

INVESTIGATING COLD CASES TIP SHEET

Ben Greenberg & Sandra Chapman

- Check to see if your cold case has included federal investigative agencies like the FBI or the Department of Justice. These agencies could provide another avenue to get supporting documentation, even if the agencies were not the lead investigative unit. Oftentimes, reports are filed by the jurisdictions involved that could be public record.
- There are ways to access federal documents related to deceased suspects or individuals who have served in the Armed Forces. Don't miss out on federal records involving their service histories that can also include timelines, criminal or reportable incidents. Make these requests as specific as possible to the appropriate military branch involved for the best chance at an expedited response.
- Historical documents: Newspapers, magazines, NAACP documents and the National Archives can be useful to find communications that you might not know about.
 - In the Jenkins case, a telegram from the United States Attorney and DOJ, confirmed efforts to get a Civil Rights Investigation.
- Human sources are often the most important in these cases. Cultivate those relationships and seek out photos, relatives, and others who can provide insight into motivations, past history, and accuracy of statements. Sometimes people don't want to be in the story, but they want to help.
- There are a number of important sources for historical documents on civil rights cold cases that may jumpstart your investigation.
 - The Southern Poverty Law Center did extensive research in the 1980s to identify victims and tell their stories for their Civil Rights Martyrs Memorial in Montgomery, Alabama. They often have FBI documents via FOIA; in some cases they have done archival research at the National Archives and elsewhere; and they sometimes have correspondence with family members, FBI agents, journalists and others who may have valuable information about the cases. This information is not online; you need to reach out to the SPLC directly. They may also be able to put you in touch with family members of the victims.
 - Frontline's <u>Un(re)solved</u> website includes case summaries of all of the
 cases that have been investigated under the Emmett Till Unsolved Civil
 Rights Crime Act. Each case summary includes links to key documents
 and reporting on the cases.

- o The DOJ's Civil Rights Division provides the closing memoranda (with redactions) for all of the cases to date that have been closed without prosecutions. The closing memoranda, aka Notice to Close File memos, summarize the investigative steps taken in each case and provide the legal rationale for closing the case. These memos provide useful overviews of each of the closed cases. When read closely, the memos also reveal how much or how little effort the FBI made in its investigations of each of the cases. These memos are also linked from the case summaries on the *Un(re)solved* website.
- For older cases, between 1930 and 1955, visit <u>The Burnham-Nobles</u>
 <u>Digital Archive</u>, created by the Civil Rights and Restorative Justice
 Project at Northeastern University. Over the last 10+ years their
 researchers have compiled extensive documentation for about 1000
 cases. All documents have been digitized and may include government
 documents, historical newspaper articles, and archival documents from
 the NAACP and other civil rights organizations.
- o For Mississippi cases, explore the <u>Sovereignty Commission files</u>, online at the Mississippi Department of Archives and History. The commission was a state investigative agency, from 1954 to 1977. It investigated civil rights activity and surveilled civil rights activists. It is as insidious as it sounds, but the files provide extensive documentation of the time. Be mindful that the investigative reports reflect the biases of white Mississippi officials and the nefarious mission of the agency.
- Ancestry.com is an invaluable tool for identifying and locating living subjects and for information about deceased subjects. The family tree entries are cross referenced to an extensive range of government documents, historical news articles, gravesite registries and more.
- Your historical documents are more than the facts they contain. Together, they may tell a story. Put them in chronological order and the facts and events on timeline. The affidavits that I found are explosive new facts in the Wilder case that upend the received narrative of the last 60 years. But the other documents that were in the folder with the affidavits give the outline of the untold story of what the affidavits were gathered for. It took several readings to understand that the fragmentary letters among several lawyers from New York City and New Orleans were about a civil suit that they planned to file against Ruston officials and/or the city itself. These kinds of narrative fragments are crucial for telling your story. And they provide context that you need for a productive interview with living subjects from the story.