

111TH CONGRESS
1ST SESSION

S. CON. RES. 16

Expressing the sense of the Senate that the President of the United States should exercise his constitutional authority to pardon posthumously John Arthur “Jack” Johnson for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mr. MCCAIN submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

Expressing the sense of the Senate that the President of the United States should exercise his constitutional authority to pardon posthumously John Arthur “Jack” Johnson for the racially motivated conviction in 1913 that diminished the athletic, cultural, and historic significance of Jack Johnson and unduly tarnished his reputation.

Whereas John Arthur “Jack” Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases;

Whereas Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves;

Whereas Jack Johnson became a professional boxer and traveled throughout the United States, fighting white and African-American heavyweights;

Whereas, after being denied (on purely racial grounds) the opportunity to fight 2 white champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning white title-holder, Tommy Burns;

Whereas Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World;

Whereas, the victory by Jack Johnson over Tommy Burns prompted a search for a white boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the “great white hope”;

Whereas, in 1910, a white former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada;

Whereas Jim Jeffries lost to Jack Johnson in what was deemed the “Battle of the Century”;

Whereas the defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans nationwide;

Whereas the relationships of Jack Johnson with white women compounded the resentment felt toward him by many whites;

Whereas, between 1901 and 1910, 754 African-Americans were lynched, some for simply for being “too familiar” with white women;

Whereas, in 1910, Congress passed the Act of June 25, 1910 (commonly known as the “White Slave Traffic Act” or the “Mann Act”) (18 U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce “for the purpose of prostitution or debauchery, or for any other immoral purpose”;

Whereas, in October 1912, Jack Johnson became involved with a white woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter;

Whereas Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an “immoral purpose” in violation of the Mann Act;

Whereas the Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson;

Whereas, Federal authorities persisted and summoned a white woman named Belle Schreiber, who testified that Jack Johnson had transported her across State lines for the purpose of “prostitution and debauchery”;

Whereas, in 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison;

Whereas Jack Johnson fled the United States to Canada and various European and South American countries;

Whereas Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915;

Whereas Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas;

Whereas Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title;

Whereas Jack Johnson served his country during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause;

Whereas Jack Johnson died in an automobile accident in 1946; and

Whereas, in 1954, Jack Johnson was inducted into the Boxing Hall of Fame: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring)*, That it is the sense of the Senate that—

3 (1) John Arthur “Jack” Johnson paved the
4 way for African-American athletes to participate and
5 succeed in racially integrated professional sports in
6 the United States;

7 (2) Jack Johnson was wronged by a racially
8 motivated conviction prompted by his success in the
9 boxing ring and his relationship with white women;

10 (3) the criminal conviction of Jack Johnson un-
11 justly ruined his career and destroyed his reputation;
12 and

13 (4) the President of the United States should
14 grant a pardon to Jack Johnson posthumously—

1 (A) to expunge a racially motivated abuse
2 of the prosecutorial authority of the Federal
3 Government from the annals of criminal justice
4 in the United States; and

5 (B) in recognition of the athletic and cul-
6 tural contributions of Jack Johnson to society.

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