

## **CHARLES HAMILTON HOUSTON AND THE CRAWFORD CASE – A MOMENT OF GREAT SIGNIFICANCE AT THE LOUDOUN COUNTY COURTHOUSE (1933)**

### **Mitch Diamond**

In 1933, Loudoun County and its Courthouse became the center of the newly emerging struggle for equal justice and civil rights in the United States. The foremost African American attorney in the nation, Charles Hamilton Houston, led the first all-black legal team in a major case in a southern courthouse, challenging the segregated process for jury selection while cross examining prominent white officials. In this first ever major case conducted by African American attorneys in the South, the defendant was saved from almost certain death, the biased jury selection process was clearly exposed, laying the groundwork for a major U.S. Supreme Court case a few years later, and an entire generation of civil rights attorneys, including Howard University Law School's two leading students, Thurgood Marshall and Oliver Hill, were inspired to pursue their illustrious careers.

### **The Situation**

In January 1932, a black man, George Crawford, was accused of murdering a Middleburg socialite, Agnes Ilsley, and her maid Mina Buckner, both white – and things began to change. The case resounded throughout the nation, was widely reported in the news of the day, involved the Federal Courts in Boston and the U.S. Supreme Court, led to calls for the impeachment of a Federal judge, and was a critical early opening to the modern era of civil rights jurisprudence

### **Charles Houston**

The young and brilliant legal counsel to the NAACP and Dean of Howard University's Law School accepted the case when urged to do so by the head of the NAACP. Houston, only 37 years old at the time, was one of the most well-known African American lawyers and legal scholars in the United States. Houston was already acclaimed for turning a mediocre school into one of the premier law schools in the country. For the Crawford case he assembled an impressive group of African American lawyers and aides. This highly qualified team, the first black attorneys to ever appear in the Loudoun Courthouse, was praised by all sides for their high competence and professionalism.

However, despite their impressive degrees, their obvious ability, and the praise they received in the press and from all their colleagues in the Courthouse, the Crawford legal team could not find any lodging or public place to eat in Leesburg, and had to take their meals in the back of a small black-owned barbershop.

## The Case and its Significance

The first order of business was to get Crawford back from Boston where he had fled fearing for his life. He had been charged in Loudoun, but a federal judge in Massachusetts had refused to extradite him on the grounds that he could not get a fair trial in Virginia. The extradition case went all the way to the U.S. Supreme Court, and some members of Congress threatened to impeach the federal judge before it was agreed to return Crawford to Virginia jurisdiction.

Then, back in Loudoun, Houston decided during preparation for the case that there was too much evidence pointing to the defendant's guilt, and instead determined to save his life. Houston and his team developed a strategy that included a challenge to the basic fairness of the court and, especially, the jury selection process. In a careful and professional manner Houston and his team worked to build an understanding of the process in Loudoun that led to the systematic exclusion of black people from selection for either grand or trial juries. They relentlessly but politely and professionally questioned the senior judge and other officials who were responsible for selecting people for Loudoun's jury list, creating an official record that clearly demonstrated the entire biased process. Houston and his colleagues' combination of deep research and scholarship, eloquence and professionalism led to praise from parties on both sides.

Crawford was found guilty, but his life was spared and he was sentenced to life in prison. This was considered to be a major step forward and an important victory, not just because he was a black man tried and judged by a white judge and jurors in a southern courthouse who was given a rare lesser sentence, but also because Houston and his team had successfully exposed the biased process of jury selection and other procedural issues as a major element of their case. A couple years later the U.S. Supreme Court finally ruled that biased jury selection was unconstitutional.

The cause of basic justice was advanced, Houston and the NAACP's national strategy was advanced, the credibility and reputation of Howard law school was advanced, the opportunities for African American attorneys to actually practice in courtrooms were advanced, the potential for civil rights justice was advanced, and Houston's plan to create and empower an entire generation of civil rights attorneys was substantially advanced.

In particular, two of Houston's best students at Howard Law School were inspired toward lives of profound accomplishment in civil rights jurisprudence. A young **Thurgood Marshall**, the future Supreme Court justice who participated in the case as a researcher, later described this experience as a watershed moment in his life. The very reason he changed direction and dedicated his career to civil rights, he said, was because the Crawford case proved to him that was possible for a black man to find justice in a southern court. Famed African American attorney **Oliver Hill**, second only to Marshall in class standing at Howard, told interviewers later in life that the Crawford case was a particular inspiration for his own significant career pursuing equal justice in Virginia and elsewhere in the United States.

And, in a footnote, Gus Valentine became the very first African American juror to be formally added to the Loudoun County rolls a year later with the strong support of Charles Houston. Unfortunately, Mr. Valentine was never called to actually serve.

After the Crawford case, the small African American community in Loudoun County asked Mr. Houston to help them again by joining the local organized effort in Loudoun for a long sought high school for black students. This was an opportunity for Houston to advance his strategy of challenging “separate but equal” school systems. And with his help, they succeeded -- Frederick Douglass High School was constructed, equipped, fully accredited and opened by 1941 on a plot of land identified and bought with the hard earned resources of the local African American community (see articles below).

Historians see the Crawford case in Loudoun County as a critical and significant foundation in the struggle for civil rights in the United States. It led to and supported other cases seeking equal justice in court proceedings and jury selection and inspired a whole generation of civil rights attorneys. Houston, the NAACP and the attorneys mentored and inspired by Houston went on to many other cases all across the South and elsewhere fighting for equal justice and against segregated education. It took decades before the major breakthrough in *Brown v. Board of Education* was actually decided in the U.S. Supreme Court, but the door to this success was opened here in the Loudoun County Courthouse.

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