

The Christmas 1951 Murders of Harry T. and Harriette V. Moore

*Results of the Attorney General's Investigation
Charlie Crist, Attorney General**

EXECUTIVE SUMMARY

I. Introduction

On Christmas Night, 1951, a bomb exploded under the bedroom of Harry T. and Harriette V. Moore's home in Mims, Florida. The couple had gone to bed after celebrating both Christmas and their 25th wedding anniversary. Mr. Moore was killed in the blast; Mrs. Moore died nine days later. One of the couple's daughters, Annie Rosalea, was at home but uninjured in the explosion. Their other daughter, Evangeline, was en route to Mims by train when the bomb exploded.

This murder silenced one of Florida's civil rights pioneers, and, while the term was not used frequently in 1951, there can be no question that it was carried out by 1950s-style domestic terrorists. For more than 50 years, the Moores' direct and extended family, their friends, and those interested in justice have hoped for resolution or solid evidence that would identify those responsible for such a cowardly act of violence. This is especially true of the Moores' surviving daughter, Evangeline, who has never lost that hope.

Prior to the Attorney General's decision to reopen the case, three prior investigations by federal, state and local law enforcement agencies sought to uncover what happened, why, and who was involved. Despite uncovering important information about the bombing, no arrests were ever made. By reviewing the results of prior investigations and by obtaining new information during the course of this investigation, the Attorney General believes that at least four of those responsible for committing or conspiring in the murders have been identified.

II. Who Were Harry and Harriette Moore?

Harry T. Moore and his wife Harriette were educators by profession. They lived in Mims, Florida, a small citrus town near Orlando, and they taught in the segregated public schools in and around Brevard County from 1925-46. Harry became principal of the Titusville Colored School in 1927. In addition to his work as an educator, Harry tended the orange groves around Mims.

* The Attorney General's Office gratefully acknowledges the assistance of many interested individuals including author Ben Green, who generously shared his time and research; Bill Gary, President of the Brevard Chapter of the NAACP and numerous other NAACP officials; author Gary Corsair, whose book, *The Groveland Four*, provided valuable insight on race relations at the time; and Juanita Barton, director of the Moore Cultural Center, who graciously shared her time, information and coffee with investigators during their time in Mims. Finally, the Attorney General's Office commends the hard work and dedication put in to this investigation by FDLE Special Agent Supervisor Dennis Norred and Office of Civil Rights Investigator Frank Beisler.

The Moores were a quiet couple and spent their leisure time with family, particularly their two daughters. There was no evidence of any marital strife. They enjoyed reading, playing cards (particularly bid whist) and occasionally went to movies in Daytona Beach.

Harry became active in the early stages of the civil rights movement in the 1930s. He formed the Brevard County NAACP in 1934 and served as the NAACP's first statewide Executive Secretary. The focuses of his efforts were varied. He fought against lynchings, police brutality and inequities in the criminal justice system. He fought for equality in teacher salaries in Florida's segregated schools, the ability of blacks to vote in primary elections, and the registration of more black voters in the Democrat Party.¹

Harry Moore's activities did not win him friends among those who wished to retain the status quo. The teaching contracts of Harry and Harriette Moore were not renewed in 1946. In 1951, the Moores were spending much of their time at a residence in South Florida and visited their Mims residence for occasional visits, especially during holidays.

III. Why Were The Moores Killed?

Over the years, a number of motives have been suggested for the Moores' murders. All of them share a common theme - retribution against Harry Moore for his civil rights activities. Especially challenging to the investigations has been sorting through the various rumors surrounding the murders, including rumors that local and state officials knew of or covered up the crime. In the interests of completeness, the following is a brief discussion of the various motives that have been suggested to the investigators looking at this case over the years. No evidence, however, has linked anyone to the murders other than the four members of the Ku Klux Klan identified in this report. It is, of course, possible that additional individuals were involved in the bombing.

(a) The Ku Klux Klan

The Ku Klux Klan was highly active in Florida during this period, including areas near Mims such as Lake County, Apopka and Orlando. The various investigations indicate that Harry Moore's name was a topic of discussion during some Klan meetings. It was generally believed that high ranking members of the communities, including law enforcement officers, elected officials, and prominent business owners, were members of the Klan or shared its beliefs.

(b) The Groveland Incident

In 1949, four black men (known as the Groveland Four) were accused and convicted of raping a white woman in Lake County, Florida. In 1951, the United States Supreme Court overturned their convictions. Lake County Sheriff Willis McCall, claiming that he acted in self-defense, killed two of the defendants as they were riding in the back of his car on their way to Lake County for their retrial. Moore began an active and prominent campaign against Sheriff McCall, including calling for his indictment in letters to Governor Fuller Warren and federal officials. While it appears that Moore's activities angered local and state officials, as well as members of the Klan, there is no evidence linking the Moore bombing to the Groveland case or Sheriff McCall.

¹ In keeping with the "Jim Crow" laws in effect through much of the South at that time, Florida engaged in the systematic exclusion of blacks from primary and general elections, a practice subsequently struck down by the United States Supreme Court.

(c) Local Political Activities

In addition to his voter registration activities, Moore and colleagues from the Brevard County NAACP formed the Progressive Voters League (PVL). The PVL became active in local and state elections. In the 1950 election for chairman of the Brevard County Commission, Moore endorsed a write-in candidate, David Nisbet, over the incumbent, Andrew Fortenberry. When Nisbet won, political observers attributed it to the black vote and Moore's activities. Although Fortenberry was bitter about his defeat and blamed Moore, no evidence links him to the bombing.

Moore also became involved in attempts to improve teachers' salaries and facilities at the local, segregated schools. His activism cost both himself and his wife their jobs in 1946 when their teaching contracts were not renewed, and the FBI investigated local school board officials after the bombing. No evidence, however, links them to the bombing.

(d) The NAACP

Moore's political activities did not meet with the approval of everyone in the NAACP, and some board members felt he was not spending sufficient time tending to the affairs of the Association as Executive Secretary. Less than one month before he was murdered, the Board voted to remove him as Executive Secretary. Some witnesses believed that someone close to the Moores might have been involved but no evidence linked anyone close to them, or within the black community, to the crime.

IV. Previous Investigations

As noted above, there have been three prior investigations of the Moore bombing. The original investigation by the Federal Bureau of Investigation (FBI) began immediately after the bombings and remained active until 1955. Hundreds of interviews were conducted in five states, while surveillance and informants were used to bolster any physical evidence. Two primary suspects were identified, but both died of natural causes before any charges were filed.

In 1978, the Brevard County State Attorney and Brevard County Sheriff reopened the case at the request of officials from the National Association for the Advancement of Colored People (NAACP). Results of the original FBI investigation were thoroughly reviewed and the role of a possible suspect was enhanced by the revelations of a dying individual whose story passed important tests for credibility.

In 1991, Governor Lawton Chiles ordered the Florida Department of Law Enforcement (FDLE) to investigate new information provided by a woman who claimed that her ex-husband was present at the bombings. No evidence was discovered that substantiated her claims.

A. The FBI investigation: 1951-1955

The FBI immediately began an investigation following the Moores' murders. This four-year investigation involved at least 78 Special Agents who conducted over 1,000 interviews in Florida, Georgia, North Carolina, South Carolina and California. Investigative strategies also included telephone surveillance, confidential informants – many of whom were members of the Klan – and laboratory analysis of physical evidence gathered from the scene. Agents focused on developing background information on the Moores, particularly Harry's activities leading up to his death, as well as possible motives for the murders.

This was a difficult investigation, complicated by the black community's distrust of law enforcement. As a result, it is likely that some witnesses were not completely candid with investigators, while others feared retaliation by an active Klan.

Establishing federal jurisdiction presented another difficulty. The FBI did not normally investigate local murders, but Harry Moore had become a local hero in the black community and a nuisance to some politicians. His murder made national headlines, and it was feared that racial tensions throughout the country would mount if the case was not solved. Local officials were ill equipped to handle the case with their limited resources, and an FBI civil rights investigation was therefore opened even though the real issue was murder.

The FBI developed a number of primary suspects. In the weeks after the bombing, confidential informants led FBI agents to Earl J. Brooklyn and Tillman H. Belvin. Both were renegade Klansmen who had been expelled from another Klavern for being too violent. One informant claimed that Brooklyn had displayed a floor plan of the Moores' home at a Klan meeting about a year before the bombings. Another informant has asked Belvin early in 1952 if he had any dynamite, to which Belvin replied "No, I used it all on the last job."

According to the FBI, various Klansmen they were investigating began implicating other Klansmen in participating in other acts of Klan-sponsored violence, but could not provide admissible evidence in order to bring them to trial. Since these Klan informants could not be prosecuted for state crimes to which they were confessing – such as the bombing of an Orlando ice cream parlor and various beatings – the FBI decided to seek indictments against some for perjury in order to place more pressure to provide admissible evidence.² A federal grand jury returned indictments for perjury in June, 1953 but all were quashed by January, 1954 for lack of federal jurisdiction. The FBI closed its investigation in 1955.

Belvin died of natural causes in August, 1952 and Brooklyn died of natural causes on Christmas Day, 1952, exactly one year after the bombings.

B. Brevard County Sheriff and State Attorney's Investigation: 1978

The Brevard County Sheriff's and the State Attorney's Offices reopened the Moore case in 1978 at the request of the NAACP. Sheriff Rollin Zimmerman assigned Captain Winton J. Patterson to the case. Patterson uncovered important information when he was contacted by Edward Lee Spivey, a former high-ranking Klansman, as a result of the publicity surrounding the investigation. Spivey, who was dying of cancer, told Patterson that he knew who did the bombing and wanted to clear his conscience.

Spivey implicated his good friend and fellow Klansman Joseph Cox. Cox had been interviewed by the FBI during its investigation. Spivey claimed that Cox came to him the day after his second FBI interview and confessed that he "had done something wrong." According to Spivey, Cox said that he had been paid \$5,000 to plant the bomb and had used the money to pay off the mortgage on his house. Cox was concerned that the FBI would find out about the mortgage payment and trace the crimes to him. Cox then borrowed Spivey's shotgun, went home and committed suicide

² During their interviews with FBI agents, many of the Klan informants had lied about their involvement in the Klan and various Klan activities.

Transcripts of the tape recordings of Spivey's meetings with the investigators also reveal Spivey's bigotry and concern for the Klan's reputation because the bombings were not officially authorized. Spivey repeatedly notes that Cox's actions were not sanctioned by the Klan – a fact Spivey would know due to his position of "Exalted Cyclops" at the time.

FBI records and Cox's death certificate confirm that he had, in fact, committed suicide the day after his second FBI interrogation. Patterson and Assistant State Attorney Joel Dick presented this information to then-State Attorney Douglas Cheshire with a recommendation to prepare the case for grand jury presentment. Cheshire was said to be interested, but later lost his bid for reelection. Patterson and Dick were reassigned to other matters and the case was closed. Spivey died in August, 1980.

C. Florida Department of Law Enforcement Investigation: 1991

On August 30, 1991, Governor Lawton Chiles directed the FDLE to investigate information received from author Stetson Kennedy.³ According to Kennedy, Orlando resident Dorothy Harrington indicated that her former husband, Frank Harrington, told her on at least six to eight occasions that he was present at the time of the Moore bombing.

FDLE Inspector John Doughtie was placed in charge of the investigation. He interviewed Ms. Harrington who related the story concerning her husband. Frank Harrington was interviewed a few weeks later. Frank admitted to being a member of the Klan in the late 50s or early 60s, a few years after the Moore bombings, but denied any knowledge of or participation in the Moore bombing. Frank later took and passed a polygraph examination.⁴ Although Dorothy Harrington agreed to take a polygraph examination, it was never administered. Doughtie reviewed the results of previous investigations, interviewed family members and others who might have some knowledge of Harrington's activities. None of the documents or interviews revealed any information to contradict or support Frank or Dorothy Harrington's testimony.

The FDLE also examined the validity of a 1978 confession from Raymond Henry, a previous suspect in the FBI investigation. In his confession, Henry claimed that he was hired to make the bomb and carry out the crime, and also identified four other individuals as involved. Members of the FDLE interviewed Henry twice. During these interviews, he essentially recanted his 1978 confession, admitting it was a lie based on rumor, speculation and hearsay. Independent sources confirmed that much of the information provided by Henry in 1978 was not credible.

Finally, the FDLE researched the rumors concerning the possible involvement of Sheriff McCall, as well as a group of Klansmen known as the "Sydney Walker Hopper Group," in the Moore murders. No evidence was obtained that would link either McCall or the "Sydney Walker Hopper Group" to the crimes.

The FDLE's March 24, 1992 Investigative Summary indicated that the FDLE was unable to prove Ms. Harrington's claims and firmly discredited Raymond Henry's "confession."

³ Kennedy is the author of several books and articles concerning the Klan.

⁴ The Attorney General's Office interviewed Michael Mann, the FDLE Agent who administered the test to Frank Harrington. Mann recalled Harrington's exam and said that, while Harrington did express negative feelings towards African-Americans, he was telling the truth about his lack of involvement or knowledge of the Moore bombing.

V. The Attorney General's Investigation

On December 21, 2004 Attorney General Charlie Crist announced that the Moore case would be reopened and investigated through the Attorney General's Office of Civil Rights. The purpose was to review the history of the case and previous investigations and to seek any new witnesses or information that could lead to the identity of those responsible.

With the assistance of the FDLE, a team of experienced investigators and attorneys began an intensive, 20-month investigation into this case. It was the most comprehensive review ever performed of this case, and included a thorough examination of the information gathered in the prior investigations, a quest for new information, interviews of more than 100 people, and a complete excavation of the bomb site. The team spent thousands of hours in the field interviewing witnesses, gathering and examining physical evidence, writing notes and reports and following investigative leads.

Much of the team's research focused on a series of bombings which occurred in Florida a few months before the Moore bombing. Those bombings were believed to have been set by members of the Ku Klux Klan operating in Florida. During the FBI's investigation, agents interviewed a number of Klan members concerning these incidents to gain information on the Klan and the Moore bombing. As noted above, the FBI charged some of the Klansmen with perjury, and those proceedings were extensively reviewed by the team to gather background, potential witnesses for examination and investigative leads. Although the FBI's investigation was extensive, the team located and interviewed area residents and suspected Klan members who were not previously interviewed.

The team also examined other civil rights cases which have been reopened and solved in recent years. These were important guides in going forward with this investigation, although they ultimately enjoyed dramatic evidentiary breakthroughs not found here. For example, in some of those cases, the perpetrators were identified by evidence available in the initial investigation but suppressed or ignored at the time. In other cases, new witness statements or analyses of physical evidence identified the criminals.

The Office was fortunate to obtain valuable assistance from the Florida Association of Crime Stoppers, who posted a \$25,000 reward to prompt people with new information to come forward. The group also produced an extensive media campaign using radio and television advertisements and billboards to heighten public awareness of the investigation. New discoveries about the crime were obtained from tips generated through Crime Stoppers.

No physical evidence was available to examine due to its loss or destruction. The FBI advised the team it had returned most of the evidence in its possession to the Brevard County Sheriff's office following their original investigation. By the time of this investigation, those items had long since been destroyed. Investigators questioned witnesses regarding whether they had taken any items from the site following the bombing as people often do given the historical significance of the murders. Witnesses were also asked if they knew anyone who claimed to have any artifacts from the bombing. Some items of personal property and debris from the bombing are displayed at the Moore Cultural Center in Mims, Florida. These items were transported by investigators to the FBI Laboratory in Quantico, Virginia on August 25, 2005. Laboratory tests conducted using the latest in research and investigative techniques did not reveal any new information concerning the crimes.

In an effort to discover any existing artifacts, the bomb site was excavated by archeologist Thomas Penders and Associates on December 2, 2005. While the FBI conducted a limited excavation, this was the most comprehensive and professional excavation of the site ever conducted. Archeologists verified the location of the Moore house and site of the explosion. More than one hundred bags of artifacts were recovered and forwarded to FBI laboratory in Quantico, Virginia for analysis. Those tests, however, did not produce any evidence of significance to the case.

All available evidence - physical, testimonial, and documentary – suggests dynamite as the explosive most likely used. It was readily available and many people - including all of the primary suspects - were familiar with its usage from working in the orange groves.

Finally, the team pursued an investigation of any evidence linking the principal suspects to monies paid for the murders. This included title searches of properties owned by the principal suspects, as well as a search of relevant financial records, in an effort to determine whether recorded transactions coincided with the general timeframe of the murders.

Despite being hampered by the passage of time, the destruction of physical evidence and the death of key witnesses, the team was able to discover new information that bolsters some of the previous conclusions about the case and provide new information on how the bombings were carried out and who was involved.

VI. The Suspects

This investigation points to the probable involvement of four individuals: Earl Brooklyn, Tillman Belvin, Joseph Cox and Edward Spivey. All had a long history of Klan involvement, and Brooklyn, Belvin and Cox were former members of the Association of Georgia Klan. They later joined the Orlando Klan and, along with Spivey, served as officers of that Klavern. Brooklyn, Belvin and Spivey all served a tenure as “Exalted Cyclops” and Cox served as the Secretary. Brooklyn and Belvin were considered renegade Klansmen because their attack methods were often contrary to Klan policies. They were reportedly trying to recruit others to go with them to the Moores’ house. Cox, who was running for office, had a strong motive to get involved since Moore had demonstrated his effectiveness at influencing elections.

Previous investigations were crucial to putting these pieces together. The FBI’s investigation identified two of the suspects – Brooklyn and Belvin. Both suspects died of natural causes within one year of the bombing and no charges were brought prior to their deaths. As summarized above, statements made by both Brooklyn and Belvin implicated them in the murders.

Title searches conducted during this investigation tend to bolster a connection between Belvin and the murders. Belvin purchased property in 1948 for \$5,000 under terms that called for satisfying the mortgage in 1953. That mortgage was satisfied on December 21, 1951 – four days before the bombing. It must be noted, however, that Belvin re-mortgaged the property in February, 1952 for \$5,000. Nine days after the bombing he sold a separate piece of property that he owned free and clear and purchased additional property in February, 1952.

The FBI interviewed Cox twice, and he committed suicide following the second interview in 1952. Cox did not emerge as a suspect, however, until the 1978 investigation by the Brevard County Sheriff’s Office, when investigators were advised of his possible culpability by his friend Spivey. Contrary to Spivey’s statement regarding Cox’s payment for the bombings, however, a

search of county and bank records did not produce documentation of a satisfied mortgage for Cox at the time of the bombing.⁵

Based on information provided to this investigation by the 1978 investigators, this investigation has also concluded that - given the consistency with which Spivey retold the story of Cox's involvement and Spivey's detailed knowledge of the Moores' house on the night of the bombing⁶ - Spivey may have had some involvement in the planning or execution of the crime. Spivey met six to eight times with Captain Winton Patterson, the lead investigator assigned to the 1978 investigation. Captain Patterson told this team that during each meeting Spivey's story was remarkably consistent and full of vivid detail, despite Spivey's ill health and drinking problem. At Captain Patterson's request, Assistant State Attorney Joel Dick, the chief homicide prosecutor for the Brevard State Attorney's Office at the time, accompanied Patterson to a meeting with Spivey. Captain Patterson wanted ASA Dick, an experienced prosecutor, to see Spivey and evaluate his credibility. Dick told this investigation that, after meeting Spivey and hearing his information, Dick had concluded that Spivey was telling the truth about Cox and also suspected Spivey may have had a role in the bombing because of his detailed knowledge.⁷

VII. Conclusion

Available evidence, although not conclusive, links Belvin, Brooklyn, Cox and, to a lesser extent, Spivey, to the crimes. While the evidence is not conclusive, it is very strong. It is the opinion of those involved in this investigation that, were any of these suspects still alive, sufficient circumstantial evidence exists to present the case to a grand jury for possible indictments for the Moores' murders.

It is also possible that other members of the Klan, especially the Orlando and Apopka Klaverns, participated in the conspiracy to murder the Moores. The record shows Moore and his activities were discussed at several Klan meetings and members were not pleased with Moore's growing success at changing the existing political structure. While the murders may not have been officially sanctioned by the Klan and the perpetrators were considered "renegades," other members of the Klan definitely knew Moore was being targeted.

It is also sadly evident that some members of area law enforcement were Klan members and/or sympathizers and may not have supported the FBI's investigation. The damage caused by that regrettable state of affairs is still evident today, as this investigation concluded that a number of witnesses were reluctant to be completely candid with this investigation for fear of retribution.

⁵ In 1946, five years before the bombing, he acquired three additional parcels of land, expanding the total acreage of his homestead. These additional parcels were acquired at a tax sell without a mortgage. Therefore, there was no record of a mortgage for any part of Cox's homestead at the time of the bombing.

⁶ Details revealed by Spivey over twenty-five years after the murders included that the shades were down and the windows to the Moores' house were closed, that Cox had to crawl under the house to plant the bomb, and that Christmas music could be heard from outside the house and the Christmas tree was visible from the woods.

⁷ A search of property and other financial records relating to Spivey did not provide any additional evidence to bolster this conclusion. A title search on Spivey's property revealed that he re-mortgaged his house several times to satisfy IRS tax liens and private judgments. One such re-mortgage was satisfied in January, 1951, too far in time from the bombing to reasonably infer a connection between the two.

We are all indebted to Harry and Harriette Moore for having the courage to speak out for justice. They paid the ultimate price, but their sacrifice was most assuredly not in vain. In 1958, a Senate investigative committee convened to hear testimony on evidence about the Klan that had been gathered in the Moore and other investigations. Among those who testified was paid undercover informant Richard Ashe, who said Brooklyn told him he was involved in the bombings. A number of arrests were made following the 1958 hearings and the Klan lost some of its momentum and support. However, with today's internet and other organizational tools, the number of hate groups in Florida and the nation is on the rise.⁸

We recognize that it is difficult to investigate a 50-year-old case, particularly one as complex as this. However, given the Moores' remarkable courage and unforgettable contributions to the struggle against segregation, a final attempt to find the truth was certainly justified. Other states that have attempted to solve old civil rights cases have found that the effort, regardless of its ultimate success, has helped heal some of the wounds caused by the racism of the past. It is hoped that this final chapter in the mystery surrounding the deaths of Harry and Harriette Moore will bring some measure of comfort and closure to Evangeline Moore and all Floridians who have sought justice for so long.

⁸ According to the Southern Poverty Law Center, Florida has fifty active hate groups. That number is second only to California which has fifty-two reported groups.