

Wilmington Ten ^[1]

Wilmington Ten

by Craig M. Stinson, 2006; Revised by NC Government & Heritage Library, August 2022.

The Wilmington Ten were civil rights activists who were wrongfully convicted of conspiracy to assault emergency personnel and conspiracy to burn property with incendiary devices in 1971. Eight of the Wilmington Ten were students at the time of their arrest. Following their wrongful conviction, all ten were incarcerated for nearly a decade before they were released following a federal court appeal. The Wilmington Ten were officially pardoned in 2012, forty years after their wrongful conviction.

The unrest that led to the arrest and wrongful conviction of the Wilmington Ten was spurred by years of tension over the desegregation of the city's schools. During the integration of the school system, Williston High School, the city's Black high school, was closed and its students were forced to integrate into the all-white high schools, Hoggard and New Hanover. Many highly qualified Black educators were not offered positions within the newly integrated school district, Black student-athletes and student-leaders were sidelined while their white peers remained center stage, and in the case of the cheerleading team at New Hanover High, banned from participating at all. Black students also took issue with unfair disciplinary actions and a lack of support from the school district. For example, non-student white people visited high school campuses with the intention of taunting or harassing Black students. When on-campus conflicts arose between the white non-students or white supremacists and the Black students, it was Black students who were arrested and faced expulsion and suspension. After years of tension over the integration of the public school system in Wilmington, Black high school students organized a boycott of the school system beginning in January of 1971.

When student leaders sought a headquarters for their boycott, they were rejected by three area churches and the Boys Club. Student leader Connie Tindall asked Pastor Eugene Templeton, the white pastor of Gregory Congregational Church, if he would permit the church to be used as their boycott headquarters. Tindall agreed to the church serving as the protest headquarters. Templeton received death threats for allowing the students to use the church and grew concerned for the students' safety. He also felt it was imperative that the students have political and educational leadership. Templeton contacted the UCC's offices in Raleigh. The UCC's Commission for Racial Justice sent Ben Chavis, a twenty-three-year-old civil rights organizer, to Wilmington. Chavis arrived in Wilmington on February 2, 1971 and quickly aided the students in clarifying their demands.

Several white-owned businesses across the city were burned beginning on February 3. Although local media and citizens connected the arsons to the student protest, at least one of these businesses, Lum's Restaurant, was burned by a white person hoping to use the racialized unrest as a cover.

On February 4, 1971, the militant white supremacist group Rights of White People organized and committed a drive-by shooting at the Gregory Congregational Church. Two Black people were injured, including Marvin Patrick. Although the police were present at church surveilling the student boycotters and their supporters, the police did nothing to intervene and made no arrests.

On February 5, 1971, hundreds of people marched on Wilmington's City Hall to demand protection from white supremacist vigilantes and police. On this same day, servicemen from Camp Lejeune and Fort Bragg arrived to defend the church on a voluntary basis.

On February 6, 1971 at approximately 10:00 pm, Mike's Grocery, a white-owned grocery store a block away from the boycott headquarters, was firebombed after two thwarted arson attempts. Emergency personnel arrived at the fire and reported that they were shot at by snipers on the roof of the Gregory Congregational Church. It was this fire and shooting for which the Wilmington Ten were eventually charged.

A year later Ben Chavis, a representative of the Commission for Racial Justice, eight Black students -- Reginald Epps, Jerry Jacobs, James McKoy, Wayne Moore, Marvin Patrick, Connie Tindall, Willie Vereen and William "Joe" Wright -- and one white woman -- Ann Shepard -- were arrested, brought to trial, and convicted of the crime. The Wilmington Ten were sentenced to a combined 282 years in prison, with individual sentences ranging from 15 to 34 years. Shepard, a social worker and the only white or female defendant of the Wilmington Ten, was convicted of being an accessory before the crime and sentenced to 15 years in prison. Chavis was issued the longest sentence of 34 years, Tindall sentenced to 31 years, Patrick, Moore, Jacobs, McKoy, Vereen, and Wright were sentenced to 29 years each, and Epps was sentenced to 28 years.

Much national media coverage was given to the Wilmington Ten. CBS's *60 Minutes* ^[2], the *New York Times Magazine* ^[3], the Soviet newspaper *Izvestia*, and Amnesty International all focused on the human rights issues involved in the convictions. Protests from around the country were loud, but the *North Carolina Court of Appeals* ^[4] found nothing wrong in the way the trials had been conducted. Governor *James B. Hunt Jr.* ^[5] refused to pardon the convicted bombers but did reduce their sentences. Nine of the ten were released in the fall of 1978, and Chavis was released from incarceration in

December 1979.

In 1980, a federal appeals court overturned the conviction due to prosecutorial misconduct. Assistant District Attorney Jay Stroud coached and bribed witnesses in addition to altering the written statement of the prosecution's primary witness. Three of the prosecution's main witnesses recanted their statements, saying that they had lied in exchange for less severe sentencing and in one case a minibike. The prosecution also withheld exculpatory evidence.

In 2012, Governor Beverly Purdue pardoned the Wilmington Ten, stating "These convictions were tainted by naked racism and represent an ugly stain on North Carolina's criminal justice system that cannot be allowed to stand any longer." The pardon was issued after all had carried a conviction on their record for most of their adult lives and was a posthumous pardon for four of the Wilmington Ten.

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Additional Resources:

The Wilmington Ten, National Registry of Exonerations. <https://www.law.umich.edu/special/exoneration/Pages/wilmingtonten.aspx> [10]

The Wilmington Ten of 1971, William Madison Randall Library, University of North Carolina Wilmington. https://uncw.libguides.com/the_wilmington_ten_of_1971 [11]

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