

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:15CR108
18 U.S.C. § 245(b)(2)(A) & (C)

AUSTIN REED EDENFIELD

FACTUAL BASIS

Were this case to go to trial, the Government would expect to prove, beyond a reasonable doubt, by the presentation of documentary and physical evidence, and the testimony of lay witnesses, that:

The defendant, AUSTIN REED EDENFIELD, was, at all times relevant to the charge, enrolled as a student at the University of Mississippi. EDENFIELD was nineteen years old at the time of the offense.

On the evening of February 15, 2014, EDENFIELD was in his room at Kincannon Hall on the Ole Miss campus when he received a telephone call from a fraternity brother, Graeme Harris. Harris asked EDENFIELD to come out and drink with him and another fraternity brother, Arthur McCarty; EDENFIELD accepted the invitation and joined Harris and McCarty at the fraternity house.

During the course of the evening, Harris decided that he wanted to create a sensation on campus using a Confederate flag. EDENFIELD knew that Harris frequently used racist language, that Harris believed African-Americans are inferior to whites, that Harris enjoyed listening to music containing violent lyrics about whites harming African-Americans, and that Harris objected to living in what he called a "Nigger dorm." Harris, EDENFIELD and McCarty decided that they would place a Confederate flag and rope on the Meredith statue. EDENFIELD recalled Harris

saying: “It’s James Meredith. People will go crazy,” (referring to African-American students and staff). As these discussions took place, Harris was using racial slurs, including the “N word,” and playing racist music.

EDENFIELD knew that James Meredith was the first African-American student to enroll at the University of Mississippi. African-American students and staff would reasonably perceive the flag and rope as a form of intimidation and as a potential threat of violence. Knowing this, EDENFIELD agreed to help Harris place the flag and rope on the Meredith statue; he accompanied Harris and McCarty to the statue, and he tied the rope around the neck of the statue when Harris was unable to get it tied. After affixing the flag and rope to the statue, EDENFIELD, Harris and McCarty left the area.

About sunrise on February 16th, EDENFIELD accompanied Harris back to the statue to see what it looked like in the daylight. On the way there, EDENFIELD and Harris passed a white university maintenance worker. Harris raised his hand in a closed fist and yelled “white power.”

After University authorities and federal law enforcement officers began investigating the incident, EDENFIELD admitted his involvement, then withdrew from school and returned to Atlanta, Georgia, to live with his parents.

The University of Mississippi is situated in Lafayette County, within the Northern District of Mississippi, for jurisdictional purposes.