

THE PEOPLE v. LEO FRANK

PRESENTATION OF SCETV
PREMIERES MONDAY, NOVEMBER 2, 2009 at 10PM ON PBS

New Film Explores One of the
Most Sensational Murder Cases in American History

THE PEOPLE v. LEO FRANK brings to vivid life one of the most fascinating criminal cases in American history: the 1913 murder of 13-year old Mary Phagan, a child laborer in an Atlanta pencil factory, and the trial and lynching of Leo Frank, the Jewish factory supervisor from "up North" accused of her murder. Shot on location in Atlanta, the film illuminates the scandalous trial and its shocking aftermath with dramatic sequences created verbatim from transcripts, documents and letters. A strong supporting cast is led by Will Janowitz (*The Sopranos*) and Seth Gilliam (*The Wire*). In addition, a remarkable trove of rare historic images and new interviews with authors, historians, politicians and descendants of the participants infuse nearly century-old events with a special resonance for today.



Set against the backdrop of an American South struggling to shed its legacy of bigotry and xenophobia, the story is both a first-rate murder mystery and a thought-provoking look at racial, religious, regional and class prejudices in the early years of the 20th century. A presentation of SCETV, Ben Loeterman's **THE PEOPLE v LEO FRANK** premieres nationally on PBS on Monday, November 2, 2009 at 10PM (check local listings).

The Murder

Early in the morning on April 27, 1913, the night watchman at an Atlanta pencil factory discovered the murdered body of 13-year-old Mary Phagan, a white worker at the factory. She had apparently been robbed and possibly raped. The case made headlines and several arrests were made, including Jim Conley, a black janitor at the factory who was seen three days later washing red stains out of his work shirt. Also arrested was Leo Frank, the factory's superintendent and the last person to admit to seeing Mary alive.

Suspicion of Frank soon mounted, based largely on his nervous behavior. A Jew raised in Brooklyn, Frank quickly became prosecutor Hugh Dorsey's prime suspect. On the fourth try, Dorsey coaxed Jim Conley to confess that he had helped hide Mary's body, but the janitor insisted that Frank, his boss, was the killer. 'POLICE HAVE THE STRANGLER,' blared a local headline, effectively convicting him in the public mind before he ever faced the jury.

The Trial

Frank's trial lasted a month. Each day spectators packed Judge Leonard Roan's sweltering courtroom, with hundreds more waiting outside to catch the latest news. The proceedings descended into a free-for-all of hearsay testimony, lurid details, shoddy police work and mind-boggling contradictions on the witness stand. Frank's nervous and rambling testimony did nothing to help his case. Despite Conley's conflicting statements and the lack of any physical evidence linking Frank to the murder, the all-white jurors accepted the word of the Southern black janitor over that of the Northern Jewish factory superintendent.

Leo Frank was pronounced guilty and sentenced to death.

The Lynching

Most Atlantans celebrated the verdict, but observers around the country grew enraged at what they considered to be a mockery of justice. Editorials from New York to San Francisco decried the verdict and called for a new trial. But the meddling of outsiders only further steeled Southern pride and Frank's detractors.

The most vocal of these was Tom Watson, a populist newspaper editor who inflamed public sentiment with vicious anti-Semitic articles. In issue after issue of his paper,

The Jeffersonian, Watson painted Mary Phagan as a “pure little Gentile victim” defiled by a money-grubbing, sexually perverted New York Jew.

Frank’s lawyers appealed the conviction, but were rebuffed at every step, all the way to the US Supreme Court. Their last hope was to petition Georgia’s outgoing governor, John Slaton. Slaton weighed the evidence and concluded that Frank had *not* in fact received a fair trial. In an astounding turn of events and after some personal agonizing, Slaton commuted Frank’s sentence from death to life in prison.

The governor swiftly transferred Frank from his Atlanta jail cell to a state penitentiary 150 miles away where Frank could safely serve out his sentence. A mob, enraged by the governor’s actions and whipped into frenzy by Watson’s *Jeffersonian*, descended on the Governor’s mansion, hanging him in effigy with signs labeling him “King of the Jews.”



Meanwhile, out of the public eye, an elite group of influential Georgians—including a former governor and judge—made plans to quietly carry out their own sentence on Frank. On a hot August afternoon, 25 men loaded up seven cars and drove from Marietta to the state prison in Milledgeville where Frank was being held. They walked into the prison and—without breaking a lock or firing a shot—abducted the prisoner from his cell.

They drove Frank to an oak grove near Mary Phagan’s childhood home. A noose was placed around his neck. The judge read the charges and proclaimed the sentence. Then the small table on which Leo Frank stood was kicked out from under him.

The Legacy

The most famous lynching of a white man in America inspired two conflicting legacies. Some of Frank’s lynchers joined members of the original Ku Klux Klan, which had all but faded out after Reconstruction. On Stone Mountain outside Atlanta, they formed the modern Ku Klux Klan, partly in Mary Phagan’s honor. Its mission would expand from just intimidating Southern blacks to spreading hate against Jews, Catholics and others across the country.

Meanwhile, a fledgling organization found its mission in the Frank case. The Anti-Defamation League would become a powerful defender of civil rights and social justice for all in America and continues to this day.

THE PEOPLE v. LEO FRANK is made possible through funding from the National Endowment for the Humanities and BNY Mellon Wealth Management. Other funders include the Tommy Hilfiger Corporate Foundation, the Rockefeller Foundation, the California Community Foundation, the Southern Humanities Media Fund, the Righteous Persons Foundation, Malon D. Mimms, Julie and Jeff Seaman, and Judy and Erwin Zaban and Family.

THE PEOPLE *v* LEO FRANK

Written and Directed by: **Ben Loeterman**

Produced by: **Laura Longsworth**

Editor: Peter Rhodes

Director of Photography: **James Callanan**

Original Score by: **Jocelyn Pook**

Chief Consultant: Steve Oney, Author
And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank

Executive Producers: **Linda Selig, Lynda Walker, Ben Loeterman**

Featured Interviewees include Steve Oney; Van Pearlberg, Deputy Chief Asst. D.A., Cobb County; authors Melissa Fay Greene and Alex Jones; former Georgia Governor Roy Barnes; historians Dan Carter, Nell Painter and Clarissa Myrick-Harris; playwright Alfred Uhry.

Principal Cast

Leo Frank **Will Janowitz**
Jim Conley **Seth Gilliam**

ABOUT BLPI

Ben Loeterman is a prolific writer/director/producer of historical and public affairs documentaries. He worked for PBS's flagship current affairs series FRONTLINE for 20 years since its inception, with credits ranging from *What Jennifer Saw*, about the frailty of DNA testimony to *The Triumph of Evil*, about US culpability for the genocide in Rwanda.

Loeterman's production company, BLPI, has contributed three programs to the PBS series AMERICAN EXPERIENCE: *Golden Gate Bridge*, about one man's undying effort to see it built; *Public Enemy #1*, a biography of John Dillinger; and *Rescue at Sea*, about 1500 lives saved by wireless three years *before* the Titanic. He has won national Emmy awards for directing and journalism, and is the recipient of two duPont-Columbia journalism awards.

ABOUT SOUTH CAROLINA ETV

South Carolina ETV brings non-commercial, inspiring public television not only to the citizens of South Carolina, but through its national productions, to the rest of the United States and the world. Recent and upcoming presentations include *Documenting the Face of America*, *The Wine Makers* and *Germans in America*. Past productions include *The Power of Forgiveness*, *Uncorked! Wine Made Simple*, *Making Schools Work* with Hedrick Smith, and *Journey to Planet Earth*, hosted by Matt Damon (the only continuing environmental series on PBS). South Carolina ETV Radio produces *Marian McPartland's Piano Jazz*, NPR's longest running performance program.

Running Time: 90 minutes

More information and photos are available at <http://www.pbs.org/pressroom>

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