

## Better late than never

*by Marc\_H.\_Morial*

During the summer of 1960, when the body of 12-year-old Freddie Robinson washed up on the shore of a local creek in Edisto Island, S.C., law enforcement authorities there concluded he must have drowned accidentally. But Robinson's family suspected otherwise - that he had been murdered for dancing with white girls.

Seven years later in Memphis, Tenn., and just a few days after participating in a civil rights demonstration, 16-year-old Larry Payne was found shot to death in a city housing project - allegedly by a police officer who accused him of looting.

The deaths of Freddie Robinson and Larry Payne are just some of nearly 100 unsolved civil-rights-era deaths that the U.S. Justice Department, in conjunction with the FBI, will consider reopening as part of a widespread agency initiative announced last month. The National Urban League, NAACP and Southern Poverty Center will also be working with federal authorities to help produce evidence and witnesses helpful in solving some of these cold cases from a bygone era when, to quote a recent Seattle Times editorial, it was open season on blacks in the South.

Recent successful prosecutions of three high-profile civil-rights-era murders brought out of the cold case file prompted national law enforcement officials to consider taking another look at unsolved deaths of blacks from the 1950s and 1960s. In 2001, a jury convicted Thomas Blanton Jr. and Bobby Frank Cherry for the 1963 bombing of the Sixteenth Street Baptist Church in Birmingham, Ala. In 2003, Ernest Avants got life in prison for the 1966 murder of Ben White, an elderly black farm worker. And Edgar Ray Killen was sentenced in 2005 to three 20-year terms for his involvement in the 1964 deaths of three civil rights workers in Mississippi.

And I have to say it's about time our federal government took comprehensive action to wash the stain of the senseless violence against Americans of color throughout the South in the 1950s and 1960s out of the fabric of our society. But better late than never.

Interestingly enough, the news of the new Justice Department initiative came down on the same day that a

grand jury failed to deliver an indictment against Carolyn Bryant, the wife of one of the suspected killers of Emmett Till, the 14-year-old Chicagoan who made the fatal error of whistling at a white woman in Mississippi. Bryant was thought to have been in the truck that hauled Till off to his death. Her husband, Roy, and J.W. Milam - the two main suspects in Till's killing - had died long ago.

The Till case illustrates just how difficult it is for the justice system to deliver indictments let alone convictions in murder cases in which the witnesses are getting on in years and/or the evidence has been lost or damaged or has aged.

Attorney Doug Jones, who in 2001 won convictions against two of the Birmingham 1963 church bombers, expressed skepticism over whether the initiative would break down the reticence of witnesses of murders from so long ago and bring about a deluge of new information in these cases.

"We brought tons of people to the grand jury (for the church bombing case), some of whom I'm absolutely convinced committed perjury, saying they didn't know about something. Could I prove it? No way," Jones told the Birmingham News recently. "But if there was ever a case for people to step forward to do some reconciliation or right a wrong, it was one when four innocent girls were killed in a bomb in a church. And guess what? We didn't have anybody like that."

But, I must respectfully disagree with Mr. Jones. Reopening these cases may seem like a waste of time and resources to some in light of the years that have lapsed.

Yet even if the Justice Department's initiative garners no new indictments or no new convictions, it is well worth the effort. At the very least, it serves as a symbolic gesture of a nation trying to come to grips with a tumultuous past.

Blacks who lived in the South before the civil rights movement know all too well about terrorism - decades before the nation witnessed Muslim extremists slamming commercial jets into the World Trade Center towers on Sept. 11, 2001. It was a brand that affected southern blacks that came packaged differently - or rather

euphemistically - in the form of "Jim Crow" or "the Southern way of life." In the century after the Civil War, Southern blacks endured a reign of terror. They watched their homes, businesses and churches burn to the ground. They grieved for their loved ones and friends who were beaten and murdered by lynch mobs.

Not in a million years would the federal government resist seeking justice in the World Trade Center terrorism case. Why should it be any different in the cases of innocent blacks taken out by lynch mobs in the South? With so many years passed, closure may not come for all the civil-rights-era lynchings but at least we as Americans can say we tried to right a grave wrong from our past. That way we are much less likely to repeat it.

Let me applaud the Justice Department and FBI for attempting to prove, to quote Dr. Martin Luther King Jr., "the arc of the moral universe is long, but it bends toward justice."

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