reported that Thomas, who they identified as a civil rights worker, had been found dead in Leflore County, Mississippi.¹ In response, FBI investigators contacted Leflore County Deputy Sheriff Bill McGeritty about the investigation into Thomas' death.

According to FBI reports, McGeritty told FBI investigators that at approximately 2:00 a.m. on August 20, 1965, he received a phone call from the Greenwood District of Mississippi State Highway Patrol (MSHP) informing him that the mutilated body of a black male was discovered lying on Highway 49-E, two miles south of Sidon, Mississippi. McGeritty stated that the body had apparently been struck by a vehicle and dragged approximately 300 feet. According to McGeritty, the male, later identified as Thomas, was found lying in the eastbound traffic lane, and remnants of Thomas'

¹ XXXXXXX identified his source of information as XXXXXXXX of the Freedom Democratic Party, who reportedly received the information via telephone from personnel at the SNCC Headquarters in Atlanta, Georgia.

clothing and flesh were found ground into the highway pavement from the point of impact to the location where he came to rest. McGerrity stated that there were gashes about Thomas' head and chest area, causing the intestines to spill out, and his ankle and pelvis appeared to be crushed. McGerrity told the FBI that there were no indications that Thomas had been beaten or shot. XXXXXXXX, who lives near the location where Thomas was found, told local investigators that at about 1:00 a.m., she heard a truck hit something near the highway.

During the course of McGerrity's investigation, he learned from XXXXXXXX, the XXXXXX of a local XXXX store in Sidon, that Thomas had purchased four cans of beer in the store on evening of August 19, 1965. XXXXXXXX, a sales clerk employed by XXXX, told McGerrity that he sold wine and vodka to Thomas on that same day and that Thomas tried to get another man, XXXXXXXX, to drink with him that evening.

McGerrity stated that two black men, XXXXXXXX and XXXXXXXX, saw Thomas in Sidon a few hours later, between 12:30 and 1:00 a.m. on August 20, 1965. XXXX told McGerrity that around that same time, he saw Thomas staggering down the road toward the highway.

McGerrity told FBI investigators that he asked several black residents of Sidon whether Thomas had been active in civil rights work. According to McGerrity, he was told that Thomas had refused to attend a civil rights meeting on the night before he died because he wanted nothing to do with civil rights activity.

On August 20, 1965, Dr. Daniel Trigg, who performed the autopsy on Thomas, told FBI investigators that Thomas died shortly before 1:45 a.m. that morning as the result of multiple contusions, lacerations, abrasions, fractures, alusions (tearing wounds), and internal injuries due to sudden trauma, probably resulting from a motor vehicle accident. Dr. Trigg stated that he found no evidence of foul play, as there were no signs of other blows or injuries, or of knife or gunshot wounds.

According to a media report dated August 21, 1965, a coroner's jury was convened and ruled that Thomas died as the result of a hit-and-run automobile accident. The verdict was reportedly reached following the completion of the autopsy and a statement from the coroner that Thomas' blood had a high alcohol content.

On August 22, 1965, XXXXXXXX and the victim's XXXXXXXXXXXXX, contacted John Doar, Assistant Attorney General (AAG), Civil Rights Division AAG Doar. XXXXXX indicated that she had proof that Thomas had been shot and murdered. According to XXXXXXXX, XXXXXXXX, XXXXXX, and XXXX had photographs showing a bullet hole in Thomas' head. XXXXXXXX alleged further that XXXXXXXX, a white farmer from Sidon and President of the Leflore County KKK, was involved in Thomas' death. As result of the allegations made to AAG Doar, FBI investigators interviewed XXXXXX and the XXXXXX.

During her subsequent interview with FBI investigators on August 22, 1965, XXXX told FBI agents that at approximately 10:00 p.m. on the night of August 19, 1965, she saw Thomas attempting to defecate behind a truck parked near the home where she was resided as a guest in Sidon. XXXXXX stated that a few hours later, at about 12:30 a.m. the next morning, she saw Thomas walking on Highway 49-E, about one-third of a mile from where his body was found. XXXXXX told FBI investigators that there was an eyewitness who saw Thomas' dead body thrown onto the highway from a 1965 Plymouth, but she refused to identify the witness.

During her interview, XXXXXX repeated her assertion that Sidon resident XXXX was involved in Thomas' death, but conceded that she had no "proof" that XXXXX was a member or leader of the KKK. XXXXXX explained that her allegation that Thomas was murdered was based upon the photographs taken by XXX and XXXXXX showing a bullet hole in Thomas' head. XXXXXX told the FBI that she was not at liberty to say where the pictures could be found, but speculated that XXXXXXXX had given them to FBI investigators at the FBI's Memphis Division, as he was in Memphis on August 21, 1965. FBI reports state that, during the interview, XXXXXX became "emotional, arrogant, and argumentative." XXXXXX also reportedly stated that she did not trust any FBI agent(s).

On August 22, 1965, FBI investigators spoke to XXXXXXXX concerning XXXXXX's claim that he and XXXXXXXX had evidence that Thomas had been shot in the head. XXXX told the FBI that he saw Thomas' body at the funeral home and noticed a gash in Thomas' head about the size of a silver dollar. XXXX stated that XXXXXXXX, XXXX, and another man, XXXXX, took photographs of Thomas' body, but claimed that he did not know the current location of the photographs. XXXX also told the FBI that he had no evidence or information that Thomas had been shot.

FBI investigators interviewed XXXXXXXX's XXXX, XXXXXXXX, on August 23, 1965. XXXXXXXX corroborated XXXXXXXX's statement that he and XXXXXXXX had photographed Thomas' body at the funeral home. According to XXXXXXXX, the photographs had not been turned over to any FBI office and, to his knowledge, XXXX had them. XXXXXXXX told FBI investigators that at the funeral home, XXX observed a hole in the side of Thomas' head. XXXXXXXX also indicated that he observed scratches on Thomas' body and a bone protruding from his ankle. Thomas' chest cavity was open due to the recent autopsy. XXXXXXXX told the FBI that based upon the condition of Thomas' body, he believed Thomas had been murdered. XXXXXXXX stated that he had no other information about Thomas' death aside from what XXXXXXXX told him.

Additionally, XXXXXXXX told the FBI that he saw Thomas a few hours before his death, standing on a street corner between 11:30 p.m. and midnight on August 19, 1965. XXXXXXXX stated that he was not acquainted with Thomas, and that Thomas had no connection to the civil rights movement.

On August 24, 1965, Alvin Bronstein, Staff Counsel, Lawyers Constitutional Defense Council (LCDC) contacted the FBI by phone and stated that he had received information from XXXXX about Thomas' death. At the outset of the call, Bronstein indicated that the information was not verified and was "conjecture." Bronstein stated first that he was told that XXXX and XXXXX saw Thomas' body at the funeral home and indicated there was a bullet hole in Thomas' head. The FBI told Bronstein that XXXX and XXXXX had already been interviewed by FBI investigators and did not substantiate this claim.

Bronstein also reported the following allegations: 1) a woman, who XXXXXX could identify, saw XXXXXXXX, XXXX of an alleged KKK leader, arrive home at 2:00 a.m. on the morning Thomas died with blood on his car; 2) a man identified as XXXXXXXX saw XXXXXXXX trying to destroy a gun by placing it in a vise in a Sidon garage; 3) a man identified only as "XXXX" claimed that he was with Thomas on the night Thomas was killed; and 4) a black man reportedly saw Thomas being thrown from a car.

The FBI asked Bronstein whether he knew XXXXXXXX well enough to vouch for her credibility. According to FBI reports, Bronstein did not answer directly, but stated that he found XXXXX to be very "emotional." FBI investigators told Bronstein that during the course of the FBI inquiry into the incident, XXXXXXXXXX had refused to identify various persons she claimed had information about Thomas' death. In response, Bronstein indicated that he would contact XXXXXXXX and encourage her to cooperate fully with the FBI investigation.

On August 25, 1965, FBI investigators contacted Bronstein to determine if he had spoken with XXXXXXXX. Bronstein indicated that he had not, but left a message for XXXXXXXX to contact him. Bronstein stated that he would make further efforts to contact her and would advise the FBI if she agreed to furnish any pertinent information to them.²

Because the FBI found no substantive evidence indicating that Thomas was the victim of foul play, the investigation into Thomas' death was closed.

RECENT INVESTIGATION:

The Federal Bureau of Investigation (FBI) opened an investigation into the circumstances surrounding the victim's death on July 15, 2008, based on media coverage of the incident.

² Bronstein did not contact the FBI again about any further discussion with XXXXXXXX.

An extensive review of the original FBI case file revealed that the FBI initially responded to Greenwood, MS, after Thomas' body was discovered and conducted a preliminary investigation to determine if his death was a civil rights matter. FBI investigators met with state and local investigators, the pathologist who performed the autopsy on Thomas, potential witnesses, and XXXXXXX, the civil rights worker who alleged that Thomas was killed by members of the KKK. No substantive information to indicate foul play was developed and the FBI closed the matter.

INVESTIGATION REOPENED

In response, XXXXXXX and XXXXX., then contacted John Doar, Assistant Attorney General (AAG), Civil Rights Division, and alleged that Thomas was killed by members of the KKK. In support of this allegation, XXXXXXX and XXXXX claimed: 1) an unidentified woman reportedly overheard a store owner in Sidon, MS, say he had "a nigger to kill" that night; 2) another unidentified woman saw someone dump a body from a pick-up truck onto the highway; 3) a witness, Porter Diggs, saw three white men, whom he could identify, throw Thomas' body out of a pick-up onto the highway; 4) two teenage residents of Sidon, MS, saw blood in the back of a local pick-up truck; and 5) photographs taken at the funeral home by XXXXXXX, XXXX and XXXXXXX, revealed a bullet hole in Thomas' head.

On August 31, 1965, XXXXX, XXXXXXX visited the AAG Doar and reported information that XXX had received concerning the circumstances of Thomas' death. XXXX stated that on the night of August 19, 1965, Thomas was seen sitting in front of a grocery store in Sidon owned by XXXXXXX. At about 10:00 p.m., the woman who operates the cafe adjoining the store reportedly heard XXXXX tell an unidentified white male to keep the store open until 1:00 a.m. and that he (XXXXXX) had a "nigger" to kill that night. XXX stated that XXXXX and his black employee (identified only as "XXXX") then left the XXXX store in XXXXX's pick-up truck. XXX stated that they returned a short time later and XXXX offered to drive Thomas home. XXX told the FBI that Thomas declined the offer and left the store. XXXXX and Blue then reportedly followed Thomas in XXXXX's truck.

XXX went on to say that a woman who lives near the highway where Thomas was found reportedly saw a man, identified as XXXX, dump a body from a pick-up truck onto the highway. Other unidentified witnesses reported seeing a young, white boy leave the store later that night in XXXXX's car and return with XXXXX. XXX told AAG Doar that XXXXX's truck was next seen at the store the next morning, when a black woman who lives across from the store reportedly saw XXX washing blood off of the truck.

³ XXXXXXXXXX originally made this statement to the FBI but refused to identify Porter Diggs. At the time of the incident, XXXXXXX lived with XXXX, XXXXX.

XXX stated that he personally heard the woman who operates the cafe adjoining the store speak of the threat made by XXXXX. However, XXX could not name or identify the sources of the rest of his allegations.

On September 1, 1965, XXXXX met with AG Doar and identified the woman who operates the cafe at XXXXX's store as XXXXXX. XXXXXX also identified the witness Thomas thrown onto the highway from a truck as Porter Diggs. XXXXX also stated that Diggs identified the occupants of the truck as XXXXX, XXXXX, and XXXXX, all white residents of Sidon. XXXXX told AAG Doar that Diggs left Sidon after Thomas died because he feared for his life, but that he could be contacted through the Jackson office of the Freedom Democratic Party. In addition, XXXXX stated that XX-year-old XXXXXXXX saw blood on a pick-up truck belonging to XX-year-old XXXXXXXX.

Because the allegations made by XXXXX and XXXXXXXX raised a suspicion that Thomas's death may have resulted from a conspiracy to deprive him of the equal use of public highways, in violation of 18 U.S.C. § 241, AAG Doar requested that the FBI conduct a full investigation into these allegations. FBI investigators subsequently identified and conducted interviews with all of the individuals referenced above, as well as additional persons.

FBI investigators interviewed Porter Diggs on December 6, 1965. Diggs told the FBI investigators that between 2:00 a.m. and 3:00 a.m. on DATE, he was walking on a dirt road approximately 100 yards from Highway 49 and saw a dark blue or black Plymouth sedan heading south on the highway, toward Sidon. According to Diggs, the vehicle stopped momentarily and it appeared that something resembling a body was thrown from the car. Diggs could not identify the year or model of the Plymouth and stated that he had not seen it in the area on any prior occasion.

Diggs stated that the Plymouth was stopped for about a minute before it resumed traveling south. During that time, traffic on the highway was sparse and only about four of five cars passed the Plymouth in either direction, none of which stopped. Diggs told the FBI that he was too far from the Plymouth to hear any noise or voices coming from the car while it was stopped. Additionally, because of darkness, he was unable to see the faces of its three or four occupants.

Diggs stated that he remained hidden in the bean field until the Plymouth drove away, then ran to his house, located in the opposite direction from the highway. Diggs told the FBI that he left and went home without stopping to see what was thrown from the vehicle. Diggs stated that a day or two later, he visited his XXXXX, in Sidon. During the visit, he mentioned what he had seen on the highway to XXXXXXXX, who was staying with his XXXXX. Diggs denied that he told XXXXXXXX that he saw XXXX, XXXXX, or XXXXX dump a body from a truck or any other type of vehicle. Diggs also stated that about a week after Thomas' death, he went to Jackson, Mississippi, to receive medical treatment for his back and remained in

Jackson for about a week before returning home. Contrary to XXXXXX's claim, Diggs stated that he did not leave town because he feared for his life, but only for medical treatment. Diggs explained to the FBI that he did not contact local authorities about what he saw on the highway because he did not want to become involved in anything.

Interviews conducted with the other persons referenced in the complaint did not yield any information which substantiated the remaining allegations set forth by XXXXXX and XXXXXX.

XXXXXX was interviewed by FBI investigators on November 18, 1965. XXXX told investigators that at approximately 1:30 a.m. on August 20, 1965, she was awakened by a noise from the highway that sounded like a car or truck hitting a bump in the road. At approximately 2:00 a.m., she walked out to her side porch and saw two vehicles driving south toward Sidon. XXXX stated that she did not see any persons on the highway and did not see anyone dump a body on the highway. At 8:00 a.m. that morning, an ambulance retrieved a body found approximately 50 yards south of XXXXX from the highway. XXXX additionally stated that XXX did not know Thomas, nor did she know anyone by the name of XXXXX.

XXXXXX was interviewed by FBI investigators on November 18, 1965. XXXXX told investigators that XXX closes his XXXXX store every night at about 9:00 p.m. every night but Saturday, when he keeps the store open until about midnight. XXXXX stated that on the night in question, Thomas came into the XXXX store between 7:00 and 7:30 p.m., purchased a can of beer, and left shortly thereafter. XXXXX stated that he did not ask a white person to keep his store open until 1:00 a.m. or state that he had a "nigger to kill" that evening.

XXXXXX stated that he closed the store at approximately 9:00 p.m., took a bath, and went to eat at a restaurant in Greenwood. He later went to the VFW club to meet his wife. XXXXX stated that he and his wife returned home at about midnight and slept until the next morning.

XXXXXX told the FBI that he knows XXXXXX, but was not with him on the night Thomas was killed. XXXXX stated further that he has never followed Thomas home with "XXX" as alleged. XXXXX also indicated that he owns two vehicles, a white Plymouth and a white-pickup truck, but that XXXXX has never driven either of them. XXXXX stated that XXXX, who works for XXX, frequently drives the pick-up truck. XXXXX added that he has not washed his truck in several years.

Audley Branch (Audley), (white) the XXXX of XXXXXX, was interviewed by FBI investigators on November 22, 1965. Audley stated that on the evening of August 19, 1965, XXXXXXX and XXXXXXX fixed a tire on his green pick-up truck at the grocery store. Audley told investigators that he last saw Thomas at the store at about 7:00 p.m., before he left for work. Audley indicated that he did road work for Leflore County during the day and also he

worked as a janitor on Thursday and Sunday nights at the Stag Club located in Rising Sun, Mississippi. Audley stated that he normally worked at the club from 7:30 p.m. to 1:00 or 1:30 a.m., depending upon what time he finished cleaning. Audley indicated that he is normally the last person to leave the club on the nights he works there.

Audley stated that after finishing work at the club, he drove home alone on Highway 49. He stated that he did not see a body or any other object on the highway and did not learn of Thomas' death until the afternoon. Audley told FBI investigators that he was in no way involved in Thomas' death and did not place a body on the highway. Audley added that in addition to the truck, he also owns a black and white Plymouth.

XXXXXX (XXX), (white) the XXXXXXXX and XXXXXXXX, was interviewed by FBI investigators on November 22, 1965. XXX stated that he could not recall exactly where he was on the night Thomas was killed, but was reasonably certain that he was at his XXXXX's house. XXX stated that he knew Thomas only as "Sleepy." XXX also stated that Sleepy was at his XXXXX's store during the early evening of August 19, 1965, and had helped change a tire on XXXXX's truck. XXX indicated that XXXXX lives directly across the street from his XXXX store. According to XXX, Thomas left his XXXXX store shortly after dark that evening.

XXXX told investigators that he was in no way involved in Thomas' death, and there is no truth to the allegation that he participated in dumping a body on the highway. XXX stated further that XXXXX probably made such an allegation because they do not get along. XXX stated that after XXXXX began living with XXXXXXXX, she told XXX's family that they could no longer drive down an alley by the XXXX residence to reach the highway, as XXXX's family had been doing for years. According to XXX, XXXXX placed a board with protruding nails in the alley to cause flat tires. XXX added that XXXXX has been nothing but a "trouble maker" since XXX moved into the black community.

XXXXXXX, who is black, was interviewed by FBI investigators on November 18, 1965. XXXX told investigators that he is employed by XXXXX and lives in the rear of XXXXX's store. XXXXX stated that the first he heard of Thomas' death was when the Sheriff called to speak to him after it happened. XXXXX stated that he was vaguely acquainted with Thomas, who he knew as "Sleepy," and knew that he lived on French Bend Plantation in Sidon.

XXXXXX recalled that Thomas had been at the XXXX store the night before he was found on the highway, but left the store long before it closed at 9:00 p.m. XXXXX stated that Thomas left the store alone and saw him walk down the street by himself. XXXXX did not recall that anyone else was in the store when Thomas left. XXXXX told the FBI that he finished sweeping the store just before it closed at 9:00 p.m. XXXXX then went to his living quarters, where he remained until the next day. XXXXX stated that at no time did he offer to drive Thomas home, nor did he or XXXXX follow Thomas in XXXXX's pick-up truck.

XXXXXX stated that he did not leave a body on the highway and added that he has never heard XXXXXX threaten anyone. Like XXXXXX, XXXXXX stated that XXXXXX's pick-up truck has not been washed or cleaned for years.

XXXXXXXXXX (white) was interviewed by FBI investigators on November 23, 1965. XXXX told investigators that due to the passage of time, he could not recall exactly what he did on the night of August 19, 1965. XXXX indicated that he probably was sleeping at home. XXXXXX stated that XXX did not know Thomas, and did not dump a body onto the highway.

XXXXXXXXXX was interviewed by FBI investigators on November 18, 1965. XXXXXX stated that at the time of the incident, she worked for XXXXX at a cafe that adjoins his XXX store. She indicated that she never worked at the cafe on Thursday nights, as it was only open Friday through Sunday, nor had she ever visited the XXXX store on a Thursday night. XXXXXX indicated that she did not know XXXXXX, and stated that it was untrue that she told anyone that she heard XXXXXX threaten anyone. Further, XXXXX stated that in all years she had known XXXXXX, she had never heard him threaten anyone.

XXXXXXXXXX also told investigators that she did not hear XXXXXX tell another white person to keep his store open until 1:00 a.m. or that he had "nigger" to kill that night. She again stated that she was not at the XXXX store on Thursday night. Further, the cafe was not open on the night that Thomas was struck on the highway. XXXXXX stated that she had only seen Thomas in Sidon a few times before his death, and did not know him by name. XXXXXX stated that she has no additional information about Thomas' death.

XXXXXXX also told investigators that XXXXXX asked her at one point to write to the President of the United States about Thomas' death. In response, she told XXXXXX that she did not have anything to write about it, but told XXXXXX that she could write a letter if she so desired. XXXXXX stated that she signed a letter written by XXXXXX, but did not recall reading the contents of the letter. XXXXXX stated that if XXXXXX wrote anything to indicate that she (XXXXXXX) knew anything about Thomas' death, then XXXXXX "signed a lie on her."

XXXXXXX (black), who lives in residence approximately XXX yards east of XXXXXX's store, was interviewed by FBI investigators on November 22, 1965. XXXXX stated that he was home with XXXXXX, the night before Thomas died. XXXX stated that Thomas came to his house, alone, from XXXXXX's store. According to XXXX, Thomas stayed at his house for at least two hours after the XXXX store closed and left alone at about 11:00 p.m. According to XXXX, he last saw Thomas walking north. XXXX stated that Thomas did not appear to him to be inebriated. XXXX also told investigators that he did not see XXXXXX cleaning blood from XXXXXX's pick-up truck the morning Thomas' body was discovered, and did not know of anyone else who saw such an event.

XXXXXXXXXX (black), was interviewed by FBI investigators on November 21, 1965. XXXXX stated that Thomas came to her home on the evening of August 19, 1965, and

watched television with her for a few hours. After Thomas left the house, he spoke to XXXXX outside for a while. XXXX stated that when XXX went to bed at 10:30 p.m., Thomas was still out front talking to XXXXX.

XXXXX told investigators that she did not know anything about XXXXX washing blood off of XXXXXXXXX's pick-up truck the following morning. She did hear that two boys, XXXXXXX and XXXXX, had seen blood on XXXXXXXX's truck. XXXXX did not have other information regarding this matter.

FBI interviewed XXX-year-old XXXXXXXX on November 22, 1965. XXXX told the FBI that one afternoon approximately one week after Thomas died, he saw XXXXX with XXXXXXX's truck. XXXXX stated that XXXXX worked for XXXXX and frequently drove XXXX's truck. It appeared that XXXXX had stopped to check on the battery or something mechanical, as the truck's hood was raised. XXXXX stated that he noticed some reddish or rust colored splattering on the underside of the hood which he fought might be blood. XXXXX stated that he did not see evidence of blood on any other part of the truck, and did not notice any signs of marks, scratches, or dents. The truck also showed no signs of being recently repaired or repainted.

XXX-year-old XXXXXXXX (black) was interviewed by FBI investigators on November 22, 1965. XXXXX told the FBI that several days after Thomas' death, he saw a blue and white pick-up truck parked alongside XXXXX's store. XXXXX stated that on the right front bumper of the truck, he saw one red round spot about the size of a dime that appeared to be blood. XXXXX did not notice any other evidence of blood on the truck, nor did he see any signs of scratches or dents indicating that it may have been in an accident. XXXXX also stated that he saw no signs that the truck had been recently repainted. He did not know who owned the truck or the truck's make or model.

XXXXXXX (black) was interviewed by FBI investigators on November 22, 1965. XXXXX stated that nearly every day, he drives the blue and white pick-up truck belonging to his employer, XXXXXXX. XXXXX stated that the truck had battery trouble on one occasion, but could not recall where or when the trouble developed. Could not recall XXXXX ever seeing him with the hood open on the truck. XXXXX stated that the truck has never been involved in an accident, and as far as he knew, any marks on the underside of the hood were still present. XXXXX stated that he was home on the night Thomas was killed and did not learn of Thomas' death until XXXXX, who heard about it at school, told him.

XXXXXXX, was interviewed by FBI investigators on November 22, 1965. XXXXX stated that he would not make XXXXX available for an interview. Stated XXX family had nothing in common with XXXXX. XXXXX stated that he owns a blue and white pick-up truck which XXXXX, an employee, drives almost every day. XXXXX had no objection to the FBI examining the truck. He advised that he occasionally hauls slaughtered cattle in the truck's bed. XXXXX stated that XXXXXXX has caused nothing but trouble among both the black and white communities. XXXXX stated that XXXXXXX was an atheistic revolutionary.

XXXXXXX (Black): according to Greenwood Police Department Captain C.A. Strickland, XXX had been arrested numerous times for stealing and other crimes. Strickland said that he would consider any information from XXX to be unreliable in view of his past criminal record and reputation. The FBI examined XXXXX's truck on November 18, 1965, and found no marks, scratches, or evidence that the truck had been recently repainted. Also they found no evidence of blood on the truck. The front fenders and other parts of the truck's body were noted to have rust in several areas. Also, the truck was extremely dirty and had no signs that it had been recently cleaned. The FBI also examined XXXXX's truck: there were no signs of it having been involved in an accident. There was no evidence of scratches, dents, marks, or blood on the bumpers or body of the truck. Also there were no signs that the truck had ever been repaired or repainted. Examination of the underside of the truck's hood revealed areas of rust-colored water splashings, apparently caused by leakage from the radiator cap. The cap was also noted to be the same rust color as the splashings.

It is noted that Sidon is small community of approximately 410 persons.

Federal Review:

On May 6, 2009, FBI investigators contacted Mississippi Bureau of Investigation (MBI) Special Agent SA Jim Miller about the investigation into Thomas' death. SA Miller referred the FBI to Leflore County Sheriff Ricky Banks. The FBI then provided Sheriff Banks with a list of individuals interviewed in 1965 in connection with the Thomas investigation. Banks, who became Leflore County Sheriff in 1980, told the FBI that he did not recall Thomas' death. Banks also indicated that several of the persons on the list were deceased, including Porter Diggs. Banks identified five individuals in the list still living: XXXXXXXX, XXXXXXXX, former LCSO Deputies XXXXXXXX and XXXXXXXX, and former County Coroner James Hankins. Banks stated that one person on the list, XXXXXXXX, had relocated to XXXX years earlier. Banks told the FBI that former LCSOP deputy XXXXXXXX might recall the incident.

FBI investigators interviewed Retired Leflore County Coroner James Hankins on May 6, 2009. Hankins told the FBI that he clearly recalled the investigation onto Thomas' death. Hankins stated that numerous interviews were conducted by LFSO and Mississippi State Highway Patrol (MSHP) investigators. Hankins recalled that investigators concluded that Thomas left Sidon on foot in a very inebriated condition and was run over on Highway 49, just outside of Greenwood. According to Hankins, Thomas appeared to have been run over numerous times and was almost unrecognizable. Hankins told the FBI that he conducted a coroner's inquest at the scene, and it was decided that an autopsy should be performed to determine any level of intoxication and to confirm Thomas' identity. Hankins also stated that there was no weapon recovered at the scenes, nor was there anything suspicious other than no one stopping after running over Thomas. Hawkins stated that the only person, black or white, who felt there was anything suspicious about Thomas' death was XXXXXXXX.

On May 6, 2009, in response to an FBI inquiry, Jack Matthews, Director of Security at Greenwood/Leflore Hospital (GLH) told the FBI that GLH had no autopsy records from 1965.

On May 6, 2009, FBI interviewed former LCSO Deputy Sheriff XXXXXX. XXXX told the FBI that he did not recognize the name Freddie Lee Thomas, but vaguely recalled that a young black male was killed by a car in Sidon in the 1960s.

On May 7, 2009, FBI investigators interviewed former Leflore County Deputy XXXXXX. XXXXX told the FBI that he vaguely recalled the investigation into Thomas' death, and did not recall anything out of the ordinary to indicate that Thomas' death was a racially motivated homicide. XXXXXX stated that he believed that Thomas' death was the result of a hit and run traffic accident.

On May 7, 2009, FBI investigators interviewed XXXXXXXX. XXXXX told investigators that he did not recall the death of Thomas. XXXXXXXX later stated that he recalled a body being found on the highway in Sidon, but did not recall the name of the person found. XXXXXXXX stated that he was very active in the civil rights movement from 1960 through 1965, when he joined the army. When XXXXXXXX was questioned about XXXXXXXX's statement that he observed Thomas' body in the funeral home and saw a bullet hole in Thomas' head, XXXXXXXX stated that XXXXXXXX's statement was absolutely not true. XXXXXXXX also told the FBI that he had no idea why XXXXXXXX would make such a statement.

On May 7, 2009, FBI investigators interviewed XXXXXXXX. XXXXXXXX told the FBI that she recalled being interviewed by a Greenwood newspaper regarding Thomas' death, but she had not information about the incident. XXXXXXXX added that she did not recognize Thomas' name, but only recalled that a body was found on the side of the road. XXXXXXXX stated that she had no other information about the incident.

On May 7, 2009, FBI investigators interviewed XXXXXXXX. XXXXX stated that he recalled being interviewed by the FBI following Thomas' death. XXXXXXXX stated that, to the best of his knowledge, Thomas was the victim of a hit and run accident and nothing more. XXXXXXXX recalled that XXXXXXXX tried to "stir up the black community" saying that Thomas' death was a racially motivated killing, but no one believed her. XXXXXXXX also stated that members of the KKK in Carroll County did not like his family because their store was in the black community, where the XXXXXXX family was well-respected.

On April 3, 2009, FBI conducted search at the Southern Poverty Law Center (SPLC) in Montgomery, Alabama, for any records related to Thomas. Found article dated June 7, 2008 from *The Greenwood Commonwealth*, discussing the possible re-opening of the investigation into Thomas' death by federal investigators. XXXXXXXX is quoted in the article as saying that the residents of Sidon "were scared about what might happen to their families if they spoke about who did it." SPLC lists Thomas as one of the 74 "forgotten"

victims of the civil rights era. XXXXXX, now XXXXXXXX maintained that she believed that Thomas was killed by the KKK and stated that in Sidon, everyone "feared the Klan." She detailed how she went to Washington with XXX. She believed the killing of Thomas was an effort to terrorize blacks who were trying to register to vote. XXXXX stated in the article that she believed that others, including herself, believed that Thomas could have been the victim of mistaken identity. XXXXX stated that local white supremacists were after a black man who was rumored to be dating a white woman. The article stated that XXX's whereabouts were unknown at the time of the article.

The article states that during the 1965 investigation, an unnamed witness stated that he saw three white men dump Thomas on the highway two miles outside of Sidon, in the middle of the night. The article states that the witness, who watched from a nearby cotton field, stated, "I believe he was dead when they chucked him - ain't never seen a man fall that way."

XXXXXX stated that her XXXXXXXX told investigators that he saw a white teenager washing blood off of a pick-up truck the day after Thomas' body was found. According to XXXXXXX, XXXX was subsequently forced to leave the farm he sharecropped in Sidon.

According to FBI records, a witness told investigators that he and a companion had viewed and photographed Thomas' body at the funeral home and saw a hole in the side of Thomas' head. XXXXXXXX believed it was a bullet hole, despite what pathologist told the FBI: "No gunshot wounds."

XXXXXX said XXXXXXX Audley (now dead) was also questioned by FBI. XXX said that XXXXX put the FBI on XXXX because one of their dogs died and there was blood in the back of the truck from when they moved it. When contacted, most people did not want to talk about the case or claimed not to remember it.

In addition to the article, there is a typed document dated August 22, 1965, from Sidon, Mississippi titled "Testimony of an eyewitness to the chunking of the body of Freddy Lee Thomas, 16, dead, onto the highway (49E) between 12:45 and 1:15 a.m., Thursday night, August 19, 1965." The "testimony" is unsigned. Presumably, it is meant to be representative of Diggs' statement, as it is accompanied by a document detailing XXXXX's interaction with local investigators which appears to be written from her point of view.

The unsigned "testimony" states that the author saw three white men in a Plymouth Car drive past him and then backed up about 50 feet. Writer thought car coming toward him to "start some mess" with him. Saw them throw a "boy" from the car. He thought the boy would get up in a minute, so he moved on. The next day, he knew something was wrong. He stated that he believed that Thomas was dead when they threw him from the car, and that the car then backed up and ran over Thomas.

On November 16, 2008, FBI contacted Larry McMurtry, Special Assistant Attorney General, Director of Public Integrity, Mississippi Attorney General's Office (MAGO) and requested any files related to Thomas. McMurtry indicated no case files or references to Thomas in any MAGO records.

The same request was sent to the Mississippi State Conference NAACP. There is a written request from FBI dated February 4, 2009, but no new documents turned up. The documents are the same as those from the SPLC (the "testimony", report from Dr. Trigg, article, etc.).

On February 23, 2009, the FBI contacted Police Chief Tony Jones, Batesville Police department in reference to the Thomas matter. Chief Jones indicated that the BPD did not have any records dating back to 1965 and had no recollection of the Thomas case. He could not think of anyone else who might have this information.

On March 16, 2009, the FBI conducted an online search of materials located at the University of Southern Mississippi (USM) Library, which holds an unprocessed manuscripts collection donated to USM by various donors. The collection of manuscripts is listed online. There were no results for Thomas.