



U.S. Department of Justice  
Civil Rights Division

RM:PF:CG  
144-19M-1756

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

(b)(7)(C)

Macon, GA 31204

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 (b)(7)(C) A.C. Hall, on October 13, 1962. We regret to inform you that we are unable to proceed further with a federal criminal investigation of this matter because the applicable five-year statute of limitations has expired and because, even if not barred by the statute of limitations, there is insufficient evidence to prove a violation of the relevant federal criminal civil rights statutes, beyond a reasonable doubt. Please accept our sincere condolences on the loss of (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 the deaths of your cousin 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.

cc: Records Chrono Gamondi T. 07/27/11  
\\crt-phb-fs01\home\cgamondi\MyFiles\Cold cases\Notification  
letters\Final\144\_19M\_1756\_Hall.wpd

As part of its review of the circumstances of the death of (b)(7)(C) the FBI retrieved from the National Archives and Records Administration (NARA) the 1962 FBI file relating to the case; interviewed one the officers who shot (b)(7)(C) former Macon Police Department (MPD) (b)(7)(C) and two civilian witnesses; contacted various Georgia officials; and conducted searches of the Bibb County Court records, the Bibb County Library, and Georgia death records.

According to our review, on the night of October 13, 1962, (b)(7)(C) who was 17 years old at the time, was shot and killed by MPD Officers James L. Durden and (b)(7)(C). The officers claimed that they fired at Mr. Hall, who ran from them and who they believed to be armed, when he turned toward them and appeared to reach for a weapon.

The incident began sometime after 9:00 p.m., when the officers responded to a complaint from a married couple (the couple) that (b)(7)(C) had seen an African-American man exit their car and that, shortly thereafter, (b)(7)(C) discovered that a gun was missing from the glove compartment. When the officers responded to the complaint, (b)(7)(C) told them that (b)(7)(C) would be able to identify the alleged thief. The couple got into the back seat of the officers' patrol car which was driven by (b)(7)(C) while Officer Durden sat in the front passenger seat. They drove a short distance and eventually to the rear of the G.W. Carver elementary school (the school) on Hazel Street.

At about the same time, Mr. Hall and a 16-year-old friend were walking to a friend's home, and stopped at the school yard so that Mr. Hall's could remove dirt from inside her shoes.

In 1962, the officers and the couple stated that Mr. Hall ran across the headlights of the patrol car, whereupon (b)(7)(C) recognized him as the person (b)(7)(C) had earlier seen exiting their car and said, "that's him!" The officers and the couple stated further that one or both the officers yelled at Mr. Hall to stop but he did not comply. According to the officers, when Mr. Hall ran over a dirt mound, (b)(7)(C) stopped the car at the edge of the mound. At that point, Mr. Hall turned toward the car and pulled his right arm from behind his back. It was then that first Officer Durden, and then (b)(7)(C) started firing at Mr. Hall. Officer Durden fired two shots and (b)(7)(C) five. Mr. Hall continued running but eventually fell to the ground, having been fatally wounded. The couple confirmed that Mr. Hall turned and pulled an arm from behind his back. Neither the officers nor the couple stated that they saw something in Mr. Hall's hand, however.

The FBI determined that Officer Durden died on September 24, 2009. (b)(7)(C) was interviewed by the FBI in 2011. (b)(7)(C) who was (b)(7)(C) years-old at the time of his interview, could not remember many of the details of the shooting, but (b)(7)(C) gave an account generally consistent with (b)(7)(C) 1962 account. In particular, (b)(7)(C) recalled firing at Mr. Hall after Mr. Hall turned toward the officers and pulled a gun and Officer Durden warned him that Mr. Hall was about to shoot the officers.

Page 3 is missing from the original files

- 4 -

We regret that we cannot be of further assistance to you. Again, please accept our sincere condolences for the loss of 

(b) (7)	(C)
------------	-----

Sincerely,

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