

HONORABLE TSZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WAYNE PERRYMAN on behalf of himself  
HATTIE BELLE PERRYMAN, FRANCES  
P. RICE and the AFRICAN AMERICAN  
CITIZENS of the UNITED STATES

Plaintiff,

v.

DEMOCRATIC NATIONAL  
COMMITTEE, NATIONAL  
DEMOCRATIC PARTY & BARACK  
OBAMA As Party Leader

Defendants.

No. **C11-1503**

COMPLAINT—CLASS ACTION  
SEEKING INJUNCTIVE RELIEF for  
CLASS in VIOLATIONS OF  
CONSTITUTIONAL & CIVIL  
RIGHTS Re: RACISM

**WITHOUT ORAL ARGUMENTS**

Lead Plaintiff Wayne Perryman (“Lead Plaintiff” or Plaintiff) individually and on behalf of all other persons similarly situated, by the undersigned Pro-Se litigants, for its first official complaint, alleges to have experienced some of the acts, and upon information and belief to all other matters, based upon the investigation made by the Lead Plaintiff, which investigative research includes, *inter alia*, Congressional Records, chronicles of history, news articles, PBS documentaries, and the works of our nation’s top history professors regarding the Democrat’s (“Defendant” or “Democratic Party”) violation of

the Constitutional Rights of African Americans as documented in the attached copy of the Lead Plaintiff's book: The Drama of Obama Regarding Racism (See Exhibit 3 & Case File exhibits in CV04 2442). The Lead Plaintiff believes that further substantial evidentiary support exist for the allegations set forth below after a reasonable opportunity for discovery.

## **Nature of Action**

1. The Plaintiffs brings this action as a "Class Action" pursuant to the Civil Liberties Act of 1988, Section 1983 of Title 42 of the United States Codes, and *Jablonowski v Modern Cap Mfg.* 312 Mo. 173, 279, S.W. 89. 95, all of which afford Plaintiffs *redress of an injury; and amends for the wrong inflicted.*

2. The Civil Liberties Act of 1988 is one of three pieces of legislation passed by Congress that authorizes *redress for injury*. Senate Bill 60 was the first Reparation Bill submitted on behalf of African Americans in February of 1866. The Senate bill was designed after General William Sherman's Special Field Order #15, which provided African Americans with a tract of land of **40 acres plus a mule**. Although the bill passed both houses (dominated by Republicans), **Democratic** President Andrew Johnson vetoed the bill. Throughout his tenure as President, Johnson carried out the Democrat's agenda by attempting to veto other key pieces of Civil Rights legislation that were designed to give and protect the constitutional rights of African Americans. Title 42 is the third piece of legislation that was passed by Congress which allows redress. Under Section 1983 of Title 42 of the U.S. Code it states that "*deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the injured party in an*

*action of law, suit in equity or other proper proceeding for redress....”* Section 1983 originated from the **1866 Civil Rights Act** and the **1871 Ku Klux Klan Act**.

3. The Plaintiffs in this case allege that in an effort to impede and or deny African Americans the same constitutional rights afforded to all American citizens, the Defendants established a *pattern of practice* of promoting, supporting, sponsoring and financing racially bias entertainment, education, legislation, litigation, and terrorist organizations from 1792 to 1972 and continued certain practices up to 2011. The Plaintiffs allege that the Defendant’s racist actions were in violation of the *United States Constitution* (as later proven in the case of *Brown v Board of Education* and in other subsequent Civil Rights Legislation); and further allege that these racist actions have had an on going residual affect on today’s generation of African Americans.

4. The Plaintiffs allege that the Defendants’ 210 years of racist practices and cover ups not only negatively *affected* the *entire Black Race*; but these practices *infected* our *entire nation* with the most contagious and debilitating social disease known to mankind, *racism*. In 1866, Republican Congressman John Broomall of Pennsylvania made reference to this *social disease* during his argument for the passage of the 14<sup>th</sup> Amendment. Broomall said: “*It was also expected that the six Johnsonian new converts to the Democracy would also oppose and vote against this measure; commencing with the gentleman from New York [a Democrat], who, I believe, has the disease in the most virulent form, thence down to the gentleman from Kentucky [also a Democrat], who preceded me on this question, and who has the mildest and most amiable type of the infection.*”

5. With landmark litigation, racist legislation and profane defamation, the Defendants spent substantial amounts of money to produce racist campaign literature and to support racist entertainment (i.e. Jim Crow minstrel shows, stage plays *“The Klansman,”* and the movie: *“The Birth of a Nation”*), all in an effort to prove to the world that African Americans as a class, were a racially inferior group that should be treated and classified as *“property”* and not as *“citizens”*.

6. The Plaintiffs allege that during the past 21 decades the Defendants successfully disguised and concealed their horrific acts against the “class of Plaintiffs” by operating and committing these acts under the following aliases: “the Confederacy,” “Jim Crow,” “Black Codes,” the “Dixiecrats” and the “Ku Klux Klan.” Congressional records, historical documents, and the letters and testimonies from several brave black citizens revealed that these groups weren’t separate independent organizations, but were various auxiliaries and divisions of the Democratic Party. The debates on the Ku Klux Klan Act of 1871 further revealed that these auxiliaries were committed to use every means possible including: lynchings, murder, intimidation, mutilations, decapitations and racially flawed adjudication to carry out the Defendant’s racist agenda of *“White Supremacy.”*

7. The Plaintiffs allege that to further conceal the truth of their racist history and in an effort to deceive the public, the Defendants made a conscious decision not to mention or disclosed their true and complete history. On their official website they failed to disclose that as a national political party:

- Democrats opposed the Abolitionist
- Democrats supported slavery and fought and gave their lives to expand it
- Democrats supported and passed the Fugitive Slave Laws of 1793 & 1854
- Democrats supported and passed the Missouri Compromise to protect slavery
- Democrats supported and passed the Kansas Nebraska Act to expand slavery
- Democrats supported and backed the Dred Scott Decision
- Democrats supported and passed Jim Crow Laws
- Democrats supported and passed Black Codes
- Democrats opposed educating blacks and murdered their teachers
- Democrats opposed the Reconstruction Act of 1867
- Democrats opposed the Freedman's Bureau as it pertained to blacks
- Democrats opposed the Emancipation Proclamation
- Democrats opposed the 13<sup>th</sup> , 14<sup>th</sup> , and 15<sup>th</sup> Amendments to end slavery, make black citizens and give blacks the right to vote
- Democrats opposed the Civil Rights Act of 1866
- Democrats opposed the Civil Right Act of 1875 and had it overturned by U.S. Supreme Court
- Various Democrats opposed the 1957 Civil Rights Acts
- Various Democrats argued against the passage of the 1964 Civil Rights Acts
- Various Democrats argued against the passage of the 1965 Voting Rights Acts
- Various Democrats voted against the 1972 Equal Employment Opportunity Act
- Democrats supported and backed Judge John Ferguson in the case of *Plessy v Ferguson*
- Democrats supported the School Board of Topeka Kansas in the case of *Brown v The Board of Education of Topeka Kansas.*
- Various Democrats opposed desegregation and integration
- Democrats started and supported several terrorist organizations including the Ku Klux Klan, an organization dedicated to use any means possible to terrorize African Americans and those who supported African Americans.

During the debates on the Ku Klux Klan Act of 1871, **Senator William Stoughton, the Republican from Michigan** said: *“The evidence taken before the Senate committee in relations to the outrages, lawlessness and violence in North Carolina establishes the following propositions:*

1. *The Ku Klux Klan organization [which] exists throughout the State, has a political purpose, and is composed of the members of the **Democratic** or Conservative Party.*
2. *This organization has sought to carry out its purposes by murders, whippings, intimidation, and violence against its opponents.*
3. *It not only binds its members to execute decrees of crime, but protects them against conviction and punishment, first by disguises and secrecy, and second, by perjury, if necessary, upon the witness-stand and in the jury box.*
4. *All of the offenders in this order, which has established reign of terrorism and bloodshed throughout the State, not one has yet been convicted.”*

*“We may concede, Mr. Speaker, that if this system of violence is to continue in the South, the **Democratic Party** will secure the ascendancy. If political opponents can be marked for slaughter by secret bands of cowardly assassins who ride forth with impunity to execute the decrees upon the unarmed and defenseless, it will be fatal alike to the Republican Party and civil liberty. But sir, we may well ask where will this end? **How long will it be before the Tammany Hall Democracy, who are now furnishing arms to the Ku Klux Klan of the South to murder southern Republicans, will introduce this new element of Democratic success into the northern politics?** [In 1871, Congress was concerned that the Democrat’s social disease of **racism** and **terror** would spread and **infect** the entire nation.]*

8. The Plaintiffs further allege that according to the renowned African American history professor John Hope Franklin, the atrocities committed against African Americans in regions controlled by Democrats and their Klan supporters, *“were so varied and so numerous as to defy classification or enumeration.”*

Example 1: One news reporter documented one of these acts against a Mr. Sam Hose, a black man who was falsely accused of killing his white employer and raping his employer's wife. The reporter wrote:

*“After stripping Hose of his clothes and chaining him to a tree, the self-appointed executioners stacked kerosene-soaked wood high around him. Before saturating Hose with oil and applying the torch, they cut off his ears, fingers, and genitals, and skinned his face. While some in the crowd plunged knives into the victims flesh, others watched with un-feigning satisfaction, the contortions of Sam Hose’s body as flames rose, distorting his features, causing his eyes to bulge out of their sockets and rupturing his veins. The only sounds that came from the victim’s lips, even as his blood sizzled in the fire. were, Oh my God! Oh, Jesus.” Before Hose’s body had even cooled, his heart and liver were removed and cut into several pieces and his bones were crushed into small particles. The crowd fought over these souvenirs. Shortly after the lynching, one of the participants reportedly left for the state capitol, hoping to deliver a slice of Sam Hose’s heart to the Democratic governor of Georgia, who would call Sam Hose’s deeds, “the most diabolical in the annals of crime.”*

Example 2: Another historian reported what the Democratic terrorists did to Mary Turner, a pregnant black woman. Mary was nine months pregnant at the time. She had reported that she was going to file charges against those who lynched her husband. This is what the historians from the PBS special: The Rise & Fall of Jim Crow, and author Leon f. Litwack, had to say about her sadistic murder:

*“After tying her ankles together, they hung her from a tree, head downward. Dousing her clothes with gasoline, and burned them [the clothes] from her body. While she was still alive, someone used a knife ordinarily reserved for splitting hogs to cut open the woman’s abdomen. The baby fell from her womb to the ground and cried briefly, whereupon a member of the [terrorist] mob crushed the baby’s head beneath his heel.*

*Hundreds of bullets were then fired into Mary Turner's body...."* The executions of Sam Hose and Mary Turner were documented in the book which highlighted lynchings in the Democratic South. The Foreword of this book ("Without Sanctuary"), was written by Civil Rights Activist and Congressman, John Lewis.

These horrific acts were just the tip of the iceberg. Other noted history professors also wrote about the atrocities committed by Democrats and their terrorist organizations, among them include: Professor James McPherson of Princeton University, Professor David Herbert Donald of Harvard University, Professor Allen W. Trelease of North Carolina University and Professor Howard O. Lindsey of DePaul University.

9. The Plaintiffs allege that when the federal government launched various investigations to prosecute those who committed these racist acts, elected officials from the Democratic Party including Democratic governors, judges, mayors, sheriffs, state legislators and U.S. Senators exhausted every means to block their investigations. From 1877 to 1977 over 300 Democratic governors and several thousand Democratic mayors, sheriffs, judges, state legislators and U.S. Congressmen and Senators ruled the South (see Exhibit 3). Loyal members of the Democratic Party were too loyal to cooperate with the various investigations and with rare exceptions, most African Americans who witnessed the horrific atrocities - were too frightened to participate in the investigations. The terrorist attacks by the Defendants and their Klan supporters were so numerous, that the Plaintiffs believe that from 1792 to the 1960s this political party is responsible for killing and terrorizing more African Americans than the terrorist activities attributed to Osama Bin Laden, the Al Qaeda, the Baath Party and the Taliban of Afghanistan. From 1792 to

2011, there are no official records where the Democratic Party officially and publicly apologized and denounced their past racist practices.

10. The Plaintiff alleges that the racist practices and statements by members of the Democratic Party from 1792 to 1972 weren't condemned by the Democratic National Committee, but were actually sanctioned by the Party's Political Platform. The records will show:

- ❖ The Party Platform condemned the Abolitionist, but it protected the institution of slavery.
- ❖ The Party Platform condemned the interference of slavery, but supported Fugitive Slave Laws.
- ❖ The Party Platform condemned military presence in the South to protect blacks but fail to condemn the Ku Klux Klan and the Party's other terrorist organizations that were killing blacks and those who supported blacks.
- ❖ The Party Platform condemned Republican programs like the Freedmen Bureau, but failed to condemn Jim Crow laws and segregation.
- ❖ The Party Platform condemned the use of Federal Marshals at the voting polls to protect the black vote, but failed to condemn the terrorist activities that were designed to stop black voters.
- ❖ The Party Platform condemned Republican legislation including the 1875 Civil Rights Act and the Force Act, legislation that were designed to help blacks, but they failed to condemn, Fugitive Slave laws, the Dred Scott Decision, Jim Crow Laws and the Black Codes that virtually re-enslaved blacks.

- ❖ The Party's Platform praised President Andrew Johnson for standing in the way and vetoing key pieces of Civil Rights Legislation like the Civil Rights Act of 1866 and Senate Bill 60 which would have helped blacks and provided African Americans with 40 acres and a mule, but they failed to condemn racist legislation that was passed at the state level (under States' Right), legislation that were designed to harm blacks and deny them their constitutional rights.

11. The Plaintiff's allege that the ongoing practices of racial discrimination against African Americans as a "class" by the Defendants was further demonstrated when the Honorable President Barack Obama took a Midwest bus tour in August of 2011 to promote jobs and in doing so, he intentionally and specifically chose to ignore and exclude cities and towns that had high black unemployment. Even though the President and the Democratic Party have spent hundreds of billions of dollars on "Stimulus Programs" they have consistently ignored economic development and the problems of high unemployment in the African American communities. Their actions or the lack thereof are consistent with their racist legacy and history. Many black leaders have voiced their concerns regarding their neglect and deliberate oversight. Among them include, Professor Cornell West, Tavis Smiley, the Honorable Louis Farrakhan and members of the Congressional Black Caucus.

## Jurisdiction & Venue

The Democratic Party also known as the Democratic National Committee is an official political party operating within the United States since 1792 and currently operates in all fifty states. According the Democratic Party's official website, the DNC and the

Democratic Party are one and the same. Their official website makes the following connection:

*“In 1848, the National Convention established the Democratic National Committee.... The Convention charged the DNC with the responsibility of promoting the “Democratic cause,” between the conventions and preparing for the next convention.”* Since 1848 their *cause* has included themes like those in the 1868 presidential campaign with slogans like: ***“This is a White Man’s Country - Let The White Men Rule.”***

Note: The Democratic Party did not condemn these statements at the time nor have they condemned them since that time.

The allege acts contained in this brief took place within the United States from 1792 to 2011. The venue is proper in this District Court under 28 U.S.C. §§ 1331 and 1337-67; and pursuant to 28 U.S.C. § 1367.

## Class Action Allegations

1. Inspired by the movie “The Help” along with the Defendant's (President Barack Obama and the DNC's) consistent refusal to issue an apology to African Americans, the Plaintiffs brings this action as a “Class Action” pursuant to Federal Rules of Civil Procedure 23(a) and (b)(3) on behalf of a “class” consisting of all African Americans citizens of the United States that are currently alive at the time of this suit and those who are deceased.
2. The members of the “Class” are so numerous that joinder of all members is impracticable. While the exact number of “Class members” is unknown to the Plaintiff at this time and can only be ascertained through appropriate discovery. Plaintiff believes that there are currently, at a minimum, thirty million African

American citizens and an estimated 20 million others who may have died between 1792 and 2011.

3. Common questions of law and fact exist as to all members of the “Class” and predominate over any questions affecting solely individual members of the “Class.” Among the questions of law and fact common to the “Class” are whether, *inter alia*:
  - a. the Civil Rights of African Americans was violated by defendants’ acts as alleged in the Plaintiff’s Substantive Allegations from 1792 to 2011.
  - b. the members of the “Class” have sustained damages and, if so, what is the proper measure of damages.
4. Plaintiffs’ claims are typical of the claims of the members of the “Class” as Plaintiffs and members of the “Class” sustained damages arising out of Defendants’ wrongful conduct like those who received benefits under the Civil Liberties Act of 1988.
5. Plaintiffs will fairly and adequately protect the interests of the members of the “Class” and will retain counsel competent and experienced in class actions. Plaintiffs has no interests antagonistic to or in conflict with those of the “Class.”
6. A class action is superior to other available methods for the fair and efficient adjudication of the controversy since joinder of all members of the “Class” is impracticable. Furthermore, because the damages suffered by the individual “Class members” are so similar, the expense and burden of individual litigation makes it impracticable for the “Class members” individually to redress the wrongs done to them. There will be no difficulty in the management of this

action as a “Class” which simply ask for a public apology and no monetary compensation for damages.

## **Substantive Allegations**

The Plaintiffs allege that throughout their history, prominent Democrats openly expressed how they felt about African Americans and where they thought their place should be in our society. The following is just a **very very** small sample of the comments that key Democratic Congressmen and party leaders made during debates on various pieces of Civil Rights legislation and during various political campaigns. To include every act, comment and statement from 1792 to 2011, would result in a brief consisting of several thousand pages. To cover areas not covered in the brief, the Plaintiffs added as part of their exhibits, Exhibit (2) the book: “The Drama of Obama Regarding Racism.” A book that Benjamin Jealous, Chairman of the NAACP referred to as: *“thought-provoking and insightful.”*

On April 29, 1861 Democratic President Jefferson Davis told his Democratic Confederate Congress that: *“Under the supervision of **the superior race**, their [blacks’] labor had been so directed not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of wilderness into cultivated lands covered with a prosperous people; towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South...; and the productions in the South of cotton, rice, sugar, and tobacco, for the full development and continuance of which the labor **of African slaves was and is indispensable**, had swollen to an amount which formed nearly three-fourth of the exports of the whole United States and had become absolutely necessary to wants of civilized man....”*

During the 1868 Presidential Campaign, Democrats publicly referred to Republicans as “*Nigger Lovers*” and proudly displayed their campaign posters which said: “*This is a White Man’s Country - Let The White Men Rule.*”

During Reconstruction, a Georgia Democrat legislator stated that they could never *elevate an inferior race over a superior race*. After making this statement, Democrats expelled all of their Negro legislators from office.

Democratic Congressman Fernando Wood of New York issued the following statement during the debates on the 13<sup>th</sup> Amendment:

*“The proposed Amendment to abolish slavery in the states of the Union is unjust, a breach of good faith and utterly irreconcilable... It involves the extermination of all white men of the southern States, and the forfeiture of all the land and other property belonging to them. Negroes and military colonist will take the place of the race [that will be] blotted out of existence.”*

During the debates on the 1866 Civil Rights Act, Democratic Congressman Reverdy Johnson of Maryland argued that the passage of the Republicans’ 1866 Civil Rights Acts would give black men: “*the same right to enter into a contract of marriage with a white woman as a white man has.*”

Democratic Congressman, Willard Saulsbury of Delaware added the following statement regarding the same civil rights bill: “*I regard this bill as one of the **most dangerous that was ever introduced into the Senate of the United States....***” *During the last four or five years I have sat in this Chamber and witnessed the introduction of bills into this body which I thought obnoxious to many very grave and serious constitutional objection:*

*but I never since I have been a member of the body seen a bill so fraught with danger, so full of mischief, as the bill now under consideration.”*

During the debates on the 14<sup>th</sup> Amendment, Democratic Congressman of New Jersey, Andrew Rogers stated that the proposed Amendment was “...*An attempt to in-graft upon the Constitution of the United States one of the **most dangerous, most wicked, most intolerant, and most outrageous propositions ever introduced into this house.** I have no fault to find with the colored race. I wish them well, and if I were in a State where they exist in large numbers I would vote to give them every right enjoyed by the white people – except the right of a Negro man to marry a white woman and the right to vote. God save the people of the South from degradation by **which they would be obliged to go to the polls and vote side by side with the Negro!**”*

Regarding this same Amendment Democratic Congressman George Shaklin stated that the 14th Amendment was proposed to: *Disfranchise the people of the southern States [states originally controlled by Democrats] who have gone into this rebellion, until the party in power [Republicans] could fasten and rivet the chains of oppression for all the time to come, and hedge themselves in power, that they may rule and control those people at will. Those are the two ideas contained in this proposition.... But how are you going to humble and degrade these people? By disfranchising them, by oppressing them with taxes, by denying them representation, by dragging them **down** to the loyal political and social equality with the **servile African race.***

During the debates on the Republicans’ 15th Amendment Democratic Congressman Thomas Hendrick of Indiana argued: “ ***I do not believe that the Negro race and the white race can mingle in the exercise of political power and bring good results to***

*society. We are of different races. Men may argue about it as much as they please; we know that in many respects there is a great difference between the races. There is a difference not only in their physical appearance and conformation, **but there is a difference morally and intellectually, and I do not believe that the two races can mingle successfully in the management of government.** I do not believe that they will add to the common intelligence of the country when we make them voters.”*

During the debates on the Republican’s Enforcement Act of 1870 Democratic Congressman James Bayard of Delaware argued against the bill stating that: *“...**This bill is intended not to prevent discrimination between various races of men, but to discriminate directly against the white race in favor of the black race....** I consider this bill not an act of “appropriate legislation fairly to enforce that amendment, but it is only another attempt to bolster up by violence, intimidation, in the shape of penal enactments, **the inferior capacities of the Negro race in the struggle for racial and political equality....** .... Now, sir, for whom has all this been done? For whose protection? It has been only for **the ignorant, semi-barbarous race unfit for voting....**”*

In arguing against the Republican’s Force Act of 1871, Democratic Congressman Charles Eldredge from Wisconsin argued: .... ***By conferring suffrage upon the colored race have we lost the rights our fathers secured to us by the Constitution? In giving freedom to the slaves have we become slaves ourselves?”***

During the debates on the 1875 Civil Rights Act, Democratic Congressman Willard Saulsbury from Delaware argued that this bill was designed so: *“**that colored men shall sit at the same table beside the white guest, that he shall enter the same parlor and take his seat beside the wife and daughter of the white man,** whether the white man is willing*

*or not, because you prohibit discrimination against him. If the object was not to enforce companionship, why do you not permit in this bill the landlord to set apart a portion of the parlor for white people, so that he might have one table for the colored man and another table for the white man, giving to one as good accommodations as the other? Why is it that there is not a provision which allows that? Simply because, I say, the object and purpose of this bill is force association and companionship between the races.*”

In 1898 during a major election in Wilmington North Carolina, the Democrat’s campaign slogan was one word, **“Nigger.”**

Senator Ben Tillman of South Carolina told America: *“We reorganized the **Democratic Party** with one plank, and the only plank, namely, **that this is a white man’s country, and white men must govern it.**”* On March 23, 1909 Tillman told the United States Senate that he defended violence against black men, claiming that *“southern white men will not submit to the black man gratifying his lust on our wives and daughters without lynching him.”*

Senator James K. Vardman (1913-1919), another powerful Democratic Senator from Mississippi said: *“I am just as opposed to the Negro educator, Booker T. Washington as a voter, with all his Anglo-Saxon re-enforcement’s, as I am to the coconut-headed, chocolate-colored, typical little coon, Andy Dotson, who blacks my shoes every morning.”*<sup>1</sup>

During the debate of Republican Senator Everett Dirksen’s version of the 1964 Civil Rights Act, Democratic Congressman Olin Johnston of South Carolina stated in his arguments against the bill: *, this is indeed **the blackest day in the U.S. Senate since 1875, when the Congress passed a civil rights bill similar to this one.** It was 89 years*

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<sup>1</sup> (Black Americans pp. 59

ago that the [Republican] Congress passed the nefarious Reconstruction era civil rights laws, identical with what we are now discussing, which were later declared unconstitutional by the U.S. Supreme Court. The Senate, if it passes this measure before us, will be compounding that unconstitutional error made back in 1875 [when the Republicans passed the 1875 Civil Rights Act]. I predict that this bill will never be enforced without turning our Nation into a police state and without the cost of bloodshed and violence. When one talks of eliminating discrimination with this piece of so-called legislation, if it were not such a serious matter it would be fit for a good joke....

*If we sweep away the clutter of emotion and the clatter of the demonstrators and look at the legal aspect of this legislation, we can only come to the realistic conclusion that it is unconstitutional and will be recorded in history as the greatest robber of the rights of individuals and States and the most tremendous hoax ever perpetrated upon the people of the United States.”*

During the debates on the 1965 Voting Rights Act, Democratic Congressman Herman Talmadge of Georgia argued: “We were told last year that with the passage of a broad, all-encompassing civil rights bill, which covered almost everything that the mind of man could conceive, that there would not be any further need of a civil rights bill. Would not the bill deny to the States of Louisiana, Alabama, Mississippi, Georgia, North Carolina, and certain carefully selected counties in other areas the right to apply any literacy standards whatsoever for their voters?”

During a conversation with Richard B. Russell of Georgia, Lyndon B. Johnson said the following: “These Negroes, they're getting pretty uppity these days and that's a problem for us since they got something now that they never had before, the political pull to back up their uppityness. Now we've got to do something about this, we've got to give them a

*little something, just enough to quiet them down, not enough to make a difference. For if we don't move at all, then their allies will line up against us and there will be no way of stopping them.... and there'll be no way of putting a brake on all sorts of wild legislation. It'll be Reconstruction all over again.”*

Johnson's recommendation regarding his party doing very little for blacks, was the subject of a barber shop conversation among blacks in Chicago. President Barack Obama records that conversation in his book “Dreams From My Father.” The black in patrons in that barber shop referred to their relationship with the Chicago Democrats as, *“Plantation Politics.”* The following are excerpts from that barber conversation as recorded on page 147 of Obama's book: *“Before Harold, [reference to Harold Washington Chicago's first black mayor] seem like we'd [blacks in Chicago]always be second -class citizens. [Another man responded] “Plantation Politics.” [ Smitty replied] “That's just what it was too. A Plantation. Blacks in the worst jobs. The worst housing. Police brutality rampant. But when the so-called black committeemen came around election time, we'd all line up and vote the straight Democratic ticket. Sell our soul for a Christmas turkey. White folks spitting in our faces, and we'd reward em with the vote.”*

As stated in that barber shop conversation, African Americans have not done well under the Democrat's racist policies and practices. Because of the Democrat's racist policies, platforms and practices, millions of African Americans died from the institution of slavery, from inhumane prison labor camps, from Klan terrorist activities and from racist experiments like the Tuskegee Experiment.

Because of the Democrat's racist policies and practices, millions of acres of land were fraudulently taken from blacks, patents were denied, inventions were stolen, and entire black communities were burned to the ground (i.e. Black Wallstreet Tulsa, Oklahoma, Rosewood, Florida, and Wilmington, North Carolina).

Because of the Democrat's racist policies and practices, generations of African Americans were either denied the right to attend school or were forced to attend inferior schools. In regions controlled by Democrats (see Exhibit 3) our teachers were murdered, our constitutional right to vote was denied, and our people lived in constant fear of terrorist attacks. Over a period of 200 years these racist acts have not only violated our constitutional rights as citizens of the United States (as pointed out in *Brown v Board of Education*) they have caused African Americans as a "Class" to personally lose billions of dollars while building a trillion dollar plus economy for the south.

The chronicles of history reveals that the Democratic Party used every means possible to carry out their racist agenda, including our U.S. Courts. According to (the book): "The Oxford Companion to the Supreme Court of the United States," *"...the opinions of the court were shaped by the attitude of the individual justices toward the race problem. Of the nine justices on the United States Supreme Court during the Dred Scott decision and other landmark decisions, "five of them were Democrats appointed by President Andrew Jackson: Roger Taney, John McClean, Henry Baldwin, James M. Wayne and Philp P. Barbour. The other four members of the court, including Taney were from slave-holding states.... From 1790 to 1861 (with the exception of a few years in the early 1830's) the*

*majority of the Supreme Court Justices were Southerners. In addition, most of the Northerners on the Court were Democrats who voted with their pro-slavery southerners colleagues” (pp. 810, 925 Oxford Companion to United Supreme Court).*

In his book: “The Statutory History of the United States: Civil Rights” Vol. I, Vol. II, Professor Bernard Schwartz of New York University School of Law provides an example of how discrimination against the Negro was sanctioned by the Democrat's racially bias United States Supreme Court. Professor Schwartz writes:

*“The Fourteen Amendment provision designed directly to prevent discrimination against the emancipated races was the “equal protection clause.” In Plessy v Ferguson, 163 U.S. 537 (1896), however the Supreme Court construed that clause in a manner which enabled discrimination against the Negro to be condoned by law.... Plessy v. Ferguson gave the lie to the American ideal, so eloquently stated by Justice John Harlan in dissent there: “Our Constitution is color blind and neither knows nor tolerates classes among citizens....” Schwartz continued: “Upon Plessy was built the whole structure of segregation that has been at the heart of the [Democrat's] Southern system of racial discrimination. So much was, indeed, conceded by the Supreme Court itself, including the 1873 Slaughter House Cases, 16 Wall. 36 (1873)” p. 360.*

In challenging the Democrat's segregation policies in the south, Chief Justice Warren included the following statement in writing his opinion in case of ***Brown v Board of Education***: *“To separate them [black children] from other children of similar age and qualifications solely because of their race generates a feeling of inferiority as to their*

*status in the community that may affect their hearts and minds in a way **unlikely ever to be undone...***”

In the Kansas case preceding ***Brown v. the Board of Education***, the Kansas court said:  
“*Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanctioned of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and deprive them of some of the benefits they would receive in a racial[ly] integrated school system.*” p. 364

The court should note that the Democrat's racist policies and practices were carried out in both the North and the South. The northern Democrat's hatred of blacks was documented in Professor Jennifer L. Weber's book: Copperheads: The Rise and Fall of Lincoln's Opponents in the North. It was northern Democrats on July 15<sup>th</sup> 1863, that stated they wouldn't “*fight for the niggers*” after President Lincoln initiated the draft during the Civil War. To express their disapproval and dissatisfaction of the draft, northern Democrats went on a four-day rampage, killing or maiming virtually every black they could get their hands on. Historians report that some blacks were lynched from the lampposts, one was “*roasted alive in Madison Square,*” and others were killed when they burned down the Color Orphan Asylum. Over 100 persons were killed in the mayhem, most were African American. This racist outrage is still considered to be one of the worst race riots in

American history. The riot was squashed when Lincoln sent troops from Gettysburg to establish law and order.

Immediately after the Civil War, Northern Democrats told their southern brethren that they had supported the war to preserve the union only, not to give blacks equal rights with whites. In Jules Witcover's book entitled: Party of The People: A History of The Democrats. He states that the Northern Democrats agreed “*to sacrifice life and limb in the defense of the Constitution and the Union, but not for the nigger.*” (pp. 228)

In his book “Dreams From my Father,” President Barack Obama recalls how white Democratic Committeemen vowed to vote for a Republican before they would vote for a black mayor, saying: “*The city [of Chicago] would go to hell if it had [Harold Washington] a black mayor*” (pp. 147-148). It is also important to note that it was in the summer of 1966 in Chicago, when the Rev. Dr. Martin Luther King Jr. was struck in the head with a rock thrown by an angry white mob during a housing demonstration. Chicago, which is known to be one of the strongest Democratic cities in the north, is also known for one of America's the worst race riots. The riot started when a group of white teenagers attacked and killed Eugene Williams, a black swimmer on July 27, 1919.

Despite the aforementioned racist statements and acts by the Defendant, as of this date (in 2011), the Democratic Party has yet to condemn the acts cited in this brief, they have never expelled any of the individuals from their party who made the racist statements nor have they offered a public apology. They instead stood on the steps of Southern schools

and chanted: *“Two, four, six, eight, we don't want to integrate”* and they continue to implement their racist policies and practices through August of 2011, while calling others “racist.”

## **African Americans' & Plaintiff's “Concrete Injuries”**

### **Plaintiff Frances Rice In Democrat South**

Representing the “Class,” Frances P. Rice is just one of millions of African Americans who were born and raised in the Democrat's Jim Crow South. What she personally experienced was not unique, her story has been repeated over and over again in the lives of millions of blacks. Mrs. Rice's great great grandparents were slaves. She was born in Grady Memorial Hospital in Atlanta, Georgia, the same hospital where Dr. Martin Luther King Jr. was born and from time to time, she attended the same church where Dr. King's father was Sr. Pastor (Ebenezer Baptist Church). At the tender age of eight, while walking to school which was located just a stone's throw away from their humbled two room shack (called home) she experienced the standard practice of the Democrat South when she was spat upon and called a “Nigger” by a group of whites who felt it was their political right and privilege to do so. At the age of 12, she like millions of other blacks, experienced first hand the Ku Klux Klan when out of fear, she ran for her safety in a nearby store as they marched down the streets near her home, arrayed in their white robes and hoods in an effort to intimidate the black community. Every black in the south knew that the Ku Klux Klan was connected to the Democratic Party. From sitting on the back seats of public buses to using restrooms and drinking fountains for “Colored Only,” Mrs. Rice and millions of other black children thought it not strange to attend inferior segregated schools or to sit in the segregated balconies of movie theaters. Mrs. Rice

recalls that living in fear and being treated like second class citizens was a standard way of life in the Democrat south. It was no different than what was portrayed in the recent movie: “The Help.” Public signs posted everywhere by local elected Democratic officials constantly reminded the Plaintiff and other blacks to stay in their place and that they were no better than a dogs. In a public park near Mrs. Rice's home one sign read: **“Niggers and Dogs Not Allowed.”** At the age of 13 her family was broken up when her unemployed father was forced to leave their home so his family could qualify for Georgia's welfare program, a requirement that was established by the Democratic elected officials. When Mrs. Rice finally reached the age to vote, she was met at the door of City Hall by a Democratic spokesperson who physically blocked her path after learning that she (like 90 plus percent of other blacks in the south) had planned to register as a Republican. The Plaintiff knew that to persist could mean physical harm. Both she, and the entire community in which she lived were well aware of other blacks who were brutalized for their persistence. Like Condoleezza Rice who also grew up in the racist segregated South (no kin), Mrs. Rice achieved much in life, by the time she retired from the military she had acquired a degree in law, she had reached the rank of Lieutenant Colonel in the United States Army and had been the recipient of the military's prestigious “Legion Merit Award.” Despite these achievements, Mrs. Rice, members of her family and millions of other blacks still bear the psychological scars from being raised in the Democratic South - a fearful horrifying experience that no American should have had to endure. What she and millions of other blacks experienced is no secret, it is re-lived over and over again in, television programs, news clips, film documentaries and

in movies like: “To Kill A Mockingbird,” “A Long Walk Home,” “Mississippi Burning,” “A Time to Kill,” and “The Court Martial of Jackie Robinson,” to name a few.

## Plaintiffs Perryman In Democratic South

The terrorizing affects of racism and Jim Crow was not only a factor when the Plaintiff, Hattie Belle Perryman grew up in the South (Athens, Georgia), the fear of it followed her and her family all the way to Seattle in 1944 - and to her grave in 2002.

Like the Plaintiff Frances Rice, Hattie Belle Perryman and her husband Harrison Perryman also went to segregated schools, sat in the back of the bus and drank from water fountains designated for the “Colored.” In addition to going to segregated movies theaters and using separate restrooms, Hattie Belle had first hand experience as a maid in the southern household of whites, like those depicted in the movie “The Help.”

While sitting on their neighbor’s porch or around the cooking stove at home, the son of Hattie Belle [young Wayne Perryman] would hear stories of the South and how their racist acts and activities affected his mother and some of her closest friends. There were stories of white men taking advantage of young black women. Stories of signs that read: **“Nigger read and run, if you can’t read run anyhow.”** Stories of how black men literally ran from the south in fear of their lives. The Plaintiff’s family spent a considerable amount of time with Mr. & Mrs. Fred Grant (here in Seattle) It was reported that Mr. Grant was one who was forced to run from the south late in the night to avoid being killed. Perryman recalls that every time a white man knocked at their door,

he could see the concerned look on his mother's face who would often ask who they were and what they wanted before cracking the door open with a chain latch.

The Plaintiff also recalls, how Hattie Belle would often whisper when talking to her children about "white folks" much like the black maids in the movie: "The Help." And oftentimes she would have him to check underneath the house to see if Whites were listening to their conversations. She told him that listening to the conversations of blacks while hiding underneath their homes was one of the tactics used by racist whites in an effort to gather information about suspected "uppity niggers." As a child, it was difficult for young Perryman to sleep at night, there was always a fear that these same white men would break into his home and harm his family. The Plaintiff recalls that each night he would cry until he either cried himself to sleep or until his parents relented and allowed him to come sleep with them.

Fear was the primary tool that white Democrats used to "keep blacks in their place" and the indoctrination of fear started with small black children. "*Yes sir, yes ma'am*" were the only reasonable and acceptable responses from blacks. This submissive language and the racist standards of life were taught to every small black child for their survival and every now and then there would be the, "*I told you so*" stories to remind black children to stay in their place and comply with those standards. Such was the case of the death of Emmett Till, an eight grade black teenager from Chicago who "*got out of his place*" by allegedly whistling at a white lady in Mississippi. What happened to Emmett Till was a black parent's worst nightmare and what the Plaintiff (Wayne Perryman) feared every

night as a child. In 1955, a group of white men broke into Emmett Till's aunt's home in the middle of the night and after brutally beating him to death, they wrapped him in barbwire with weights around his neck and and threw his body in the Tallahatchie River. Every black parent in America read news coverage of this story to their sons and daughters from black newspapers like the Pittsburgh Courier and the Chicago Defender as a reminder and a warning “to stay in their place.” The murder of Emmett Till took place when young Perryman was just 10 years old during the era of the Montgomery Boycotts and approximately one year after *Brown v. the Board of Education*. Like a mother lion teaching her young cub how to survive in life, survival techniques were taught in every black home. These survival techniques became second nature, that's why instinctively, Mrs. Rice without hesitation ran when she saw the Ku Klux Klan marching down the streets near her home. The Democrat's Jim Crow south (where over 90% of the blacks originated and resided), taught every black parent to fear the white man, and to never trust him. It mattered not if he were a white doctor, lawyer, school teacher or preacher. Every black was taught to walk and live in fear or possibly die on the end of a rope. Up to the time that his mother (Hattie Belle) was placed into a nursing home (where she later died in 2002), Hattie Belle still secured her doors, her refrigerator and food cabinets with locks and chains, fearful that whites would come into her home and poison her food.

This southern mother who was born and raised in regions controlled by Democrats, lived her entire life in fear and distrust of whites. The Plaintiff's mother's fear and distrust was a common fear among African Americans who witnessed or were told of the bombings,

lynchings, and other horrific acts of terror that took place in the small country towns, cities, and counties that were controlled by Democrats. As a researcher, an author and a lecturer, the Plaintiff [Wayne Perryman] has had the opportunity to traveled all over the country, and in his travels, he heard similar stories from individuals who are now in their eighties, a group that has been long forgotten and ignored, but the horrific experiences of their lives in the Democratic South, will never be forgotten. The infectious fear that they (the Democrats) created by design, was passed down from one generation to the next.

The Plaintiff's mother also taught young Perryman that *he would have to be twice as good as a white person just to be considered equal* and emphasized that still there would be no guarantee that he would be accepted or respected. The Plaintiff found this to be true while trying to survive during long periods of unemployment. As planned, the Democrat's Black Code system of the South which limited employment for blacks had finally reached the Democratic State of Washington. At one point in his life, the Plaintiff was forced to file bankruptcy *because no one would hire him. White employers kept claiming that he was over-qualified.* One of those employers was the law firm that currently represent the Democratic Party, Perkins & Coie Law Firm. In turning down Perryman for the firm's Human Resource position (after the employee hiring committee chose Perryman over the other candidate), the Partners of the firm told Perryman, since the individual hired would be supervising [white] women, the other candidate would be better suited for the job, since she was a [white] female, besides they thought Perryman was well "over qualified." His southern mother was right.

Hattie Belle like many other black mothers of the 50's was a very wise woman and often expressed her feelings and addressed issues affecting African Americans in her weekly column for the Pittsburgh Courier (America's largest black weekly newspaper). Unfortunately, she like millions of others from the deep South are not alive today to give us the full details as to what everyday life was like in Democratic South, but history tells her (their) story for us. From the time of Hattie Belle's birth in 1918 until the time she left for the Pacific Northwest in 1944, she grew up under seven different Democratic racist governors who were committed to keeping blacks in their place.

**Governor Thomas W. Harwick** who served from 1921-1923 was known for leading all southern efforts to “Disenfranchise blacks.” During his bid for governor, he praised the Ku Klux Klan. It was his praise of the most powerful racist/political group in America that gave him the election.

**Governor Clifford Walker** was the next governor who ruled during Hattie's young life. He served as governor from 1923 to 1927. After he received Klan support, he not only became loyal to the Ku Klux Klan, he became an official member of the Klan.

**Governor Lamartine G. Hardman** who served as governor from 1927 to 1931 is not known for doing anything to improve the conditions of African Americans in Georgia nor did he make any effort to quell Klan activities, he continued to support the Democrat's segregation policies. (These were Hattie's pre-teen years).

**Richard Russell** (President Johnson's best friend) became one of the most powerful senators in the U.S. Senate after serving as governor for the state of Georgia from 1931-1933. During his tenure as governor, he was the aggressive leader of the Southern Opposition to Civil Rights for African Americans; he strongly defended “*White Supremacy;*” and while serving in the U.S. Senate, he co-authored the Southern Manifesto and developed a reputation for consistently blocking legislation to protect blacks from lynchings.

**Eugene Talmadge**, who served as governor from 1933 to 1937 and again from 1941-1943 and re-elected in 1946, was known to be one of the most notorious racist and segregationist governors of the south. He criticized President Franklin Roosevelt because he thought Roosevelt's policies favored blacks and he promised as governor, *to keep blacks in their place.*

**Governor E. Rivers** served as Governor from 1937 to 1941, his administration was pre-occupied with receiving federal funds (through Roosevelt's “New Deal”) to help poor whites in the rural areas, but had no interest in helping African Americans. He and several members of his administration were indicted for corruption.

History testifies that from the time that Hattie Belle was born (in 1918), to the time she decided to leave Georgia (in 1944), the Ku Klux Klan and other racists like them ruled the state of Georgia and determined who would serve in office. By the time that **Ellis Arnall** became governor in 1943, Hattie Belle Perryman and her husband had had

enough and prepared to moved to Bremerton, Washington where she would continued to work as a maid in the homes of Naval officers. After moving to the Pacific Northwest, Hattie Belle often claimed that she thought she had escaped the racist of the South, but it seemed as if they followed her to Seattle. She had no inner peace until she died (in 2002). Like the children of the victims of the "Holocaust," Hattie Perryman's children (like many other black children of whose parents were raised in the South), re-lived their parents' painful experiences everyday while their parents struggled with what they refer today as "post-traumatic-stress syndrome."

On March 18, 2008 Senator Obama said, “...*so many of the disparities that exist in the African American community today can be traced directly to the inequalities passed on from an earlier generation that suffered under the [Democrat's] brutal legacy of slavery and Jim Crow.*” History reveals that without the political backing of those who made up the powerful Democratic Party, slavery would have ended 100 years earlier and Jim Crow would have died in the wombs of those who conceived it.

To stop the *injuries* inflicted on blacks by the leaders of the Democratic Party, Congress was compelled to pass the **1964 Civil Rights Act**, **The Voting Rights Act of 1965**, the **1972 Equal Employment Opportunities Act** and other subsequent pieces of Civil Rights legislation - and after finishing such, they called the African Americans (including the Plaintiffs in this case) “*a protected class.*” Now protected from the *injuries* that they all suffered from one degree to another - caused by the racist policies and practices of the Democratic Party. “*Lujan*” (504 U.S. At 560) calls these “*Injuries-in-fact.*”

Professor Nancy Boyd-Franklin, author of Black Families in Therapy and the Clinical Associate Professor in the Department of Psychiatry at the University of Medicine and Dentistry of New Jersey says. *“It is difficult to convey fully to someone who has not experienced it, the insidious, pervasive and constant impact that racism and discrimination have on the lives of Black people in America today. Both affect a Black person from birth until death and have an impact on every aspect of family life, from child-rearing practices, courtship, and marriage, to male-female roles, self esteem, and cultural and racial identification. They also influence the way in which black people related to each other and to the outside world.*

*Slavery set the tone for Black people to be treated as inferior.... The process of discrimination is evident at all levels of society from theories about genetic inferiority (Jensen, 1969) and cultural pathology (Monynihah1965) to segregation that existed blatantly in the South until the Civil Right era of the 1960s and still occurs in subtler forms today. There are continued inequities in the United States... that are manifested by the disproportionate number of Black people who are poor, homeless, living in substandard housing, unemployed and school dropouts.”* Source quote from “Black Families in Therapy” p 10.

Despite these factual truths, President Barack Obama and the modern-day Democratic Party has never issued or offered **an apology** to African Americans or to America, even though the Plaintiffs have requested them to do so several times during the past seven years (See Letters in Exhibit 1). One would think that a party who knows their own racist history and one that consistently receives 97% of the black vote while claiming that they opposed all forms of racism, would have no problem issuing a public apology. Instead they have chosen to hire prestigious attorneys and spend thousands of dollars to avoid doing such - as if they have nothing to apologize for (see pages 99-100 in Exhibit 2).

## Precedent For An Apology

History reveals that an apology or reparation would not be an issue today had the Democratic President Andrew Johnson chosen to sign Senate Bill 60. Since Johnson's veto (of Senate Bill 60), the door for reparations involving racial injustices remained closed for over 120 years. In 1988, Congress opened that door with the passage of the Civil Liberties Act of 1988. Under this new bill, Japanese internment victims received **an apology** plus \$20,000 each in reparation pay. In 1993, the victims of the Rosewood, Florida Massacre received **an apology** and reparations from the State of Florida. On May 16, 1997, President Clinton issued **an apology** to the victims of the Tuskegee Experiment and paid the African American victims a total of \$10,000,000 in reparations. On February 7, 2005, the 109<sup>th</sup> Congress issued Senate Resolution 39 and apologized for not enacting lynching laws to protect those who were victims of lynching. In that resolution, Congress stopped short of acknowledging that all of the lynchings took place in the Democrat-controlled South. And finally on January 20, 2007, the Executive Committee of the Democratic Party of North Carolina, apologized for the 1898 riot and massacre that killed several black Republicans and drove them out of office.

**In each case, the party that committed the wrong, issued an apology.** In contrast, the Democratic Party has consistently refused to apologize for their support of an institution where they packed over 20 million black men, women and children in the pitch-dark hulls of slave ships with just barely enough food and water to keep them alive and forced them to lie in their own urine, feces, and vomit for the duration of a trip which took several weeks while crossing the Atlantic. After arriving in America, those who

survived the torturous journey were forced to work from sunup to sundown on plantations. When the black victims were fortunate enough to escape, Democrats passed Fugitive Slave laws to return them to the plantation. When their inhumane institution of slavery was challenged by the opposing party, Democrats countered by placing threats in their political platforms (1844-1856), - threatening anyone who dared to “interfere” with what they called, “the sectional issue of Domestic Slavery.” On May 21, 1856, they carried out their threats by attacking their opposition (Senator Charles Sumner) with a walking cane on the Senate floor and with gunfire on the streets of Lawrence, Kansas. Six years later, Democrats went to war killing thousands to defend and protect their racist institution of slavery. After losing the war, they fought against Civil Rights legislation and constitutional Amendments for blacks and chose instead to, formed terrorist organizations, legislated Black Codes, Jim Crow Laws and supported every landmark case that was designed to deny blacks their constitutional rights including: the *Slaughterhouse Case*, *Plessy v. Ferguson*, the *Civil Rights Cases of 1881* to overturn the 1875 Civil Rights Act and *Brown v. the Board of Education*. While many of these cases were pending, Democrats proudly adopted the name, “The Party of White Supremacy” and committed every inhumane violent act known to mankind, from mutilations to decapitations (from 1877 to 1977) just to keep blacks in “*their place*.” And to add insult to injury, they hired powerful attorneys to keep from apologizing and deliberately **chose to exclude** this portion of history on their website.

When the Democrats were challenged in a similar case (Case No. CV04-2442) they responded by stating: ***Conceding the horrors of slavery and racism, and even accepting for the purpose of this motion that the Democratic Party in the past supported and***

*acquiesced in those horrors....”* - the court should not force them to apologize because the African American Plaintiffs in that case did not have “standing,” - arguing that the Plaintiff's injuries “*were the same injuries that were inflicted on all African Americans for over 200 years.*” The argument was confusing considering the fact that the case was about the injuries to all African Americans and the Plaintiffs themselves were African Americans.

## Res Judicata

The Plaintiffs are aware that because of the similarities between this case and the one that was filed six years ago, the Defendants may argue that the court should consider the issue to be “Res Judicata.” But this case not only has new southern Plaintiffs that clearly meet the test for “standing,” it also has new arguments, new allegations, additional Defendants, supportive statements from President Barack Obama and several new facts covering a period from 1792 to 2011. Therefore the Plaintiffs ask that the court ignore such request (if made) and issue a ruling on the merits in favor of the Plaintiffs in accordance to the Civil Liberties Act of 1988 which calls for:

1. The acknowledgment of the fundamental injustices to the injured i.e. Plaintiffs and African Americans
2. An apology by the group, organization or person who committed the act i.e. The Democratic party and President Barack Obama
3. and a provision to provide a public education fund to inform the public on what actually took place....

We submit our Prayer for Relief based on the criteria of the Civil Liberties Act of 1988 and Section 1983 of Title 42 of the U.S. Codes.

## PRAYER For Injunction Relief

WHEREFORE, the Plaintiffs, on behalf of their own and on behalf of the Class, prays for injunction relief as follows:

1. That the court order the Defendants to issue a formal public apology to African Americans for the wrong that was committed during the duration of the Defendants' tenure as an organization or political party and in addition to the public apology place the apology on their official website.
2. The Plaintiffs ask that as an extension to their public apology that the Defendant provide funding to fund educational projects depicting all of the historical events and acts that were highlighted in this lawsuit as well as other historical events not mentioned - any and all events that reflect the true relationship between blacks and Democrats from 1792 to 1977. The projects should include and not be limited to: the production of printed materials, short films, featured films and CD's – all to be made available to every American public and K-12 private school and public libraries at cost (including shipping and handling). We further ask that the Lead Plaintiff and the consultants of his choice be paid a consulting fee including traveling expenses and all other related expenses to help produce these educational materials. The consulting fee will be the standard hourly consulting fee for similar types of educational projects. Under the Civil Liberties Act of 1988 funds to educate the *public* of the wrongs that took place was part of the redress.
3. Awarding Plaintiff fees and expenses incurred in bringing about this action, including reasonable allowance of fees for any attorneys and appropriate

consultant fees for the five years of historical research by Wayne Perryman to develop this case and for the previously related case of CV04-2442.

4. Granting such other and further relief as the Court may deem just and proper.

**Plaintiff Demands Without Oral Arguments**

Signed this \_\_\_\_\_ Day of \_\_\_\_\_ 2011

by

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Wayne Perryman, Pro se Lead Plaintiff

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Frances P. Rice, Pro se Plaintiff

Respectfully submitted,

Pro Se Litigants

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-  
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# Democratic Governors of Jim Crow

## Exhibit 3

B.B. Comer  
1907-1911

John Patterson  
1959-1963

William M. Fishback  
1893-1895

Emmet O'Neal  
1911-1915

George Wallace  
1963-1967

James P. Clarke  
1895-1897

Charles Henderson  
1915-1919

Lurleen Wallace  
1967-1968

Daniel W. Jones  
1897-1901

Thomas Kilby  
1919-1923

Albert Brewer  
1968-1971

Jeff Davis  
1901-1907

William W. Brandon  
1923-1927

George Wallace  
1971-1987

John S. Little  
1907-1907

Bibb Graves  
1927-1931

John I. Moore  
1907-1907

Benjamin M. Miller  
1931-1935

**ARKANSAS**  
  
Arkansas

Xenophon O. Pindall  
1907-1909

Bibb Graves  
1935-1939

Augustus H. Garland  
1874-1877

Jesse M. Martin  
1909-1909

Frank M. Dixon  
1939-1943

William R. Miller  
1877-1881

George W. Donaghey  
1909-1913

Chauncey Sparks  
1943-1947

Thomas J. Churchill  
1881-1883

Joseph T. Robinson  
1913-1913

James E. Folsom Sr.  
1947-1951

James H. Berry  
1883-1885

Junius M. Futrell  
1913-1913

Gordon Persons  
1951-1959

Simon P. Hughes Jr.  
1885-1889

George W. Hays  
1913-1917

James E. Folsom Sr.  
1955-1959

James P. Eagle  
1889-1893

Charles H. Brough  
1917-1921

Tomas C. McRae 1921-1925	George F. Drew 1877-1881 William D. Bloxham 1881-1885	Spessard Holland 1941-1945
Tom J. Terral 1925-1927	Edward A. Perry 1885-1889	Millard F. Caldwell 1945-1949
John E. Martineau 1927-1928	Francis P. Fleming 1889-1893	Fuller Warren 1949-1953
Harvey Parnell 1928-1933	Wherry L. Mitchell 1893-1897	Daniel T. McCarty 1953-1953
Junius M. Futrell 1933-1937	William D. Bloxham 1897-1901	Charlesy E. Johns 1953-1955
Carl E. Bailey 1937-1941	William S. Jennings 1901-1905	LeRoy Collins 1955-1961
Hommer M. Adkins 1941-1945	Napoleon B. Broward 1905-1909	C. Farris Bryant 1961-1965
Benjamin T. Laney 1945-1949	Albert W. Gilchrist 1909-1913	W. Haydon Burns 1965-1967
Sid McMath 1949-1953	Park Trammell 1913-1917	Claude R. Kirk Jr. 1967-1971
Francis Cherry 1953-1955	Sidney J. Catts 1917-1921	Reubin O'D. Askew 1971-1979
Orval Faubus 1955-1967	Cary A. Hardee 1921-1925	<b><u>GEORGIA</u></b>
Dale Bumpers 1971-1975	John W. Martin 1925-1929	James M. Smith 1872-1877
Bob C. Riley 1975-1975	Doyle E. Carlton 1929-1933	Alfred H. Colquitt 1877-1882
David Pryor 1975-1979	David Sholtz 1933-1937	Alexander H. Stephens 1882-1883
<b><u>FLORIDA</u></b>	Fred P. Cone 1937-1941	James S. Boynton 1883-1883
		Henry D. McDaniel

1883-1886

John B. Gordon  
1886-1890

William J. Northen  
1890-1894

William Y. Atkinson  
1894-1898

Allen D. Chandler  
1898-1902

Joseph Terrell  
1902-1907

Hoke Smith  
1907-1909

Joseph M. Brown  
1909-1911

Hoke Smith  
1911-1911

John M. Slaton  
1911-1912

Joseph M. Brown  
1912-1913

John M. Slaton  
1913-1915

Nathaniel E. Harris  
1915-1917

Hugh M. Dorsey  
1917-1921

Thomas W. Harwick  
1921-1923

Clifford Walker  
1923-1927

Lamartine G. Hardman  
1927-1931

Richard Russell Jr.  
1931-1933

Eugene Talmadge  
1933-1937

Eurith D. Rives  
1937-1941

Ellis Arnall  
1943-1947

Herman Talmadge  
1947-1947

Melvin E. Thompson  
1947-1948

Herman Talmadge  
1948-1955

Marvin Griffin  
1955-1959

Ernest Vandiver  
1959-1963

Carl E. Sanders  
1963-1967

Lester Maddox  
1967-1971

Jimmy Carter  
1971-1975

## **KENTUCKY**

James B. McCreary  
1875-1879

Luke P. Blackburn

1879-1883

J. Proctor Knott  
1883-1887

Simon B. Buckner  
1887-1891

John Young Brown  
1891-1895

William Goebel  
1900-1900

J.C. W. Beckham  
1900-1907

James B. McCreary  
1911-1915

Augustus O. Stanley  
1915-1919

James D. Black  
1919-1919

William J. Fields  
1923-1927

Ruby Laffoon  
1931-1935

A.B. Happy Chandler  
1935-1939

Keen Johnson  
1939-1943

Earle . Clements  
1947-1950

Lawrence W. Wetherby  
1950-1955

A.B. Happy Chandler  
1955-1959

Bert T. Combs  
1959-1963

Edward T. Breathitt  
1963-1967

Wendell H. Ford  
1971-1974

Julian M. Carroll  
1974-1979

## **LOUISIANA**

Francis T. Nicholls  
1877-1880

Louis A. Wiltz  
1880-1881

Samuel D. McEnery  
1881-1888

Francis T. Nicholls  
1888-1892

Murphy J. Foster  
1892-1900

William W. Heard  
1900-1904

Newton C. Blanchard  
1904-1908

Jared Y. Sanders Sr.  
1908-1912

Luther E. Hall  
1912-1916

Ruffin G. Pleasant

1916-1920

John M. Parker  
1920-1924

Henry L. Fuqua  
1924-1926

Oramel H. Simpson  
1926-1928

Huey Pierce Long  
1928-1932

Alvin Olin King  
1932-1932

Oscar Kelly Allen  
1932-1936

James A. Noe  
1936-1936

Richard W. Leche  
1936-1939

Earl K. Long  
1939-1940

Sam H. Jones  
1940-1944

Jimmie H. Davis  
1944-1948

Earl K. Long  
1948-1952

Robert F. Kennon  
1952-1956

Earl K. Long  
1956-1960

Jimmie H. Davis  
1960-1964

John J. McKeithen  
1964-1972

Edwin W. Edwards  
1972-1980

## **MISSISSIPPI**

John Marshall Stone  
1876-1882

Robert Lowry  
1882-1890

John Marshall Stone  
1890-1896

A.J. McLaurin  
1896-1900

Andrew H. Longino  
1900-1904

James K. Vardaman  
1904-1908

Edmund F. Noel  
1908-1912

Earl Brewer  
1912-1916

Theodore G. Bilbo  
1916-1920

Lee M. Russell  
1920-1924

Henry L. Whitfield  
1924-1927

H. Dennis Murphree  
1927-1928

Theodor G. Bilbo 1928-1932	1877-1879	1933-1937
Sennett Conner 1932-1936	Thomas J. Jarvis 1879-1885	Clyde R. Hoey 1937-1941
Hugh L. White 1936-1940	Alfred M. Scales 1885-1889	J. Melville Broughton 1941-1945
Paul B. Johnson 1940-1943	Daniel G. Fowle 1889-1891	R. Gregg Cherry 1945-1949
Dennis Murphree 1943-1944	Thomas M. Holt 1891-1893	W. Kerr Scott 1949-1953
Thomas Bailey 1944-1946	Elias Carr 1893-1897	William B. Umstead 1953-1954
Fielding L. Wright 1946-1952	Daniel L. Russell 1897-1901	Luther H. Hodges 1954-1961
Hugh L. White 1952-1956	Charles B. Aycock 1901-1905	Terry Sanford 1961-1965
James P. Coleman 1956-1960	Robert B. Glenn 1905-1909	Dan K. Moore 1965-1969
Ross R. Barnett 1960-1964	William W. Kitchin 1909-1913	Robert W. Scott 1969-1973
Paul B. Johnson Jr. 1964-1968	Locke Craig 1913-1917	<b><u>OKLAHOMA</u></b>
John B. Willis 1968-1972	Thomas W. Bickett 1917-1921	William C. Renfrow 1893-1897
William Waller 1972-1976	Cameron Morrison 1921-1925	Charles N. Haskell 1907-1911
Cliff Finch 1976-1980	Angus W. McLean 192-1929	Lee Cruce 1911-1915
<b><u>NORTH CAROLINA</u></b>	Olive M. Gardner 1929-1933	R.L. Williams 1915-1919
Zebulon Baird Vance	John C.B. Ehringhaus	James B.A. Robertson 1919-1923

Jack C. Walton 1923-1923	Wade Hampton III 1876-1879	Richard I. Manning III 1915-1919
Martin E. Trapp 1923-1927	William D. Simpson 1879-1880	Robert A. Cooper 1919-1922
Henry S. Johnston 1927-1929	Thomas B. Jeter 1880-1880	Wilson G. Harvey 1922-1923
William J. Holloway 1929-1931	Johnson Hagood 1880-1882	Thomas G. McLeod 1923-1927
William H. Murray 1931-1935	Hugh S. Thompson 1882-1886	John G. Richards Jr. 1927-1931
Earnest W. Marland 1935-1939	John C. Sheppard 1886-1886	Ibra C. Blackwood 1931-1935
Leon C. Phillips 1939-1943	John P. Richardson III 1886-1890	Olin D. Johnson 1935-1939
Robert S. Kerr 1943-1947	Benjamin R. Tillman 1890-1894	Burnet R. Maybank 1939-1941
Roy J. Turner 1947-1951	John G. Evans 1894-1897	Joseph E. Harley 1941-1942
Johnston Murray 1951-1955	William H. Ellerbe 1897-1899	Richard M. Jeffries 1942-1943
Raymond D. Gary 1955-1959	Miles B. McSweeney 1899-1903	Olin D. Johnston 1943-1945
J. Howard Edmond 1959-1963	Ducan C. Heyward 1903-1907	Ransome J. Williams 1945-1947
George Nigh 1963-1963	Martin F. Ansel 1907-1911	Strom Thurmond 1947-1951
David Hall 1971-1975	Coleman L. Blease 1911-1915	James F. Byrnes 1951-1955
David L. Boren 1975-1979	Charles A. Smith 1915-1915	George B. Timmerman Jr.

**SOUTH CAROLINA**

1955-1959

Ernest F. Hoillings  
1959-1963

Donald S. Russell  
1963-1965

Robert E. McNair  
1965-1971

John C. West  
1971-1975

**TENNESSEE**

John C. Brown  
1871-1875

James D. Porter Jr.  
1875-1879

Albert S. Marks  
1879-1881

Williams B. Bate  
1883-1887

Robert L. Taylor  
1887-1891

Peter Turney  
1893-1897

Robert L. Taylor  
1897-1899

Benton McMillin  
1899-1903

James B. Frazier  
1903-1905

John I. Cox  
1905-1907

Malcolm R. Patterson  
1907-1911

Tom . Rye  
1915-1919

A.H. Roberts  
1919-1921

Austin Peay  
1923-1927

Henry Hollis Horton  
1927-1933

Harry H. McAlister  
1933-1937

Gordon Browning  
1937-1939

Prentice Cooper  
1939-1945

Jim N. McCord  
1945-1949

Gordon Browning  
1949-1953

Frank G. Clement  
1953-1959

Buford Ellington  
1959-1963

Frank G. Clement  
1963-1967

Buford Ellington  
1967-1971

Ray Blanton  
1975-1979

**TEXAS**

Richard B. Hubbard  
1876-1879

Oran M. Robert  
1879-1883

John Ireland  
1883-1887

Lawrence S. Ross  
1887-1891

James S. Hogg  
1891-1895

Charles A. Culberson  
1895-1899

Joseph D. Sayers  
1899-1903

S.W.T. Lanham  
1903-1907

Thomas M. Campbell  
1907-1911

Oscar B. Colquitt  
1911-1915

James E. Ferguson  
1915-1917

William P. Hobby  
1917-1921

Pat M. Neff  
1921-1925

Miriam A. Ferguson  
1925-1927

Dan Moody  
1927-1931

Ross S. Sterling  
1931-1933

Miriam A. Ferguson  
1933-1935

James V. Allred  
1935-1939

W. Lee O'Daniel  
1939-1941

Coke R. Steveson  
1941-1947

Beauford H. Jester  
1947-1949

Allan Shivers  
1949-1957

Price Daniel  
1957-1963

John Connally  
1963-1969

Preston Smith  
1969-1973

Dolph Briscoe  
1973-1979

## **VIRGINIA**

James L. Kemper  
1874-1878

Frederick W.M. Holiday  
1878-1882

Fitzhugh Lee  
1886-1890

Philip W. McKinney  
1890-1894

Charles T. O'Ferrall  
1894-1898

James H. Tyler  
1898-1902

Andrew J. Montague  
1902-1906

Claude A. Swanson  
1906-1910

William H. Mann  
1910-1914

Henry C. Stuart  
1914-1918

Westmoreland Davis  
1918-1822

Elbert L. Trinkle  
192-1926

Harry F. Byrd  
1926-1930

John G. Pollard  
1930-1934

George C. Peery  
1934-1938

James H. Price  
1938-1942

Colgate Darden  
1942-1946

William M. Tuck  
1946-1950

John S. Battle  
1950-1954

Thomas B. Stanley  
1954-1958

James L. Almond Jr.  
1958-1962

Albertis S. Harrison Jr.  
1962-1966

Mills E. Godwin Jr.  
1966-1970