



U.S. Department of Justice
Civil Rights Division

RM:PF:CG
144-41-3580

Criminal Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b)(7)(C)

APR 12 2010

Joliet, IL 60433

Dear

(b)(7)(C)

We are writing to inform you that the Department of Justice and the Federal Bureau of Investigation (FBI) recently conducted a review of the circumstances surrounding the death of your (b)(7)(C) Corporal Roman Ducksworth, Jr., on April 9, 1962. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the person responsible for Cpl. Ducksworth's death, Taylorsville, Mississippi, Police Department (TPD) Officer William Kelly, is deceased. Please accept our sincere condolences on the loss of your (b)(7)(C).

Over the last 50 years, the Civil Rights Division of the Department of Justice has been instrumental in bringing justice to some of the nation's most disturbing civil rights era crimes. Today, the Division continues to use its resources and expertise to identify, locate, and, where possible, prosecute those responsible for committing racially-motivated crimes committed more than 40 years ago.

In 2006, the FBI began its "Cold Case Initiative" — a comprehensive effort to identify and investigate racially-motivated murders committed decades ago. Toward that end, each of the 56 FBI field offices searched their "cold case files" to identify incidents which might be ripe for investigation. In February of 2007, the FBI announced the next phase of the initiative, which includes a partnership with the National Association for the Advancement of Colored People (NAACP), the Southern Poverty Law Center (SPLC), and the National Urban League to assist the FBI in identifying additional cases for investigation and to solicit their help. In October 2008, the "Emmett Till Unsolved Civil Rights Crime Act" ("Emmett Till Act") became law giving the Department of Justice additional tools to investigate "violations of criminal civil rights statutes . . . result[ing] in death" that "occurred not later than December 31, 1969."

The federal review concerning Cpl. Ducksworth's death was begun pursuant to the Cold Case Initiative and the Emmett Till Act. This review was conducted by FBI Special Agents and an experienced "cold case" civil rights prosecutor. We have now concluded that review and wish to inform you in writing of our findings.

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As part of its review of the circumstances of your (b)(7)(C) death, the FBI interviewed you. The FBI also contacted various Mississippi law enforcement and government officials; conducted searches of the FBI records, the University of Southern Mississippi library, and the Internet for relevant references and media articles; sent letters to the SPLC and the NAACP requesting information; and solicited information about the case via a press release that was published in local newspapers and broadcast on local television and radio stations.

According to our review, on April 9, 1962, TPD Officer William Kelly shot and killed Cpl. Roman Ducksworth, Jr. As you know, Cpl. Ducksworth had taken a number of buses from his post in Fort Riche, Maryland, to Taylorsville, Mississippi, on emergency leave to be with you and your newborn child. Cpl. Ducksworth was sleeping as the bus he had boarded in Jackson pulled into Taylorsville. According to witness (b)(7)(C) the bus driver, (b)(7)(C) summoned Officer Kelly when he was unable to wake Cpl. Ducksworth. At that point, Officer Kelly boarded the bus and, according to (b)(7)(C) began slapping Cpl. Ducksworth to wake him and then escorted him off the bus. Once off the bus, Cpl. Ducksworth struck Officer Kelly repeatedly and Officer Kelly reacted by striking Cpl. Ducksworth on the head with a "blackjack." Officer Kelly then fired a shot into the ground and a second, fatal shot at Cpl. Ducksworth.

On April 10 or 12, 1962, a local grand jury heard testimony concerning the shooting. Officer Kelly claimed in the grand jury that he tried to arrest Cpl. Ducksworth, who resisted. Officer Kelly acknowledged that he struck Cpl. Ducksworth several times with his blackjack but claimed that Cpl. Ducksworth was not affected. According to Officer Kelly, he drew his gun and fired a warning shot into the ground because Cpl. Ducksworth used a Judo strike on him. Officer Kelly claimed further that Cpl. Ducksworth said something to the effect of, "that's no good," and tried to grab Officer Kelly's gun. It was then that Officer Kelly fired the fatal shot at Cpl. Ducksworth.

The local grand jury declined to indict Officer Kelly. According to an internet article on tolerance.org and an NAACP document, Officer Kelly sent a message to your (b)(7)(C) stating, "If I'd known it was your son I wouldn't have shot him." Officer Kelly died in September 2004.

After careful review of this incident, we have concluded that the now deceased Officer Kelly acted alone when he shot and killed your husband and therefore, we have no choice but to close our investigation.

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We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of your (b)(7)(C)

Sincerely,

Paige M. Fitzgerald
Deputy Chief in Charge of the Cold Case Initiative
