

Stafford G. Dames, Jr. :

A Community Effort to Find Justice



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I. Introduction

Late on a summer night in 1937, in the middle of a Black neighborhood in Miami, a young man left his girlfriend's house to walk home. His name was Stafford G. Dames, Jr., and although he was only a few blocks away from his house, he never made it. As he turned onto his street, he was shot by three Miami police officers who would never be held accountable for their actions that night, and in fact would continue to patrol the same neighborhood for months after the shooting.

Dames Jr.'s death was a catalyst for Black activism in Miami. Local civic, religious, and labor groups came together to support Dames Jr.'s father in his quest for justice, raising funds to help pay legal fees and writing letters to politicians and other leaders to raise the profile of the case. Although the center of activism around the case was the Black community, the support of prominent national organizations and white-owned media ensured that the case was known outside of Miami and helped to create interracial coalitions.

Woven into the case and its political aftermath are themes that resonate today. Advocates in the Black community made efforts to connect the case to other incidents of police brutality in the area, to highlight a pattern of police behavior and to force recognition that public officials should be held accountable for abusing their power. Furthermore, discussions of police brutality and discrimination against Black residents were used as ways to talk about the wider landscape of racism in Miami and Florida at the time.

Several histories of Florida's NAACP branches and Black communities have cited the Dames case as a milestone, a claim supported by the extensive press coverage across the country in the months following Dames Jr.'s death and the substantial NAACP files that survive 80 years later. The case exemplifies the impact that an organized community can have, while simultaneously warning that racist systems operate across social status and wealth, and that even a family with substantial resources and widespread support may not be able to convince the law that Black lives matter.

II. The Shooting of Stafford Dames, Jr.

“*He was an ideal boy ... and was respected by everybody*” – Myrtle Dames¹

Stafford G. Dames, Jr. was born to Myrtle Jarrett Dames and Stafford G. Dames, Sr., on May 12, 1918.² His parents had immigrated to Miami from the Bahamas in 1916.³ The couple divorced when Stafford was young and lived several blocks from each other in the same neighborhood, Overtown, while he was growing up.⁴ Despite the divorce, both parents remained deeply involved in their son's life; speaking about his relationship with his son, Dames, Sr. said, “I buy all his clothes and give him a weekly allowance.”⁵ Dames was an only child, but had extended family in the Miami area: when he was 11, he lived with his maternal grandmother, Rosella Jarrett, as well as his aunt and two cousins.⁶ He later moved to live with his mother, and several of her neighbors talked about having known Stafford since he was a child.

After attending school, Dames began an apprenticeship at Magic Printery, the printing press that publishes the *Miami Times*.⁷ The *Times* was, and still is, Miami's Black newspaper of record, and had been founded in 1923 by another Bahamian immigrant, Henry S. Reeves.⁸ Dames was also an altar boy and acolyte at St. Peter's African Orthodox Church, which Dames Sr. had helped to found, and frequently spent time at the church: Ethel Ingraham, the woman who kept the key for the church, said that Dames would often come to get the key from her in early afternoons.⁹ “The priest loves him. They loved him,” Myrtle Dames said of her son while explaining his devotion to the church.¹⁰

1 Myrtle Dames testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 214.

2 Stafford G. Dames, Jr. death certificate.

3 Stafford G. Dames, Sr. naturalization papers

4 Stafford G. Dames Sr. statement, July 28, 1937, In the matter of the inquest on the body of Stafford Dames, p 61.

5 Stafford G. Dames Sr. statement, July 28, 1937, In the matter of the inquest on the body of Stafford Dames, p 62.

6 1930 Census

7 Stafford G. Dames Sr. statement, July 28, 1937, In the matter of the inquest on the body of Stafford Dames, p 60.

8 Dunn, *Black Miami in the Twentieth Century*, p. 89.

9 Ethel Ingraham testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 101.

10 Myrtle Dames testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 217.

On the evening of July 27, 1937, Dames Jr., then 19 years old, left his mother's house at approximately 6:00 p.m. He was supposed to run an errand – picking up shoes that had been sent out for repair – and to see a show and visit his girlfriend, Merle Hepburn, a young woman who worked at his father's company.¹¹ Around 11:15 p.m., after a couple of hours of conversation and playing cards, he said goodbye to Hepburn and walked about a block with her mother, Laura, to the corner of NW 3rd Avenue and 16th St.¹² There, the two parted ways, and Stafford turned to walk south on 3rd Avenue, towards his home.¹³

A little after 11:30 p.m., Stafford bought a snack of a bag of peanuts from Rupert Rolle, a former classmate who worked at Smitty's Fruit Stand. Richard Smith, the owner of the shop, knew Dames and his father, and had seen Stafford when he picked up a suit from the shop earlier in the day. Smith and Rolle both said that Dames left the store around 11:45 p.m. after spending about 15 minutes in the store, noting that they remembered the time because it had been a few minutes before they closed at midnight.¹⁴

Also around 11:30 p.m., on 17th St., a woman named Elizabeth Sands looked out of her back door and saw a man running down the alley, then climb into a window at the African Orthodox Church.¹⁵ Sands notified the couple she lived with, the Wallaces, who in turn informed their neighbor, Ethel Ingraham.¹⁶ Finally, Ingraham found a phone to call the police and reported the break-in. Three police officers, in a car several blocks away on patrol, received the radio call at 11:53 p.m. and headed toward the African Orthodox Church.¹⁷

Police initially arrived at the wrong church, and claimed that when they arrived at the African

11 Merle Hepburn testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 220-21.

12 See Appendix A for map of the area described, with locations marked for the Hepburn and Dames homes.

13 Laura Hepburn testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 227.

14 Richard Smith statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 66.

15 Elizabeth Sands statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 7.

16 *Id.*

17 R.B. Simpson testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 3.

Orthodox, they saw a man running from the church. One officer claimed that they were shot at, so they began to chase the man down 17th St. while shooting at him. The pursuing officer, Simpson, lost sight of the fleeing man at one point and the other two officers pulled up next to him in their patrol car. The officers in the car, Scott and Sargent Bratt, drove ahead and followed what they believed to be the same man to 14th St, shooting several times until he fell.¹⁸

Hearing noises in the yard, Myrtle Dames came onto her porch to turn on the light. She saw her son on the ground, with the police officers behind him. They asked if he was her son, but refused to let her touch him.¹⁹ Several witnesses reported that they heard one of the officers reply to Dames, “I don't know if he is your son, but if he is come out and see the son of a bitch die.”²⁰

The police called for an ambulance at 12:15 a.m., claiming that Stafford was still alive at the time. When Mrs. Dames tried to reach out to Stafford on the stretcher that he had been placed on, police told her that he wasn't dead, and to leave him alone.²¹ The ambulance took Stafford to Jackson Memorial Hospital.²² Mrs. Dames followed, with Smith of Smitty's Fruit Stand, in a taxi to the hospital.²³ Upon their arrival at the hospital, they found Stafford's body still in the ambulance, and Mrs. Dames discovered that her son was dead.²⁴

18 R.B. Simpson testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 3-5.

19 Myrtle Dames testimony, In re: Inquisition on the Dead Body of Stafford Dames, p. 214.

20 Lillian Saunders statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 28.

21 Richard Smith statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 67.

22 “Shooting by Police is Held Justifiable,” *Miami Herald*. August 27, 1937, p 1.

23 Richard Smith statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 68.

24 Richard Smith testimony, In re: Inquisition on the Dead Body of Stafford Dames, p 157.

III. Historical and Geographical Context

“These southern cops make a Russian Cossock look like an angel of mercy.” – Frank McCallister²⁵

Miami is a unique study in racial codes because of its differences from many Southern cities. The city’s proximity to Cuba and the Caribbean facilitated a large immigrant population, and the local economy’s dependence on tourism meant that many businesses were more tolerant of Hispanic and Latino patrons than other Southern cities were.²⁶ But for the Black community, segregation was still firmly in place.

Much of the Black population lived in Overtown, which at various points in time has also been known as Colored Town and the Central Negro District.²⁷ Overtown was a thriving Black business center and neighborhood from the late 1890s to about the 1960s, when the highway built through the main business district divided the neighborhood.²⁸

In white neighborhoods, there were curfews for Black people unless they had a pass to prove that they worked in the area. Despite the city’s top venues hosting Black entertainers as headliners, they weren’t allowed to stay in hotels on Miami Beach, and would stay in Overtown hotels.²⁹

An NAACP press release from September 1937 described the treatment of Black residents: “Miami is known as one of the worst ‘curfew’ towns for Negroes in the South [...] They are subject to be stopped, searched and even beaten up by police if they are caught walking along the streets after dark. However, this killing occurred in the Negro residential section and while colored people are supposedly free to be on the streets of their own section late at night, they are still subject to any kind

25 Letter from McCallister to Wirin, September 8, 1937. NAACP Records Box I - C279, Folder 5. Admin Subject File - Police Brutality.

26 Chanelle N. Rose, *The Struggle for Black Freedom in Miami: Civil rights and America's tourist paradise 1896-1968*. Louisiana State University Press, 2015, p. 3-4.

27 For consistency, I will refer to the neighborhood as Overtown throughout the paper. Rose, p 18.

28 Nadege Greene, “How I-95 Shattered the World of Miami’s Early Overtown Residents.” WLRN. September 24, 2013. <http://wlrn.org/post/how-i-95-shattered-world-miamis-early-overtown-residents>.

29 “Billie Holiday,” Mapping Arts Project. <http://mappingartsproject.org/miami/artists/billie-holiday/>. Accessed 20 July 2017.

of treatment by the Miami police.”³⁰

While Miami was a different environment – urban, an immigration entry point, tourist-heavy – than much of the rest of Florida, the context of the state in its entirety is important to consider. According to the NAACP's count in *The Crisis*, between 1908 and 1912, Florida had the highest number of lynchings in the South, with 40 recorded incidents.³² Again, in the 1930s, Florida was “the most lynch-prone state in the South”; over the course of that decade, only one year passed without a recorded lynching.³³ Looking at a wider range of years, for the period from 1880 to 1940, Florida had the second-highest number of lynchings per capita of any state in the South, exceeded only by Mississippi.³⁴

IV. The Dames Family

By 1937, after 20 years of living in Miami, Stafford G. Dames, Sr. was regarded as one of the city’s “most reputable Bahamian-born black businessmen.”³⁵ Dames had been active in the Black Miami community as a member of the Negro Civic League, and held a prominent position as the manager of the Miami branch of the Afro-American Life Insurance Company.³⁶

The Afro-American Life Insurance Company had been founded in Jacksonville in 1901 by Abraham Lincoln Lewis, famed for becoming Florida’s first Black millionaire.³⁷ Dames was personal friend of Lewis’, and traveled to Jacksonville after his son’s death. Although there is no surviving record of material support from Lewis for the case, association with him helped to raise Dames' profile in Miami and across the state.

30 Unless otherwise noted, “NAACP” refers to the organization's national office and staff.

31 NAACP press release, September 3, 1937.

32 Caroline S. Emmons, “Flame of Resistance: the NAACP in Florida 1910-1960,” 10.

33 Walter T. Howard, *Lynchings*, 1951, page 15.

34 Equal Justice Initiative, “Lynching in America.” Third Edition. <https://lynchinginamerica.eji.org/report/>

35 Rose, p 52.

36 *Id.*

37 *Id.*

On July 30, Stafford Dames paid a fee to retain the law firm of Carson & Petteway. His lawyer from the firm was Judge W. Raleigh Petteway, who had moved to Miami after a failed run for the Florida governorship in 1936.³⁸ When asked about hiring the firm, Dames explained that he knew of Petteway from the gubernatorial run and thought that “if I could get a firm like that to represent me, I would have a very high type of lawyers.”³⁹ Dames later wrote to the ACLU explaining that between legal costs and fees to obtain court records – Dames described having to pay \$100 for some of them – financial aspects of the case had been a “heavy strain” on him. Regardless, Dames wrote, “I mean to do all in my power that is physically human and spend my last penny if necessary so that justice might be obtained in this case.”⁴⁰

Myrtle Dames is notably absent from the records of the aftermath of her son's death. Her grief and shock is apparent even from just the transcript of her testimony in front of the coroner's jury. “They have broken my heart, they killed my boy. I told the officer, they killed me too.”⁴¹ Her name is mentioned only once in NAACP archival materials, when she is referred to in an ACLU release.⁴² While it is possible – and understandable – that she did not take part in the organizing, it is also possible that any involvement she had was erased or obscured in the historical record.

38 Morison Buck, Walter Raleigh Petteway: Twice a judge, twice a second fiddler (1891-1964). (2000). Digital Collection - Florida Studies Center Publications. Paper 2452.

39 Stafford G. Dames, Sr. statement, July 30, 1937, In the matter of the inquest on the body of Stafford Dames, p 64.

40 Letter from 1937 Sep 20 -- letter from Dames to Wirin. NAACP Records, Box IC279, Folder 5, Admin Subject File -- Police Brutality #2.

41 Myrtle Dames testimony, In re: Inquisition on the Dead Body of Stafford Dames, page 217.

42 ACLU, Statement on the killing of Stafford Dames. October 27, 1937. NAACP Administrative File - Subject File - Discrimination, Police Brutality Stafford Dames, Oct 1937 - Feb 1938.

V. Legal Reaction

“It was like those officers were crazy out there that night.” – Myrtle Dames

There was never a question of whether the police had been involved in the shooting, and legal processes were set into motion nearly immediately upon news of Dames Jr.'s death. On July 30 and 31, sixteen witnesses were interviewed at the State Attorney's office by Stuart K. Smith, an investigator, and Joseph Otto, an Assistant State Attorney.⁴³ On July 31, two doctors performed an autopsy on the body and submitted their report.. The two concluded that Dames' death had been “caused by a bullet which entered the right back” and added that there was an a bullet that had entered in the base of Dames' left foot.⁴⁴

A. Coroner's Jury

A coroner's jury, also referred to as an inquest, was called for in the days following Dames' death. A coroner's inquest is a process by which coroners determine what caused a death. An inquest has many of the same features as a criminal trial; while the method is no longer widely used in Florida, procedures for an inquest remain on the books in the state for instances “when there is a question of the occurrence of a criminal act, criminal negligence, or foul play associated with the death.”⁴⁵

In the Dames inquest, the proceedings were overseen by a justice of the peace, lawyers examined and cross-examined witnesses, and a jury of six white men were tasked with returning a determination, and the questioning was transcribed.

Twenty-five witnesses were called to testify, including several neighbors of Myrtle Dames, residents who lived near African Orthodox Church, and the police officers who had been involved in the shooting. Many of these witnesses had been part of the questioning at the State's Attorney's office

⁴³ See In the matter of the inquest on the body of Stafford Dames.

⁴⁴ Autopsy report, In the matter of the inquest on the body of Stafford Dames, page 1.

⁴⁵ Fla. Stat. Ann. § 936.001 (LexisNexis, Lexis Advance through all legislation signed and in effect as of the 2017 Regular Session and 2017 Special Session A).

the month before. There were several key points of diversion from the police's original narrative, perhaps most notably Myrtle Dames's allegation that police had planted a gun on her son's body in order to back up their claims that he had shot at them.⁴⁶

Elizabeth Sands, who had originally reported seeing a man break into the church, had been taken to the hospital to identify Dames' body and was adamant that the man she had seen had not been Dames. "I know him well and the man came by was not him," she asserted, as Assistant State Attorney Joseph Otto grilled her about how well she could have seen the original suspect.⁴⁷

After two days of testimony, the jury was told that they had to find whether Dames "died of felony or mischance, accident or suicide" and "what manner or means such felony was accomplished" if applicable.⁴⁸ It took the men a mere 52 minutes to return their finding, which was that Dames "died as the result of a pistol bullet fired by police officers in the performance of duty."⁴⁹

B. Investigation

After the coroner's jury finding had been published, and upon request letters from Dames, Sr., the national offices of the ACLU and NAACP agreed to investigate the case.⁵⁰ Frank McCallister, a Florida labor activist and the Southern Secretary for the Workers' Defense League⁵¹, was enlisted jointly by the NAACP and ACLU to go to Miami. It was not the first collaboration between the organizations; as detailed in a 1938 ACLU report, "while the defense of Negro civil rights is handled by the NAACP, the Union occasionally aids that Association or becomes locally involved in some case."⁵²

McCallister was initially instructed to make contact with a Miami lawyer named Herbert U.

46 Myrtle Dames testimony, In re: Inquisition on the Dead Body of Stafford Dames, p 215.

47 Elizabeth Sands testimony, In re: Inquisition on the Dead Body of Stafford Dames, p 88.

48 In re: Inquisition on the Dead Body of Stafford Dames, p 236.

49 In re: Inquisition on the Dead Body of Stafford Dames, p 238.

50 Unless otherwise noted, "NAACP" refers to the organization's national office and staff, not a local branch.

51 Workers' Defense League was founded in 1936 as a fusion of ad hoc committees and was intended to defend and find legal defense for union organizers who were being attacked. <http://workersdefenseleague.org/history.html>

52 ACLU, *Eternal vigilance! : the story of civil liberty, 1937-1938*, p 50.

Feibelman, who had been involved with the ACLU.⁵³ Feibelman told McCallister that he believed the case was hopeless and that he should “quit butting against a stone wall.”⁵⁴ McCallister persisted with his investigation, eventually producing both a preliminary report in early September and a final comprehensive report for the groups with his findings. Upon McCallister's preliminary report, the ACLU issued a release announcing that the investigation had found that “from all the evidence obtainable that the police involved are guilty of a tragic blunder and that they are being shielded by their superior officers and local officials.”⁵⁵ The statement also revealed the culture of silence that McCallister's on-the-ground work had begun to break down. “In discussing the case with many prominent Miami citizens, all of them indicated that they felt the police had shot the wrong person, but not one would permit himself to be quoted,” the statement read. McCallister's work had also found that the policemen involved were still assigned to be on duty in the neighborhood where they had shot Dames, Jr.⁵⁶

A Dade County grand jury convened in October 1937 for an investigation that would last until early November and cover “widespread Dade county affairs.”⁵⁷ Despite looking into several issues relating to police operations, and recommending disciplinary action for police involved in holding a man without allowing him to communicate with his family about the state of his seriously ill child, the jury returned a no bill for the police involved in the Dames case.⁵⁸ For much of the media coverage, the more sensationalist parts of the jury's report, particularly their findings on “rampant” gambling in the city, eclipsed the Dames case.

53 Melanie Shell-Weiss, *Coming to Miami*, p. 118.

54 Frank McCallister, Preliminary report, September 1, 1937. NAACP Records Box I - C279, Folder 5, Admin Subject File - Police Brutality.

55 ACLU Statement, NAACP Administrative File - Subject File - Discrimination, Police Brutality Stafford Dames, Oct 1937 - Feb 1938.

56 *Id.*

57 “Grand Jurors Blast Police, Gambling,” *Miami Daily News*, November 6, 1937, p 1.

58 *Id.*

C. Civil Suit Options

Following the coroner's jury verdict, the *Miami News* reported that the family was looking for ways to clear Dames' name, and Petteway told the paper that "further action is contemplated in [*sic*] behalf of the dead boy," but did not specify what that action would be.⁵⁹

In November of 1937, James M. Carson, one of the partners at the firm Carson and Petteway, wrote to Dames about the firm's opinion of his legal options. The firm told Dames that they had concluded that the case was one of mistaken identity – that police had pursued a suspect and by "honest mistake" had shot Dames instead. "We are convinced that there could be no conviction of any police officer in any criminal case arising from this shooting," Carson wrote. He added that Dames "might bring a civil suit against the policemen responsible for the shooting, for the death of your boy, by their wrongful act [...] However, we should call your attention to the undoubted fact that you cannot recover a judgement against the City of Miami on this theory, but merely against the individual policemen, and that such a judgement, even if recovered, would in all probability be without value." The letter advised Dames to let the matter rest, although Carson reassured him that the firm would be willing to represent him, "provided we can agree on proper fees."⁶⁰

Additionally, based on a January 1938 letter written by Charles Houston, head of the NAACP Legal Department, the Miami NAACP branch in Miami may have attempted to help file a civil suit. No records survive about whether the suit was successfully filed, or what the outcome may have been.⁶¹ Shortly thereafter, a 1938 ACLU publication wrote that "recommendations for civil suits against the three policemen, their discharge and the replacement of the chief of police by one better fitted to handle race issues, all came to nothing."⁶²

59 "Kin of Slain Negro to Sue," *The Miami News*, Aug 27, 1937, p. 1.

60 November 1937 letter to Dames from Carson.

61 Emmons, 84.

62 *Eternal vigilance! : the story of civil liberty, 1937-1938*. ACLU p 50-51.

VI. Community Reaction

In a preliminary report to the ACLU, McCallister wrote that “I had a conference Friday with Mr. S.G. Dames . . . Several negro leaders attended this conference including a group has formed a “defense committee”. These negro leaders reported that the entire colored community is solidly behind the effort to push the case and have pledged themselves to cooperate completely, both with funds and personnel.”⁶³ This ‘defense committee’ was the Stafford Dames, Jr. Memorial Committee, which was formed shortly after Dames’ death. The coalition of groups working on raising the profile of the case covered a wide range of interests. In addition to the local NAACP branch, several local Black civic and business groups -- including the Negro Greater Miami Civic League, Negro Merchants Association, and Colored World War Veterans -- were involved, as well as labor groups like the International Longshoremen's Association, Hodarriers and Common Laborers' Union, (White) Miami Branch Workers' Defense League, Miami Local of Workers' Alliance of America, and other professional organizations such as the Dade County Academy of Medicine and the Ministerial Alliance.⁶⁴

“Because of the thorough job of “whitewashing” done by the authorities, the Stafford G. Dames, Jr. Memorial Committee decided to have a disinterested legal expert carefully analyse the testimony presented at the coroner’s inquest.”⁶⁵ That legal expert was William Fennell, a respected attorney in New York, who read the transcript of the coroner's jury and wrote his analysis of the situation, a document that referred to as the “Fennell Report.” The committee later raised money to help pay for some of Dames, Sr.'s expenses relating to the case, and continued to offer him support in a myriad of ways over the course of the months of investigations, press coverage, and public pressure.

63 McCallister, Preliminary ACLU report

64 September 1937 letter WDL

65 Frank McCallister, Report Rendered to American Civil Liberties Union and National Association of Colored People on the Killing of Stafford G. Dames, Jr. on July 27, 1937. NAACP Records, Box I - C279, Folder 5, Admin Subject File -- Police Brutality.

VII. Organizational Support

Miami was the last major city in Florida to establish an NAACP branch in 1935; the initial foundation of the branch followed famed civil rights activist Harry T. Moore's foundation of a branch in Brevard County the year before.⁶⁶ Dames' death "outraged the black community in Miami and triggered a period of greater activism."⁶⁷ At the start of 1937, the NAACP branch was largely inactive: when the national office of the NAACP was contacted by J. Lang Kershaw about helping with the Dames case, the office replied with requests for updated records about branch leadership, as they hadn't heard from the branch for two years.⁶⁸

A. Media Reaction

Following the shooting, several papers ran short news items referring to the police killing of a "suspect" and referenced police statements that Dames had been pursued after a break-in. "Through the first third of this century the local newspapers, the *Miami Metropolis* and later the *Miami Herald*, regularly referred to blacks as 'coons,' 'fiends,' and 'hamfats.'"⁶⁹ However, the *Herald* refrained from these terms in its sympathetic reporting on the coroner's jury. A large article ran on the front page of the paper the day after the jury's conclusion, quoting many of the witnesses whose testimony had been favorable to Dames' case.

B. Police Reaction

The chief of Miami police at the time of Dames' death was H. Leslie Quigg. Quigg, who had re-entered office a few months earlier, had previously served as police chief from 1921 to 1928, and was rumored to be high up in the Ku Klux Klan.⁷⁰ His departure from office in 1928 was due to his

66 Emmons p 22, [<http://www.pbs.org/harrymoore/harry/mbio.html>]

67 Emmons, p 80.

68 1937 Sep 2 -- letter from Thurgood Marshall to Kershaw asking about Miami branch records. In 1968, Kershaw became the first black person elected to the Florida House of Representatives since Reconstruction. P 201 DUNN

69 Dunn, Marvin and Stepick III, Alex. "Blacks in Miami," *Miami Now! Immigration, Ethnicity, and Social Change*. eds. Guillermo J. Grenier and Alex Stepick III, page 42.

70 "Jail police chief for murder," *The Pittsburgh Courier* March 31, 1928.

being indicted and tried for the murder of a young Black man named H. Kier. A months-long investigation into police activities was conducted by a Dade County Grand Jury, which pronounced Quigg to be “wholly unfit” for his position.⁷¹ Six months after the Kier murder, a Miami officer shot and killed Lonie Barkley, another Black man, for running a red light.⁷² The officer was found guilty of homicide and dismissed from the police force, perhaps in part because of national NAACP involvement after contact from local Bahamians and Black Americans.⁷³

However, in May 1937, after a failed run for sheriff, Quigg was re-appointed to be police chief, a position he would hold again until 1944.⁷⁴ Mere days after Quigg's reinstatement, the *Tallahassee Democrat* reported that he had “revived the racial curfew last strictly enforced” when he had been in office nearly a decade earlier.⁷⁵ The curfew was not a direct element in Dames' death, but clearly illustrates the type of racist policies that were valued and enacted by Quigg and the Miami police department at the time.

Quigg had been enjoying his first few months back in office, so when the NAACP and ACLU began to investigate actions of members of his force, he quickly tried to make life difficult for the organizations. After a few days in Miami, McCallister was already aware of the obstacle – and indeed danger – that Quigg posed to the investigation. “I have been constantly told by friends in Miami that Chief Quiggs is completely unscrupulous and will stoop to anything to ward off an investigation,” McCallister wrote to ACLU counsel. “They intimated that he would resort to vigilante action of some sort against me and that I might turn up missing and never be found.”⁷⁶ McCallister was right to be on high alert: that same week, *The Miami News* had reported that “one official investigator,” probably

71 “Charge Torture and Despotism, Grand Jury Denounces Miami Police,” *Boston Globe*, May 8, 1928, p 13.

72 Shell-Weiss, p. 115.

73 *Id.*

74 “List of Miami police chiefs since 1921,” ABC Local 10. December 15, 2014. <https://www.local10.com/news/list-of-miami-police-chiefs-since-1921>. Accessed 20 July 2017.

75 “New Police Chief Segregates Races at Night in Miami,” *Tallahassee Democrat*, May 20, 1937, page 1.

76 Letter from McCallister to Wirin, September 13, 1937. NAACP Records, Box IC279 Folder 5, Admin Subject File -- Police Brutality #2.

from the Miami Police Department, “has the league as a regular surveillance job.”⁷⁷

Letters from Dames and McCallister reference an accusation of Communism from Quigg; one article reported that “officials who oppose any activity of the league” – their term for the ACLU – had referred to the group as “communistic.”⁷⁸

This was not a new experience for the ACLU, but to combat these accusations, McCallister approached an old friend, Jack Bell, who was a well-known and well-loved sports columnist for the *Miami News*. “Miami is a sporting community and, strange as it may seem, Jack Bell’s column is read by more readers than the front page,” McCallister explained.⁷⁹ Bell agreed to write a column satirizing Quigg’s attempts to undermine the ACLU investigation. On September 10, at the end of his “O’er the Sports Desk” column, which was full of updates about softball teams and football clubs, Bell wrote: “We’ve been watching with some interest and amusement the furor that was stirred up when Frank McCallister came over from St. Petersburg recently to look into the slaying of Stafford Dames, young negro, by two policemen.”⁸⁰ He explained McCallister’s role in the ACLU, the mission of the Union, and listed several of the well-known board members. “It’s about as communistic as the Rotary club,” Bell concluded.

C. Related Cases

The 1935 lynching of Joseph Shoemaker, a socialist from New England who was killed in Tampa, was also frequently referred to as an example of racially motivated violence that hit close to home.⁸¹ The Shoemaker case had gained national attention thanks to the work of the Socialist Party of America, making it a strong reference point for Florida activists.⁸² Despite the time that lapsed between the Shoemaker and Dames cases, there were strong ties between the two, including the fact that

77 “Miami’s Own Whirligig: At Odds”, *The Miami News*, September 9, 1937, p 1.

78 “Miami’s Own Whirligig: At Odds”, *The Miami News*, September 9, 1937, p 1.

79 Letter from McCallister to Wirin Sep 13, 1937.

80 Jack Bell, “O’er the Sports Desk”, *The Miami News*. September 10, 1937, p 12.

81 Walter T. Howard, *Lynching*. p 15.

82 Howard, 23.

McCallister worked on both and the involvement of Socialist organizers in publicizing both cases.⁸³

In December, a Miami community member, James Person, reached out to the NAACP and described the shooting of John Johnson. He asked for investigation into the case, stating that Miami police officer R. B. Simpson had shot Johnson at his home. “Johnson standing with his back turned comanding [*sic*] to drop his gun Johnson turning to see who it was with his hand down. R. B. Simpson the in-charge shot him twice,” Person wrote. “Johnson pleading to officer Simpson not to shoot any more and drops his gun falls. Simpson walks -- stand over shoots four bullets into his body. We would be very much obliged for a early investigation through the N.A.A.C.P.”⁸⁴ Person specifically referenced Simpson as having been involved in the Dames shooting; clearly, the names of these officers, while perhaps officially cleared, had not been forgotten by the Black community.

D. Politician Reaction

On August 31, 1937, the ACLU issued a press release announcing that they had contacted Governor Fred P. Cone about investigating the Dames case further.⁸⁵ The release referenced the Scottsboro case as a pressure tactic to force the governor to act. “Vigorous and forthright steps by you as chief executive are necessary if Florida is to avoid the reputation that Alabama has achieved in the Scottsboro cases,” the release stated.⁸⁶

The next day, Cone responded that he would “be glad to have this matter investigated right away.”⁸⁷ A few days later, the NAACP also contacted the Governor.⁸⁸ When the NAACP received no

83 Letter from McCallister to Baldwin (ACLU), October 12, 1937. NAACP Administrative File - Subject File - Discrimination, Police Brutality Stafford Dames, Oct 1937 - Feb 1938.

84 Letter from James Person to Pittsburgh NAACP, December 9, 1937. NAACP Records, Box IC278 - Folder 14, Admin Subj File (Police Brutality).

85 ACLU News Release, August 31, 1937. NAACP Records Box I - C279, Folder 5. Admin Subject File -- Police Brutality.

86 ACLU News Release, August 31, 1937. NAACP Records Box I - C279, Folder 5. Admin Subject File -- Police Brutality.

87 Letter from Governor Cone to ACLU. Florida State Archives, Governor Cone Archive, S 368, Box 22, Folder 5.

88 NAACP News Release, September 3, 1937. NAACP Records Box I - C279, Folder 5. Admin Subject File -- Police Brutality.

response, Thurgood Marshall personally followed up a week later, to no avail.⁸⁹ There is no record of an investigation being ordered by the governor.

Similarly, both the ACLU and NAACP sent telegrams to Miami mayor Robert R. Williams asking for an investigation into the case. It took the mayor several days to respond; when he did, he merely acknowledged receipt of the NAACP's message, but made no promises to call for an investigation.⁹⁰

In October, Dames, Sr. was arrested with a friend, Vera Wilson, at her house, and charged with sedition.⁹¹ The charge was clearly an attempt to intimidate Dames and smear his image. Charles Houston, special counsel for the NAACP, wrote to reassure Dames that the organization recognized the arrest as a tactic by the police, referring to the arrest as a “frame-up charge”, and offering to contact S.D. McGill, a prominent civil rights attorney.⁹² Charges of Communism were again leveled at Dames when police found a pamphlet for the National Negro Congress, being held in Philadelphia that month, on his person. Even the judge that the case was brought before recognized the nature of the charges: He “did not want to try the case” and said that “you might as well charge a man with eating breakfast.”⁹³

But the immediate and concrete support for Dames came, once again, from the community around him. Charles W. Keyes, a prominent Socialist in Florida, reported the community response to McCallister: After being held by police for several hours, on “Friday morning, Dames received 150 telephone calls from different friends asking him not to give up and assuring him that if he has to serve time they will all go down and serve it with him.”⁹⁴ A group of professors and religious leaders soon

89 September 11, 1937 letter from Marshall to Cone. Florida State Archives, Governor Cone Archive, S 368, Box 22, Folder 5.

90 1937 Sep 10 -- wire from Miami Mayor Robert R. Williams to NAACP acknowledging receipt of telegram of Sep 3 regarding Dames

91 Shell-Weiss, 120.

92 Letter from Charles H. Houston to Dames, October 13, 1937. NAACP Administrative File: Subject File Discrimination. Police Brutality: Stafford Dames October 1937-Feb 1938.

93 Letter from Charles W. Keyes to Frank McCallister, October 10, 1937. NAACP Administrative File: Subject File Discrimination. Police Brutality: Stafford Dames October 1937-Feb 1938.

94 Letter from Charles W. Keyes to Frank McCallister, October 10, 1937. NAACP Administrative File: Subject File Discrimination. Police Brutality: Stafford Dames October 1937-Feb 1938.

sent a letter from Philadelphia urging Governor Cone to make a “searching inquiry” into the arrest of Dames Sr., explaining that the arrest was a response to his calls for an investigation into his son's death.⁹⁵ There is no record that Cone responded to the group or took any action on their request. In November, Petteway represented Dames Sr. in the case. Both Dames and Wilson pled guilty to the charges and paid a fine for the offense.⁹⁶

Dames Sr.'s supporters also began to talk about approaching the Senate Civil Liberties committee. The ACLU Board had, in October, voted to ask the Committee to investigate Klan control in Florida in connection with the Shoemaker case.⁹⁷ After the Grand Jury's report, McCallister sent a telegram to Senator LaFollette requesting that the committee investigate the Dames case as well.⁹⁸ An article from December quoted letters to the committee that “charged ‘civil liberties are dead in Florida,’ and others said ‘we deem it necessary activities of the KKK in Florida be investigated.’”⁹⁹ Several high-profile Florida lynching and racially motivated cases were suggested for investigation, and one writer asked for investigation into the Dames case.¹⁰⁰

95 The date and location of this letter indicate that the group was possibly writing from the National Negro Congress. Florida State Archives, Governor Cone Archive, S 368, Box 22, Folder 5.

96 “Dames Sr., Negro, Draws Court Fine,” *The Miami News*, November 6, 1937, p 7.

97 American Civil Liberties Union, Minutes of meeting of the Board of Directors, October 18, 1937. NAACP Administrative File: Subject File Discrimination. Police Brutality: Stafford Dames October 1937-Feb 1938.

98 Letter from Dames to Charles Houston, November 8, 1937. NAACP Administrative File: Subject File Discrimination. Police Brutality: Stafford Dames October 1937-Feb 1938.

99 “Florida Klan Inquiry Urged on LaFollette,” *News-Press*, December 21, 1937, p 1.

100 *Id.*

VIII. Reflection

Today, the neighborhood that Dames was born in is split by a highway¹⁰¹; the historic cemetery that he was buried in is neglected and overgrown.¹⁰² Eighty years after that night in July, Miami police are still killing young residents of color with impunity.

In 2013, the Department of Justice determined that the Miami Police Department had engaged in a pattern of excessive force, especially relating to officer-involved shootings. The DOJ press release stated that “the department's findings noted that MPD did not provide close supervision or hold individuals accountable for their actions by failing to complete thorough, objective and timely investigations of officer-involved shootings.”¹⁰³

The Dames case inspired a revitalization of Miami's NAACP chapter, which advocated for investigations of later brutality cases, and was an instance of remarkable interracial coalition building in a deeply segregated city. The community response – both locally and nationally – to support the Dames family helped to raise the profile of their plea, and the organizational response forced institutions in the city to confront the community's resistance to being ignored.

In the end, despite the Dames family's access to the social capital and to the legal system, they had no access to justice. The chief aims of Dames, Sr.'s campaign – to clear his son's name and to hold the police accountable – were never fulfilled, and his words have not yet been realized: “Miami, with so many heartless, brutal people in it like Chief Quigg and the Police Department, needs to be taught that every man is entitled to the privilege to live.”¹⁰⁴

101 Nadege Greene, “How I-95 Shattered the World of Miami's Early Overtown Residents.” WLRN. September 24, 2013. <http://wlrn.org/post/how-i-95-shattered-world-miamis-early-overtown-residents>.

102 Kyle Swenson, “Miami's Most African-American Cemetery is Neglected and Forgotten.” August 26, 2015. <http://www.miaminewtimes.com/news/miamis-most-historic-african-american-cemetery-is-neglected-and-forgotten-7845985>.

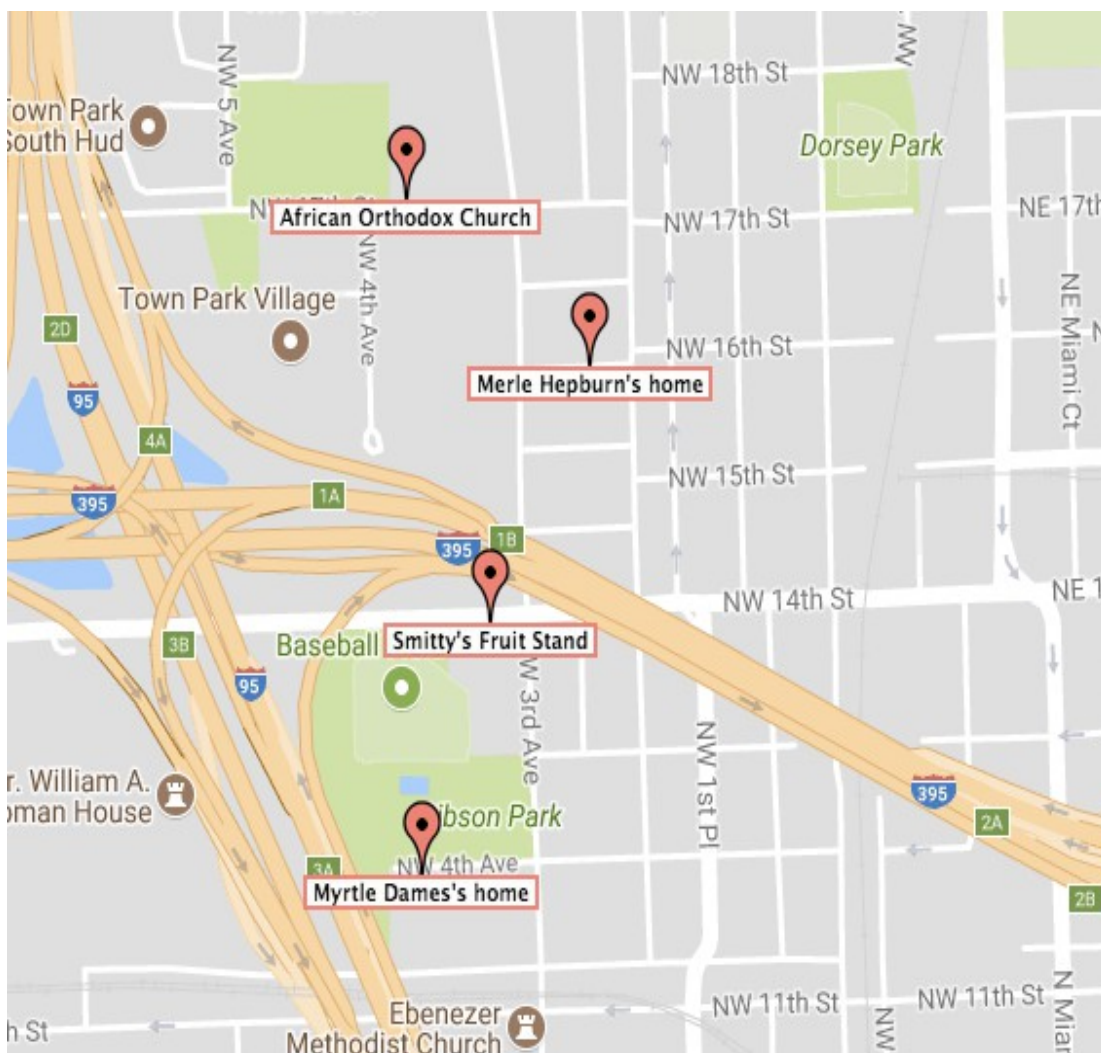
103 “Justice Department Releases Investigative Findings on the City of Miami Police Department and Officer-involved Shootings.” 2013 July 9. <https://www.justice.gov/opa/pr/justice-department-releases-investigative-findings-city-miami-police-department-and-officer>. Accessed 2017 July 20.

104 Letter from Stafford Dames Sr. to A.L. Wirin (ACLU General Counsel). 1937 Sep 9. NAACP Records Box I - C279, Folder 5. Admin Subject File - Police Brutality.

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Appendix A



Relevant locations in Dames case, on a current-day map of Overtown