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Features



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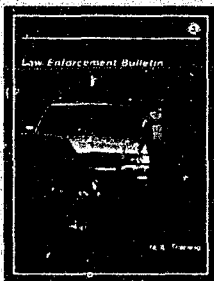


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The Cover: Thorough NCIC training can be an important factor in the safe completion of routine vehicle stops. Cover photo of Officer Thomas Kauffman of the Upper Allen Township, Pennsylvania, Police Department is courtesy of Blair Seitz. See article p. 1.

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Hate Violence in the United States

By
FLOYD I. CLARKE

On October 8, 1988, members of the Confederate Hammerskins (CHS) vandalized a Jewish community center, the Temple Shalom Synagogue, and an Islamic mosque in Dallas, Texas. These Skinheads broke windows, shot into walls, and spray painted racist graffiti on the buildings. Crime scene evidence, collected by the Dallas Police Department, established Daniel Wood as a suspect. After being arrested and convicted

in State court, Wood asked to speak with Federal authorities concerning CHS activities. A joint FBI/Dallas Police Department investigation was initiated in an attempt to corroborate Wood's information.

As a result of his information, more than 25 former CHS members and 15 active CHS members were identified and interviewed, and over 75 subpoenas were served. On September 28, 1989, a Federal grand jury indicted Daniel Wood, Sean

Tarrant, Michael Lawrence, Jon Jordan, and Christopher Greer on two counts of violating Title 18 of the U.S. Code, Section 241, Conspiracy to Violate Civil Rights. Twelve other former and active CHS members pleaded guilty to misdemeanor charges involving civil rights violations and agreed to testify as Government witnesses.

The trial began on February 20, 1990, and by March 1, 1990, Wood, Tarrant, Lawrence, Jordan,

and Greer were found guilty. In addition, 12 other CHS members were convicted of various acts of racial violence.

RISE IN HATE VIOLENCE

Unfortunately, this case is not an isolated incident. With the renewed increase in hate violence activities by white supremacist groups, racial tensions have escalated across the country. Such groups use the latest in today's technology, such as cable television and computer bulletin boards, to spread their message of hate to anyone who will listen. And, just as these organized terrorist groups practice hate violence daily, individuals or small groups have also contributed to the increase in these types of crimes. Even so, hate crimes have been largely ignored, and oftentimes, repressed by those who would rather not open their eyes to the danger that these crimes present.

Hate violence should be recognized as a nationwide problem that must be confronted. According to Attorney General Dick Thornburgh, "Violent interference with freedoms guaranteed by the Constitution will continue to be a Federal law enforcement priority. Acts of racial and religious hate...are simply intolerable in a free society. Let the word go out that the federal government intends to bring to bear the full force of the law on every such act that comes to its attention."¹

Even though hate violence crimes often fall under Federal jurisdiction, their successful prosecution is becoming increasingly dependent on close cooperation

with State and local law enforcement. Therefore, law enforcement agencies nationwide must renew their commitment to eradicate both domestic terrorist groups and malicious individuals who violate the civil rights of others. This article focuses on the FBI's activities and responsibilities with regard to the investigation of hate violence crimes.

COMBATING HATE VIOLENCE

Currently, the FBI is the lead Federal agency responsible for investigating incidents of racial and/or ethnic violence. Reported cases of racially motivated violence receive top priority attention in the FBI's Civil Rights Program. This has been true since the 1960s, when the FBI actively investigated the Ku Klux Klan. Today, with the recent prosecutions of white supremacist organizations, such as the Aryan Nations, the White Patriots Party, and the Skinheads, as well as in-

dividuals involved in civil rights violations, the FBI continues its tradition of stopping hate violence.

By law, the FBI is mandated to combat hate violence, to prevent such incidents (if and when possible), and to react swiftly when an incident does occur. In this regard, the FBI confronts hate violence in two distinct criminal investigative programs—domestic counterterrorism and civil rights. Domestic counterterrorism cases focus on investigations of organized groups that employ hate violence. Civil rights investigations of hate violence, on the other hand, focus on individuals or small, unorganized groups.

Domestic Counterterrorism Investigations

Hate violence investigations under the Domestic Counterterrorism Program concentrate on the unlawful use of force or violence by terrorist groups for political or social ends. These groups include such

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*Mr. Clarke is the Deputy Director of the
Federal Bureau of Investigation.*



organizations as The Order, Aryan Nations, the White Patriots Party, and the racist Skinheads, to name a few. Most notably, these white supremacist groups target blacks, Orientals, Mexicans, Jews, and various other ethnic and racial groups. Once reliable information has been gathered that gives evidence to their criminal activities, the FBI can legally investigate violent groups such as these to determine their structure, scope, and membership. This intelligence information, in many cases, helps to prevent a tragedy before it occurs.

In order to anticipate terrorist attacks by these groups, the FBI makes full use of its undercover Agents and informants and uses court-authorized electronic surveillance. These tactics have proven successful on several occasions, most notably during an incident at the U.S. Penitentiary at Leavenworth, Kansas.

Case Study

In December 1988, U.S. Bureau of Prisons (BOP) officials at the U.S. Penitentiary in Leavenworth received information indicating that three inmates were planning an escape for early January 1989. All three were members of the white supremacist/terrorist organization, The Order, a violent splinter group of the white supremacist organization, Aryan Nations, and all were in prison on charges stemming from their relationship with the white supremacist movement. According to the plan, weapons were going to be smuggled in through a contact in

the prison laundry room and hidden there until the escape took place. The three inmates, Bruce Carroll Pierce, Richard Scutari, and Randall Evans, were then planning to shoot their way out at a time when the prison yard would be crowded with inmates.

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”

Fortunately, their escape plan was discovered by a former FBI source who was an inmate at the prison. FBI Agents in Kansas City discussed the planned escape with BOP officials at Leavenworth, and the three inmates were transferred to the U.S. prison at Marion, Illinois, thus avoiding a possibly violent domestic terrorist situation.

Rise of the Skinheads

However, despite efforts to counter the threat from groups such as The Order, right-wing terrorism has increased since the mid-1980s, especially in the recruitment of racist Skinheads.

Originally, the Skinheads arose in England during the 1970s to protest poverty and unemployment.

However, out of this relatively benign group developed a separate group consisting of both white supremacist and nonracist Skinheads, who began to appear in the United States in the early 1980s. The Skinheads movement has evolved into such a persistent threat that the Department of Justice's Civil Rights Division has formed a special task force to confront the problem.

Currently, there are more than 3,000 violence-prone Skinheads in the United States. This figure represents a three-fold increase in the number of Skinheads since 1987.² These Skinheads are known for attacking minorities, homosexuals, and anyone who opposes them by using such items as steel-toed boots, knives, and baseball bats. In fact, one Skinhead described his gang as “a subculture army....Instead of verbally assaulting people, we physically assault them....We've all had our part in bashing people. We'll assault anybody.”³ In addition, these Skinheads are being openly recruited by other white supremacist organizations, such as the Aryan Nations and the White Aryan Resistance.

Investigating these violent, white supremacist groups can be very arduous. These terrorists organize themselves into tightly knit brotherhoods that are extremely difficult to penetrate. As a result, information can be difficult to obtain. Despite these difficulties, great progress has been made in dissolving white supremacist groups. The Department of Justice and the FBI are constantly working with local

and State law enforcement organizations to collect evidence and to prosecute these groups. Many groups, however, still rally, recruit, and spread their messages of racial hatred.

The Civil Rights Program

Unlike the Domestic Counterterrorism Program, which focuses on organized groups, the FBI investigates hate violence committed by individuals or small, unorganized groups under its Civil Rights Program. Examples include racially and/or ethnically motivated acts of violence resulting in violations of such Federal laws as the Civil Rights Act of 1964, the Discrimination in Housing Act, the Equal Credit Opportunity Act, the Federal Revenue Sharing Act, and the Civil Rights of the Institutionalized Persons Act. The FBI's ultimate goal is to reduce civil rights violations and to ensure that the rights of U.S. citizens and inhabitants are protected.

This task is accomplished by responding to the thousands of criminal civil rights complaints received each year. Each legitimate complaint is then thoroughly investigated by the FBI and a report is forwarded to the Civil Rights Division (CRD) at the Department of Justice. It is the CRD that has prosecutive authority for all Federal civil rights statutes because of the sensitive nature of the constitutional issues involved and the need for uniform application of Federal law in this area.

Case Study

When a black couple moved into a predominantly white, working class neighborhood of Baltimore, Maryland, they were subjected to a series of acts of vandalism directed against their residence. Rocks, bricks, and bottles

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were thrown at the windows, causing extensive damage. The couple was also subject to racial taunting, slurs and threats. When the Baltimore Police Department received information that a plan had been made by several conspirators to fire-bomb the couple's home, the police department requested assistance from the FBI in its investigation.

Using information obtained from consensually monitored conversations between a cooperating witness and several of the conspirators, the FBI and the police department built a case against two individuals responsible for these hate crimes. Gary Merryman and Joseph Chilcote were charged with Conspiracy to Violate Civil Rights (Title 18, U.S. Code, Section 241)

and Interference with Housing Rights (Title 42, U.S. Code, Section 3631). The two individuals were convicted and sent to prison for their crimes in March 1989.

CONCLUSION

Racism, bias, bigotry, and violence are on the upswing. In view of the ever-increasing threat of hate violence perpetrated by both white supremacist groups and racist individuals, law enforcement agencies across the country must work together to combat these crimes. In the words of Dr. Benjamin Hooks, Executive Director of the NAACP, "Now is the time to turn to one another, not to turn on one another."

All in law enforcement—including Federal, State and local authorities—must combine their efforts to remove the blight of racial violence and discrimination. Law enforcement must also work more closely with the public to discourage racial hatred and bigotry wherever it is found. It is the duty and responsibility of everyone in law enforcement to ensure that all Americans, regardless of race or ethnic origin, can live in freedom, with dignity.

LEB

Footnotes

¹ See Department of Justice Press Release dated March 1, 1990, regarding the convictions of the five CHS members involved in the Dallas, Texas, case.

² "Hate Violence and White Supremacy," The Klanwatch Project of the Southern Poverty Law Center, December 1989, p. 17.

³ Ibid, p. 1.