

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

THE UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. _____
)	
CHOCTAW COUNTY, ALABAMA;)	<u>COMPLAINT</u>
CHOCTAW COUNTY GENERAL)	
HOSPITAL BOARD OF DIRECTORS;)	
and WALTER J. FRIDAY, as)	
Administrator of Choctaw County)	
General Hospital;)	
)	
Defendants.)	

The United States of America, plaintiff,
all
alleges:

1. This action is brought by the Acting Attorney General in the name and on behalf of the United States pursuant to Section 301(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000b(a).

2. This Court has jurisdiction of this action under Section 301(a) of the Civil Rights Act of 1964, 42 U.S.C. 2000b(a), and under 28 U.S.C. 1345.

3. The defendant Choctaw County is a political subdivision of the State of Alabama. Choctaw County owns and operates the Choctaw County General Hospital which is a public hospital located in Butler, Alabama.

4. The defendant Choctaw County General Hospital Board of Directors is responsible for supervising the operation and maintenance of the Choctaw County General Hospital.

5. The defendant Walter J. Friday is the administrator of the Choctaw County General Hospital, and as such, he is responsible for the daily operation of the hospital. He resides in Choctaw County.

6. In operating the Choctaw County General Hospital, the defendants segregate patients according to their race and color in the use of hospital rooms, wards, and other facilities for the treatment and convalescence of patients.

7. In operating the Choctaw County General Hospital the defendants require the attending physicians and other professional staff members to use separate hospital and nursing home facilities for Negro and white patients on account of the race and color of the patients.

8. In operating the Choctaw County General Hospital, the defendants maintain racial segregation in the waiting rooms, snack bar, employee dining room and other accommodations provided for the comfort and convenience of all persons utilizing the facilities of the hospital and nursing home.

9. By the policies and practices described in paragraphs 6, 7, and 8 of this Complaint, the defendants are depriving and threaten to deprive Negroes on account of race or color, of the right to the equal protection of the laws by denying to Negroes the equal utilization of the facilities of the Choctaw County General Hospital.

10. The Acting Attorney General of the United States has certified that he has received complaints in writing alleging in effect the deprivation and threatened deprivation of the equal protection of the laws, on account of race or color, in the operation of the Choctaw County General Hospital; that he believes the complaints to be meritorious; that the signers of the complaints are unable, in his judgment, to initiate and maintain appropriate legal proceedings for relief; and that in his judgment, the initiation of this action will materially further the orderly achievement of desegregation in public facilities.

WHEREFORE, plaintiff respectfully prays that this Court issue a preliminary and permanent injunction restraining the defendants, their agents, employees, successors and all those in active concert or participation with them from:

- 1) Maintaining racial segregation, or any other distinctions based upon race or color, in any of the facilities or services provided for the treatment and convalescence of patients in the Choctaw County General Hospital.
- 2) Maintaining racial segregation, or any other distinctions based upon race or color, in any of the accommodations or services provided for the comfort and convenience of persons utilizing the facilities of the Choctaw County General Hospital.

3) Maintaining any policy or practice,
and requiring or permitting attending
physicians and staff members to engage
in any act or practice which would
result in distinctions based on race
or color in the operation of the
Choctaw County General Hospital.

Plaintiff further prays for such additional
relief as the interests of justice may require,
including the costs of this action.

RAMSEY CLARK
Acting Attorney General

JOHN DOAR
Assistant Attorney General

VERNOL R. JANSEN
United States Attorney

FRANK M. DUNBAUGH
Attorney
Department of Justice

CERTIFICATE OF THE ACTING ATTORNEY GENERAL
OF THE UNITED STATES

I, RAMSEY CLARK, Acting Attorney General of the United States, hereby certify that I have received complaints in writing signed by individuals, alleging in effect that they are being deprived by the Choctaw County General Hospital of the equal; protection of the laws on account of race or color; that I believe the complaints to be meritorious; that the signers of the complaints are unable, in my judgment, to initiate and maintain appropriate legal proceedings for relief; and that in my judgment, the institution of this action will materially further the orderly achievement of desegregation in public facilities.

This certificate is made pursuant to the provisions of Section 301(a) of the Civil Rights Act of 1964.

Signed this day of , 1966.

RAMSEY CLARK
Acting Attorney General