

Lewis, Westmoreland differ over rights-era death probes

By [BOB KEMPER](#)

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WASHINGTON — When Rep. John Lewis, the civil rights icon from Atlanta, asked Congress to pay for federal investigations into unsolved murder cases from that violent era almost everyone was with him. Almost.

The House voted 422-2 Wednesday to fund the probes.

To the surprise of nearly no one, including Lewis, one of the two dissenters in the House was Lewis' fellow Georgian, Rep. Lynn Westmoreland, a two-term Republican from Coweta County who has emerged as the long-serving Democrat's chief political nemesis in the state's congressional delegation.

"I was very disappointed to see Mr. Westmoreland vote against the legislation," Lewis said.

"I don't know why. He never said anything to me whether he was going to vote for it or against it," Lewis said. "But with the makeup of his district and the history of Georgia, I thought he'd vote for it like all the other members of the Georgia delegation did."

Westmoreland's spokesman, Brian Robinson, said his boss, who represents a largely rural district, voted against the bill because it added about \$57 million in spending over the next five years, tax dollars the federal government doesn't have.

"Congressman Westmoreland wants people involved in civil rights murders to go to jail," Robinson said. "He just doesn't think we should spend \$57 million on it."

The only other vote against Lewis' bill in the House was cast by Rep. Ron Paul (R-Texas), a long-shot presidential candidate whose Web site boasts: "Dr. Paul never votes for legislation unless the proposed measure is expressly authorized by the Constitution."

Lewis' bill, subject to Senate approval, would create special divisions in the Justice Department and FBI focused exclusively on unsolved murders during the civil rights era. "We must do something to right these wrongs," Lewis said. "Let us move to close this dark stain on our nation's history."

The FBI and Justice Department are already investigating unsolved killings from that era. In February, Attorney General Alberto Gonzales and FBI Director Bob Mueller announced that after reviewing dozens of old cases from all around the country, the FBI will reopen 10 to 12 of them.

State and local authorities around the country, including Georgia, have reopened some of

those murder cases on their own.

Nationwide, 29 civil rights-era killings have been reinvestigated since 1989, resulting in 27 arrests and 21 convictions, according to the Southern Poverty Law Center, a nonprofit organization in Montgomery, Ala., whose missions include monitoring hate groups and providing legal expertise in civil rights cases. Twenty-two of the 29 cases were in the South.

Wednesday's vote isn't the first time Westmoreland has broken with the majority of the House or his party over legislation with populist appeal but hefty price tags.

After Hurricane Katrina hit the Gulf Coast, Westmoreland voted against requiring states to consider rescuing people's pets as they make future storm preparations, saying it placed a financial burden on local officials.

And when Georgia's PeachCare program, which provides health insurance for low-income children, ran out of money earlier this year, Westmoreland was the first to question whether Congress should bail out the state since state officials knew they had been overspending the money Congress already provided.

Westmoreland also has clashed with Lewis, in particular when he led an effort by Georgia Republicans to oppose renewing the Voting Rights Act of 1965 unless Georgia and some other states with racist voting histories be freed from its requirement that they get federal permission for every voting procedure they want to change. They argued that renewing the act unchanged failed to recognize Georgia and the South's progress over the years in ensuring voting rights.

Robinson said that although Westmoreland often finds himself taking unpopular positions, he remains committed to the conservative ideals of limited government and less federal spending.

Too often, Robinson said, Republicans are voting with Democrats to increase federal spending even while the GOP is calling for tighter fiscal restraint. House Republican Leader John Boehner (R-Ohio) and 146 other House members sent a letter to President Bush on Wednesday claiming, "The [Democratic] majority is spending too much money."

Yet, when Westmoreland on Tuesday tried to slice more than \$700 million from the budget of the Army Corps of Engineers, the funding source for lawmakers' favorite local projects, his four amendments were defeated on the House floor, Robinson noted.

"When these Republicans are out there saying they're for less spending," Robinson said, "you have to ask yourself. 'Less spending on what?' "

THE EMMETT TILL ACT

New funds unneeded for 'cold' civil rights murders

By LYNN WESTMORELAND

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The racist murderers of the civil rights era and the callous juries that acquitted them stain Southern history.

In the past 20 years, the FBI and state authorities in the South have successfully revisited many of these cases where justice was denied.

Modern-day juries have convicted the most high-profile monsters from the 1950s and '60s. Mississippi murderers Sam Bowers and Byron de la Beckwith died in prison after late-in-life trials. In 2001 and 2002, the state of Alabama imprisoned Thomas Blanton and Bobby Frank Cherry, who killed four young African-American girls when they bombed a Birmingham church. Just last year, a Mississippi jury convicted Edgar Ray Killen, 80, in the deaths of three civil rights workers in 1964. Any surviving killers from that time who have escaped punishment should suffer the exact same fate.

On Wednesday, the U.S. House passed the Emmett Till Unsolved Civil Rights Crime Act, sponsored by my fellow Georgian, Rep. John Lewis (D-Atlanta). The bill authorizes more than \$100 million over 10 years to investigate murders committed before 1970 that have gone unpunished. The House passed the bill overwhelmingly, 422-2. I was one of those two no votes because I think current federal and state law enforcement units can handle the handful of open cases where there are good leads on suspects.

In fact, there's already an FBI civil rights unit that handles cold cases. In February, the U.S. attorney general and the FBI director announced a partnership with the NAACP, the Southern Poverty Law Center and the National Urban League to investigate unsolved crimes from the civil rights era. The FBI reports that it has prioritized a dozen unsolved cases after each of its field offices spent a year poring over evidence and determining which cases were best to pursue.

I encourage the Justice Department to go where the trail of evidence leads. But I have to wonder why we need to designate \$100 million to look into — at best — a dozen cold cases, especially when the FBI is already working on it with existing resources.

The case of the bill's namesake, Emmett Till, illustrates the point. Till, a 14-year-old African-American from Chicago, was brutally murdered by two white men while he was

visiting relatives in Mississippi in 1955. Roy Bryant and J.W. Milam tortured the boy and threw his disfigured body into the Tallahatchie River. An all-white jury acquitted the murderers, who later bragged about the killing in a magazine interview.

Moral outrage demands retribution for this crime. But the killers were never convicted. One died in 1980; the other in 1990. One assumes that in these crimes, the vast majority of those who escaped justice 40, 50 and 60 years ago are already dead. If there are killers out there who have escaped justice, I think we can look into those cases without spending \$100 million.

As should be clear to Georgia taxpayers who send more money to Washington than they get back, the fact that the House passed this bill by a lopsided margin doesn't mean it's fiscally responsible; it doesn't even mean that it's needed. If members of the House were half as scared of overspending as they are of taking politically tough votes, we wouldn't have almost \$9 trillion in debt. To even begin getting our credit-card-spending government under control, we not only have to oppose new spending, we have to shave significantly from old spending.

That's what this issue — and tons of other issues before the House — come down to for me, and I'm exasperated beyond description that so few members of Congress seem to care that we're passing on oppressive levels of red ink and massive tax liabilities to future generations of Americans. Government by political correctness leaves taxpayers holding the bag.

Find this article at:
<http://www.ajc.com/search/content/opinion/stories/2007/06/22/0622edwestmoreland.html>

THE EMMETT TILL ACT

Open door to horrid truths

By CHRISTOPHER DODD and JOHN LEWIS

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"I decided that I would start with his feet, gathering strength as I went up," said Mamie Till, Emmett Till's mother. "I paused at his mid-section, because I knew that he would not want me looking at him. ... I kept on up until I got to his chin. Then I was forced to deal with his face."

When Emmett Till's broken body was sent from Mississippi back to Chicago, his mother took one look at her son's body and demanded an open-casket funeral. Fifty thousand people came to see that body, and his battered face. There must be few things more wrenching for a mother than to put her deceased son on display. But she chose to do just

that, rather than to seal the truth in a casket.

Fifty-two years ago, Emmett Till, a 14-year-old black boy, was beaten and shot to death for allegedly whistling at a white woman in segregated Mississippi. An all-white jury took 67 minutes to acquit two white men of the murder; months later, they admitted the crime and spent the rest of their lives in freedom.

And now, we have named a bill in honor of Till, to expose the unpunished crimes of murderers like his and to confront the troubled history of race in America. This week, we celebrate the passage of the Emmett Till Unsolved Civil Rights Crime Act in the House of Representatives. Unfortunately, the only thing standing in the way of its Senate passage is a hold placed on it by U.S. Sen. Tom Coburn (R-Okla.). His delaying tactics are postponing justice day by day, and we trust that he will overcome his faulty objections.

This bill creates two new civil rights positions in the Department of Justice to spearhead and coordinate federal, state, and local efforts to bring long-time fugitives to justice. It authorizes a potential \$10 million per year to be added to the Department of Justice budget for the purpose of investigating and prosecuting outstanding Civil Rights era crimes. It also authorizes \$1.5 million per year for outreach to garner the cooperation of local communities, and \$2 million in federal support to help state and local law enforcement officials prosecute these crimes.

The Till Act is not a reckless, unchecked spending measure. Under the pay-as-you-go rules of the House and Senate, initiated by the Democratic majority to rein in the excessive spending of the last Congress, the appropriations committees lead the effort to find ways to fund new congressional directives. This is done in a way that does not increase the record deficit initiated by years of reckless spending measures.

This legislation does not distribute new funds. Instead, it sets a spending ceiling that the Budget Committee and the Appropriations Committee in both the House and the Senate can use as a guide when they develop future federal budget and appropriations measures. In a federal budget that is nearing \$3 trillion, the allocations for this bill are not excessive. Republicans and Democrats voted for this bill because they understand that you cannot put a price on justice. The Emmett Till Act creates powerful new tools to unearth evidence and bring it to trial. These are important steps toward repairing the integrity of our judicial system.

But it is still insufficient. There were many, many years in our country when hate crimes were rarely investigated, when murderers could walk free as long as they chose the right victims. Forty-three years ago, civil rights workers Andrew Goodman, James Chaney and Michael Schwerner were murdered in the town of Philadelphia, Miss. And more than four decades passed before a reckoning: Two years ago, Ku Klux Klan member Edgar Ray Killen was finally found guilty of their deaths.

The Emmett Till Act can't erase that memory. It can't take away a single year that lapsed

between crime and justice. But it can keep even more years from piling on. Hundreds, maybe even thousands, of civil rights-era crimes remain unsolved. If we want to remove a great stain on our justice system, we need to reopen the books on as many as we can.

The hour is, obviously, very late. Memories are dimming. Those who can bring some truth to light are, unfortunately, passing away. So this bill may offer the last, best chance for our nation to write a hopeful postscript to its struggle for racial equality.

Perhaps some would call this a case of "too little, too late." And they'd be absolutely right. But every day that passes means "less and later." Every day, communities suffer under the unspoken burden of these crimes.

The Emmett Till Act is our chance to ease that burden for good. A trial goes far deeper than the victim and the accused: It is, as Schwerner's widow has said, "a public event through which a community attempts to confront a wrong. ... Understanding our history is the necessary step toward ensuring that we move ahead as a society which is committed to healing our wounds, and achieving reconciliation."

Don't doubt that it will cost us — above all, in the ache of remembering violence that would be much more pleasing to forget. Emmett Till's mother felt that pain 52 years ago. But she knew that there was even worse pain in hiding the truth. Pull open the lid: "Here is the truth. Look."

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The Till Act a needed expense for this country

Editorial

Story updated at 11:13 PM on Monday, June 25, 2007

The Emmett Till Act is one proposed federal program that shouldn't be hemmed in by fiscal arguments, at least not from a Congress that countenances the inclusion of billions of dollars of earmarks - government-speak for pork-barrel projects - in the annual federal budget.

Put plainly, the Till Act - its full nomenclature is the Emmett Till Unsolved Civil Rights Crime Act - is as necessary an expenditure of federal funds as the taxpayers of this country have ever been called upon to make. The bill would create special Justice Department and FBI divisions that would focus specifically on unsolved murders committed during the civil rights era. It takes its name from the brutal 1955 slaying of 14-

year-old Emmett Till in Mississippi. Till, a black youth, was slain by two white men who were acquitted by an all-white jury. The men later admitted committing the crime.

It's a story that has echoes in this part of Georgia.

In July 1964, black Army Reserve officer Lemuel Penn was fatally shot by Ku Klux Klan members as he and two other black men drove through Athens and Madison County on their way to Washington, D.C. The two men most directly involved in the slaying were acquitted of murder charges by an all-white jury, although they did eventually serve time based on federal convictions for violating Penn's civil rights.

But years earlier, in 1946, two black couples were fatally shot by a white mob on the banks of the Apalachee River at the Oconee County-Walton County line. No arrests were ever made in that case, and information from recently released FBI files suggests strongly that former Georgia Gov. Eugene Talmadge might have sanctioned the murders during a tough re-election campaign.

Similar stories echo from across the South, as quiet yet insistent reminders that this country still has some wrestling to do with its past, still has some demons to quiet, still has some reckoning ahead.

The Till Act, which has passed the House of Representatives, but as of late last week was being held up in the Senate by Sen. Tom Coburn, an Oklahoma Republican, is a means for this country to seek whatever resolution may yet be found in regard to the unsolved civil rights-era murders, to possibly come to some definitive terms with an unfortunate chapter in its past.

The bill would authorize the expenditure of \$10 million annually over a decade to take a detailed look at the unsolved civil rights era slayings. That's a lot of money, but a Congress that was willing just two years ago to countenance the expenditure of \$200 million to build a bridge in Alaska to serve about 50 people is not a Congress that can make any sort of reasonable argument against spending half that much money to bring justice to families who've had justice denied to them for decades.

The Senate should follow the House's lead here, and vote overwhelmingly to approve the Till Act.

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House passes 'Emmett Till bill'

By Tommy Stevenson
Associate Editor

Etched into the black granite façade of the Civil Rights Memorial in front of the Southern Poverty Law Center in Montgomery are the names of 40 dead.

These martyrs of the movement, all murdered between 1952 and 1968, include 13 who died in Alabama. Four are the girls who were killed in the infamous 1963 bombing of the Sixteenth Street Baptist Church in Birmingham.

Two Klansmen were eventually convicted of murder in the church bombing, but justice has not prevailed in the cases of at least half a dozen others who were killed in the state during the civil rights era, said Southern Poverty Law Center President Richard Cohen.

That is why, Cohen says, a bill that passed the House on Wednesday is vitally needed.

The bill would allocate \$100 million over the next 10 years to create a new division of FBI and federal prosecutors within the Department of Justice to investigate and prosecute cold cases from the civil rights era.

"The more time goes by, more and more evidence will be lost, more and more witnesses will die and fewer and fewer cases can be brought to justice," Cohen said earlier this week, after his testimony last week supporting the proposed Emmett Till Unsolved Civil Rights Crime Act.

An important investment

Named after a 14-year-old boy slain in Mississippi, one of the 40 dead memorialized in the monument, the bill passed 422-2 in the House on Wednesday. The Senate could pass the bill this week.

Rep. John Lewis, D-Ga., who was a victim of violence in Birmingham and Selma as a young civil rights worker, sponsored the House bill. Rep. Artur Davis, a Birmingham Democrat who also represents part of Tuscaloosa County, is among its co-sponsors.

"This will be an important investment of federal resources in opening cold cases from the 1960s," Davis said shortly before the bill passed in the lower chamber.

"There were a number of prosecutions and investigations that were ultimately thwarted by the sentiment of the people of that time. There were a number of cases where there was overwhelming evidence and the prosecutors of the time chose to ignore it."

Cohen said the case of William Moore could be pursued if the proposed legislation passes. Moore was a white postal worker originally from New York who was gunned down near Colburn in DeKalb County in east Alabama in 1963.

“Moore was engaged in a one-man march against segregation,” Cohen said. “He was 35 or 36 years old at the time, and he was literally going to deliver a letter to Mississippi Gov. Ross Barnett asking him to accept integration.

“He was going to walk from Chattanooga, Tenn., to Jackson, Miss., on U.S. 11 pushing a utility cart and wearing a pro-integration sign on his back.”

But Moore was gunned down at close range as he rested beside the highway at nightfall on April 22, the second night of his journey.

Cohen said ballistic tests at the time found that Moore had been killed by a .22-caliber bullet from a rifle that was traced to a local store owner.

“But no indictment was ever brought, even though they had a pretty good idea of who did it,” Cohen said. “That was just sort of how it was in the South at the time.

“But times have changed, and with concentrated investigations and work by prosecutors, some of these crimes can be solved.”

Finding answers

Cohen said the Emmett Till bill would create a special unit dedicated to solving civil rights cases that are still open but dormant.

“It would make the Justice Department and the FBI accountable for reviewing these cases and trying them when they can,” he said. “Up to now, whether there have been prosecutions in the cases [has] been dependent more or less on the commitment of particular prosecutors.

“This bill would make it an institutional responsibility of the Justice Department and the FBI to review these cases and report back to Congress annually.”

Also testifying last week was Doug Jones, a former U.S. attorney in Birmingham, who successfully prosecuted the Klansmen who bombed Sixteenth Street Baptist Church, killing Addie Mae Collins, Denise McNair, Carole Robertson and Cynthia Wesley. Thomas Blanton was convicted in 2001 and Bobby Frank Cherry in 2002.

But Jones said those were not the only racially charged murders on that black Sunday.

Johnny Robinson was allegedly shot in the back by a police officer, and a young man named Virgil Ware was shot by two white men as he rode his bicycle, Jones said.

“Neither of these cases has been solved, but I think it is not too late to follow some leads that are out there. But every day that passes makes it that much more difficult,” he said.

“A lot of them will never be solved, but the ones that can be need to be, and time is running out.”

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