

CIVIL RIGHTS DIVISION

Notice to Close File

File No. 144-62-2312

Date: February 15, 2025

To: Chief, Criminal Section

Re: Unknown – Subject(s);
Donna Reason (Deceased) – Victim;
CIVIL RIGHTS

It is recommended that the above matter be closed for the following reasons:

1. Date of the Incident: May 19, 1970
2. Synopsis of the Facts and Reasons for Closing:

On May 19, 1970, Donna Reason, a nine-year old Black girl, was killed after someone threw a Molotov cocktail into the home she shared with XXXX, stepmother, and XXXX. As explained more fully below, a federal prosecution of anyone responsible for Miss Reason's death is not possible. The government has not uncovered evidence that the crime was motivated by Miss Reason's race (or the race of her family). Even if such evidence could be developed, the statute of limitations has run on all potential federal hate crimes. Because the state has an open homicide investigation into this matter, referral to state authorities is unnecessary. For these reasons, the case is being closed without prosecution or formal referral to the state.

Angela M. Miller
Attorney

To: Records Section
Office of Legal Administration

The above numbered file has been closed as of this date.

Date

Barbara K. Bosserman
Deputy Chief, Cold Case Unit, Criminal Section
FORMERLY CVR-3 FORM CL-3

3. Factual Summary and 1970 Federal Investigation¹

Just after midnight on May 19, 1970, someone threw a Molotov cocktail (*i.e.*, a homemade incendiary device) into a home in Chester, Pennsylvania. The homeowner was XXXX named XXXX, who lived there with XXXX, Gloria, who was white, and XXXX from XXXX first marriage: Donna (9), XXXX, and XXXX. The family had moved into the home just a few weeks earlier. The Molotov cocktail ignited a fire. Everyone inside the home was initially able to escape onto a second-floor roof. Donna, however, ran back inside the house and down the hallway to the stairs leading to the first floor. Despite XXXX and Gloria's efforts to save her from the burning house, they could not. Firefighters found her at the bottom of the stairs on the first floor; she had died from smoke inhalation and other related injuries.

Because XXXX and Gloria were an interracial couple, questions arose about whether the arson was racially motivated. The matter was referred to the Department by an eligible entity for review under the Emmett Till Unsolved Civil Rights Crime Act (Till Act) and its Reauthorization.

The incident was investigated in 1970 by local authorities, the state police, and the Federal Bureau of Investigation. Authorities recovered pieces of a Thunderbird wine bottle and traces of gasoline in the home. Authorities also identified Molotov cocktails made from Thunderbird bottles at two other locations that same evening: the Douglass Junior High School and the Trinity Methodist Church.

Police canvassed the neighborhood the next evening and noticed two young Black men standing in the alley across from the Reason residence; the young men left as an officer approached. The officer reported seeing pieces of a broken wine bottle and traces of gasoline on a cloth wick near where the men had been standing. The young men were not identified or located at the time. Those who witnessed the house fire did not notice anyone suspicious in the area at the time, nor did they see anyone fleeing from the scene.

XXXX denied that XXXX neighbors ever threatened or harassed XXXX or XXXX family. In fact, XXXX and XXXX family had lived in the same multi-racial neighborhood for about three and a half years—just a block from the home that was targeted—without incident. XXXX and XXXX family left their previous home on good terms with their landlord. XXXX was well regarded in the neighborhood; XXXX neighbors, when interviewed, knew of no animosity or threats toward the Reason family. Investigators considered several other possible motives for the attack on the Reason family's home—including that the Reason family was not the intended target of the attack.

Despite the multiple investigations by various agencies, no subjects and no motives were identified at the time. In March 2021, the Department confirmed that the Pennsylvania State Police had an open homicide investigation relating to Donna Reason's death and that, as of late 2024, the investigation remains open.

¹ The summary is drawn from the Federal Bureau of Investigation's investigation and contemporaneous news reports of the incident.

4. Legal Analysis

This matter is being closed, as it cannot be federally prosecuted. First, the Department has not identified a motive that would qualify this incident as a potential civil rights violation. Second, in 1970, at the time Donna Reason was killed, the only available federal hate crime statutes had a five-year statute of limitations.² Thus, any prosecution would have had to have been initiated by 1975.

The Till Act and its Reauthorization provide that the federal government can assist state or local governments in prosecuting cold cases when the cases cannot be prosecuted federally. Referral to the state is not appropriate here, as the state is currently conducting an active investigation. The Department has notified state authorities that it is available to assist the state investigation upon request.

In sum, the Civil Rights Division concludes that this matter should be closed without prosecution or referral to the state. The United States Attorney's Office for the Eastern District of Pennsylvania concurs with this recommendation.

² The Department of Justice has used non-civil rights statutes to overcome the statute of limitations challenge in a small number of cases, such as those involving kidnapping across state lines, *see United States v. Seale*, 600 F.3d 473 (5th Cir. 2010), or offenses occurring on federal land, *see United States v. Avants*, 367 F.3d 433, 440 (5th Cir. 2004). The available evidence in this case, however, does not support proceeding under either theory.