

Ishan Bhabha  
Tel +1 202 637 6327  
IBhabha@jenner.com

September 14, 2020

**VIA ELECTRONIC MAIL AND COURIER**

The Honorable Kay Ivey  
Governor of Alabama  
c/o Chief of Staff Jo Bonner  
600 Dexter Avenue  
Montgomery, AL 36130

Dear Governor Ivey:

Our firm represents Sarah Collins Rudolph, the fifth “little girl” and the only one of those girls who survived the Sixteenth Street Baptist Church bombing in Birmingham, Alabama on September 15, 1963. On that morning, Ms. Collins Rudolph simply wanted to do what so many other little girls across Alabama were doing—attend a church service. But instead of gaining the solace and celebration of prayer, the church was bombed by those affiliated with the Ku Klux Klan and our client lost her sister, her right eye, her childhood, and in ways she could never know then as a 12-year old girl, a lifetime’s worth of opportunities and dreams.

Ms. Collins Rudolph has never received an apology, support, medical care, counseling or any kind of help or acknowledgement from the state for her injuries, even though those injuries were caused by criminals directly incited by state leaders to “take the offensive” on white supremacy and pay the “hard price” to retain “freedom of race.”<sup>1</sup> The actions of the bombers, affiliated with the Ku Klux Klan and inspired and motivated by then-Governor Wallace’s racist rhetoric, left Ms. Collins Rudolph hospitalized for months and scarred, both physically and mentally, to this day.

For the past year, we have been exploring ways to obtain some measure of “justice”—in whatever form that takes—for Ms. Collins Rudolph. She has born the burdens of the bombing for virtually her entire life, and we believe her story presents an especially meritorious and unique opportunity for the State of Alabama to right the wrongs that its past leaders encouraged and incited.

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<sup>1</sup> Indeed, this connection between the bombing and Governor Wallace was observed as recently as this summer. See DeNeen L. Brown, *Thomas Blanton’s Role in the 1963 Church Bombing that Killed Four Black Girls*, Washington Post (June 26, 2020).

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Specifically, we would greatly value the opportunity to work with you and your office to see if justice, in the form of an official apology as well as compensation, can be achieved. We know that in the past, Alabama has engaged in legislative action to issue an official apology, and we would like to explore a similar avenue for Ms. Collins Rudolph. To that end, we have enclosed herein a preliminary draft of an apology. We would welcome the opportunity to work closely with you on both the manner and content of an apology, so this draft is a starting point to see what options may be available. In addition, we look forward to working with you to develop an appropriate mechanism to compensate Ms. Collins Rudolph.

While social justice is always a worthy cause, given recent events, now is the time for Ms. Collins Rudolph to receive long overdue justice. While the State of Alabama did not place the bomb next to the church, its Governor and other leaders at the time played an undisputed role in encouraging its citizens to engage in racial violence, including the violence that stole the lives of four little girls, and irreparably injured a fifth, the morning of September 15, 1963.

We would appreciate discussing these issues with you further and I would appreciate your letting me know what times you are available for a discussion in the next month. I can be reached at [ibhabha@jenner.com](mailto:ibhabha@jenner.com) or (202) 637-6327.

Sincerely,



Ishan Bhabha



Alison Stein



Caroline Cease

Enclosure

cc: Thomas Newton Bolling

WHEREAS, in 1962, the State of Alabama elected as its governor George Wallace, a leading force against the desegregation movement.

WHEREAS, in Governor Wallace's inaugural address on January 14, 1963, the newly-elected governor encouraged citizens to "send [a] message back to Washington . . . that we intend to take the offensive and carry our fight for freedom across the nation," and warned "that we will not surrender our system of government" or "our freedom of race" because "that freedom was won at a hard price and if it requires a hard price to retain it" then "we are able and quite willing to pay it."

WHEREAS, during the course of the civil rights movement, more than fifty racially-motivated bombings occurred in the City of Birmingham between 1947 and 1964, not one of which was solved during that time period, earning the city the name "Bombingham."

WHEREAS, in the fall of 1963, Governor Wallace continued to use threats of force outside of schools to prevent integration in Birmingham, dispatching hundreds of state troopers to the City of Birmingham—while, in tandem, private citizens continued to use unprosecuted violence to create chaos, such that schools had to be closed—thus delaying court-ordered integration such that a federal court ordered Governor Wallace to show cause why he should not be held in contempt for failing to comply with desegregation orders.

WHEREAS, on September 7, 1963, Governor Wallace in a speech praised white supremacists' efforts to oppose court-ordered desegregation and, on the next day, issued an executive order commanding state troopers to prevent African-American children from attending white schools in multiple Alabama cities, abandoning his resistance efforts three days later—on September 10, 1963—only after receiving a federal restraining order.

WHEREAS, in the early morning of Sunday, September 15, 1963, three days after Governor Wallace's court-ordered-abandonment of his charge to prevent desegregation by using shows of force and encouraging actively militant-like white defiance of integration and school desegregation, several men affiliated with the Ku Klux Klan—which was fighting school integration alongside Governor Wallace—took up the "offensive" that Governor Wallace had promised in his inaugural address earlier that year, and placed a bomb under the steps on the side of the Sixteenth Street Baptist Church.

WHEREAS, later that morning of September 15, 1963, that bomb detonated, killing four little girls—Addie Mae Collins, Carol Denise McNair, Carole Robertson, and Cynthia Wesley—and seriously and irreparably injuring a fifth little girl, Sarah Collins Rudolph.

WHEREAS, despite the tragic events that unfolded that morning resulting from Governor Wallace-fueled anti-segregation sentiments, the State of Alabama made no immediate, determined effort to locate and prosecute the direct perpetrators of the heinous crimes, and did not begin bringing charges until more than 13 years after the bombing, at which point it successfully prosecuted the first of four directly-culpable individuals.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we express our profound regret for the State of Alabama's role in encouraging the violence that occurred that morning of September 15, 1963 resulting in the deaths of four innocent little girls—Addie Mae Collins, Carol Denise McNair, Carole Robertson, and Cynthia Wesley—and the serious and life-altering injuries of a fifth, Sarah Collins Rudolph;

we express our deepest sympathies and solemn regrets to those four girls who were senselessly murdered and to Sarah Collins Rudolph who was injured and continues to suffer from those injuries and to the families of all five girls; and we encourage the remembrance and teaching about the history of the civil rights era to ensure that those tragedies will neither be repeated nor forgotten.