

Emmett Till Unsolved Civil Rights Crime Act of 2007

[Public Law 110–344]

[As Amended Through P.L. 114–325, Enacted December 16, 2016]

【Currency: This publication is a compilation of the text of Public Law 110–344. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To provide for the investigation of certain unsolved civil rights crimes, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [28 U.S.C. 509 note] SHORT TITLE.

This Act may be cited as the “Emmett Till Unsolved Civil Rights Crime Act of 2007”.

SEC. 2. [28 U.S.C. 509 note] SENSE OF CONGRESS.

It is the sense of Congress that all authorities with jurisdiction, including the Federal Bureau of Investigation and other entities within the Department of Justice, should—

- (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;
- (2) provide all the resources necessary to ensure timely and thorough investigations in the cases involved;
- (3) meet regularly with eligible entities to coordinate the sharing of information and to discuss the status of the Department’s work under this Act;
- (4) support the full accounting of all victims whose deaths or disappearances were the result of racially motivated crimes;
- (5) hold accountable under Federal and State law all individuals who were perpetrators of, or accomplices in, unsolved civil rights murders and such disappearances;
- (6) express the condolences of the authority to the communities affected by unsolved civil rights murders, and to the families of the victims of such murders and such disappearances;
- (7) keep families regularly informed about the status of the investigations of such murders and such disappearances of their loved ones; and

(8) expeditiously comply with requests for information received pursuant to section 552 of title 5, United States Code, (commonly known as the “Freedom of Information Act”) and develop a singular, publicly accessible repository of these disclosed documents.

SEC. 3. [28 U.S.C. 509 note] DEPUTY CHIEF OF THE CRIMINAL SECTION OF THE CIVIL RIGHTS DIVISION.

(a) **IN GENERAL.**—The Attorney General shall designate a Deputy Chief in the Criminal Section of the Civil Rights Division of the Department of Justice.

(b) **RESPONSIBILITY.**—

(1) **IN GENERAL.**—The Deputy Chief shall be responsible for coordinating the investigation and prosecution of violations of criminal civil rights statutes that occurred not later than December 31, 1979, and resulted in a death.

(2) **COORDINATION.**—In investigating a complaint under paragraph (1), the Deputy Chief may coordinate investigative activities with State and local law enforcement officials, and eligible entities.

(3) **REVIEW OF CLOSED CASES.**—The Deputy Chief may, to the extent practicable, reopen and review any case involving a violation described in paragraph (1) that was closed prior to the date of the enactment of the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 without an in-person investigation or review conducted by an officer or employee of the Criminal Section of the Civil Rights Division of the Department of Justice or by an agent of the Federal Bureau of Investigation.

(4) **PUBLIC ENGAGEMENT.**—

(A) **IN GENERAL.**—The Department shall hold meetings with representatives of the Civil Rights Division, Federal Bureau of Investigation, the Community Relations Service, eligible entities, and where appropriate, state and local law enforcement to discuss the status of the Department’s work under this Act.

(B) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts made available to carry out this Act under section 6, there is authorized to be appropriated to the Attorney General \$1,500,000 for fiscal year 2017 and each of the next 10 subsequent fiscal years to carry out this paragraph.

(c) **STUDY AND REPORT.**—

(1) **STUDY.**—The Attorney General shall annually conduct a study of the cases under the jurisdiction of the Deputy Chief or under the jurisdiction of the Supervisory Special Agent and, in conducting the study, shall determine—

(A) the number of open investigations within the Department for violations of criminal civil rights statutes that occurred not later than December 31, 1979;

(B) the number of new cases opened pursuant to this Act since the previous year’s study;

(C) the number of unsealed Federal cases charged within the study period, including the case names, the ju-

jurisdiction in which the charges were brought, and the date the charges were filed;

(D) the number of cases referred by the Department to a State or local law enforcement agency or prosecutor within the study period, the number of such cases that resulted in State charges being filed, the jurisdiction in which such charges were filed, the date the charges were filed, and if a jurisdiction declines to prosecute or participate in an investigation of a case so referred, the fact it did so;

(E) the number of cases within the study period that were closed without Federal prosecution, the case names of unsealed Federal cases, the dates the cases were closed, and the relevant federal statutes;

(F) the number of attorneys who worked, in whole or in part, on any case described in subsection (b)(1);

(G) the applications submitted for grants under section 5, the award of such grants, and the purposes for which the grant amount were expended; and

(H) the number of cases referred by an eligible entity or a State or local law enforcement agency or prosecutor to the Department within the study period, the number of such cases that resulted in Federal charges being filed, the date the charges were filed, and if the Department declines to prosecute or participate in an investigation of a case so referred, the fact that it did so, and the outreach, collaboration, and support for investigations and prosecutions of violations of criminal civil rights statutes described in section 2(3), including murders and including disappearances described in section 2(4), within Federal, State, and local jurisdictions.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, and each year thereafter, the Attorney General shall prepare and submit to Congress a report containing the results of the study conducted under paragraph (1) and a description of the activities conducted under subsection (b)(3).

SEC. 4. [28 U.S.C. 509 note] SUPERVISORY SPECIAL AGENT IN THE CIVIL RIGHTS UNIT OF THE FEDERAL BUREAU OF INVESTIGATION.

(a) IN GENERAL.—The Attorney General shall designate a Supervisory Special Agent in the Civil Rights Unit of the Federal Bureau of Investigation of the Department of Justice.

(b) RESPONSIBILITY.—

(1) IN GENERAL.—The Supervisory Special Agent shall be responsible for investigating violations of criminal civil rights statutes that occurred not later than December 31, 1979, and resulted in a death.

(2) COORDINATION.—In investigating a complaint under paragraph (1), the Supervisory Special Agent may coordinate the investigative activities with State and local law enforcement officials, and eligible entities.

Sec. 5 **Emmett Till Unsolved Civil Rights Crime Act of 20...** **4**

SEC. 5. [28 U.S.C. 509 note] GRANTS TO STATE AND LOCAL LAW ENFORCEMENT.

(a) **IN GENERAL.**—The Attorney General may award grants to State or local law enforcement agencies for expenses associated with the investigation and prosecution by them of criminal offenses, involving civil rights, that occurred not later than December 31, 1979, and resulted in a death.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$2,000,000 for fiscal year 2017 and each of the 10 subsequent fiscal years to carry out this section.

SEC. 6. [28 U.S.C. 509 note] AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated, in addition to any other amounts otherwise authorized to be appropriated for this purpose, to the Attorney General \$10,000,000 for fiscal year 2017 and each of the 10 subsequent fiscal years for the purpose of investigating and prosecuting violations of criminal civil rights statutes that occurred not later than December 31, 1979, and resulted in a death. These funds shall be allocated by the Attorney General to the Deputy Chief of the Criminal Section of the Civil Rights Division and the Supervisory Special Agent of the Civil Rights Unit of the Federal Bureau of Investigation in order to advance the purposes set forth in this Act.

(b) **COMMUNITY RELATIONS SERVICE OF THE DEPARTMENT OF JUSTICE.**—Using funds appropriated under section 3(b)(4)(B), the Community Relations Service of the Department of Justice shall provide technical assistance by bringing together law enforcement agencies and communities to address tensions raised by Civil Rights era crimes.

SEC. 7. [28 U.S.C. 509 note] DEFINITIONS.

In this Act:

(1) **CRIMINAL CIVIL RIGHTS STATUTES.**—The term “criminal civil rights statutes” means—

(A) section 241 of title 18, United States Code (relating to conspiracy against rights);

(B) section 242 of title 18, United States Code (relating to deprivation of rights under color of law);

(C) section 245 of title 18, United States Code (relating to federally protected activities);

(D) sections 1581 and 1584 of title 18, United States Code (relating to involuntary servitude and peonage);

(E) section 901 of the Fair Housing Act (42 U.S.C. 3631); and

(F) any other Federal law that—

(i) was in effect on or before December 31, 1969; and

(ii) the Criminal Section of the Civil Rights Division of the Department of Justice enforced, before the date of enactment of this Act.

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means an organization whose primary purpose is to promote civil rights, an institution of higher education, or another entity, determined by the Attorney General to be appropriate.

【Section 8 was repealed by section 2(7) of Public Law 114-325.】

SEC. 9. AUTHORITY OF INSPECTORS GENERAL.

Title XXXVII of the Crime Control Act of 1990 (42 U.S.C. 5779 et seq.) is amended by adding at the end the following:

“SEC. 3703. [42 U.S.C. 5780a] AUTHORITY OF INSPECTORS GENERAL

“(a) **IN GENERAL.**—An Inspector General appointed under section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.) may authorize staff to assist the National Center for Missing and Exploited Children—

“(1) by conducting reviews of inactive case files to develop recommendations for further investigations; and

“(2) by engaging in similar activities.

“(b) **LIMITATIONS.**—

“(1) **PRIORITY.**—An Inspector General may not permit staff to engage in activities described in subsection (a) if such activities will interfere with the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).

“(2) **FUNDING.**—No additional funds are authorized to be appropriated to carry out this section.”.