

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

CONNIE MANSFIELD, Personal Representative)
of the Estate of Harold Mansfield, on behalf of)
herself and the Estate,)
Plaintiff,)
v.)
THE CHURCH OF THE CREATOR, INC.,)
Defendant.)

Case No.: 94-345-CA-01
Division: B

COMPLAINT

The plaintiff, CONNIE MANSFIELD, by and through her undersigned counsel, sues the Defendant under Florida Statutes §§ 772.104 and 895.05 and alleges violations of Florida Statutes § 772.103(1) and (2).

Parties

1. Plaintiff Connie Mansfield is an adult citizen of Oklahoma and the mother of Harold Mansfield, who was murdered in Jacksonville, Florida in May 1991 when he was 22 years old. Plaintiff is the duly appointed personal representative of the estate of Harold Mansfield.
2. Defendant The Church of the Creator, Inc. is a Florida corporation engaged in interstate commerce, with its principle place of business in Niceville, Florida.

Jurisdiction

3. This court has jurisdiction of this action under Florida Statutes §§ 772.104 and 895.05. The amount in controversy exceeds the minimal jurisdictional amount of this court.
4. Venue is proper in this court.

Facts

I. The Church of the Creator

A. The Nature of the Church

5. The Church of the Creator was founded by Bernard (Ben) Klassen in Lighthouse Point, Florida in 1973. In January 1993, Klassen named Richard McCarty of Niceville, Florida as his successor. McCarty's title is Pontifex Maximus, and he calls himself the Church's president.

6. The Church's mission is to preach "Creativity," which includes purifying the white race, eliminating "mud races," and eliminating all Jews from the earth because of their conspiracy to control the world economy.

7. The Church is an association of people or groups with common purposes. Its purposes include the annihilation of the Jewish and nonwhite races, the elimination through violence of the perceived Jewish conspiracy to control world finances, and the perpetuation of a pure white race by any means necessary including "Racial Holy War" (RAHOWA).

8. The Church is separate and distinct from the pattern of criminal activity carried out by it, its members, and other white supremacist groups from which the Church solicits members.

9. The Church conducts its racist enterprise by encouraging all white supremacists to commit violent acts to bring about a "whiter and brighter world."

10. The Church ships books and merchandise from its Niceville, FL headquarters. The books and merchandise describe violent racial tactics and encourage white supremacists to show their loyalty by committing criminal acts.

11. The Church publishes a newspaper, *Racial Loyalty*, that is distributed in Florida and in numerous other states. *Racial Loyalty* solicits members, publishes letters from white supremacists, encourages readers to strive for elimination of the "mud races" using violent means, and extols the virtues of Church members who

have shown their loyalty to the cause by committing criminal acts in furtherance of the Church's goals.

12. *Racial Loyalty* frequently spotlights persons who have killed black people or other members of racial groups that are targeted by the Church. It announces an award called "Creator of the Month," which is given to members who have committed particularly noteworthy racist acts. These pieces recognizing racist accomplishments are used to raise funds in support of the Church's enterprise.

13. The Church actively supports violence against Jews and non-whites by publishing in *Racial Loyalty* examples of racial violence and encouraging members to emulate the examples. The Church rates racial violence according to the "Enemy Toll Effectiveness Factor" or E.T.E.F., which is the ratio of white supremacist lives lost to the total number of lives taken by each violent act. The lower the ratio is, the more favorably the act is rated.

14. White supremacists engage in criminal conduct with the expectation that they will be recognized and praised for furthering the Church's enterprise.

15. Through personal contacts, Church leaders encourage members to show their loyalty to the cause by committing criminal acts with the intent of bringing about RAHOWA, that is, "Racial Holy War."

16. The Church leadership, through *Racial Loyalty* and personal contact, instructs loyal Church members on the advantages of carrying out criminal acts with low E.T.E.F. ratios.

17. Every Reverend in the Church must take an Oath of Loyalty swearing "loyalty to the white race and to the Church of the Creator." By taking the oath, each Reverend promises to "wholeheartedly support" the Church's purpose of purifying the White Race and to defend the racist enterprise "fervently" for life.

18. The Church recruits heavily in prisons across the country.

19. To further its racist purposes, the Church trains special forces called the "White Rangers" and the "White Berets." The forces receive paramilitary training on Church land, and are encouraged to use any means necessary, including violence and criminal acts, to bring about an end to the "mud races" and the perceived "Jewish conspiracy."

B. Acquisition and Maintenance of Interests in Property

20. In 1982, Klassen moved the Church's headquarters to Otto, North Carolina and built a compound consisting of several buildings on 22 acres of land.

21. While the Church owned the land, it was used as a training site for skinheads and other white supremacists from throughout the United States.

22. Klassen used the North Carolina property as a headquarters. He directed the Church activities and encouraged its membership to engage in racist violence from the property. He publicized the Church's criminal activity because it served to increase the Church's stature in the white supremacist community.

23. The Church's increased stature in the white supremacist community enables it to raise funds, which are then used to encourage additional racist acts.

24. The Church continues to encourage violence and recognize criminal acts. When criminal activities are reported in *Racial Loyalty*, they serve to increase the Church's status, to bolster the dues-paying membership, and to increase contributions.

25. The funds that the Church uses to maintain its interest in the white supremacist enterprise and in its property are derived from the Church members' pattern of criminal activity, because the criminal activity is used to make the Church more attractive to fellow white supremacists and to increase contributions to the Church.

26. The Church also acquired interests in real property in Wisconsin and Florida using proceeds from the fraudulent transfer of the North Carolina real property to white supremacist William Pierce in July 1992.

27. Klassen sent part of the proceeds from the North Carolina sale to Mark Wilson, a Creator, or Church member, in Wisconsin. Wilson bought land with the proceeds and now conducts paramilitary training on the land.

28. Klassen sent the remaining proceeds to McCarty, who used the money to lease warehouse space in which to store Church materials.

29. McCarty's admitted purpose in heading the Church and overseeing its enterprise is economic gain.

II. The Church's Criminal Acts

A. Murder of Harold Mansfield in Jacksonville, Florida

30. In May 1991, George Loeb murdered Harold Mansfield in a racially motivated crime in Jacksonville, Florida. Loeb was a Reverend in the Church, and Mansfield was a black man.

31. The murder was carried out to further the Church's goal of "purifying" the white race by any means necessary.

32. After the murder, fellow Church member Steve Thomas helped Loeb to flee Jacksonville. Thomas is a Church Reverend.

33. In July 1991, *Racial Loyalty* carried an article congratulating "COTC [Church] members in the Jacksonville area" on the Mansfield murder and awarding them a medal of honor. Loeb and Thomas were the only Church members in the Jacksonville area at that time.

34. Loeb was convicted of murder in July 1992 and was sentenced to life in prison.

35. Thomas was convicted of being an accessory after the fact and received two years' probation. In February 1992, Thomas moved to North Carolina and became the editor of *Racial Loyalty*.

36. The Church used Loeb's violent criminal act to make itself more attractive to young white supremacists. The funds received as a result of this and other publicized criminal racist acts are used by the Church to maintain its interest in its nationwide white supremacist enterprise and its property.

B. Fraudulent Conveyance of Real Property

37. In July 1992, the Church sold 22 acres of the North Carolina real estate to William Pierce, a fellow white supremacist, for \$100,000. Klassen sold the real property for less than half of its fair market value because he was concerned about future civil judgments against the Church as a result of the Mansfield murder. At the time of the purchase, Pierce was fully aware that he had acquired the property in a conveyance that was intended to avoid potential civil judgments.

38. Pierce sold the 22 acres in North Carolina for \$200,000 in January 1994.

39. Klassen sent some of the proceeds from the Church's fraudulent sale of the 22 acre parcel in North Carolina to Church member Mark Wilson, who used some of the money to acquire an interest in land in Wisconsin. The land is used for paramilitary training exercises for Church members, some of whom are from states other than Wisconsin.

40. Klassen sent approximately \$50,000 of the proceeds from the North Carolina sale to Richard McCarty, who used the money to continue the Church's mission after Klassen stepped down as the leader, or Pontifex Maximus, of the Church.

41. McCarty used some of the money that Klassen gave him to lease property in Niceville, Florida in which he stores Church books, T-shirts and other materials.

C. Ohio Bank Robberies

42. On August 10 and 24, 1990, Church members robbed the Society Bank on East Dublin-Granville Road in Columbus, OH. The perpetrators stole \$2,636 on August 10 and \$4,357 on August 24. In the second robbery, the dye packet exploded and the bank lost only a small amount of money.

43. Matthew Hayhow, a Church "Reverend" and organizer of the Church paramilitary group called the "White Rangers," was charged and convicted for both robberies. His associate, Christopher Newton, was convicted only of the August 24 crime. Hayhow solicited Newton's help in committing the robberies.

44. Hayhow robbed the banks to further the Church's goal of ending what the Church believes is a conspiracy among Jews to control the world economy.

45. Hayhow was recognized as "Creator of the Month" in *Racial Loyalty* for his role in the bank robberies.

46. Klassen used Hayhow as an example of a good Church member and published Hayhow's prison address in *Racial Loyalty*, encouraging readers to write with their congratulations and support. Such publicity tactics are commonly used by white supremacist groups to raise funds and recruit new members.

D. Bombing of the NAACP Branch Headquarters in Tacoma, WA

47. On June 20, 1993, Jeremiah (Jeremy) Knesal and two accomplices bombed the NAACP branch office in Tacoma, WA. All three men were arrested later that month.

48. Knesal was a state leader in the Church at the time of the bombing. He was in possession of a Church membership card at the time of his arrest.

49. Knesal told FBI agents that he and other Church members also planned to attack two black rap musicians, a Jewish organization, and several military installations in Washington and Oregon. These acts and the bombing of the

NAACP were to be carried out in furtherance of the Church's mission to rid the world of "mud races" and Jews.

50. On December 1, 1993, Knesal pled guilty to the following: 1) possession of an unregistered destructive device, contrary to 26 U.S.C. § 5861(d); 2) receipt and transmission of explosives in interstate commerce, contrary to 18 U.S.C. § 844(d); 3) use of a firearm in the commission of a violent felony, contrary to 18 U.S.C. § 924(c); and 4) transmission of a stolen gun in interstate commerce, contrary to 18 U.S.C. § 922(i).

III. Damages

51. As a result of the Church's pattern of criminal activity, the estate of Harold Mansfield suffered the loss of net accumulations, and Connie Mansfield, personally, suffered damages in the amount of \$1,000,000 for mental pain and suffering caused by the murder of her son, Harold Mansfield.

IV. Counts

A. Florida Statute § 772.103(1) -- Count I

52. Paragraphs 1 through 51 are realleged and incorporated into this count by reference.

53. The Church of the Creator, Inc. is a person and an enterprise under Fla. Stats. §§ 772.102(3) and 772.103.

54. The Church has, with criminal intent, received proceeds derived, directly or indirectly, from a pattern of criminal activity and used or invested, directly or indirectly, part of such proceeds in the acquisition of title to, or a right, interest, or equity in, real property. The pattern of criminal activity is made up of predicate acts in violation of Fla. Stats. § 772.102(a).

55. Specifically, the Church has engaged in the following predicate criminal acts:

- a. commission of murder and obstruction of justice in connection with the Mansfield murder in Jacksonville, FL.;
- b. fraudulent conveyance of real estate;
- c. commission, solicitation to commit and conspiracy to commit robbery, and;
- d. possession of illegal firearms and explosives and transport of illegal firearms and explosives in interstate commerce, which is conduct subject to indictment or information as a criminal offense and listed in 18 U.S.C. § 1961(1)(A), (B), (C) or (D).

56. The Church used publicity from its pattern of criminal activity to raise funds and solicit additional dues-paying members and contributions. The funds were subsequently used to acquire or maintain interests in real property in Florida, North Carolina and Wisconsin.

B. Florida Statute § 772.103(2) -- Count II

57. Paragraphs 1 through 51 are realleged and incorporated into this count by reference.

58. The Church has, through a pattern of criminal activity, acquired or maintained, directly or indirectly, an interest in or control of an enterprise or real property. The pattern of criminal activity is made up of predicate acts in violation of Fla. Stats. § 772.102(a).

59. Specifically, the Church has engaged in the following predicate criminal acts:

- a. commission of murder and obstruction of justice in connection with the Mansfield murder in Jacksonville, FL.;
- b. fraudulent conveyance of real estate;
- c. commission, solicitation to commit and conspiracy to commit robbery, and;

d. possession of illegal firearms and explosives and transport of illegal firearms and explosives in interstate commerce, which is conduct subject to indictment or information as a criminal offense and listed in 18 U.S.C. § 1961(1)(A), (B), (C) or (D).

IV. Prayer for Relief

60. WHEREFORE, pursuant to Florida Statutes §§ 772.104 and 895.05, the plaintiff, CONNIE MANSFIELD, demands:

- 1) judgment against the Defendant for treble damages in the amount of \$3,000,000, that is three times the amount of actual damages that the plaintiff has suffered as a result of the murder of her son; and
- 2) an order requiring the dissolution of the defendant corporation.

Respectfully submitted,

Morris S. Dees
J. Richard Cohen
400 Washington Avenue
Montgomery, AL 36104



Fredric G. Levin, # 46840
Ross M. Goodman, # 504300 of
Levin, Middlebrooks, Mabie,
Thomas, Mayes & Mitchell, P.A.
226 South Palafox Street
P.O. Box 12308
Pensacola, FL 32581-2308
(904) 435-7131

ATTORNEYS FOR THE PLAINTIFF