

Messrs. Hubbard and Jones

Oct. 18, 1956

John Doar
Assistant Attorney General

Alabama State-Wide Desegregation Suit
(Lee v. Hagen County)

As you know, a school desegregation suit pending before a three-judge court in the Middle District of Alabama presents us with the opportunity to apply for relief against state agencies, educational and otherwise, as a way of achieving meaningful desegregation throughout the State. We are now actively engaged in preparing for that suit, and it occurred to me that your Sections could assist in that project. Specifically, with regard to states covered by your Sections, it would be valuable to have a picture of the extent of the control possessed and exercised by State agencies over local school boards regarding pupil and faculty assignment, to know whether State agencies played any role in achieving school desegregation throughout the State, to know what that role has been, and to analyze the total effect of the State programs.

I should emphasize that you should not confine the research to State programs formulated in response to Brown; it would also be important to know what State agencies had done prior to that decision, and to know what they have done to desegregate the racially imbalanced schools throughout the State. With this information we would be in a better position to decide what we could ask and expect from the Alabama agencies, and to choose among the various alternative forms of relief

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that might be available. For this purpose, it would not be necessary to have a memorandum regarding every State in your Section; several selective examples, covering the total range of experience, would be appropriate.

The hearing in the case is scheduled for November 30, 1966, and thus we should have this information as soon as possible, but no later than November 1st. If you have any questions or problems regarding this assignment, Owen Fiss would be glad to help.