
A History of the Emmett till Case

In Mississippi there is no statute of limitation on the time when one can be arrested for murder. However, it is not permitted to charge the same person for the same crime. What the police force can do is charge the people with a different crime, and try and put them away for as long as possible with that secondary crime. People can reopen any case and look for other suspects and people involved, and can arrest any newly found suspects that haven't been tried before. The length of time allowed to reopen a criminal investigation is determined by the crime itself. Less severe crimes will have a shorter time, while more severe crimes could be open indefinitely. Many discrimination laws had not been put in place at the time of several racial hate crimes of the civil rights era, including beatings and murders. Many of the criminals walked, without murder charges. However, after new anti-discrimination laws were passed, these perpetrators could then be tried and charged on these discrimination charges instead of the original murder charges.

In the trial, the plaintiff, Emmett Till's mother, took the case to a criminal court in the hopes to convict the men who brutally murdered her son and send them away to jail. The defense, J.W. Milam and Roy Bryant, were charged with first-degree murder. Although the jury claims to have due process and grant all rights to all citizens, due to the Southern prejudices at the time, blacks were often shirked of certain rights and whites had biases against them. The jury found the defendants "not guilty" after only 1 hour of discussion and as a result, they were not sentenced.

At the time of the Emmett Till case, the statute of limitations in Mississippi was five years (federal court). Since the murder happened while this five year long statute was in place, new discrimination laws that were passed later could not affect the case. It wasn't until the statute of limitations was changed in 2004 that the case was reopened and attempted to appeal and change the verdict by convicting other people that may have assisted Milam and Bryant in the murder.

The third part concerned the trial of J. W. Milam and Roy Bryant, the two men involved in the Emmett Till case. Neither Milam nor Brant was charged guilty for the murder or kidnapping of Emmett. There were several arguments: The sheriff at the time H. C. Strider claimed the body could not be positively identified as Emmett Till. The family argued against the sheriff, and were sure the body was Emmett's. Milam and Bryant claimed to taking Emmett from his home, but did not admit to murder. The two men weren't charged on kidnapping anyway. Additionally the jury was made up of entirely white males. Even though African American had the legal right to serve on a jury, none were permitted to serve on the jury for this case.

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In 2004 the statute of limitations on murder cases was changed, and the Emmett Till case was reopened. Till's body was positively identified. Though Milam and Bryant had both died by this point, accomplices working with them in the beating of Till were investigated. There are several possible theories as to what happened the day of the crime.

One theory is that, since Emmett had polio and a stuttered in speech, his father told him to whistle to relieve the tension. It is believed that when he walked into the shop he whistled at Carolyn Bryant, the woman behind the counter, because he was nervous. Another possible theory was that his friends dared him to do it. Emmett at the time claimed he was dating a white woman and his friends didn't believe him. He claimed he could get any women he wanted. They basically told him if he could get any white women he wanted, then go into the store and hit on that woman. So to prove himself he went into the store and whistled at the women. His mother also claimed he was a jokester and it sounded like something he would have done.

Carolyn Bryant, claims he grabbed her saying things like, "how bout a date baby?" and "I've been with a white women before don't worry." Bryant ran to her car to get a gun and ordered him to leave, and he proceeded to whistle at her. Finally, some believe he was actually whistling at the checkers game across the street in an attempt to get their attention. There are many different theories about the events of that day, but it will be difficult to know for sure. The only positive thing is that Emmett Till, a young teenager, was brutally beaten to death, in a senseless and cruel crime that would become a catalyst of the civil rights movement.

In conclusion, Emmett Till did not die a hero; he died and was preserved as a martyr, representing the unfair and cruel treatment of African Americans. He symbolized, and continues to symbolize to this day, the black man's lack of rights under the law in 1960's America, despite the addition of the 14th Amendment. His murder triggered resistance movements and even more cries for racial equality throughout the country and furthered the civil rights movement in the south. The absence of punishment for his assailants, and for many other white perpetrators who received no punishment under the law, remains a scar in our nation's history.

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