

O'Dee Henderson

Fairfield, AL 1940

Background

O'Dee Henderson, a twenty-five-year-old employee of the Tennessee Coal and Iron Railroad Company (TCI), was shot and killed by police officers in Fairfield, AL on May 9, 1940. At around 7:15 a.m., Henderson bumped into a fellow TCI employee, M.M. Hagood, on the street in front of the TCI building in Westfield, AL, and according to Hagood, an altercation ensued. According to newspaper reports, Hagood alerted Officer W.T. Glenn, who was nearby and told him that Henderson had knocked him down. Glenn reportedly stopped a white man who was driving by and asked him to help transport Henderson to the police station. During the car ride, Glenn hit Henderson in the face multiple times. Hagood also went to the station, although it is unclear if he traveled there separately.

According to their own statements, as reported by the Birmingham Age Herald, Glenn, Hagood, and Officer Thomas Nelson beat Henderson at the Fairfield Police Station as Sergeant W.G. Cook questioned him. Henderson was seated in a chair, and some reports indicate that he was handcuffed. Willie Clark, an African American cook at the station, testified at trial that he heard Henderson pleading with the officers and Hagood not to kill him. Another witness, D.M. Flourney, saw Henderson being hit with a blackjack. Glenn, Hagood, and Nelson reportedly continued to beat Henderson with the blackjack, a leather strap, and a rubber hosepipe until his face was swollen, bruised, and unrecognizable. Nelson then shot him three times in the chest and stomach. Henderson died at TCI hospital.

Legal Status

Coroner T.J. McCollum of Bessemer ruled the death an "unjustifiable homicide." Fairfield Police Chief E.L. Allman opened a separate investigation, and Nelson was suspended pending the results of a grand jury hearing and the actions of the City Council.

Newspapers reported that in the aftermath of the shooting, a local Methodist minister, Ted Hightower, urged the City Council to hold a public meeting to discuss the shooting. Mayor C.N. Gilley called for the three officers involved to be dismissed from the police force, and the Fairfield City Council held a meeting on May 13, 1940 to vote on the resolution. During the deliberations, Cook testified that twenty to thirty beatings had taken place at the Fairfield Police Station in the three years he had been on the force. Despite the history of systemic violence that was exposed, the resolution to dismiss the officers lost by one vote. Several council members were absent from the vote.

Despite this initial vote, all three officers were ultimately dismissed after the City Council opened its own investigation into the killing of Henderson. Based on this investigation, the City Council voted to dismiss Nelson and Glenn and recommended that the Civil Service Personnel Board conduct an investigation and make a determination on Cook. In June, the Board decided to dismiss Cook. Nelson was charged with first-degree manslaughter and tried in Bessemer Circuit Court in June 1940. Attorney A.D. Shores, Solicitor Arthur Green, and the local branch of the NAACP pressed for a conviction, while Nelson testified that he acted in self-defense. The jury returned a not-guilty verdict. Cook, Glenn, and Hagood were also indicted and charged with manslaughter in relation to Henderson's death. Their cases were deferred to the court's fall term. It is unclear whether they were ever tried or the outcome of those trials.