The Facts Behind the Hoffa Trial

"Cloak & Dagger" Tactics Charged

"Judge not Lest ye be Judged" is the method, way and words used by James Hoffa in his many Labor battles.

And its a fitting way to begin public examination of "cloak and dagger" intrigue used against James Hoffa, ninth vice president of The International Teamsters of America, with 1,500,000 members and 167,000 colored truck drivers in America.

With due respect and with keen interest, every American is following the developments of the Senate Racket Committee hearings.

So far it appears, that one of the hardest-hitting champions that labor has ever had stands accused of a crime, whose facts just don't fit his style.

However, these self same facts do fit his accuser. On one side of the scale of Justice stands a two-fisted, direct, uncompromising fighter for labor whose blunt technique, in our wildest imagination, could never be associated with a "Cloak and Dagger" method.

And on the other side of the scale of Justice stands the accuser.

We could understand better, if forceful James Hoffa stood accused of influencing the accuser into joining James Hoffa in a fist fight against some plant guards.

But, as the facts come out into the open, millions of Americans of all walks of life can't see James Hoffa influencing anyone, to the extent of actually handing out good money, just to receive such a thing as inanimate Senate committee records, which are open to the public.

JOINS DEFENSE — Mrs. Martha Malone Jefferson, famous West Coast lawyer, who joined the Hoffa case defense counsel, Tuesday, is shown with the defendant, James R. Hoffa (left) and Edward Bennett Williams, nationally known attorney.

This just don't add up.

That John Cye Cheasty used fictitious identity, when he secured the job as investigator for the Florida State Committee to investigate "subversive" organizations among "Negroes only," in connection with Tallahassee, Fla., bus strike.

He admits he was hired by a committee, which was probing Negro school teachers and the NAACP, in their efforts to seek public, legal and State acceptance and enforcement of the United States Supreme Court order of school desegration and integration.

Negro citizens of Florida and America are breathing heavily in wonderment of how men like John Cye Cheasty can skip over the nation securing top employment at will, when our nation is loaded with unemployed lawyers.

Lawyer-client relationship is regarded as a sacred trust of the highest form of integrity.

John Cye Cheasty's testimony regarding lawyer-client relationship and use of honored Bar Association identification as a lawyer under ficticious conditions, is new to the American people.

John Cye Cheasty has said that one of his best friends is now an employee of the McClellan Committee.

According to Cheasty, a committee employee has a file on over 200,000 persons in America. This employee was accused of illegal wire tapping. This is the kind of individual Cheasty declares to be his best friend. What will U. S. Government do about this?

Let's Look at the Record In the Hoffa Case

Defendant Fishbach moves that the court withdraw a juror and declare a mistrial.

The grounds for this motion are that trial by jury has been made impossible for the reason that, as shown by the record, (transcript pages 1000 to 1009) there has been injected into this trial, wholly irrelevant inflammatory, and prejudicial testimony and issues, which make it impossible for the defendant Fishbach to get a fair trial at the hands of this jury.

The record basis for this motion begins at page 1000, line 22, and ends at page 1009, line 19.

Unless the court believes it to be unnecessary, that part of the record will now be read.

If the court directs that it not be read, motion is hereby made that the portion of the record be now repeated and incorporated into this transcript at this point as a part of this motion.

The record shows that the witness Cheasty, on cross-examination by Mr. Williams, attorney for defendant Hoffa, was asked whether he had used a fictitious identity when he was employed by the city of Tallahassee to investigate the National Association for the Advancement of Colored People (1000-1001).

Counsel for the government objected to that question (1000), and the court sustained that objection (1001).

Government counsel immediately reversed himself, and asked that the court permit the witness to testify in narrative form, and without interruption, in regard to what he did and what Mr. Hawes wanted him to do, and why he and Mr. Hawes fell out on the matter. (1000-1001).

Mr. Williams said that he was going to give the witness a full opportunity to explain "that", (1002) but at that point Mr. Williams informed the court, that he had not inquired about the job of the witness with Florida Legislative Committee, yet (1002).

The court then permitted the witness to testify in narrative form and without interruption, and prohibited defense counsel from interrupting the witness. (1002, 1003, 1004, 1005).

The witness testifies "now, your question is did I use fictitious identity, and the answer is that—to that is, no, I didn't." (1002-1003).

The witness testified "Now, in the first place in Tallahassee I didn't use a fictitious identity.

"I went down there as John Cye Cheasty, a New York Lawyer. I went down there as a retired naval officer.

"I showed my credentials to the chief of police under that set-up there." (1003).

That is the entire testimony on the subject of fictitious identity.

The witness gave testimony, consisting of approximately 1000 words, in narrative form, about matters having nothing to do with use of fictitious identity, in Tallahassee, Florida.

At one point the witness referred to a written report or recommendation which he said he made to the City of Tallahassee, as to which the witness implied it would corroborate his present testimony, and Mr. Williams had a copy of it.

Mr. Williams' attempt to object to this was stopped by the court. (1004) At one point in his testimony, when the witness asked whether the testimony he had just been giving was about Tallahassee the job he did there, he stated that it was, and then volunteered the following:

"If you want to know about the Florida Legislative Committee, I will tell you that too." (1005-1006).

Before Mr. Williams could respond to the challenge of the witness, Mr. Troxell interjected a request to the court:

"May the witness answer on that?" (1006). Mr. Williams then stated that he had not asked him about that yet, but he proposed to do so very searchingly, because the witness had opened it up.

The court stated that the counsel for the defense had opened it up, and Mr. Williams responded that he had, and that he was going into it fully, both the Tallahassee situation and Florida situation.

Mr. Williams then started to ask "Am I going to be permitted—?" whereupon Mr. Troxell stated, that he did not think that the witness should be interrupted.

Thereupon the Court asked that the question be read. The notation states that the reporter read the last question.

The last question appears on pages 1000-1001, as follows: "Q. Well, when you were employed by the city of Tallahassee to investigate the NAACP, you used a fictitious identity, didn't you?"

Mr. Williams had indicated he was going to ask about the Florida Legislative matter, but he did not ask about it, and apparently was not permitted to ask about it.

The witness then went on, beginning at page 1007, to give an uninterrupted narrative about his alleged activities in Florida. Not one word relates to fictitious identity.

There has thus been injected into this case, an issue which has no place here at all.

The witness has been permitted to paint himself as a fearless crusader against the intolerant South.

He has designedly touched upon the most sensitive controversy in this country at this time, and has unquestionably excited on his behalf a sympathy which will rationalize all attacks upon his credibility as oppressive and motivated by racial hatred.

The futility of cross examination to dissipate this impression is obvious.

Accordingly, if the Court should rule that the defense is bound by the answers given by the witness, and may not introduce extrinsic evidence on the facts, Cheasty's account of himself will go practically unchallenged.

On the other hand if the defense should be permitted to offer extrinsic evidence contradictory to the testimony given by Cheasty, the predominate issues in this case will cease to be conspiracy and bribery, and will become a test of the views of the defendants and their witnesses on the one hand, and the Government and its witnesses on the other, in regard to racial views, bus integration, the Supreme Court decision on segregation, and related matters.

In other words, the inevitable result of the remainder of this trial, will be either a one-sided picture, or a two-sided picture on the respective views of the sides in regard to the racial question, and attendant as a secondary issue will be, whether these defendants have committed the crimes they are charged with.

Under these circumstances, the verdict of the jury will not be a decision of guilt or innocence of these defendants as charged, but the result of the test which the parties and witnesses shall have undergone in front of this bi-racial jury on the question of racial tolerance.

This prejudice has been deliberately created by the witness Cheasty, whose experience as a witness makes him more appreciative than the average witness of the sensitivity of this jury composed of eight colored members and four white members to the issues he has injected into this case.

By Authority of:

FRANK CROWLING, Director

Detroit Citizens Civic Committee