

**Racial Discrimination and Domestic Implementation of Human Rights:
The Responsibility of the U.S. Government to Investigate Cases of Civil Rights Murders
to Ensure Due Process and Equal Protection Under the Law**

A Joint Submission to the United Nations Universal Periodic Review of

United States of America
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Submitted Jointly by:

- Georgia Peace & Justice Coalition
- Southern Christian Leadership Conference, President Sen. Charles Steele and National Board Chairman, Dr. Bernard Lafayette Jr.
- Cold Case Justice Initiative at Syracuse University College of Law, Co-directors, Professor Paula Johnson and Professor Janis McDonald

1. Georgia Peace & Justice Coalition

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The mission of the GPJC founded in 2002 is:

- To promote peaceful alternatives to war and violence
- To provide leadership in nonviolently opposing wars and policies of aggression and domination.
- To strengthen the GPJC statewide network of activists in Georgia and provide support for those working for social justice, here and abroad.

The organization maintains status as a registered non-profit organization with the Georgia Sec. of State. Membership is open to all organizations in Georgia that agree with the mission of GPJC. The Georgia Peace & Justice Coalition founded in 2002.

2. **Southern Christian Leadership Conference** was established in 1957 and elected Dr. Martin Luther King, Jr. as its first President. Nonviolent mass action was adopted as the cornerstone of strategy.
3. **Cold Case Justice Initiative at Syracuse University College of Law** conducts investigations and research on unresolved cases and serves as a clearinghouse for sharing and receiving information on active cases. The CCJI insists on vigilant attention to unresolved racially motivated killings and continuing issues of racial justice.

Endorsed by:

- **Coalition for the Peoples' Agenda**, Chairman & Convener Rev. Dr. Joseph E. Lowery
- **National Association for the Advancement of Colored People**, Rev. Dr. Francys Johnson
- **Georgia Association of Black Elected Officials**, Rep. Tyrone Brooks, Active Veteran of Southern Christian Leadership Conference

Executive Summary and Introduction

The passage of the Emmett Till Unsolved Civil Rights Crime Act (“the Act”) introduced on February 8, 2007 by Representative John Lewis (GA) and Senator Christopher Dodd (CT), with multiple bi-partisan co-sponsors, including then Senator Barack Obama (IL), provides enforcement powers, direction and funding necessary to achieve its objectives. The Act was signed into law by President George W. Bush in October 2008. However, the United States Government has failed to fully implement the Emmett Till Unsolved Civil Rights Crime Act of 2007. The law instructs the FBI, and other entities within the United States Department of Justice, to “(1) *expeditiously investigate* unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and (2) provide all the resources necessary to *ensure timely and thorough investigations* in the cases involved”. The Act also instructs the Attorney General to designate a Deputy Chief in the Criminal Section of the Civil Rights Division, to coordinate the implementation of the law and further authorized appropriations of up to \$10 million each year from 2008 until 2017 to be allocated to further this mandate. However, no Attorney General has requested the entire \$10 million **per year** authorized in the Act. In fact, no joint task forces or concerted federal and local law enforcement agencies have engaged in a serious effort to identify, or account for, all of those who disappeared, or who were killed prior to December 31, 1969. There has never been a full accounting of all of the individuals who were killed or disappeared during that period.

Although the legislative history of the Emmett Till Act includes a list of 70 “Forgotten” individuals whose killers remain at large, Congress never intended for this to be the entire list of victims of unsolved civil rights era killings. The Southern Poverty Law Center created the “Forgotten” list as a partial list of those individuals discovered by the Center, but they too, never intended it to be a complete list. In December 2012, the Cold Case Justice Initiative at Syracuse University provided the Department of Justice and the FBI a list of 196 additional names of individuals discovered by the Cold Case Justice Initiative law students. These were “suspicious killings” that took place during the time period covered by the Emmett Till Act. The list included fifty suspicious law enforcement killings of young Black men. Since that time the Cold Case Justice Initiative has discovered another one hundred “suspicious killings” and continues to discover more.

Annually the “Moore’s Ford Bridge Lynching Movement”, a joint action of the Southern Christian Leadership Conference and its affiliate, the Georgia Association of Black Elected Officials, reenacts the last mass lynching in the United States. The lynchings of the Malcolms and the Dorseys took place at the Moore’s Ford Bridge in Monroe, Georgia on July 25, 1946.

The Coalition for the Peoples' Agenda and the Georgia Peace & Justice Coalition support this remembrance. Many of those submitting this report have been chilled by the horror of the reenactment. Our members have visited the grave sites and commiserated with decedents of those murdered. They have met with disillusioned African-Americans, who seek justice in order to begin the process of reconciliation. Though individuals responsible for the murders are believed to still live, no one has been prosecuted. Such a culture of impunity continues to cause fear, distrust and intimidation. The proclaimed equal protection of the law, as set forth in articles 2 and 7 of the Universal Declaration of Human Rights and the 14th Amendment to the Constitution of the United States of America, is an unrealized dream.

These crimes were committed not just against the victims, but against our society. The Emmett Till Unsolved Civil Rights Crime Act of 2007 was intended to serve as a tool for communities such as Monroe, Georgia, to confront past wrongs, determine guilt, and seek to acknowledge responsibility, as well as impose a penalty commensurate with the wrongdoing. With such acts comes the possibility of healing, accountability, and restorative justice. From Monroe, Georgia to Ferguson, Missouri, African Americans seek justice to begin the process of reconciliation.

The Southern Christian Leadership Conference's 2013 Resolution Call for Immediate Action to Enforce the Unfulfilled Promise of the Emmett Till Unsolved Civil Rights Crimes Act speaks to the national outrage over the failure of the government of the United States of America to ***conduct timely and thorough investigations*** of Civil Rights murders, as stipulated in the Emmett Till Unsolved Civil Rights Crime Act of 2007.ⁱ

Likewise, the NAACP resolution "Emmett Till Unsolved Civil Rights Crime Act", provides the foundation for this report's recommendations. This resolution was ratified by the National Board of Directors on October 19, 2013 and is now the Official Policy of the National Association for the Advancement of Colored People.ⁱⁱ

The historic context is found in the Senate Committee on the Judiciary's Report to accompany Senate Bill 535 Emmett Till Unsolved Civil Rights Crime Act.ⁱⁱⁱ

Likewise, documentation of the U.S. Attorney General's failure to implement the Emmett Till Unsolved Civil Rights Crime Act during this four year period is contained in the Attorney General's 2010^{iv} and 2014^v Reports to Congress pursuant to the Emmett Till Civil Rights Crime Act of 2007.

The directors and researchers of the Cold Case Justice Initiative at Syracuse University College of Law provided the documentation and analysis of the government of the United States of America's failure to fully implement and fund the Emmett Till Unsolved Civil Rights Crime Act as required by law.^{vi}

UPR Recommendations Supported by the U.S. Government^{vii}

As listed in the UPR Working Group's January 2011 Report (A/HRC/16/11), and the comments and positions the United States articulated on those recommendations in its March 2011 response (A/HRC/16/11/Add.1):

CIVIL RIGHTS, ETHNIC, AND RACIAL DISCRIMINATION

Recommendations 107 and 111: (107) Adopt effective measures and an anti-discrimination act to address racial problems. (111) Adopt a comprehensive national work-plan to combat racial discrimination.

U.S. position: We have comprehensive Federal and State legislation and strategies to combat racial discrimination. We are working diligently toward better enforcement and implementation of these laws and programs.

DOMESTIC IMPLEMENTATION OF HUMAN RIGHTS

Recommendation 65: Review its laws at the Federal and State levels with a view to bringing them in line with its international human rights obligations.

U.S. position: We regularly engage in such reviews of our laws, in light of our human rights obligations, including through the enforcement of our Federal civil rights laws and implementation of our domestic civil rights programs, litigation and judicial review, our reports to UN human rights treaty bodies, engagement with UN Special Procedures, and active discussions with civil society. Although the Federal government does not consistently or systematically review State laws, our civil rights mechanisms allow for review of State laws, as appropriate.

Recommendation 225: Continue consultations with non-governmental organizations and civil society in the follow up.

Article 2: Universal Declaration of Human Rights

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.”

Article 7: Universal Declaration of Human Rights

“All are equal before the law and are entitled, without any discrimination, to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.”

United Nations (UN), The Universal Declaration of Human Rights, Article 2 (Dec. 10, 1948), <http://www.un.org/en/documents/udhr/index.shtml> (accessed Jan. 24, 2011).

The Constitution of the United States of America, Fourteenth Amendment guarantees equal protection under the law. However, its attempt to guarantee civil rights was circumvented for many decades by the post-Reconstruction-era black codes, Jim Crow laws, and the “separate but equal” ruling of *Plessy v. Ferguson* (1896).

Concerns Regarding the Thorough and Expedient Investigation of Civil Rights Murders

As recent cases confirm, unsolved murders pose some of the most important and vexing law enforcement challenges facing our nation. For far too long, racially motivated violence divided communities and terrorized American citizens.

These violent and discriminatory crimes tear at the fabric of our democracy. The Fourteenth Amendment guarantees equal protection under the law. The Federal Government, in particular, has traditionally been the guardian of last resort for our nation's most vulnerable inhabitants. Yet, African-American citizens were not protected for much of our history. Countless African-Americans and civil rights workers, involved in the struggle for equality, were murdered or randomly killed in deliberate acts of racial intimidation.

The brutal murder of Emmett Till was one of the most infamous acts of racial violence in American history, yet his killers were never punished. Like Emmett Till, hundreds of other Americans of this era suffered a similar fate. According to the Southern Poverty Law Center, at the Emmett Till Unsolved Civil Rights Crime Act: Joint Hearing on H.R. 923 before the House Subcommittee on the Constitution, Civil Rights, and Civil Liberties, “The killers in most of the cases have not been prosecuted or convicted, and today, there are many cases that still cry out for justice.” The Cold Case Justice Initiative at Syracuse College of Law, among other groups, continues to discover victims of unsolved racially motivated crimes.

The Emmett Till Unsolved Civil Rights Crime Act was intended to address racial injustices before they become permanent scars on our democracy. Passage of this legislation was expected to provide for a sustained, well-coordinated, and well-funded effort to investigate and prosecute racially motivated murders that occurred on or before December 31, 1969. This bill designates an official within the U.S. Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), respectively, with the responsibility to coordinate the investigation and prosecution of civil rights violations that occurred prior to 1970, and that resulted in a death. Congress recognized the urgent need for this measure. Given the advanced age of defendants and potential witnesses, only a small window of opportunity exists to investigate and prosecute these crimes. It will soon be too late to right these wrongs and to ensure equal justice in our criminal justice system.

Congress so far has failed to conduct oversight hearings of the work of the Department of Justice in implementing the Emmett Till Unsolved Civil Rights Crimes Act. Many of the families complain that they have never been interviewed by the FBI or DOJ and yet their loved one’s investigation has been closed. Witnesses also complain that they have not been interviewed. Of

the 122 names on the FBI/DOJ list of cases to investigate, all but a small number have been closed.

Emmett Till's death left an indelible mark on America. The public images of his mutilated body in an open casket, and the fact that no convictions occurred, stirred our nation's conscience. The racial violence commonplace in the American South became known to the world, and generated a widespread public outcry across America. Emmett Till's murder also inspired the modern civil rights movement. Just three months after the Till murder trial, Rosa Parks was arrested for protesting segregation laws. In the next twenty years, Americans of all races, genders, and ages would risk their lives fighting for civil rights.

Emmett Till's murder did not stand in isolation. It is one horrendous example of a legacy of widespread racially motivated violence. Historically, anti-civil rights violence was widespread throughout the nation. According to legal historians, more than 100 violent incidents in the South, connected to civil rights activity, occurred between January 1, 1955 and May 1, 1958. The majority of this violence occurred in the form of bombing homes, schools, and churches. In the city of Birmingham, Alabama, between 1955 and 1963, local African-Americans were targets of twenty-one bombings, all of which went unsolved.

The exact number of unsolved racially motivated murder cases that occurred before the 1970s remains unknown. Many of these killings were never fully investigated, and in some cases, law enforcement officials were involved in the killings or subsequent cover-ups. In many cases, such as the murder of Emmett Till, suspects were brought to trial only to be set free by sympathetic white juries.

The FBI, in 2007, began investigating or considering investigating 102 killings that occurred before the 1970s. Of these, 94% (96 incidents) are in the Southeast, 4% (4 incidents) are in the West, and 2% (2 incidents) are in the Northeast. Mississippi comprises the most significant percentage of unsolved civil rights cases at 42% (43 incidents). Of the remaining states with investigations or assessments for investigations, 17% (17 incidents) are in Alabama, 13% (14 incidents) are in Georgia, 7% (7 incidents) are in Louisiana, 4% (4 incidents) are in Texas, 12% (3% for each state, with each state having 3 incidents each) are in North Carolina, South Carolina, Florida, and Tennessee, 2% (2 incidents) are in Arkansas, and 3% (1% for each state, with each state having 1 incident) are in Ohio, Kentucky and New York. These figures do not include the 196 names discovered by the Cold Case Justice Initiative at Syracuse University College of Law. The Department of Justice has not responded to the Cold Case Justice Initiative at Syracuse University College of Law or anyone else on the 196 "suspicious killings" turned over to them in December 2012.

In recent years, law enforcement officials at the federal, state and local level have made sporadic efforts to solve some of the crimes that were ignored, at the time, by law enforcement. According to press reports, since 1989, 29 pre-1970s racially motivated cases have been reopened, leading to 29 arrests and 23 convictions.

Despite these prosecutions and convictions, much work remains to be done. The Southern Poverty Law Center provided the Senate Committee on the Judiciary's Report to accompany Senate bill 535, titled Emmett Till Unsolved Civil Rights Crime Act, with a list of 74 "forgotten persons." These citizens were victims of racially motivated violence prior to the 1970s. Twenty-three of the deaths commemorated on the Civil Rights Memorial in Montgomery, Alabama have not been brought to justice. In 13 of the 40 deaths noted on the Civil Rights Memorial, no one has ever been brought to trial. In 10 of the 40 deaths, defendants were either acquitted by all-white juries or served only token prison sentences. This was never intended to be a complete list, but only a beginning of the effort to be conducted by the FBI and the Department of Justice. Further investigation into the identification of additional new cases has not been a priority of the Department of Justice, despite the Emmett Till Act.

The purpose of the Emmett Till Act was to provide the families of victims, murdered prior to the 1970s for racially motivated reasons, with long awaited justice. The perpetrators of these crimes have remained at liberty into old age, sometimes gloating publicly about the murders. Although some civil rights-era murderers have been prosecuted and convicted since 1989, no prior legislation had provided the federal and state governments with the necessary resources to find most of the perpetrators of these crimes and bring them to justice. Doing so becomes increasingly difficult with the passage of time, as sources of new evidence dry up, witnesses age, and memories fade. The window of time to render justice in these cases is closing. Although it is painful for families to revisit the nightmares of the past, many families of victims have been instrumental in generating momentum to re-open investigations.

In Senate hearings, Dr. Myrlie B. Evers Williams, spouse of Medgar Evers, who was assassinated in 1963, urged Congress not to forget that family members of the persons murdered are also victims. "They are human beings who must survive the loss of their loved ones and all that that entails, the emotional Hell that never completely disappears; the nightmare of the bloody crime scene; the sounds of terror; the firebombs; the sound of gunfire; missing that person's love, care and guidance; the loss of financial support and so much more."

Investigating and prosecuting old civil rights cases also serves a broader societal purpose. Many of these horrendous crimes were not just the results of criminal acts of private individuals, but were a consequence of government actors who were complicit in the misconduct. The state and federal governments also bear responsibility for the racial climate that allowed individual racially motivated hate crimes to flourish. Investigating and prosecuting these cases vindicates the state interest in the equal protection of criminal and civil rights law, and restores the legitimacy of the criminal justice system upon which our democracy depends.

Although the FBI played an important role in investigating and successfully prosecuting a few civil rights-era murders between the 1990s and 2007, in the past it withheld files from the press and state authorities. FBI Director Robert Mueller has acknowledged that, "many murders during the civil rights era were not fully investigated, were covered up or were misidentified as accidental death or disappearance." For example, the FBI had investigated the church bombing at the Sixteenth Street Baptist Church extensively at the time it occurred in 1963, and had focused its attention on four local Klansmen with long histories of violence. Despite possessing secret

tape recordings that implicated the suspects, FBI Director J. Edgar Hoover closed the case in 1968 without bringing charges. The case remained closed until U.S. Attorney Doug Jones reopened it in the mid-1990s. The family and local U.S. Attorney were able to successfully prosecute three of these individuals over thirty years later. Mr. Jones discovered there was significant evidence that the FBI had not shared with Alabama Attorney General William Baxley during the Chambliss prosecution, including recordings made by a listening device placed near Blanton's kitchen sink, as well as tapes secretly recorded by Klan informant Mitchell Burns during drinking binges with Cherry and Blanton. Armed with this evidence, and with the help of the family and investigative reporters, Mr. Jones secured convictions for Blanton in 2001 and Cherry in 2002.

Likewise, J. Edgar Hoover was informed, in a personal letter from the lead FBI Case Agent on the Moore's Ford Bridge lynching case in Monroe, Georgia, of Governor Eugene Tallmadge's suspected complicity in the crime. Confirmed eyewitness testimony, provided by the local Assistant Police Chief Ed Williamson, was not included in the final five hundred page summary report.^{viii} The release of complete FBI files to state and local authorities, as well as the press and the families involved, is crucial to resolving racially motivated crimes.

Indeed, Martin Luther King Jr.'s letter "Kick Up Dust," published by the Editor, *Atlanta Constitution* on 6 August 1946, when he was a Morehouse College sophomore, is a response to the Moore's Ford Bridge Lynchings. He wrote, "We want and are entitled to the basic rights and opportunities of American Citizens: the right to vote and equality before the law."^{ix}

For decades Americans have lived out their lives in the towns and cities where the crimes occurred, often encountering the perpetrators in daily life. For some, that continual interaction with persons whom they knew had committed heinous acts, must have been a constant source of intimidation, even if nothing was said directly. For others, knowledge of the crime and the failure of communal action to impose consequences on the actors, was the denial of the seriousness of the event, a diminishment of civil society.

In other words, these crimes were committed not just against the victims, but against our society. This bill serves as a tool for communities to confront past wrongs, determine guilt, seek to acknowledge responsibility, and impose a penalty commensurate with the wrongdoing. With such acts comes the possibility of healing and restorative justice.

In furtherance of this legislation's goal of bringing the perpetrators of racially motivated murders to justice, the DOJ and state and local law enforcement should consider--but not be limited to--victims who fit at least one of these criteria: (1) persons murdered because they were active in the civil rights movement; (2) persons killed by organized hate groups, as acts of terror aimed at intimidating Blacks and civil rights activists.

It is imperative to bring murderers to justice, even if several years or decades have passed since these heinous crimes were committed. Doing so brings truth, closure, healing, and reconciliation to the affected families, friends, communities, and our nation as a whole. Although it is painful for families to revisit the nightmares of the past, many families of victims have been instrumental in generating momentum to re-open investigations.

Congress intended for this bill to demonstrate our national commitment to restorative justice. During the era of massive resistance, racial extremists used racial violence to deny African-Americans the basic rights of citizenship, including the right to vote, to obtain an education, to obtain a job, and to enjoy access to public accommodations.

Though some legal issues remain, federal and state murder prosecutions, although identical in their respective elements, were separate offenses for purposes of the Sixth Amendment, because they were violations of the laws of two separate sovereigns. (See *Avants*, 278 F.3d at 514 finding federal jurisdiction under 18 U.S.C. Sec. Sec. 1111 and 1112.) Likewise, federal statutory authority includes the federal kidnapping statute used in *United States v. Seale*.

The Emmett Till Unsolved Civil Rights Crime law instructs the FBI and other entities within the United States Department of Justice, to “(1) ***expeditiously investigate*** unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and (2) provide all the resources necessary to ***ensure timely and thorough investigations*** in the cases involved.”

The Emmett Till Bill also instructs the Attorney General to designate a Deputy Chief in the Criminal Section of the Civil Rights Division to coordinate the implementation of the law. The Bill further authorized appropriations of up to \$10 million each year from 2008 until 2017 to be allocated to carry out this mandate.

However, no Attorney General has requested the entire \$10 million authorized in the Act; and no joint task forces or concerted federal and local law enforcement agencies have engaged in a serious effort to identify, or account for, all of those who disappeared or who were killed prior to December 31, 1969; and

In the 2010 Attorney General’s Second Annual Report to Congress, only two new cases were added to the list for “review”, which then numbered 109 “matters” constituting 122 victims. Of these 109 cases identified as being “open”, the United States Department of Justice closed 14 within six months of the Act’s passage. In the ensuing three years the Department opened only these two additional cases discovered by the Cold Case Justice Initiative at Syracuse College of Law, but closed 89 cases, wherein the identified suspects were deceased or the cause of death was determined not to be racially motivated. The fact that leaders of the KKK in the local Klan organization ordered many of these deaths was not considered to be relevant to criminal prosecutions for murder, even where local homicide laws included such actors as principals to the crime.

The 2014 Attorney General’s Fifth Annual Report to Congress indicates that after closing 75% of the cases, the Department only has 20 open cases remaining on its list.

The Annual Reports from 2010 to 2014 to Congress, made by the United States Justice Department contain lengthy and repetitive summaries of actions taken, and successes achieved,

prior to the Act and very little description of thorough investigation of existing cases since the implementation of the Act. The reports fail to evidence specific law enforcement field investigative activities seeking to identify individuals who disappeared or were killed during this time period. In the case of the Moore's Ford Bridge lynching there has not been any further action, with respect to the apparent complicity of former FBI Director J. Edgar Hoover, in the cover-up implicating then Georgia Governor Eugene Tallmadge. Also, U.S. Senator Richard B. Russell, as well as U.S. Senator Strom Thurmond, and other state and local officials are alleged to have been involved in suppressing the investigation.

Civil Rights leaders from across have expressed their concerns. They share the understanding that many potential witnesses were unable to come forward immediately after the killings, because of the threats to them or their families if they identified the killers, or revealed important information; that many of these individuals have been willing to come forward in recent years, but some have been rebuffed when contacting the FBI, or their testimony devalued; and that in almost all cases, over-reliance on earlier FBI reports is insufficient as an investigation intended by the scope of the Emmett Till Act.^x

The Southern Christian Leadership Conference officials are aware that some of these closed cases were not fully investigated, witnesses who knew the facts were not interviewed, and family members were not interviewed or even contacted in some instances, until an FBI agent hand-delivered a letter, informing that family member that the case had been closed.^{xi}

Congress had authorized the appropriation of 2 million dollars annually in grant money to state and local law enforcement, as well as 1.5 million dollars to Community Relations Services of the U.S. Department of Justice, to assist with collaboration between law enforcement agencies and local communities in the investigation of these crimes. The local agencies have not been informed that these, or any funds, are available to them to investigate and prosecute these suspects on state homicide charges. However, no statute of limitations exists for state homicide. The 2014 Attorney General's Fifth Annual Report to Congress reports "no funding has been appropriated for grants under the Till Act, and the Department has received no applications for grants from state or local law enforcement agencies under the Till Act."

The Georgia Coalition of Black Elected Officials sent letters to the Honorable Patrick J. Leahy, Chairman, United States Senate Committee on the Judiciary, and the Honorable Bob Goodlatte, Chairman House Committee on the Judiciary on April 17, 2014. These letters called for congressional hearings on the Department of Justice's noncompliance with the mandates of the Emmett Till Unsolved Civil Rights Crime Act. The law instructs the FBI, and other entities within the United States Department of Justice, to "(1) *expeditiously investigate* unsolved civil rights murders, due to the amount of time that has passed since the murders and the age of potential witnesses; and (2) provide all the resources necessary to *ensure timely and thorough investigations* in the cases involved."^{xii} A reply has yet to be received.

The exact number of unsolved racially motivated murder cases that occurred before the 1970s remains unknown. The Cold Case Justice Initiative at Syracuse University, School of Law

provided the Department of Justice with a list of 296 victims. The CCJI, among other groups, continues to discover victims of unsolved racially motivated murders. Many of these killings were never fully investigated, and in some cases, government officials, or federal, state and local law enforcement officials were involved in the killings or subsequent cover-ups. The U.S. government has a responsibility to investigate these cases to ensure due process and equal protection under the law

Recommendations:

We call upon the U.S. Attorney General to fully implement the Emmett Till Unsolved Civil Rights Crime Act, including but not limited to:

- (1) Immediately establish task forces of federal and state law enforcement to *expeditiously and thoroughly investigate*, not just review, unsolved civil rights killings.
- (2) Immediately seek allocation of resources from the Congressional Appropriations Committee for the necessary appropriations funds already authorized by the Act.
- (3) Advocate for monetary support, and involvement of local law enforcement agencies and civil rights groups, in the attempts to identify and investigate these unsolved civil rights era killings, as contemplated by the Act.
- (4) Reopen all cases where a paper review of old investigatory files represent the sole means of a current investigation.
- (5) Provide unedited files to the families of all closed cases, through expedited Freedom of Information Act (FOIA) requests.
- (6) Appoint an independent federal prosecutor to coordinate the full accounting, investigation and prosecution of cases under the Act.
- (7) Provide for oversight hearings, by the appropriate Congressional committees, of the on-going activities of the United States Department of Justice and FBI in fulfilling the mandate of the Act.
- (8) Appoint a Presidential Commission of Civil Rights Leaders, such as Rev. Joseph E. Lowery, Rep. Tyrone Brooks, Rev. Francys Johnson and from groups, such as the Cold Case Justice Initiative at Syracuse University, to investigate the past failure to implement and fully fund the Act, and to monitor compliance with the Act.
- (9) Extend the Act to include killings that occurred prior to 1980
- (10) Proactively, advocate for the reauthorization of the Emmett Till Unsolved Civil Rights Crime Act of 2007, for an additional ten years, to begin on its expiration at the end of the fiscal year in 2017.

End Notes:

ⁱ SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE'S 2013 RESOLUTION CALLING FOR IMMEDIATE ACTION TO ENFORCE THE UNFULFILLED PROMISE OF THE EMMETT TILL UNSOLVED CIVIL RIGHTS CRIMES ACT

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.5&disp=safe&zw>

ⁱⁱ RESOLUTIONS RATIFIED BY THE NATIONAL BOARD OF DIRECTORS UNDER ARTICLE IX, SECTION 1 OF THE CONSTITUTION OF THE NAACP 2013

the NAACP calls upon the U.S. Attorney General to fully implement the Emmett Till Unsolved Civil Rights Crime Act

http://naacp.3cdn.net/33592b969e7f20d1de_1xm6b3g1l.pdf

ⁱⁱⁱ EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT, June 22, 2007. Mr. Leahy from the Committee on the Judiciary, United States Senate submitted the following R E P O R T [To accompany S. 535]

<http://www.gpo.gov/fdsys/pkg/CRPT-110srpt88/html/CRPT-110srpt88.htm>

^{iv} THE ATTORNEY GENERAL'S SECOND ANNUAL REPORT TO CONGRESS PURSUANT TO THE EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT OF 2007, MAY 13, 2010

http://www.justice.gov/crt/about/crm/documents/COLD_CASE_REPORT_2010.pdf

^v THE ATTORNEY GENERAL'S FIFTH ANNUAL REPORT TO CONGRESS PURSUANT TO THE EMMETT TILL UNSOLVED CIVIL RIGHTS CRIME ACT OF 2007, JANUARY 2014

<http://www.justice.gov/crt/about/crm/documents/tillreport5.pdf>

^{vi} The Cold Case Justice Initiative (CCJI) at Syracuse University (SU) played a substantial role in drafting the NAACP & SCLC 2013 annual national convention resolutions calling for the U.S. Attorney General to fully implement the Emmett Till Unsolved Civil Rights Crime Act

<http://www.syr.edu/coldcaselaw/announcements1/ccji-naacp-resolution.html>

^{vii} UPR Recommendations Supported by the U.S. Government

<http://www.state.gov/j/drl/upr/recommendations/index.htm>

^{viii} The Associated Press as it appeared in USA TODAY on June 15, 2006

http://usatoday30.usatoday.com/news/nation/2007-06-15-georgia-lynching_N.htm

^{ix} "Kick Up Dust," Martin Luther King Jr. Letter to the Editor, *Atlanta Constitution* 6 August 1946 when he was a Morehouse College sophomore regarding Moore's Ford Bridge Lynching.

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.6&disp=inline&safe=1&zw>

^x Georgia Association of Black Elected Officials letter to President Barack advising him that the following people have been a part of the Moore's Ford Movement since 1946.

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.7&disp=safe&zw>

^{xi} Georgia Coalition of Black Elected Officials Letter Calling for Congressional Hearings

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.2&disp=safe&zw>

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.4&disp=safe&zw>

<https://mail.google.com/mail/u/0/?ui=2&ik=57b76f569a&view=att&th=148666a8e6c78b49&attid=0.3&disp=safe&zw>