REPORT OF INVESTIGATION OF STAFF JUDGE ADVOCATE, LIEUTENANT COLONEL JULIEN C. HYER, JAGD ON PRIVATE RAYMOND CARR CASE, ALEXANDRIA, LOUISIANA.

November 13, 1942.

1. On November 4, 1942, in accordance with verbal instructions of the Service Commander, I had two conversations by telephone with Colonel Hanst, Camp Commander, Camp Beauregard. (Ex. 1). On November 6, letter in form of report was received from Colonel Hanst. (Ex. 2).

2. Colonel Hanst made formal request on Captain H. D. Greene, commanding Company E, State Police at Alexandria, Louisiana, to place trooper McCollum in custody, (Ex. 3), to which answer was made on November 8, (Ex. 4). Likewise, on November 4, he made written demand on Superintendent of State Police, Baton Rouge, (Ex. 5) and received refusal by letter of November 6, signed by Superintendent Steve Alford, (Ex. 6). A memorandum of Colonel Hanst's conversation is attached, (Ex. 7).

3. Upon arrival on November 10th at Camp Beauregard, I conferred with Colonel Hanst and secured from him following statements of witnesses: excerpts of statements made by Carr to medical officer, (Ex. 8); copies of statements furnished by State Police, (Ex. 9); copies of statements furnished by Provost Marshal, (Ex. 10); copies of some statements taken before (Line-of-Duty) Board of Officers on death of Private Carr, (Ex. 11).

4. By appointment, I went with Colonel Hanst and Major Blackstock, his Camp Judge Advocate, to see Captain Houston D. Greene at 2:30 P. M. We discussed the general phases of the case. I forbore any expression of opinion and avoided controversy, trying to get all the information I could. He holds McCollum innocent of any wrong, claims he shot in self-defense, but says if he himself had not gone home until 30 minutes later it never would have happened. States no rule about arresting MP's because it had never arisen, that all state police are now instructed to refer matters to MP head and not attempt arrests. He sent for McCollum and I talked with him but not about details of case. He had given two statements which I had. He was a typical trooper type, a trifle belligerent, sorry-it-had-to-be-him, could-not-be-helped attitude, not-greatly-concerned.

5. I told Greene that if he wished to express his attitude toward the matter he could transmit it in a letter to General Donovan which he did. (Ex. 12). I interviewed Private Spears, a very docile, common laborer, country type of Florida negro, not likely to curse armed, booted and uniformed state police. He reiterates his sworn statements (Ex. 10), claims he was never arrested in his life but once - for "careless sleeping", having been caught in bed with a woman (but not asleep) and paid fine of $12.00, back in Florida.

6. Examination of Private Raymond Carr's service record discloses that he came into service July, 1942, from Patterson, Louisiana, by induction, has a father and sister, $6,000.00 Government insurance, character "Excellent", was shrimp dock worker in civil life, about 20 years of age.

7. An anonymous letter was sent to War Department by some one purporting to be from Camp Livingston, an adjoining camp, and it was returned to Camp Beauregard without comment, (Ex. 13). The Public Relations Officer, Camp Beauregard, received a call from Washington, Public Relations Officer, War Department, and answered it. (Ex. 14). The Louisiana law as to state police authority shows that the troopers were not within their rights in making this arrest. (Ex. 15).

8. The facts developed were as follows: - undisputed facts disclose that Private Carr, (colored, 20 years of age, inducted from Patterson, Louisiana, a shrimp dock worker in civil life, character "Excellent", no court-martial convictions) accompanied by Private Spears, (colored, inductee from Marianna, Florida) were on duty as military police in Alexandria on November 1, 1942, patrolling the colored area assigned to them at about 1:00 A. M., armed only with clubs. They were talking with a negro couple who were in some sort of controversy when two state troopers in full uniform, armed with pistols, drove up and stopped. MP's claim: - all they said was "This man didn't hit this woman", whereupon ST's said: - "All four of you get in here, we are arresting all of you". MP's refused as being on duty. ST's left but returned shortly with two other ST's and with drawn pistols and shot-guns proposed to arrest MP's. Spears surrendered readily. Carr ran. ST's pursued, guns drawn, firing two shots in air. Overtaking Carr, who entreated by-standers to "Keep them from killing me", trooper McCollum shot Carr, from which wound he later died. State Troopers claim: - at first encounter they stopped to make arrest of two negro civilians when Carr and Spears "cursed them violently". Thereupon they went to the station, told their sergeant, who gave them two other troopers and sent them out to bring in the two colored MP's. Back at the scene, Spears surrendered to them, they making the arrest for "cursing and abusive language and for interference with making arrest", in the city limits of Alexandria, but Carr ran. They (2) pursued, firing off their guns and upon overtaking Carr, he advanced on McCollum, who had a pistol aimed at Carr, pushed aside the gun and hit at McCollum, with his club, barely missing him in the face. He pulled the trigger and shot Carr "in self-defense".

9. My conclusions: - (1) an American soldier on his official post of duty was shot down in as cold blood, without any provocation whatsoever, as can be imagined. (2) Something must be done to bring his murderer to justice. (3) No state court prosecution or disciplinary action is contemplated against McCollum and any charges we file would result in a "white-washing". (4) This is an incident that must be handled vigorously or the Army will be subjected to just criticism for its failure to protect its men killed on duty without any justification.

10. My recommendations: - (1) Sending the attached letter to Governor Jones. (2) Sending letter to War Department with report attached asking that this matter be referred to the Department of Justice for study and action and that the law be amended to include interference with officers and men of the armed forces on duty. (3) Consider sending an experienced, plain-clothes, Louisiana lawyer operative to Alexandria to work up this case as Lieutenant Weatherby did the Bandera case. (Not a statement taken to go over this same ground that has been covered but a man with some conception of admissible legal evidence to round out the work of the Line-of-Duty Board, Colonel Hanst, P. M., etc.).

Julien C. Hyer

JULIEN C. HYER,
Lieutenant Colonel, J. A. G. D.,
Chief, Judge Advocate Branch.

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