

'Power to the Ice Pick:'

Remembering the Joan Little Murder Trial

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Abstract

Joan Little was a young, black female prisoner in the Beaufort County Jail in Isfirth Carolina when she was accused of murdering her white prison guard, Clarence Alligood, in the summer of 1974. She claimed that the murder was committed in self-defense when the jailer tried to sexually assault her. Despite the history of racism in the United States, Joan Little was able to win this case because of the attention and support that it received.

Joan Little's lawyer, Jerry Paul, was able to use the social climate of the time period to

gain funding and aid from various Civil Rights groups, helping him ensure a "fair" trial.

The court acquitted Joan Little in 1975 making this case a landmark for its time.

Contrary to the folklore of criminal procedure, the function of juries is not to distill truth from fiction, not to "determine the true facts" or to render a verdict that "speaks the truth" about a defendant's guilt or innocence. The jury makes no broad judgments about a defendant's culpability. It sits to determine not whether the accused is actually guilty but whether the prosecution has presented sufficient and persuasive evidence of guilt. The defendant is on trial, but it is the prosecution that must, at least procedurally, either win or lose. The jury decides only that guilt has been established or that it has not.¹

America's legal system has long been revered for its equality and "blind" justice.

However, throughout time, there have been a number of cases in which one has to ask oneself, is the American justice system really blind? With the influence of media and public opinion being so strong and persuasive, can the justice system simply turn its head from society? Throughout history, the United States court system has been accused of having biased verdicts. There have been relatively few cases when there has been a consensus between the population and the outcome of a trial. This was especially true in the United States prior to the late 20th century. Before this, it was the white men of society who held power and delegated authority over everyone, including blacks, women, and other minorities. In 1974 this supposedly blind and equal legal system, set up by white men, would be put to the test.

Joan Little was a young, African American woman serving time in the Beaufort County prison facility. It was here, in the summer of 1974 that the 20 year old would be accused of killing her white prison guard, Clarence Alligood. Because of the social climate and time period surrounding the case, Joan was able to gain money, support, and attention; all of which helped gain her acquittal. It was this exoneration of a young, black

Fred Harwell, *A True Deliverance* (New York: Alfred A. Knopf, 1979), 9.

woman in the South, that would set Joan Little apart from the historically racist judicial system, making her case a cause celebre.

Prior to her trial, black men and women were consistently found guilty despite the evidence for or against them. This type of injustice was seen in trials like the Wilmington Ten, when ten young black men were accused of burning down a convenience store, and in the Scottsboro trials, when nine young black men were accused of raping two white women. In both instances, there was no substantial evidence against the defendants, but they were still not given fair trials because of their race. Often, particularly in the South, there was not even a trial held; a mob of white men had the ability to lynch a black person based on nothing more than hearsay. This kind of racial inequality is primarily due to America's racially segregated past.

The United States, up until the mid 20th century, was considered a segregated society, meaning that white males were held higher in the social order and separated from any other sex or race. This privilege gave Caucasian men the upper hand in both political and social structures. It was not until the late 1950's that black men and women started gaining more power in society. Running parallel to the Women's Rights Movement, the Civil Rights movement had reached a stage of maturity, making big strides to try and improve the conditions of African Americans. Just a few years before Joan Little's trial, the Supreme Court had decided in the Brown vs. Board of Education case that segregation was not legal, a decision that increased racial tension within the United States. Both black and white members of the community were trying to adjust to the new racial standards within the country. It was also during this time that the continued FBI

assaults on Civil Rights and Black Power groups occurred.² African Americans were convening at the National Black Political Convention, and both the National Black Feminist Organization and the National Organization for Women were gaining strength and support throughout the country.³ Minority groups, specifically African American, and women's groups everywhere were trying to change the way America had previously thought about race and gender relations. The Joan Little case came at a point in time when America was redefining what justice and equality meant for people of color and women.

One of the few historians who has written about the Joan Little case and the time period surrounding it is Bettye Collier-Thomas, author and professor of history at Temple University. In her book, *Sisters in the Struggle: African American Women in the Civil Rights-Black Power Movement*, she discussed the waves of feminist groups supporting the Joan Little trial and the overall movement that the trial began. Thomas claimed that racially, the controversy over the ruling of Joan Little "further polarized" the black and white population in the eastern part of North Carolina where the murder occurred. She also claimed that Joan Little was at even greater risk of indictment because of the multiple injustices of this case, such as her race, gender, and social status. Because of her circumstances and the time period, Thomas believed that the Joan Little case helped launch a woman's right of self-defense against sexual assault.⁴

Another author who has written about the Joan Little case was James Reston, an historian, author of thirteen books, numerous articles, and a current senior scholar at the

² Bettye Collier-Thomas, *Sisters in the Struggle: African American Women in the Civil Rights-Black Power Movement* (New York: New York University Press, 2001), 266.

³ Thomas, *Sisters in the Struggle*, 266.

⁴ Thomas, 261.

Woodrow Wilson International Center for Scholars in Washington. Reston claimed that the case was a circumstantial one of murder and rape ending with different theories of how the crime happened.⁵ He went on to state that each theory was based mostly on a view of the character of Joan Little and that judging the defendant was "largely a matter of predisposition." The stereotypes and the assumptions that people had of her during this time period was a key factor in her trial. James Reston also claimed that one of the reasons that this trial was able to keep the attention of the media was because it was in the South. He stated, "The national press brought to North Carolina the nostalgic, fixed view of an Old South of helpless black victims, and gross, ignorant, white law enforcement." He believed that the defense played this theme to a "fare-thee-weH" and the court room drama was soaked up by the rest of the nation.⁶ Reston went on to state that the trial pushed the legal system out of recognition and it became a stage where only "lawyer-publicists" belonged. "It was the excess of it all, on all sides, [...] that stands out."⁷ According to Reston, the trial was merely a show of how lawyers and defendants can manipulate the court system given the proper time and place.

bell hooks, a current professor at City College in New York, black feminist theorist and cultural critic, discussed the issues of black women during this time period in her book, *Feminist Theory: From Margin to Center*. She critiqued society and government during the years prior to the mid 20th century, claiming that neither were concerned with the ethnic and racial discrimination or economic survival of the masses of

James Reston, *The Innocence of Joan Little: A Southern Mystery* (Toronto: Fitzhenry & Whiteside, 1977),

Reston, *A Southern Mystery*, x.

⁷ Reston, *A Southern Mystery*, xi.

⁸ Hooks, Bell, "Black Women Shaping Feminist Theory," in *Words of Fire: An Anthology of African American Feminist Thought*, ed. Beverly Guy-Sheftall (New York: The New Press, 1995), 273. hooks' professional name is not capitalized.

black women, hooks went on to argue that society in general can not gauge the impact of sexism or sexist oppression on the lives of women in American society. She also pointed out that oppression, whether it is sexual, racial, or any other kind is merely the absence of choices and that under a capitalist patriarchy, black women's behavior is restricted, and therefore oppression occurs.⁹ Though hooks does not mention Joan Little specifically, it is clear from her writing that black women, like Joan, faced multifaceted oppression during the time of her trial.

Because of these circumstances, Joan's acquittal made her a celebrity and set a new precedent for what justice meant for African American women in the South. Little had been sentenced to the Beaufort county prison for three separate counts of breaking and entering as well as larceny in the summer of 1974. ¹⁰ She was sentenced for a term of seven to ten years of jail time and five years of probation following her release. Little was not eligible for parole within two years, and after being freed, she was to be banished from "Dodge City," a bawdy section of town where she spent most of her time.¹¹ Little was confined to Beaufort county prison for twelve weeks.¹² Little's sentence was longer than most prisoners were incarcerated and was much longer than she thought she would be there.¹³ It was in her single cell that the murder of her night jailor, Alligood, would happen.

According to the statements gathered during the trial, Clarence Alligood, a heavy set, white, 62 year old man, approached Little's cell several times that one summer night

⁹ Hooks, "Black Women Shaping Feminist Theory," 273.

⁰ Harwell, 32.

¹ Harwell, 35.

² James Reston, "Collection of Joan Little Trial Materials," (University of North Carolina at Chapel Hill: Southern Historical Collection, 1976), 31.

³ Harwell, 42.

on August 26, 1974 to bring her sandwiches and cigarettes.¹⁴ However, it was the last time that came to Little's cell that the assault began. Alligood supposedly carried an ice pick from the office to the cell and demanded that Little have sexual relations with him.¹⁵ In her testimony, Little recalls that she did not see the ice pick in Alligood's hands until he was forcing her closer to him.¹⁶ After telling Alligood that she "would not be nice to him in that way," he began to grab her by the neck with his right hand while the ice pick was in his left hand.¹⁷ Alligood coerced Joan to give him oral sex by threatening her life. However, shortly after the forced sexual act began, Little stopped when she noticed Alligood's hand loosen on the ice pick. She then tried to grab the ice pick from him and it fell to the ground. In a mad dash, Little got to the ice pick first and began to stab Alligood eleven times in what she later claimed was self-defense.¹⁸ She then quickly grabbed a pair of jeans and a shirt, and fled the scene of the crime, but not before looking back and seeing what she claimed to be a grin on his face.¹⁹ She was able to exit the prison cell because Alligood had left the door unlocked. The next morning, August 27, 1974, Alligood was found dead on Little's cell bunk, naked from the waist down, with semen on his leg.²⁰ The hunt for the escaped prisoner started immediately.

Little left the jail and went to her cousin, Raymond Cobb's house, to make a phone call. She tried to hide out there for a while but because Raymond was fearful of the cops in the area, she was unable to do so and instead called her mother for help.²¹ Little

¹⁴ Reston, "Collection," 65.

¹⁵ Reston, "Collection," 77.

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¹⁷ Reston, "Collection," 73, 78.

¹⁸ Reston, "Collection," 84.

¹⁹ Reston, "Collection," 79.

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Reston, "Collection," 78.

Reston, "Collection," Audio Transcript, 1.

²¹ Reston, "Collection," 96.

ended up hiding in a family friend's house just six blocks from the jail for about a week.²² Shortly after news broke of the slain jailer, a fragile coalition formed out of the young black women in the area to help raise money to get Joan Little out of Beaufort.²³ Because of the social climate of the area, people were already willing to help Little's defense because they felt that they could relate to her situation and help redefine what justice was. However, that quickly disintegrated due to lack of funds. Margie Wright, a local member of the Southern Christian Leadership Conference, a prominent Civil Rights organization, then called upon Jerry Paul and his team of lawyers to help clear Joan Little's name.²⁴ Jerry Paul, a recognized, white lawyer, was known for helping African Americans. In the 1960's, Paul had joined the Civil Rights marchers and began to defend them whenever they were arrested.²⁵ He was well versed in dealing with African American cases and the difficulties that went along with them. Paul saw this case as yet another attempt to help the Civil Rights movement and the African American society gain more rights in the legal system.

The historical context surrounding the Joan Little murder trial gives much insight into how the dealings of the trial would play out and the outcome that would follow. At this time, North Carolina had the highest rate in the nation of prisoners on death row. The state mandated that a conviction on a first-degree murder charge automatically carried the death penalty. If convicted, this would have been Joan's fate.²⁶ She would have been added among the two women who were currently on death row, both of whom were

²² Reston, "Collection," 93.

²³ Harwell, 93.

²⁴ Harwell, 94.

²⁵ Harwell, 99.

²⁶ Angela Davis, "Joan Little: The Dialectics of Rape," *Ms. Magazine* (1975), www.msmagazine.com (accessed April 27, 2006).

women of color.²⁷ During the time of the trial, there were sixty-four people on death row, forty-two of whom were black or Native American.²⁸ Reverend Ben Chavis, a Civil Rights activist, discovered that at the time of the Joan Little trial, "North Carolina had the largest proportion of imprisoned people, the largest number (proportionately speaking) of people on death row, and the largest number of political prisoners."²⁹ North Carolina was known for silencing political activists and figures during this time period by putting them in prison. This was another way in which the white men of society could remain in power and slow down the Civil Rights movement. When Joan Little was labeled by society as a "political prisoner" because of the circumstances of the trial, her acquittal made her even more of a rarity among other minority criminals in the state. The attack Joan Little had to endure was not uncommon in the South, however, because the trial proceeding: and acquittal was so unusual, her case quickly caught the public's interest.

When news of the murder gained national attention, many of the Civil Rights and Women's Rights activist groups felt nothing had changed in terms of equality for women or African Americans and they wanted to amend this wrong doing. Pauli Murray, a black women's activist and supporter of Joan Little's cause, had used the term "Jane Crow" to describe the barriers that were previously set up to prevent black women from achieving their true potential.³⁰ However, with this case, it appeared as if women once again felt pressure from the Jane Crow standards. *Workers World*, a prominent journal and activist group at the time, stated that "Southern slave holders considered rape one of the rights of

²⁷ Davis, "Dialectics of Rape."

²⁸ Mark Pinsky, "3 Cases Make the Point: Justice in North Carolina Is Once More Old South," *New York Times*, March 9, 1975, sec. E6.

²⁹ Bettye Collier-Thomas, *Sisters in the Struggle: African American Women in the Civil Rights-Black Power Movement* (New York: New York University Press, 2001), 268.

³⁰ Pauli Murray, "The Liberation of Black Women," in *Words of Fire: An Anthology of African American Feminist Thought*, ed. Beverly Guy-Sheftall (New York: The New Press, 1995), 185.

ownership, and that attitude prevails in the minds of white racists today. All Joann (Joan) Little did was to protect her body and her life. [...] The crime is that she is being tried at all." Wayne King, a news reporter from New York who covered the story from beginning to end, wrote in the *New York Times* that, "Her supporters saw her trial as nothing more than old-fashioned lynch law turned on its head, some new and bitter fruit from the hangman's tree that has come [...] to symbolize cases of summary justice dealt to blacks accused of sexual trespass in the South."³² The Prisoners Against Rape activist group was quoted as saying, "rape serves to perpetuate male dominance, female submission and stereotype myths [...]. Unite to give power to oppressed people! Down with sexism! Free sister Joann (Joan) Little!"³³ These groups wanted to work together to make sure that the horrible crime of raping a black woman in the South would not be excused or tolerated anymore. They wanted to make Joan Little an example and a representation of how justice can be won for a black female in the South. These groups quickly began sending money to support and help her cause.

The biggest support group for Joan was the Southern Poverty Law Center in Alabama. They encouraged Little to continue asking for money from the support groups as well as private donations from individuals.³⁴ They even had her write a letter in the newspaper asking for funding; "If you are willing to help, please rush your check by air mail. Only 3,000 concerned people giving an average of 25 dollars each will bring us to our goal. I hope I can count on you."³⁵ Other groups such as the Black Panthers, National

Minnie Bruce Pratt, "A Look Back at the Joan Little Case," *Workers World* (2006), www.workers.org (accessed September 19, 2006).

³² Wayne King, "Trial Gives New Twist to Old Racial Issue," *New York Times*, August 12, 1975, 14.

³³ Pratt, "A Look Back."

³⁴ Joan Little, Display Ad 481, *New York Times*, August 24, 1975, 153

³⁵ Little, Display Ad 481, 153

Organization for Women (NOW), The Prisoner Solidarity Committee (PSC), and the Atlanta Lesbian Feminist Alliance (ALFA) were just a few that volunteered their services.³⁶ There were other coalitions that formed specifically for Joan Little such as the Free Joan Little Committee, the JoAnn Little Defense Fund, and the Concerned Women for Fairness to Joan Little.³⁷ By the end of the trial, Joan Little and her defense had collected over 300,000 dollars.³⁸

Not only did these groups give money, but some, like the PSC, organized rallies, marches, vigils, leafleting, and petitioning nationwide.³⁹ The Youth Against War and Fascism group collected 2,000 signatures on a petition demanding an immediate end to Little's prosecution.⁴⁰ In the back of the courtroom, both black and white young women sat wearing tee shirts that said "Free Joann Little" and "Power to the Ice Pick."⁴¹ Outside the courthouse, Little's supporters waved an array of protest signs including some that said, "Why Have a Trial- the Criminal is Dead."⁴²

One of Joan Little's biggest supporters was Angela Davis, a famous African American women's rights advocate. She remained by Little's side throughout much of the trial to ensure that justice was found. She claimed, "many believe that incidents such as these belong to an era of racist terror now forever buried [...] but history itself allows only the naive to claim [...] a time of unequivocal progress."⁴³ She also stated that the initial victim of rape was the black woman, but rape was also used as a means of

³⁶ Pratt, "A Look Back."

³⁷ Thomas, *Sisters in the Struggle*, 262.

³⁸ Wayne King, "Joan Little Slaying Trial Starts Today," *New York Times*, July 14, 1975, 51.

³⁹ Pratt, "A Look Back."

⁴⁰ Pratt, "A Look Back."

⁴¹ King, "Trial Gives New Twist," 14.

⁴² King, "Trial Gives New Twist," 14.

⁴³ Davis, "The Dialectics of Rape."

terrorizing the entire black community.⁴⁴ Davis made the point that white males had a history of using rape and violence as a way to maintain power in society. Though Davis stood apart from the majority of women in America because she was linked to the Communist party, she was a good representation of how most women, especially African American women, felt during this time period. She represented the active voice of equality for black women at this time. Many of the groups, like her, felt like they had a strong connection to Joan Little and wanted to see her succeed not just for herself, but for her gender and race as well. Bernice Reagon, a songtalker and musician, stated, "Joanne (Joan) is you/Joanne is me/ Our prison is this whole society. [...] Joan Little really showed me where my voice was on the issue. [...] what she opened for me was *any woman any where* who is violated."⁴⁵ Betty Collier-Thomas, wrote, "group leaders had to reexamine the concept of 'sisterhood' in light of State vs. Joan Little. As a result, recognition of differences created varying degrees of solidarity among women."⁴⁶ Women of all colors and ethnicities came to view Joan Little's trial as an authentic opportunity to implement the idea of true "sisterhood" across race and class lines. This case was an opening for women, and especially black women, to look at themselves not individually, but collectively in order to further the black revolution going on at this time.⁴⁷ It was as if when Little won the case, she won a battle for society.

Though Jerry Paul and his team of lawyers gained a lot of national support for the Joan Little case, which soon became known as the Joan Little Movement, there was still

⁴⁴ Davis, "The Dialectics of Rape."

⁴⁵ Thomas, *Sisters in the Struggle*, 266.

⁴⁶ Thomas, 267.

⁴⁷ Haden, Patricia; Middleton, Donna; Robinson, Patricia, "A Historical and Critical Essay for Black Women," in *Dear Sisters: Dispatches from the Women's Liberation Movement*, ed. Rosalyn Baxandall and Linda Gordon (New York: Basic Books, 2000), 93.

some concern over whether or not Joan would receive a truly fair and impartial trial because of the courts historically predispositioned past. Even Little's lawyer, Mr. Paul, has been quoted saying, "It [Little's innocence] is almost irrelevant; the whole trial process had nothing to do with justice." Because of the time period and history of wrongful convictions of black defendants, Paul was worried that the court system would be corrupt and prove that Joan was guilty based on her gender and the color of her skin and not on the evidence for or against her. This corrupt system is why Joan's lawyer tried his best to ensure that she would have a fair trial. With the help and funding that was provided from the support groups, Paul was better able to make a fair trial happen for Joan Little.

In the early stages of the trial, Jerry Paul wanted to conduct a research study on the area around Beaufort County. Because of the distinct racial division within the eastern part of North Carolina during this time period, he knew that trying to find a location where Joan could receive a "fair" trial would be tough in the South. With the funding he was given from the support groups, he hired a team of social scientists to interview and survey the people in the area concerning their attitudes towards racism, sexism, and Joan Little.⁴⁹ They wanted to see what state of mind the people of the area were in so they could choose an area that did not have any predispositions about the case. It was the scientists' presence during the selection of prospective jurors that attracted the most attention and controversy. Jury selection and trial location were key issues when deciding whether or not Joan would have an unbiased trial. Paul's team of social scientists

⁴⁸ Wayne King, "Joan Little's Lawyer Scorns Legal System and Says He 'Bought' Her Acquittal," *New York Times*, Oct. 20, 1975, 23.

⁴⁹ John B. McConahay; Courtney J. Mullin; Jeffery Frederick, "The Uses of Social Science in Trials with Political Overtones: The Trial of Joan Little," *Law and Contemporary Problems* 1 (1977), www.jstor.org/ (accessed September 18, 2006).

discovered that "important cognizable classes were indeed substantially underrepresented in the resulting grand and/or petit jury pool."⁵⁰ Though African Americans made up a large part of the population, they were not being represented. Due to this lack of representation, Paul called for a change of venue motion in order to try and get Little a fair and impartial jury.⁵¹ He was worried that if she were tried in Pitt County, the original decided location, she would not have a good chance of winning. To back up the scientists' arguments that the trial needed to be relocated, they presented data from the random sample telephone surveys that they had conducted in each of the twenty-three counties of the Eastern North Carolina region. The defense team concluded that Little could not get a fair trial in any of these counties because there was no difference among the respondents' perceived level of exposure to the case and their preconceptions of guilt and racial attitudes.⁵³ With the help of the social scientists, Jerry Paul was able to have the trial moved to Wake County, a bigger, more diverse area. The judge who decided to allow this based his decision on the substantial amount of publicity the case had received in the Pitt County news media and the fact that, because of this, many people had affixed opinions about the case.⁵⁴ The media had already begun to play a big part in the trial. This was only the beginning of the defense's enduring trial and jury selection process. Paul's team went through six streams of combined data to decide whether or not to accept a juror. They had a mathematical model, a behavioral model, and even a psychic to observe the potential jurors and advise them of their aura or "karma." Finally,

⁵⁰ McConahay, "The Uses of Social Science in Trials," 207-208.

⁵¹ Ibid., 210.

⁵² Ibid., 211.

⁵³ Ibid., 211-212.

⁵⁴ Ibid., 213.

Little was asked how she felt about any juror whom they were considering.⁵⁵ In an article titled, "Recipe for a Jury," the social scientists wrote that their ideal juror would be a female Democrat with no religious preference and a white-collar job or a skilled blue-collar job; the juror should be under thirty, black, and have elements of a counterculture lifestyle.⁵⁶ The defense team went through these specific details to ensure that Joan would have a fair trial and a jury that represented the people who were historically underrepresented: African Americans.

This "scientific" jury selection is where a fair amount of the funding went. On average, the development of this project ended up costing the defense 30,000 dollars.⁵⁷ Much criticism arose from this kind of jury selection as well; the team was often accused of "stacking the jury."⁵⁸ By the end of the selection process, the jury consisted of six blacks and six whites.⁵⁹ Jerry Paul was able to use Joan's funding to get the jury and trial location that he wanted. This case not only established a woman's right of self defense, but a defendant's right to have a change of venue beyond the boundaries of neighboring counties. This was not a likely occurrence in the state of North Carolina, making Joan's case unique in more than one way. Joan's fate was left up to those twelve hand-picked jurors.

Over the course of the trial, even though he had gotten support from various groups, Jerry Paul had worked very hard to try and mold Joan Little into someone that would fit the jury's image of a poor, innocent victim and not that of a murderer.

However, Joan's past was a hurdle that he had to overcome. Born in 1954 in Washington,

⁵⁵ McConahay, "The Uses of Social Science in Trials," 214.

⁵⁶ "Second Juror is Seated in Trial of Joan Little," *New York Times*, July 16, 1975, 41.

⁵⁷ King, "Joan Little Slaying," 51.

⁵⁸ McConahay, "The Uses of Social Science in Trials," 220.

⁵⁹ Thomas, *Sisters in the Struggle*, 260.

North Carolina, Joan Little was the oldest of nine children in a poor family. Her father abandoned them and her mother remarried a man that "mistreated" her family, though exact details are not clear as to what extent. Joan slowly began to drift away from her mother and family; at the age of sixteen, she had moved out and began living with a friend.⁶¹ In 1968 Joan's mother had asked a Beaufort County judge to send her to Dobbs's Farm, a juvenile training school. It was here that Joan would make her first escape from a prison facility and flee to a cousin's home in New Jersey.⁶² This was only the beginning of Joan's run-ins with the law. Joan lived in and out of North Carolina for a number of years. She had lost interest in education and never managed to get her high school diploma. To support herself she took jobs as a factory worker and a field hand. Joan began hanging out in local taverns and pool halls near Washington. This area, known as "Dodge City" had the highest crime rate in the city. It was also the place where she met Julius Rodgers, her soon-to-be boyfriend and the man she would write letters to from jail. Here, in Dodge City, Joan gained a reputation that blended "delinquency with promiscuity." She had even been linked to a prostitution ring.⁶³ Sadly, this was not an unusual way for a black female to grow up in the South. Due to the racial segregation and white elitist mind frame in the South, much of what Joan Little went through was what many minorities had to endure during this time. In 1960, twenty two percent of black households were single-mother families, mostly due to the disproportionate number of poor black men in prison or dead. Also, there was a lack of good jobs for poor people,

⁶⁰ Harwell, 24.

⁶¹ Harwell, 25.

⁶² Harwell, 26-27.

⁶³ Harwell, 27.

especially poor women of color.⁶⁴ Although most of Joan's circumstances were forced on her because of the time period, the image that came across to the jury was not helpful to her defense lawyers when she was later on trial.

Joan has stated that most of her real problems started in 1973; "It just seemed like a year of bad luck."⁶⁵ It was in the spring of that year that she was arrested for shoplifting in Greenville. She received a six month suspended sentence and a fine. Later, in November, Little was arrested on larceny charges after a woman from Pitt County accused her of stealing some clothing. However, this case was never tried because the woman who made the claim did not show up to court and testify. Joan Little was arrested again on January 10th in Washington for shoplifting.⁶⁶ This case was thrown out as well because the officer had testified that he had not actually seen her with any stoleji items. The fact that the officer did not see Little with the stolen items but arrested her anyway could also be seen as a testament to how African Americans were often wrongfully accused of breaking the law simply because of their race.

Only four days later, on January 14th, Joan Little was arrested again, along with her brother Jerome who was staying with her, on charges of what the deputy sheriff called "unlawfully, willfully, and feloniously stealing, taking and carrying away" two televisions, one 30/30 rifle, six pairs of shoes, a set men's and women's wearing apparel, cook ware, one vacuum cleaner, one automatic mixer, and other household goods.⁶⁷ Together, Jerome and Joan were charged with breaking into three homes and stealing

⁶⁴ Hope, Karol, "The Single Mother Experience," in *Dear Sisters: Dispatches from the Women's Liberation Movement*, ed. Rosalyn Baxandall and Linda Gordon (New York: Basic Books, 2000), 229.

⁶⁵ Harwell, 27.

⁶⁶ Reston, "Collection," 29.

"Harwell, 31.

property valued at more than 1,300 dollars. ⁶⁸ Joan, however, failed to appear in court and was a hunted fugitive for the first time. The police eventually found her and during the trial, her brother Jerome testified against her, leaving him to be acquitted and her to be found guilty. This would be the arrest that would put her in the Beaufort Comity jail where she would eventually meet and murder Clarence Alligood.

Jerry Paul agreed with Davis when she claimed that Little had been "raped and wronged many times over by the exploitative and discriminatory institutions of this ⁷⁰society." The defense believed that Joan had been dealt a bad hand and that by society her past should only be a testament to that. This is another reason activist why so many groups got involved; they believed that Joan Little had been a life victim her entire

because of the world around her. Patricia Hill Collins, a women's rights activist, claimed, "African American women, as a group, experience a different world than those who are not black and ⁷¹female." Again, because of the time period and the acist past, historically

the African American population went through life much differently than the white population did. They were not given the opportunities that much of the white population had at this time. Their experiences often evolved out of survival. Women, especially black women, could see themselves in Joan Little and wanted to fight for her that she, and her "cause," could survive. However, with this kind of background and previous incidences with the law, it was hard for Joan Little to be looked upon as an "innocent" victim by her jurors. Jerry Paul had to manipulate the views of the jury to show that Joan

⁶⁸ Harwell, 31.

⁶⁹ Harwell, 32.

⁷⁰ Davis, "The Dialectics of Rape."

⁷ Patricia Hill Collins, "The Social Construction of Black Feminist Thought," in *Word of Fire: An Anthology of African American Feminist Thought*, ed. Beverly Guy-Sheftall (New York: The New Press, 1995), 339.

Little was only a product of the world around her and that she, herself, was the victim. An article in the *New York Times* claimed that "[Paul] coached his client in a way that made her performance in court the virtual equivalent of a memorized script."⁷² Paul prepared Little to not only deal with the prosecution, but the media and society as well.

Almost immediately the tabloids and newspapers began publishing what little details they had about the story. Joan Little quickly became a celebrity case. Jerry Paul recognized that because of the time period of the trial and the support surrounding the case, he would be able to "orchestrate the press."⁷³ He was often accused of pulling publicity stunts to gain the media's attention. For example, Mr. Paul was often seen "parading Miss Little before the photographers with a copy of *To Kill A Mockingbird* clutched in her arms; the title conspicuously showing."⁷⁴ Because of his lack of faith in the legal system, Paul was known for saying that the trial and justice system was a "charade and illusion" and that he simply "bought" Little's acquittal.⁷⁵ Though Little had not denied killing Mr. Alligood, Paul was going to make sure that she was found innocent by manipulating the press so that everyone in society would feel like Joan was the victim.

With all of the pressure and support coming from the media and activist groups, William Griffin, the prosecutor, wanted to bring out Joan's past as a way to make her seem unreliable. To get support for the prosecution, Griffin made an effort to point out holes or gaps in her testimony. For example, throughout Joan's time in the Beaufort County Prison, she kept a series of journals and diaries in the crossword puzzles she was given. It was here that Joan claimed to have written down everything that happened in

⁷² "Judicial Nihilism," *New York Times*, Oct. 25, 1975, 28.

⁷³ "Judicial Nihilism," 28.

⁷⁴ King, "Joan Little's Lawyer Scorns," 23.

⁷⁵ King, "Joan Little's Lawyer Scorns," 23.

the prison; "I wrote down close to everything that happened. [...] Well, whatever happened during those times I always wrote it down."⁷⁶ One entry read, "Mr. Alligood brought me a sandwich. Had a headache so he included aspirins. 3:30 a.m. Wed. morning listening to music. [...] Mr. Alligood just received his 3:30 snack. So far this week I received one ea. Night. Thank God for that."⁷⁷ These diary entries were helpful tools for the prosecution. During the trial, Joan claimed that the guard had tried to come on to her a previous time, yet she did not record it down in her journals. She testified in court that "he wanted me to have, you know, sex with him. [...]! told him to leave and that if he didn't that I was gonna tell Mr. Ellis when he came on."⁷⁸ Joan thought that she had noted this incident in a copy of *Ben Hur*, but when the book was brought into court, there was no note of it at all.⁷⁹ In all of her writings, nothing bad about Mr. Alligood could be found. In fact, in a letter that she had written to a friend while in prison, Joan stated "They [the jailors] are all really nice."⁸⁰ When asked later why she did not go ahead and tell Mr. Ellis about the incident, Little testified that "sometimes you have evidence and you tell people the truth, but then they twist it in a way that makes it seem that you're not telling the truth, and in Washington, North Carolina, coming up as a black woman it's different in sayin what you did and having your word to go against a white pers | n's. It is not acceptable."⁸¹ Joan was trying to prove that because of her social race, gender, and climate of the time period, Mr. Ellis would not have believed her. The prosecutors also

⁷⁶ Harwell, 46.

⁷⁷ Harwell, 46.

⁷⁸ Harwell, 47.

⁷⁹ Harwell, 47.

⁸⁰ Reston, "Collection," 134.

⁸¹ Harwell, 48.

claimed that Alligood's murder could have been a part of an escape plan. The officer on duty before Alligood claimed that Joan was "talking in a low voice, sort of a mumble" and that she "did not respond to his greeting" like she normally does; he testified that she

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was acting unusual that night. The jailer claimed that Little was in the area of the drawer where the ice pick was kept and possibly could have had a chance to grab it when she used the phone earlier that night and then lured Alligood in the cell with sexual temptations, making this a premeditated murder.⁸⁴ One cannot deny that there was some sort of sexual activity going on in Little's cell that night because of the semen that was found on Alligood's pants. However, her testimony of what happened during the summer that she was in jail conflicted with what she had written in her journals. This

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contradictory evidence left the prosecution to wonder if Joan was really telling the truth about the cause of the murder. Although, one could also question the intentions of the jailers. Mr. Alligood could have been trying to seduce Little or bribe her into giving sexual favors which is why he was so nice to her. The question of intent on both sides of the story is why the defendant and the victim's history were brought in as evidence during the trial.

Towards the end of the trial proceedings, there were testimonies from other women who were incarcerated in the Beaufort County jail as well. They claimed that they too had been sexually harassed by the jailers. Rosa Ida Mae Roberson, a middle-aged woman who was placed in the jail claimed that she had attempted to cut her wrists with

Wayne King, "Joan Little Prosecutors Contend Killing Was Part of Escape Plot," *New York Times*, August 1, 1975, 21.

⁸³ King, "Joan Little Prosecutors," 21.

⁸⁴ King, "Joan Little Prosecutors," 21.

the ragged end of a toothpaste tube because of repeated entreaties from Alligood.⁸⁵ Annie Marie Gardner, who had spent 44 days in the jail, claimed that Mr. Alligood had made sexual advances while she scrubbed the jail floor on several occasions.⁸⁶ Phyllis Ann More testified that she had seen Alligood come into the women's section on two occasions and ask the defendant if she had "missed her man;" both times Little had

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turned away from him in disgust. Just as the prosecution brought up Joan's past in order to taint her credibility, the defense had now done the same with Clarence Alligood.

Jerry Paul began his closing statement for the Joan Little trial with a quote from Dr. Martin Luther King's speech "Where Do We Go from Here: Chaos or Community," saying that, "Together we must transform this worldwide neighborhood into worldwide brotherhood [...] We must work passionately and indefatigable—without fatigue—to bridge the gulf between our scientific progress and our moral progress."⁸⁸ He then went on to say that "The richer we have become materially, the poorer we have become morally." He attacked America's current moral stance on race in order to make Joan Little seem like she had been violated her entire life. He even went on to say "They [American courts] want to keep out the racism. They want to keep out the sexism, but it [the point] has to be made if we are going to have social change."⁹⁰ This tactic would gain more support and sympathy from the jury. Paul also used a speech from a prominent leader in the Civil Rights movement to make himself and his cause appear to be more heroic. Paul stated that the Joan Little trial was chosen, not by him, but by God.⁹¹

Wayne King, "Joan Little Jury Hears Ex-Inmates," *New York Times*, August 8, 1975, 7.

King, "Joan Little Jury," 7.

King, "Joan Little Jury," 7.

Reston, "Collection," 4.

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Reston, "Collection," 4.

Reston, "Collection," 6.

Reston, "Collection," 4.

Furthermore, Paul tried to relate Joan Little's case to that of Rosa Parks' and how she went against the law, to help his case. He stated, "If Rosa Parks had obeyed the law of the land that Mr. Chalmers (another prosecutor) said protects us, [...] if Rosa Parks had sat at the back of the bus rather than the front of the bus, you [black members of the jury] wouldn't be serving on this jury."⁹² Paul failed to mention Little's not-so-clean past and her admittance to the murder; he highlighted what she was, not who she was. So, in essence, Jerry Paul was trying to convince the jury that by setting Joan Little free, without regard to evidence against her, they would be making society a better place. The jury had the power, if they did not convict her, to raise the moral standards in America and further the equality movement.

This was a powerful closing argument that was given. Paul relied heavily on the social climate surrounding the case and the previous Civil Rights movement to enhance his argument. He wanted to make sure that Americans realized that they were in a moral dilemma; not about whether a murderer should be convicted, but whether or not a poor, black woman should be punished for the crimes society had committed against her.

The American courts may never know the exact details of what happened during the summer of 1974 in the small Beaufort County jail, but what they do know is that a black woman in the South was acquitted for killing a white man. This outcome made Joan Little's case stand out among the many other historically biased trials. Because of the funding and support that was provided to her from her followers, Joan Little and her defense team were able to have a seemingly impartial trial, thus giving her a fair chance at justice. Little's trial came during a time of change and transformation in the United States. She was chosen to represent all of the other black women who were not given

justice in the past and also to give hope for them in the future. Her case allowed her to represent what America hoped they could be; a blind and just legal system, giving everyone, no matter what color or gender, a fair trial.

Works Cited

Primary Sources

McConahay, John B and Mullin, Courtney J. and Frederick, Jeffery. "The Uses of Social Science in Trials with Political Overtones: The Trial of Joan Little." *Law and*

Contemporary Problems 1 (1977). www.jstor.org (accessed September 18, 2006).

This article was written by the social scientists that conducted the field study and research of Eastern North Carolina for the Joan Little trial. In this work, they discuss the methods used by the defense to gain a fair trial and jury. This was an important piece of information because without the change of venue or a carefully selected jury, the outcome of the trial could have been different. This article gave more in depth information about the pre-trial process.

The New York Times, July 1975-October 1975.

I was able to find over ten articles related to the Joan Little trial in the New York Times. Most of the writings were by a man named Wayne King. He followed the case from beginning to end, reporting on any new developments or important events. There was also an article by Mark Pinsky, another writer following the case. In addition to articles, I also found an article written in letter format that Joan Little had submitted to the people asking for money and support. From these primary documents I was able to see how the media was portraying the case to the general public and also gain new information about the case.

Reston, James. "Collection of Joan Little Trial Materials." University of North Carolina at

Chapel Hill: Southern Historical Collection, 1976.

This collection contained a number of valuable primary resources. Not only did it have a few newspaper clippings, but the original testimonies of Joan Little. It also contained the closing arguments from both the prosecutor and defense attorneys. A transcript of an audio interview with Joan Little, conducted by James Reston, was also included. All of these materials gave me a better understanding of what really went on during the actual trial.

Works Cited
Secondary Sources

Collins, Patricia Hill. "The Socialist Construction of Black Feminist Thought." In *Words of Fire: An Anthology of African American Feminist Thought*. New York: The New Press, 1995, 337-357. Davis, Angela. "Joan Little: The Dialectics of Rape." *Ms. Magazine* The Best of 30 Years, Spring 2002. Haden, Patricia; Middleton, Donna; and Robinson, Patricia. "A Historical Essay for Black Women." In *Dear Sisters: Dispatches From the Women's Liberation Movement*. New York: Basic Books, 2000, 93-95. Harwell, Fred. *A True Deliverance*. New York: Alfred A. Knopf, 1979.

This book had a plethora of information concerning the Joan Little trial. Not only did it give details about the trial proceedings, but it also gave detailed information about the main characters involved in the case such as Joan Little and Jerry Paul.

Hooks, Bell. "Black Women: Shaping Feminist Theory." In *Words of Fire: An Anthology of African American Feminist Thought*. New York: The New Press, 1995, 270-282. Hope, Karol. "The Single Mother Experience." In *Dear Sisters: Dispatches From the Women's Liberation Movement*. New York: Basic Books, 2000, 229. Murray, Pauli. "The Liberation of Black Women." In *Words of Fire: An Anthology of African American Feminist Thought*. New York: The New Press, 1995, 185-197. Pratt, Minnie Bruce. "A Look Back at the Joan Little Case." *Workers World* (2006). www.workers.org (accessed September 19, 2006).

Reston, James. *The Innocence of Joan Little: A Southern Mystery*. Toronto: Fitzhenry & Whiteside, 1977. Thomas, Bettye Collier. *Sisters in the Struggle: African American Women in the Civil Rights-Black Power Movement*. New York: New York University Press, 2001.