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JC-KS-001-019

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Kansas City, Missouri
November 2, 1971

UNITED STATES V. WYANDOTTE COUNTY,
KANSAS, AND OTHERS
PUBLIC FACILITIES
CIVIL RIGHTS ACT OF 1964

Civil trial was begun in this case before United
States District Judge Wesley E. Brown, Kansas City, Kansas, at
9:30 a.m., November 1, 1971. First witness for the government
was Special Agent James R. Graham, Jr., Kansas City office, who
testified concerning statements made to him by defendants Jess
R. Boring, Undersheriff, Wyandotte County, Kansas, and Captain
Sallee Pacheco, Warden of the Wyandotte County Jail, which was
that prisoners were segregated in cell assignments in the jail
by white and Negro race because there had been occurrences in
the past involving altercations between the two races. While
Special Agent Graham was on the witness stand Thomas E. Joyce,
former Assistant United States Attorney representing some of the
defendants, requested a xerox copy of Special Agent Graham's
report made at Kansas City, May 27, 1968, in its entirety. The
report included not only interview reports of defendants Boring
and Pacheco to which Graham was testifying, but also interview
reports of six inmates of the Wyandotte County Jail to which
Graham had not testified and who were not potential witnesses.
Then Departmental Attorney Richard Bourne objected strongly to
the introduction of the report. However, Judge Brown over-
ruled his objection, explaining that he as the Judge trying the
case without a jury desired the complete results of investigation
by the FBI, since he would be able to determine what facts were
pertinent.

Special Agent Robert V. Harman, Jr., Kansas City, was
the next witness and his report made at Kansas City, January 29,
1970, was likewise introduced as evidence by the defense over
the objection of Departmental Attorney Bourne.