

Name: _____ Class: _____

The Scottsboro Boys

By Jessica McBirney
2017

The trial of the Scottsboro Boys was a historic event in which nine black youths were wrongfully accused and convicted for a crime they didn't commit. Occurring in 1931, the Scottsboro Boys' trials sparked outrage and a demand for social change. As you read, take note of the variety of ways in which the criminal justice system failed the Scottsboro Boys.

- [1] There are few legal cases in U.S. history that have received as much media attention as the trials of the nine Scottsboro Boys in 1931. The trials of the African American teenagers went on for decades and began to carve out a path for racial equality in the U.S. justice system.

False Accusations

On the morning of March 25, 1931, nine young black men rode illegally in the back of a freight train chugging across Alabama. Charlie Weems, Ozie Powell, Clarence Norris, Olen Montgomery, Willie Roberson, Haywood Patterson, Eugene Williams, and brothers Andrew and Leroy Wright were all unemployed, travelling to a new destination to look for work. The oldest was 19, and the youngest only 13.

During the journey, a fight broke out between the nine young men and some white men who had also jumped onto the freight car. The train had to stop in Scottsboro, Alabama to end the fight, and the white men went to the local authorities to accuse the black youths of assault. As it turned out, two white women had also been hiding in the train car. They falsely claimed the nine black teenagers had raped them.



"7 'Scottsboro Boys' Win: 1932" by Washington Area Spark is licensed under CC BY-NC 2.0.

The accusation was inflammatory¹ in the Jim-Crow South.² News of the alleged³ crime spread rapidly across the county; later that same day, the *Jackson County Sentinel* condemned⁴ the "revolting crime." Whites in Scottsboro were so upset that a mob gathered outside the jail where the boys were held, and the Alabama Army National Guard had to step in to control the crowd.

1. **Inflammatory (adjective):** stirring up anger, disorder, or rebellion
2. Throughout the first half of the 20th century, southern states enforced "Jim Crow" laws, which promoted racial segregation.

- [5] The trial was held in Scottsboro just two weeks after the arrests, and an all-white jury quickly recommended the death penalty for eight of the nine boys, all except 13-year-old Leroy Wright. The judge scheduled the executions for mid-July, the earliest the law would allow.

Anger and Appeals

News of the ruling and severe sentences travelled around the country, and after a demonstration in New York, the Communist Party USA decided to get involved to try to stop the executions. Their legal division convinced the boys' parents to request new trials and launched detailed investigations into the rape accusations. The stir was enough to delay the boys' execution date until the case could be appealed to the Alabama Supreme Court.

Meanwhile, the Communist Party USA brought continuous media attention to the details of the case. They hoped to use the baseless accusations and the extreme punishments to shine a light on blatantly⁵ unjust legal practices in the South. The Scottsboro Boys became symbols of racial inequality and the need for change.

The Alabama Supreme Court upheld the original convictions, but the boys and their legal counsel brought the case to an even higher court, the U.S. Supreme Court. In the landmark case, *Powell v. Alabama*, the justices determined that the boys had not received access to competent⁶ legal counsel — thus, their Fourteenth Amendment⁷ rights had been violated, and they would have the right to start new trials.

Faint Signs of Hope

Even though they had new hope for freedom now, the retrial process was slow and contentious,⁸ despite overwhelming evidence of the boys' innocence. One of the strongest pieces of evidence came from an accuser herself. In early 1932, a letter surfaced from one of the accusers, Ruby Bates. In it, she admitted that her rape claim was a sham: “[It] is a lie about those negroes jassing⁹ me... Those negroes did not touch me or those white boys.” She blamed the Scottsboro police for coercing¹⁰ her into the original accusation. She further admitted, “I know it was wrong to let those Negroes die on account of me.”

- [10] Still, the retrial process dragged on. In 1933, one of the boys, Haywood Patterson, stood retrial in the courtroom of one Judge James Horton. His defense attorney called numerous witnesses and built a strong argument that the two girls on the train had lied. Their story did not match medical evidence or the stories of other witnesses, and he even got Ruby Bates to testify that the whole story had been made up. The defense seemed inarguable.¹¹ And yet, after only a few minutes of deliberation, the jury pronounced Patterson guilty and recommended execution.

-
3. **Alleged** (*adjective*): said to have happened but not yet proven
 4. **Condemn** (*verb*): to express complete disapproval of something
 5. **Blatant** (*adjective*): very obvious and offensive
 6. **Competent** (*adjective*): having the necessary ability, knowledge, or skill to do something successfully
 7. An amendment passed soon after the Civil War that guarantees equal protection under the law to all people.
 8. **Contentious** (*adjective*): causing or likely to cause arguments
 9. most likely referring to some kind of sexual act
 10. **Coerce** (*verb*): to persuade, especially by force or threats
 11. **Inarguable** (*adjective*): not open to doubt or debate

Judge James Horton knew he had to step in. In an unprecedented¹² move, he reversed the jury's decision and mandated that the trial restart yet again. His courage cost him his judgeship in the next election.

Patterson was not the only one of the Scottsboro Boys to experience stubborn juries in the face of convincing evidence. When another all-white jury convicted Clarence Norris in his retrial, he appealed to the Supreme Court. The 1935 *Norris v. Alabama* case determined that it was unconstitutional to exclude African Americans from serving on juries for African American defendants. Alabama's jury selection process was inherently racially skewed¹³ and violated Norris' fourteenth amendment right.

Digging Up the Past

The legal proceedings continued for several years. A few of the young men managed to get acquitted.¹⁴ By 1938, five of the Scottsboro Boys remained in Alabama prisons. Their sentences had been reduced from the death penalty to decades in jail, a small but significant victory. Over the next 12 years, the remaining five also made it out of the prison system, usually by receiving parole.¹⁵ Haywood Patterson, however, accomplished an impressive escape in 1948.

Years later, in 2013, the Alabama Board of Pardons and Paroles granted posthumous¹⁶ pardons to three of the Scottsboro Boys who never had their convictions overturned: Charlie Weems, Andrew Wright, and Haywood Patterson.

- [15] The Scottsboro incident was one of the earliest signs of the need for racial justice in the U.S. It garnered¹⁷ media attention for several years, and racial equality groups such as the Communist Party USA and the National Association for the Advancement of Colored People (NAACP) capitalized¹⁸ on the cases to win support for their cause.

If the Scottsboro Boys' story sounds familiar, it might be because the saga partially inspired two famous novels: Richard Wright's *Native Son* and Harper Lee's *To Kill a Mockingbird*. Lee's novel in particular has some key similarities: in it, a black man is accused of raping a white woman, and the book's protagonist is six years old, about the same age as Lee during the first Scottsboro trials. One reason the Scottsboro Boys appear repeatedly in literature and pop culture is because their story clearly demonstrates the importance of racial equality and freedom.

"The Scottsboro Boys" by Jessica McBirney. Copyright © 2017 by CommonLit, Inc. This text is licensed under CC BY-NC-SA 2.0.

-
12. **Unprecedented (adjective):** never done or known before
 13. **Skew (verb):** to make something favor a particular group of people in a way that is unfair
 14. to free someone from a criminal charge by a verdict of not guilty
 15. "Parole" is the release of a prisoner before the completion of their prison sentence, on the promise of good behavior.
 16. **Posthumous (adjective):** occurring after the death of the person
 17. **Garner (verb):** to gather or collect
 18. **Capitalize (verb):** to get an advantage from something

Text-Dependent Questions

Directions: For the following questions, choose the best answer or respond in complete sentences.

1. PART A: Which statement best identifies the central idea of the text?
 - A. The Scottsboro Boys' trials showed the enormous degree of racial inequality that existed in the United States' criminal justice system.
 - B. The Scottsboro Boys' trials were an unfortunate mistake made in U.S. history that have since been apologized for.
 - C. The Scottsboro Boys' trials proved that a new system of screening witnesses was necessary.
 - D. The Scottsboro Boys' trials showed how disorganized the criminal justice system was at the time and how far it has come since then.

2. PART B: Which quote from the text best supports the answer to Part A?
 - A. "In early 1932, a letter surfaced from one of the accusers, Ruby Bates. In it, she admitted that her rape claim was a sham..." (Paragraph 9)
 - B. "Alabama's jury selection process was inherently racially skewed and violated Norris' fourteenth amendment right." (Paragraph 12)
 - C. "The legal proceedings continued for several years. A few of the young men managed to get acquitted." (Paragraph 13)
 - D. "...in 2013, the Alabama Board of Pardons and Paroles granted posthumous pardons to three of the Scottsboro Boys who never had their convictions overturned..." (Paragraph 14)

3. PART A: What is the meaning of the word "inflammatory" used in paragraph 4?
 - A. inspiring disbelief
 - B. causing anger
 - C. spreading quickly
 - D. encouraging reckless behavior

4. PART B: Which detail from the text best supports the answer to Part A?
 - A. "They falsely claimed the nine black teenagers had raped them." (Paragraph 3)
 - B. "News of the alleged crime spread rapidly across the county..." (Paragraph 4)
 - C. "...a mob gathered outside the jail where the boys were held..." (Paragraph 4)
 - D. "The judge scheduled the executions for mid-July, the earliest the law would allow." (Paragraph 5)

5. "The trial was held in Scottsboro just two weeks after the arrests, and an all-white jury quickly recommended the death penalty for eight of the nine boys, all except 13-year-old Leroy Wright" (Paragraph 5). How does the quoted sentence contribute to the development of ideas in the text?

Discussion Questions

Directions: *Brainstorm your answers to the following questions in the space provided. Be prepared to share your original ideas in a class discussion.*

1. In your opinion, how are African Americans treated by the criminal justice system today? How have things improved and what do you think requires further attention?
2. In the context of the passage, what is fair? How were the accusations made against the Scottsboro Boys an example of a flawed criminal justice system, and the overall unfair treatment of African Americans? What steps have been taken to ensure that the criminal justice system is fair? Cite evidence from this text, your own experience, and other literature, art, or history in your answer.
3. In the context of the passage, how do people create change? How did the Scottsboro Boys bring attention to racial inequality in America, specifically in its criminal justice system? What changed because of this historic and tragic event? Cite evidence from this text, your own experience, and other literature, art, or history in your answer.
4. In the context of the passage, what are the effects of prejudice? How did prejudice drive the opinions and actions of those surrounding the Scottsboro Boys from the moment they boarded the train until their final pardons? Cite evidence from this text, your own experience, and other literature, art, or history in your answer.