

THE SOUTHERN POVERTY LAW CENTER'S

Intelligence Report

WINTER 2001 · ISSUE 104

There isn't much question about the race hate that fueled the murder of Sasezley Richardson, a 19-year old black teenager shot dead as he strolled back from a mall in Elkhart, Indiana, with diapers for a friend's baby.

One of the shaven-headed suspects told police he was a member of the violent, white supremacist Aryan Brotherhood, while the other reportedly said he wanted to kill a black person in order to get in. Police called it a hate crime from the start. Prosecutors agreed, saying Richardson was slain for no other reason than he was African-American.

But today, Sasezley Richardson isn't even a statistic.

**THE HATE CRIME STATISTICS ACT
TEN YEARS LATER,
THE NUMBERS
DON'T ADD UP**





EDITORIAL

The Mathematics of Hate

BY MARK POTOK, EDITOR

When then-President George Bush signed the Hate Crime Statistics Act in an elaborate White House ceremony held in April 1990, he hailed it as a “significant step to help guarantee civil rights for every American” and suggested that it would aid the battle against hate. “The faster we find out about these hideous crimes,” the president said, “the faster we can track down the bigots who commit them.”

Seven years later, a different president from a different political party echoed those words as he convened the White House Conference on Hate Crimes. “If a crime is unreported,” President Bill Clinton said, “that gives people an excuse to ignore it.”

To all appearances, both presidents — men from different sides of the political spectrum — had every intention of doing what they could to assess, and hopefully root out, the chronic American problem of crime motivated by bias. But in the end, their pronouncements made better political rhetoric than substantive policy.

On the 10th anniversary of the year that compilation of national hate crime statistics began, the hate crime reporting system is a wreck. Hobbled by the voluntary nature of reporting, riddled with errors, and even skewed by falsified data, the statistics compiled and published yearly by the FBI vastly understate the hate crime problem. An analysis by the *Intelligence Report*, based on extensive reporting and a key academic study, finds that the real level of hate crimes — currently running at about 8,000 a year in the FBI statistics — is probably closer to 50,000.

Naming the Violence

The time for talk is past. As we mark the 10th year of collecting hate crime statistics — and as yet another surge of hate crime bloodies the nation in the wake of the Sept. 11 terrorist attacks — we must act to cure the system’s problems. As Yale hate crime expert Donald Green told the *Report*, “We can’t make any headway against this violence until we get high quality data.”

The FBI agrees. “Historically,” says the introduction to the agency’s 1999 hate crime report, “the law enforcement community has recognized that valid information is central to developing effective measures to deal with crime; the same is true for bias-motivated crime.”

Ronald Wakabayashi, executive director of the L.A. Commission on Human Relations, explained the impor-

tance of the numbers this way: “We found that a rash of hate crime events can lead to escalating retaliation. Now when we get an elevated experience, we can collapse resources around it very quickly.” Using L.A. hate crime data, officials even created “stress maps” to spot future problems.

Getting a handle on the real level and nature of hate crime is crucial. Even groups like the American Friends Service Committee, which opposes hate crime penalty enhancement laws because it sees them as emphasizing possibly counterproductive punishment at the expense of rehabilitation, agrees that “hate violence must be named.”

A Time to Act

Since national voluntary hate crime reporting began, participation has generally risen, from 2,215 law enforcement agencies reporting in 1991 to 12,122 in 1999. That led Fulton County (Atlanta) Sheriff Jacquelyn Barrett to sound optimistic as she discussed rising participation several years ago. “First, police had to change the way they dealt with race relations,” she said. “Then it was gender relations — police didn’t deal with domestic violence until the late 1960s. Now it’s hate crimes, but we’ll get there. It just takes time.”

But the reality was that throughout the 1991-99 period, despite the almost six-fold jump in reporting agencies, the number of reported crimes remained remarkably stable — a strong indicator of a seriously flawed system.

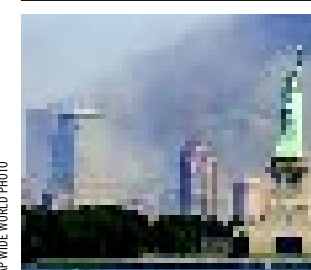
Ten years of trying to improve the reporting of hate crimes have produced very little in the way of substantive change. Some jurisdictions do an exemplary job, of course, and for this they risk being punished with an unjustified reputation as hotbeds of hate. Others don’t report at all, for a variety of reasons, and suffer no adverse consequences. Overall, we have very little idea of what these statistics have to tell us.

Are hate crimes going up? Who is the most victimized? Who are main perpetrators? The answers to these questions are important — they must form the basis of our response to the hatred that plagues us — and as concerned Americans, we must demand that they finally be answered. The time to act is now. ▲

EDITOR’S NOTE: In the Spring 2001 issue of the *Intelligence Report*, we published a message from the E-mail address fphelps44@yahoo.com in an article about Fred Phelps, his family and Westboro Baptist Church. Mr. Phelps has since informed us that he is not associated in any way with this E-mail address or the message from it. Accordingly, we withdraw our publication pertaining to the message. We regret the error.

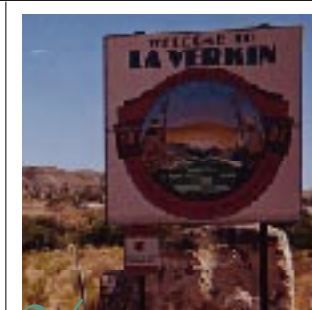


6 On the Cover One decade after the FBI began collecting state hate crime statistics and publishing them under the federal Hate Crime Statistics Act, the national effort to document hate-motivated crime is in shambles. A survey of 50 states by the *Intelligence Report* finds that the system is so gravely flawed that it may underestimate hate crimes by more than 80%.

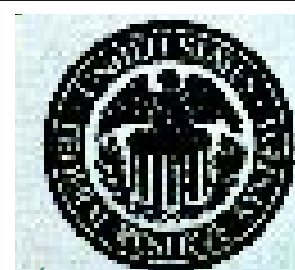


AP WIDE WORLD PHOTO

16 ‘Reaping the Whirlwind’ While most Americans reacted to the Sept. 11 attacks with horror, shock and anger, the response of the nation’s radical right ranged from hearty endorsements of the strikes on “Jew York City” to calls for expelling immigrants and threats.



24 The Mouse That Roared Resuscitating many of the anti-government themes that animated the militia movement, tiny LaVerkin, Utah, declares itself a United Nations-free zone as many of its citizens adopt the conspiratorial beliefs of the radical right.



40 Untaxing America After four decades of organizing by right-wing tax protesters, U.S. tax officials have largely caved in on enforcement. As the history of the tax protest movement reveals, many radical ideas have now penetrated far into the mainstream.

2 Intelligence Briefs

48 Books on the Right

53 For the Record

21 Raging Against the Other

In the aftermath of the World Trade Center and Pentagon attacks, hundreds of xenophobic hate crimes were reported across the nation.

32 Conflict in Klamath

The short-lived battle of Klamath Falls was the latest flash point in a continuing low-intensity war between “Patriot” activists and the federal government.

35 Running With Rudolph

Accused serial bomber and fugitive Eric Rudolph was a marijuana-dealing anti-semite, a former in-law reveals in an interview.

51 Freedom and Dissent

As the nation struggles to balance civil liberties and police power following the September horror, it is well to remember our history of throttling dissent.

57 ‘Silent Thunder’

A massive California police raid reveals how white supremacists are making a bid to control methamphetamine distribution.

INTELLIGENCE
PROJECT

Intelligence Report Editor MARK POTOK • SPLC President JOSEPH J. LEVIN, JR. • Chief Trial Counsel MORRIS DEES • Vice President for Programs RICHARD COHEN • Intelligence Project Director JOSEPH ROY, SR. • Staff Writers HEIDI BEIRICH, JOHN N. TYE • Design Director RUSSELL ESTES • Designers VALERIE DOWNES, KELLY PARVIN
The *Intelligence Report* is compiled by the staff of the Intelligence Project of the Southern Poverty Law Center. It is published quarterly. ©2001 Southern Poverty Law Center. All rights reserved. Permission to reprint text and maps (but not photographs or illustrations) is granted to law enforcement and other government agencies as well as to schools and universities for educational and research purposes on the condition that the Southern Poverty Law Center is credited. Contact Mark Potok, *Intelligence Report* Editor, with requests. The Southern Poverty Law Center is an organization supported entirely by private donations. No government funds are involved. Inquiries are welcome. Law enforcement inquiries should be sent to Joe Roy, Director of the Intelligence Project, at the following address: Southern Poverty Law Center, P.O. Box 548, Montgomery, AL 36104-0548. Printed in the USA.

EXTREMISTS IN THE MILITARY

Neo-Nazi Soldier Charged As Child Pornographer

A Special Forces soldier with close ties to a neofascist magazine has been charged with 21 counts of child pornography. Sgt. 1st Class Bruce H. Nelson, stationed at Fort Bragg, N.C., allegedly possessed pictures of girls as young as 5 years old being sodomized and raped by men.



Bruce H. Nelson

According to law enforcement sources, Nelson has written for *The Resister: The Political Warfare Journal of the Special Forces Underground*, a white supremacist and anti-Semitic publication. Nelson also has allegedly distributed the magazine at gun shows.

Nelson, 38, of Fayetteville, was being held at the Cumberland County jail in lieu of \$133,000 bail.

The Resister, published in Fayetteville by

retired Special Forces sergeant Steven Barry, has itself been undergoing changes. According to an excerpt from the upcoming issue, the magazine will no longer be subscription-based. Instead, *The Resister* will only be available to members of the MG Walker Society, a new membership organization that Barry says he is founding.

The new society is named after Edwin A. Walker, a major general in the Army who was reprimanded by President Kennedy in 1961 for indoctrinating his troops with far-right literature. Walker resigned in protest and became an active supporter of racial segregation.

Barry, who styles himself an intellectual fascist, has written that his only quarrel with the Nazis' form of national socialism is its association with "socialism." Last July, Barry wrote a letter to the *Intelligence Report* requesting that he be described as a "pæleo-Nazi" instead of as a neo-Nazi.



PATRIOT CRIMES

Indiana Militiamen Botch Bizarre Plot

Four members of the 14th Regiment of the Indiana State Militia are in jail after federal agents uncovered a bizarre scheme to allegedly sell drugs, murder one of the militia's own members, and attack with biological weapons a controversial play that portrays Jesus as homosexual.

The Bureau of Alcohol, Tobacco and Firearms (ATF) began to watch the 14th Regiment in 2000, when it received information that group members might try to use explosives against police who were planning to seize the tax-defying Indianapolis Baptist Temple after a long-running dispute. After the church seizure ended without violence, undercover agents continued investigating the 14th Regiment, suspecting members financed assault weapons and militia activities by trafficking in marijuana, cocaine and methamphetamines.

In June and July of this year, militia leader Fred Keuthan, 62, known as "Capt. Col. K.C. Hawk," was arrested twice for possession of cocaine and marijuana. After these arrests, authorities say, Keuthan became increasingly paranoid and aggressive, fantasizing about a violent showdown with police.

Convinced that 14th Regiment member Donald Mayo was informing on him, Keuthan allegedly hired a hit man to murder Mayo — a hit man who turned out to be an undercover agent. As an alibi for the night of the murder, Keuthan also allegedly planned to stage and attend a heavily armed militia protest at the opening of the play "Corpus Christi," which portrays Jesus as gay.

Further, an ATF official charged that Keuthan had trained militia members to cultivate biological toxins — E. Coli and botulism — and had ordered them to release these agents into the ventilation ducts of the theater. Even this plan was doomed, however, because Keuthan had the wrong location for the theater, thinking it was in Bloomington when it was actually in Fort Wayne, 180 miles north.

On Aug. 10, police arrested Keuthan and his lieutenant, Dallas Fultz, 66, known as "Captain Smitty," and seized a cache of weapons from their homes. Later, Gary Mayo, son of the intended murder victim, and Michael Smoot, both members of the 14th Regiment, also were arrested. They are being held on a variety of charges including conspiracy to commit murder, drug trafficking and possession of illegal weapons.

The arrests likely spell the end of the 14th Regiment of the Indiana State Militia, a group that once had as many as 25 members.

FINANCING FASCISM

Supporters of British Racists Close Shop, Abruptly



JENNIFER WARBURG
British national Mark Cotterill

both the AFBNP he helped to create and the BNP itself. The AFBNP's Web site was taken down as well.

A BNP press release later claimed that the AFBNP had been shut down because it was ineffective.

In the United States, the Foreign Agents Registration Act (FARA) requires any person who solicits money for a "foreign political party" to register with the Department of Justice and to document his or her activities. Neither Cotterill nor the AFBNP ever registered under the act.

In an August letter to U.S. Attorney General John Ashcroft, Southern Poverty Law Center (SPLC) General Counsel Richard Cohen asked that a federal investigation be launched into the group's alleged felony violations of FARA, pointing out that penalties against Cotterill could include "a fine, imprisonment, or deportation." The Department of Justice

The American Friends of the British National Party (AFBNP), a group that brought together American white supremacists of all stripes to raise funds for the neofascist British National Party (BNP), has gone out of business following an exposé by the *Intelligence Report*.

The article documented AFBNP activities that may have been illegal on both sides of the Atlantic. In 19 U.S. meetings over two years, AFBNP Chairman Mark Cotterill raised at least \$85,000 that was apparently sent to the BNP to help the party, in his words, "reach its target" with "regard to fundraising."

Confronted by a CNN reporter with the findings of the *Intelligence Report*, Cotterill, a British national, resigned from

has not responded publicly to Cohen's request.

In Britain, an election law that went into effect last February prohibits foreign political donations to domestic political parties over the amount of £200 (almost \$300). Yet when BNP head Nick Griffin was asked by CNN if the party had ever received checks as large as "\$10,000 and \$16,000" from the United States, Griffin replied, "We've seen some very useful donations, yeah."

When two members of Parliament called for an investigation into BNP finances based on the SPLC report, the United Kingdom's Electoral Commission contacted the Center for documentation of AFBNP's fundraising activities. The Electoral Commission launched an official investigation into the matter on Sept. 3. If found guilty of British election law violations, the BNP and Griffin could face civil and criminal penalties.

RADICAL RADIO

'Patriot' Broadcaster on the Run

After months of issuing anti-government threats via his clandestine United Patriot Radio, former Kentucky State Militia member Steve Anderson has apparently taken action. Police say that the 53-year-old pirate short wave broadcaster opened fire Oct. 15 on a law enforcement official who had tried to pull him over for a broken tail light.

As Bell County Sheriff's Deputy Scott Elder approached

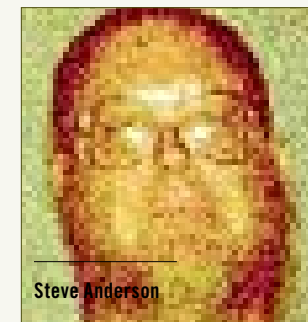
Anderson's 1990 Chevrolet pickup, Anderson refused to give his name and told the deputy that he had "several" weapons in the car, sending Elder running for cover behind his squad car. Anderson then allegedly fired at least 25 rounds from an assault weapon at Elder's car.

Anderson "tried to saw a cruiser in half," was how Deputy Sheriff John Hoskins described the incident. Hoskins also said

Anderson is an expert survivalist, who was believed to have several guns and two hand grenades with him.

Elder pursued Anderson as he fled, but more shots fired from the pickup disabled the cruiser. Later, police found the truck, containing two pipe bombs and ammunition, at the bottom of a 100-foot embankment.

Patrick Perry, a spokesman for the Kentucky State Militia,



Steve Anderson

said that Anderson was kicked out of the group in April because of anti-Semitism on his short wave broadcasts. "I kind of thought he was prone to do something like that," Perry said. "He was sort of a lone wolf type."

NEO-CONFEDERATES

League of the South Loses Members and Momentum

Within days of the Sept. 11 terrorist strikes in New York and Washington, Michael Hill, president of the neo-Confederate League of the South, suggested that the attacks were somehow deserved, “the natural fruits of a regime committed to multiculturalism and diversity” (see also story, p. 16).

Such a proposition is debatable, to say the least. But what is absolutely certain is that Michael Hill, for one, is reaping some of what he has sown.

In a series of embarrassing developments, prominent members have renounced the League or distanced themselves from Hill’s secessionist views, his scorn for public education, and his distaste for interracial marriage. Despite these views, and the listing of the League as a hate group by the Southern Poverty Law Center, Hill had long insisted that his is merely a mainstream “pro-South” organization.

That claim has taken some battering of late.

First, Richard Withers, an attorney for the school board of Nassau County, Fla., came under fire in August for representing the school board while belonging to the League, which derides public schools as “propaganda factories.” Claiming he hadn’t known the League’s views on public schools or racial separation, Withers resigned his membership.

Then, after Hill published his view of the terrorist attacks, the League’s Missouri chairman, Lewis J. Goldberg, resigned. Calling Hill’s views “un-Christian and cold-hearted,” he lamented that Hill’s position had been “high-fived” by other League leaders.

Soon, George Kalas, former Webmaster for the group, and Jim Langcuster, a founding member, both criticized the League, arguing that it should abandon its secessionist goals and instead begin “a strategy of constructive criticism” of the U.S. government.

Perhaps the most significant blow of all came with the resignation by Donald Livingston as head of the Institute for the Study of Southern Culture and History — the “educational arm” of the League, which runs workshops and disseminates books and pamphlets. A professor of philosophy at Emory University, Livingston said he was put off by the group’s racism and other “political baggage.” It is the high-profile participation of Livingston and a number of other “respectable” academics in the League that has helped Hill propel his membership to around 10,000 people.

Livingston, who says he will remain a League member for the time being, told the *Intelligence Report* that he now plans to begin his own nonracist institute to “concentrate on what is good in Southern culture, both black and white.”



JENNIFER WARBURG

Michael Hill



Child-killer Hendrik Möbus

WHITE POWER MUSIC

Neo-Nazi Musician Sent Back to German Prison

Hendrik Möbus, a 25-year-old neo-Nazi and convicted murderer, was extradited in July from the United States and returned to prison in Germany. He has been sentenced to three years there for mocking and demeaning his murder victim, performing a stiff-armed Nazi salute, and fleeing parole, all crimes under German law.

The extradition ended efforts by the neo-Nazi National Alliance to win U.S. political asylum for Möbus on the grounds that he faced political persecution at home. Möbus was ruled ineligible because of his prior murder conviction.

Möbus was convicted of helping to stab and strangle a high school classmate to death in 1993. After embracing a style of music called National Socialist Black Metal (NSBM) and even recording while still in prison, Möbus was released on parole in 1998. Within a year, after giving a “Sieg Heil” salute at a concert, Möbus was convicted and sentenced on the new charges.

Möbus fled to the United States in December 1999. Once here, he apparently discussed ways of bringing European NSBM and other “white power” music to the United States with various American neo-Nazis, most notably Resistance Records owner and National Alliance leader William Pierce.

After overstaying his 90-day visa waiver by six months, Möbus was captured by authorities in August 2000 near Pierce’s compound in West Virginia.

Pierce made numerous appeals on behalf of Möbus, an unprecedented step for a leader who has often stood by as his Alliance members faced legal trouble. Alliance members twice protested Möbus’ extradition at the German embassy. At the second protest in July, Alliance Deputy Membership Coordinator Billy Roper was bloodied in a scuffle with counter-demonstrators.

Möbus is imprisoned in the eastern state of Thuringia. The National Alliance reports that the murderer, who once boasted of his “Luciferian will-to-power,” has been assigned to “scrub prison floors and other similar tasks.”

NEO-NAZIS

Felon to Head ‘Ne’er-Do-Well’ Aryan Nations

Aryan Nations founder Richard Butler has designated Harold Ray Redfeairn, a 49-year-old felon convicted of shooting a police officer five times, as his successor and the group’s new national director. The decision was prompted by the death of Butler’s earlier pick, Neuman Britton (see story below). Redfeairn had been Ohio state leader for the neo-Nazi group from 1992 through 1998.

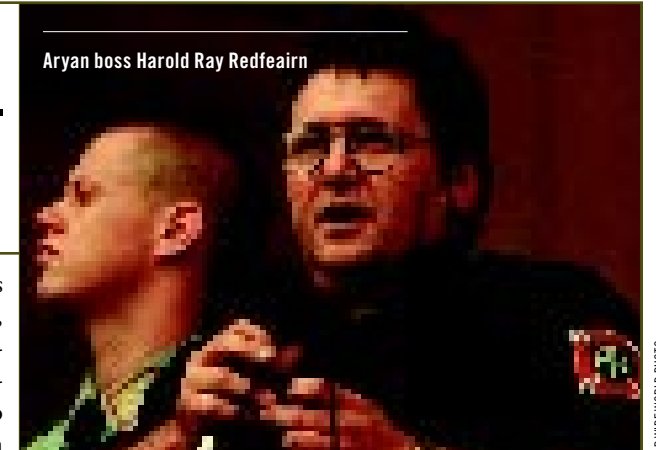
Just a year before his accession, Redfeairn didn’t sound too thrilled about Aryan Nations. Asked in court why he was no longer a member, he testified that it was because the organization had “turned into a refuge for derelicts, ne’er-do-wells, drunks and people like that.”

After the recent announcement, Redfeairn told a reporter that Aryan Nations would be relocating to Pennsylvania, to the property of the new “director of information,” August Kreis. Butler, however, insisted that the headquarters would never leave northern Idaho.

The spat is only the latest hitch for a hate group that has been struggling since

September 2000. That’s when Aryan Nations, Butler and several security guards lost a \$6.3 million civil lawsuit to two people attacked by Aryan guards. The group was forced to relinquish its 20-acre Hayden Lake, Idaho, compound during a bankruptcy sale; this summer some of its old buildings were burned to the ground.

When Redfeairn repeatedly shot a police officer during an Ohio robbery in 1979, the critically wounded officer was saved only by a bulletproof vest. Before his 1985 conviction for aggravated robbery and attempted aggravated murder, Redfeairn — described by court psychologists as a paranoid schizophrenic — spent four years in a mental institution until he was deemed psychologically fit to stand trial. Redfeairn also has separate convictions for aggravated menacing, carrying a concealed weapon, disorderly conduct and drunken driving. In 1996, his mother



Aryan boss Harold Ray Redfeairn

AP/WIDEWORLD PHOTO

accused him of threatening to kill her, although she later withdrew her accusations. He’s also been accused of being a deadbeat dad.

Despite this history, Redfeairn was called as a character witness for Butler at the civil trial in 2000. Redfeairn claimed that he had resigned from the Aryan Nations because Butler advocated nonviolence. Videotape evidence played during Redfeairn’s cross-examination showed him in Butler’s Aryan Nations pulpit, in Butler’s presence, explaining that to “grab an AK-47 or an M16 and run and plug some nigger in the head” was an act of “conscience” that Redfeairn “won’t condemn.” Butler said nothing to Redfeairn to distance himself from that remark.



CHANGING OF THE GUARD

Identity pastor Neuman Britton

Two Preachers Die as a Racist Religion Wanes

The deaths of Neuman Britton of California and Earl Jones of New Mexico, both pastors of the racist Christian Identity religion, are further markers of the shift by American extremists away from older philosophies like Identity towards harder-edged versions of neo-Nazism.

Britton, 75, who died of cancer on Aug. 18 at his home in Escondido, Calif., was a long-time icon of the white supremacist movement and the designated successor of neo-Nazi Aryan Nations leader Richard Butler (see story above).

In 1964, he helped Ku Klux Klan members to organize an attack on blacks who were enjoying a newly integrated beach in Florida. Throughout much of the 1980s and ‘90s, Britton was an annual

speaker at Butler’s Aryan World Congresses in Hayden Lake, Idaho. For a period, Britton was married to Joan Kahl, widow of Gordon Kahl, an anti-Semitic murderer of three lawmen who was himself killed in a shootout with authorities in 1984.

Earl Jones, who died from natural causes on Sept. 19, spent years blasting Jews and interracial marriages at Christian Identity assemblies across the country. A participant in a famous 1992 Estes Park, Colo., meeting that drew together scores of American extremists and helped kick off the antigovernment militia movement, Jones headed the Christian Crusade for Truth based in Deming, N.M.

The deaths of the two elderly racists follow that in May of Robert Millar, head of the Christian Identity Elohim City compound in Oklahoma.

Young racists today are far more likely to embrace anti-Christian, nihilist forms of neo-Nazism than Identity. The number of Christian Identity groups has been dropping steadily for years, from 81 in 1997 to 32 in 2000. Few new Identity pastors are emerging to take the places of these fallen patriarchs of hate.



DISCOUNTING

HATE

There isn't much question about the race hate that fueled the murder of Sasezley Richardson, a 19-year-old black teenager shot dead as he strolled back from a mall in Elkhart, Ind., with diapers for a friend's baby.

One of the shaven-headed suspects told police he was a member of the

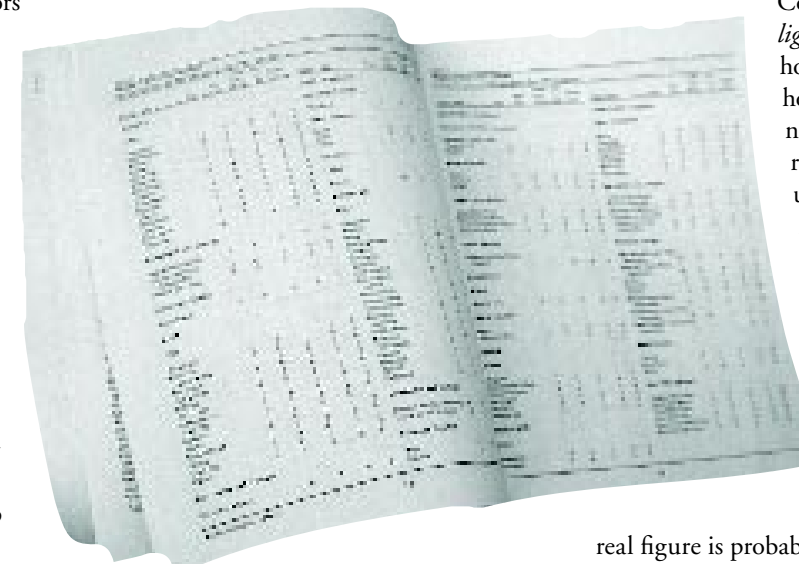
violent, white supremacist Aryan Brotherhood, while the other reportedly said he wanted to kill a black person in order to get in. Police called it a hate crime from the start. Prosecutors agreed, saying Richardson was slain for no other reason than that he was African-American. Neighbors, white and black alike, held two racial unity rallies in Elkhart and raised money to help pay for Richardson's funeral.

But today, Sasezley Richardson isn't even a statistic.

When journalists, law enforcement officials, scholars or others pick up a copy of the FBI's "Hate Crime Statistics: 1999," report, containing the latest available statistics, they won't find anything representing the death of a young man who was trying to put his life together when he was shot on Nov. 17, 1999. Instead, in the column representing Elkhart, they will find nothing. No hate crimes. Zero.

One decade after the FBI began collecting state hate crime statistics and publishing them under the federal Hate Crime Statistics Act, the national effort to document hate-motivated crime is in shambles. A recent Justice Department study

concludes that "the full picture of hate crimes ... has not yet been captured through official data." And a just-completed survey of the 50 states and the District of



Columbia by the *Intelligence Report* illustrates how the system, already hobbled by the voluntary nature of reporting, is riddled with errors, failures to pass along information, misunderstanding of what constitutes a hate crime and even outright falsification of data.

While the published hate crime totals have been running recently at some 8,000 cases a year, the

real figure is probably closer to 50,000.

"The overall numbers are worthless," says Donald P. Green, a Yale University political scientist and hate crime expert. "The entire reporting system," adds Jack Levin, another hate crime expert and director of the Brudnick Center on Violence and Conflict at Northeastern University in Boston, "is plagued with errors."

Doomed From the Start

The Hate Crime Statistics Act of 1990 was passed by Congress in the wake of an outbreak of anti-

Ten years after federal officials began compiling national hate crime statistics, the numbers don't add up

homosexual violence in the late 1980s. It was groundbreaking, the first federal civil rights law to include sexual orientation as a class (conservatives did insert language announcing the statute was not meant “to promote or encourage homosexuality”). And although it initially only required the Justice Department to compile and publish data for five years, that was later extended indefinitely.

“The faster we can find out about these hideous crimes,” then-President George Bush said in a hopeful speech at the April 23, 1990, signing ceremony for the law, “the faster we can track down the bigots who commit them.”

Bush understood that in order to deal effectively with the problem, policymakers needed to comprehend its shape and size. “Think of the FBI statistics that showed murders committed by teenagers increasing dramatically from 1986 through the early 1990s,” explains Levin, the hate crime expert.

“Armed with this information, we were able to push for more after-school programs, community centers, mentors and tutors in local schools. These statistics are not just an academic exercise. They are an extremely important means whereby policy is affected.”

But the law was doomed from the start. Like reporting under other national crime statutes, reporting under the federal hate crime act is voluntary. But unlike data collection under other statutes,

collecting hate crime statistics has been controversial — so much so that over one-third of police jurisdictions have opted not to participate in the effort. In some jurisdictions that have chosen to participate at the official level, opposition or indifference among personnel responsible for gathering the figures has compromised the effort and has discouraged already reluctant victims to come forward. And because hate crime categories are relatively new and vary among jurisdictions, even conscientious officials have had problems reporting accurately. Given these difficulties, law enforcement officers need training — both to overcome their resistance and to provide uniform reporting standards. Most have never gotten it.

The gaping holes in the reporting system have been no secret. Alabama, for instance, has not reported a hate crime for years — including 1999, the year when Billy Jack Gaither was savagely beaten to death and his body set afire in a notorious anti-gay murder in the town of Sylacauga. Quite apart from the obvious bias involved in the Gaither murder, it was hardly plausible that Alabama had zero hate crimes in the same year that California recorded 2,295 such offenses.

Then, in September 2000, a virtually unnoticed academic study funded by the Justice Department found a “major information gap” in hate crime reporting. Based on a survey of 2,657 law enforcement agencies, the study estimated that some 37% of agencies that did not submit reports nevertheless had at least one hate crime. In addition, about 31% of the agencies with reports of zero hate crimes did, in fact, have at least one. The study’s co-authors — the Center for Criminal Justice Policy Research at Northeastern University and the Justice Research and Statistics Association in Washington, D.C. — estimated that almost 6,000 law enforcement agencies likely experienced at least one hate crime that went unreported.

The published numbers, in other words, were grossly off.

The Case of the False Zeroes

The *Intelligence Report* sought to uncover some of the concrete reasons for the failure of law enforcement agencies to report or for their errors in reporting. To this end, the magazine spoke

Charles Butler (right) was one of two men tried in the savage anti-homosexual murder of Billy Jack Gaither (above left), who was abducted and beaten to death with an axe handle. His killers burned his body atop a pile of old tires, damaging Gaither’s car in the process.

“The faster we can find out about these hideous crimes, the faster we can track down the bigots who commit them.”

to law enforcement officials in all 50 states and the District of Columbia and asked them about specific incidents that were reported in the media but failed to show up in the FBI hate crime statistics. Most of the incidents selected involved graffiti and similar vandalism. These incidents may be minor crimes, but they often serve as early warning signs of more serious trouble. In addition, they are difficult to mistake for non-hate crimes because they usually involve racial epithets or symbols. What the magazine found was an array of problems, ranging from bureaucratic error to intentional omission.

Most troubling, perhaps, are the cases of false zeroes.

At least seven states, the *Intelligence Report* found, represented to the FBI that certain police departments had reported no hate crimes — when, in fact, those departments had chosen not to file reports at all. In other words, instead of putting a department into the non-reporting column,

state agencies charged with reporting to the federal government simply categorized those departments as having no hate crimes. That assumption, of course, is wrong almost as often as it is right — and it has the effect of falsifying data, making states that submit false zeroes look good at the expense of those that do not. The dimensions of this problem may be enormous; fully 83% of jurisdictions that reported in 1999 said they had no hate crimes.

Wyoming may be typical of the “false zero” states. According to the FBI’s “Hate Crime Statistics: 1999” compilation, 55 of 57 law enforcement agencies in the state reported no hate crimes at all — a record that other states might envy.

But things may not be as rosy in Wyoming — nicknamed the “Equality State” — as the figures suggest. Richard Russell, the manager of Wyoming’s Uniform Crime Reporting (UCR) system, is the official responsible for compiling hate crime figures from Wyoming jurisdictions and then forwarding them





to the FBI. Russell concedes that he sometimes fills in an unverified zero when local police departments do not send in their reports — something that happens often, he says.

A 'Flagrant Disregard for Common Sense'

Russell is not alone. Officials in Georgia, Minnesota, North Carolina, Oregon, Utah and West Virginia say they, too, insert zeroes for non-reporting agencies.

In Georgia, Willene White-Smith of the state UCR office says there are “two types of zero” — zeroes reported by agencies and others, where state officials “just assume you had zero.” In Minnesota, Cathy Leatherman of the Department of Public Safety says, “If we don’t get a report from an agency, that is a zero.” In Oregon, Susan Hardy of the Oregon State Police says, “If they don’t send us a form, that’s all there is to it. We put down a zero.” In Utah, Ogden Records Supervisor Lupe Huntley said that her city did not

Crimes like this desecration of a Jewish cemetery in Saddle Brook, N.J., can affect great numbers of people. Experts say hate crimes terrorize not only their immediate targets, but whole classes of similarly situated people.

submit a hate crime report, but that state officials “just put down zero.” In West Virginia, state police Sgt. S. Gayle Midkiff, in charge of UCR reporting, says officials “assume it’s a zero” if agencies don’t report.

North Carolina is one state where the false zeroes actually got some public attention. In May of this year, an investigation by Charlotte’s wsoc-tv found that state officials had filled in “hundreds” of zeroes for non-reporting agencies, despite the fact that at least some of them definitely had hate crimes in 1999. Congressman Mel Watt, an attorney trained at Yale Law School, told the television station that the data manipulation represented a “flagrant disregard for common sense” that could have an important impact on public policy.

He suggested that congressional hearings might be in order, although none have yet been called. Reacting to the news stories, the FBI sent letters to North Carolina officials directing them to halt the practice.

Indeed, the FBI concedes false-zero reporting is widespread. “We are aware that states do report zeroes for places that are non-reporting,” Mary Victoria Pyne, who heads up the FBI office that compiles annual hate crime statistics reports, told the *Intelligence Report*. “We have cautioned and

cautioned and cautioned against this. We have tried to make the case clearly that zero is data and when you report zero for non-reporting you are creating [false] data.”

And then there is the strange case of Illinois. Every Illinois community listed in the FBI’s 1999 report experienced at least one hate crime. As it turns out, that is partly because officials there rightly refuse to report a zero for an agency that does not file a report. But the problem, says Tim Bray of the state police’s research bureau, is that there are no forms for Illinois

SPLC LAUNCHES ONLINE HATE CRIME TRAINING

Scholarships will be offered to 500 law enforcement officers each year

The Southern Poverty Law Center and Auburn University at Montgomery (AUM) have teamed up to develop a fresh approach to hate crime training through an online program that offers law enforcement officers college credit. Beginning in 2002, the Law Center will give partial scholarships to 500 officers per year.

A pilot course, “Introduction to Hate and Bias Crimes,” was launched on Oct. 30 with 30 law enforcement officers from the United States and Canada as students. Two more courses are expected to be offered next year.

Hate and bias crime training has been offered for years through a variety of agencies, both public and private. But constraints such as the expense of travel, time away from work and the low priority given the matter by many police agencies have hampered many officers’ efforts to pursue training.



Center (FLETC), which the Center has been involved with since its inception in 1991; the Center’s Intelligence Project, which monitors hate groups and trends; and numerous other sources.

Completion of the course will earn students either one semester hour of junior or senior level undergraduate credit or 10 Continuing Education Units. Because AUM is accredited, credits are transferable to other colleges and universities.

The course will use video clips, discussion boards and online chats with veteran hate crime experts such as those on the national advisory board. In addition to Sebastian,

“The difficulty is that most officers want to do the job but they need the training.”

—Hate crime expert John Holland

“Nearly everyone in law enforcement is online, with many departments issuing laptops to their officers,” said Timothy Sebastian of the Illinois State Police, who is part of a seven-member national advisory board of current or former law enforcement officers set up to oversee the project. “This online course will be a great way to reach law enforcement officers in small towns and rural areas.”

The new course, developed largely by Center Research Manager Laurie Wood and an AUM team directed by professors Robert Van Der Velde and Carolyn Rawl, introduces officers to the basics — hate crime origins, terminology and categories of offenders. It uses material from the Federal Law Enforcement Training

the board’s members include John Holland, retired senior program specialist at FLETC; Thomas Culp, who serves as the chair of the advisory board and is a bias crime investigator for the New Jersey attorney general; Walter Bouman, retired sergeant from the Los Angeles County Sheriff’s Department; Robert Chavez, hate crime coordinator for the city of Phoenix; Det. Sgt. Gary Shapiro of the Nassau County (N.Y.) Police Department; and Wood from the Center.

After the pilot program is completed, information about the course schedule, future courses and scholarship opportunities will be available online at www.intelligenceproject.org.

law enforcement departments to use to report a zero. That means that only those with hate crimes get reported, which is simply another way of skewing the data.

Just 'Drunk and Goofing Around'

In addition to the false zeroes phenomenon, there are several other factors that contribute to the systematic under-reporting of hate crimes — from a lack of training in recognizing hate crimes, the false belief that relatively minor crimes need not be reported to the FBI, and an over-eagerness to write off the bias aspect of criminal incidents, to outright opposition to the very notion of hate crimes. As a result, the *Intelligence Report* found, law enforcement jurisdictions in at least 10 states failed to report 1999 incidents that surely qualified as hate crimes.

After a building and car were spray-painted with neo-Nazi graffiti in Amenia, N.Y., officials did not report a hate crime because the incident was “not of a level that the FBI would get,” according to Dutchess County Sheriff’s Lt. Gary Basher. In fact, the FBI records even minor hate crimes like vandalism. And the two suspects were actually charged with felony criminal mischief, plus two misdemeanors.

When anti-Semitic, anti-black and anti-Hawaiian slurs were painted on 14 student-owned cars at the University of Nevada at Las Vegas, the incident went unreported. “We thought it was just juveniles playing a practical joke,” said

university police Sgt. Don Drake, who maintains department records. “And [the graffiti] wasn’t on a Jewish person’s car.” In fact, the FBI manual for reporting hate crimes says that “even when offenders erroneously target the victims [by mistaking their heritage], their offenses are still considered ‘suspected bias incidents.’” And at least one black victim said that his car was defaced with anti-black slurs.

In Port St. Lucie, Fla., a swastika and other graffiti scrawled on walls outside a black woman’s apartment were not reported. An official in the department records division said such crimes are treated “as criminal mischief, not a hate crime.” In Oregon, Wis., a swastika spray-painted on a home was not reported. “The family wasn’t Jewish and it was a bunch of 18- and 19-year-olds and they were drunk and goofing around,” said Officer John Pierce, who handled the case. And in Meridian, Miss., racist graffiti spray-painted on the home of a former major league baseball player — and signed “KKK” — was “not investigated as a hate crime” and so went unreported. The slurs were discovered by the black athlete’s seventh-grade son.

Raising the Ante

Criminologists say that minimizing or even ignoring such crimes is a grave mistake. “When police turn their backs on juveniles who spray-paint graffiti on walls and play their boom boxes too loudly, they take a risk of seeing teenage crime escalate to offenses like aggravated assault, rape and murder,” says Jack Levin, the Northeastern expert. “In the same way, when we regard hate crime incidents like vandalism and desecration of cemeteries as mere childish pranks, we inadvertently cause the perpetrators to raise the ante.”

Despite the views of Levin and other hate crime experts, a number of officers and police chiefs express strong opposition to the very concept of hate crimes. For instance, in Texas, one of 45 states with hate crime penalty enhancement laws, San Augustine Police Chief Ken Delacerda seemed to dismiss the entire idea. “I always had a problem with hate crime laws, anyhow,” he told the *Report*. “I mean, you don’t shoot people because you love them.”

Overall, experts said, the answer to these sorts of problems is training. John Holland, a long-time law enforcement officer who led Federal Law Enforcement Training Center efforts to teach officers about hate crime until 2000, says that many are unsure what a hate crime is and how to report one. He adds that training is rare in police academies and even in most police departments. “The difficulty is that most officers want to do the job but they need the training,” Holland says.

After enduring months of taunting, Army private Barry Winchell, 18, was beaten to death with a baseball bat as he slept on July 5, 1999 — an anti-gay murder that nevertheless went unreported as a hate crime.



“When we regard hate crime incidents like vandalism as mere childish pranks, we inadvertently cause the perpetrators to raise the ante.”

Donald Green, the Yale University political scientist, says another key factor leading to underreporting is fear of negative publicity — publicity that can gravely damage a community’s reputation. “Especially as demographic change is moving into suburban and exurban areas, there is even less attention to the issue of reporting,” Green says. “They don’t want to do it. . . . And that only exacerbates the problem. We need to address this embarrassment factor.”

Disappearing Hate Crimes

The Department of Justice-funded survey unearthed a series of systemic problems. Led by Northeastern University professor Jack McDevitt and Joan Weiss of the Justice Research and Statistics Association, the study team found that time and again, senior officers said hate crimes had been reported to the state agencies or the FBI — and that these crimes were not reflected in the FBI reports.

“Very often,” McDevitt and Weiss wrote, “these representatives were disturbed to find out that their jurisdiction was listed as not having reported or reporting zero information about hate crimes to the Uniform Crime Reports *because they personally had been involved in the investigation of one or more incidents of bias crime*” (emphasis in the original). In one particularly egregious example, the study’s authors wrote that “one capital city in the South reported on our survey that it had (and reported) 20 hate crimes; the official UCR reports indicate this city had zero incidents.”

Recontacting surveyed departments to try to get to the bottom of these “procedural pitfalls,” the researchers found three general themes. First, a number of jurisdictions said their definition of hate crime differed from the generally more inclusive definition of the federal government, apparently leading to some confusion about what to report. Second, several respondents said that “crime data in general was highly susceptible to political influences,” either to make the jurisdiction appear safer to the public or to make it appear worse in order to win federal dollars.

Third, many respondents indicated that information about the bias motivation of crimes was being lost during the

state data collection process. In many cases, crimes are coded simply on the basis of the underlying charge — assault, for example — and the bias motivation noted by an investigator in a police report is ignored. For the five states with no hate crime laws, this problem may be particularly serious. In other cases, crimes are correctly coded at the local level, but then overlooked when the data is compiled by the state.

Garbage In, Garbage Out

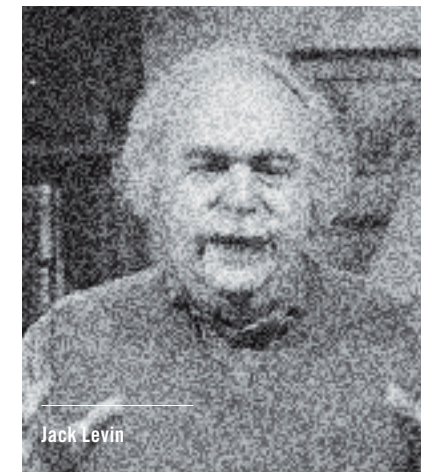
The *Intelligence Report* found many examples of these and related kinds of erroneous reporting. In Beaumont, Calif., police statistician Kari Mendoza said that a 1999 hate crime was apparently recorded in 2000. In Hamilton, Ohio, officials said they are far behind in reporting hate crime statistics because they only recently had an in-service to define hate crime. In Iowa City, Patsy Porter of the University of Iowa police force said “an error” resulted in an incident — where racist graffiti was painted on a university fieldhouse — never making it into the FBI statistics.

In Franklin, Mass., Lt. Steve Semerjian said that the department had “relied on” the district attorney to file hate crime reports. But he said that “something seems screwed up” as he recalled an incident that was not reflected in FBI statistics.

And in Elkhart, Ind., where 19-year-old Sasezley Richardson was murdered on his way home from the mall, Lt. John Ivory said that he had personally filled out a form to report the attack as a hate crime — but that the report was filed months past the deadline for 1999 incidents, possibly because of a computer changeover in late 1999. FBI officials said it would not be included in statistics for 2000.

“We are not doing a very good job as far as I’m concerned,” Ivory said of police. “I don’t think there has been training in our department on what constitutes a hate crime, so these types of crimes are not being reported or flagged.”

Even the FBI, which generally has little responsibility for errors because all it does is compile state statistics, apparently makes its share of mistakes. Officials in the state of Washington sent the *Report* a copy of the 1999 statistics they said



“We can’t make any headway

against this violence until we get

high quality data.”

were sent to the FBI. But a comparison of those numbers with the FBI’s hate crime statistics shows that three departments reporting hate crimes did not have their numbers included; three other agencies had different numbers than those in the FBI compilation; and 16 jurisdictions reporting zero hate crimes to the state are not in the report at all.

In Alabama, a Law is Ignored

Some states do not participate, or barely participate, in the hate crime reporting, as is their legal right. Hawaii has never

person for the Alabama Criminal Justice Information Center. Alabama, Roberts says, has a law requiring law enforcement agencies to report hate crimes to the center.

But they don’t. “For five or six years, we have had this form available and no one has filled it out,” Roberts says. “There is a reluctance on the part of law enforcement to determine the motive of the offender.” The anti-gay murder of Billy Jack Gaither was not reported, she says, because the Alabama hate crime law does not cover sexual orientation, and so officials decided not to submit it to the FBI. State law, of course, has no

direct bearing on which crimes need to be reported federally.

Kansas barely participates in the reporting program, with just the city of Wichita submitting data. But even that data is inaccurate, says Maryann Howerton, manager of the state’s Crime Data Information Center. “Quite honestly,” Howerton said this September, “we have not finished keying in 1999, 2000 and 2001 data.” The 1999 FBI hate crime statistics report was published last spring.

When police agencies do not consider hate crime reporting to be a priority — when hate crime victims rightly believe that their complaints will not be considered important — the Justice Department report concluded that the victims will be discouraged from coming forward. Hate crime vic-

tims are often members of stigmatized minority groups who are distrustful of the police in the first place. Numerous studies have documented the fact that members of such groups are often reluctant to report hate crimes. In a 1997 study funded by the National Institute of Mental Health, for instance, researchers found that only one-third of victims of anti-gay hate crimes reported the incident to police, compared to 57% of the victims of random crimes. The failure of police agencies to take hate crime reporting more seriously exacerbates the underreporting problem.

‘Not Important Enough to Record’

Even though national hate crime reporting is voluntary, readers of “Hate Crime Statistics: 1999” are informed that “the 12,122 agencies that participated in the Hate Crime Data Collection Program in 1999 represented nearly 233 million

United States inhabitants, or over 85 percent of the Nation’s population.” But as both the Report’s survey and Northeastern’s academic study make clear, such an assertion is seriously misleading. Because of the false zeros and other problems, the report actually covers far fewer people and skews the data in other ways, too.

As Jack Levin points out, for example, northern states generally do a better job of reporting than southern ones. Because it’s believed that black-on-white hate crimes are more prevalent in the North than the South, Levin thinks “hate crimes against whites may be overestimated” as a result. “So it’s not just sheer numbers that are in doubt, it’s also the characteristics of victims and offenders,” he says.

What is the real level of hate crime in America? About 8,000 are reported to the FBI annually, and the Northeastern study suggests that there may be at least 6,000 more. If all states reported hate crimes at the same per capita rate as New Jersey did 1995-99 — a state with a relatively low overall crime rate, but a model hate crime reporting system — then approximately 25,000 hate crimes would have been recorded on an annual basis nationwide. And, of course, none of this takes into account victims — like closeted gays afraid of being outed — who do not report attacks to police. Some New Jersey experts estimate, for example, that only about half of all hate crimes there are reported to police — a figure that would swell the nationwide estimate of hate crimes to approximately 50,000, or about six times the number that has been reported in recent years.

The national hate crime statistics published annually by the FBI do have some utility. Levin, Green and other experts agree that certain jurisdictions — New York City, for instance — do a good job of reporting. So their numbers can be useful for scholars and others wanting to study changes within a jurisdiction.

But the numbers cannot tell you whether hate crimes have been going up or down nationally since the first statistics, covering 1991, were published. And they are nearly useless for cross-jurisdictional comparisons. When criminologists and others wanting to learn from the outbreak of xenophobic hate crimes after the Sept. 11 terrorist attacks go to the statistics, they will find that the numbers tell them very little indeed.

And that bothers many serious scholars of hate crime. “We can’t make any headway against this violence until we get high quality data,” says Green, the Yale University professor. “They missed the rise of right-wing extremism in Germany in the early 1990s because they didn’t know about these crimes.”

This all comes as one more blow to Deborah Stout, the woman whose son, Sasezley Richardson, died when she agreed to take him off life support three days after he was gunned down in Elkhart. “They don’t treat my son’s murder as coming from hate, even though the state of Indiana says it was, the prosecutors say it was, and one of the men already admitted it,” Stout told the *Intelligence Report*.

“I guess his death is not important enough to be recorded.” ▲

What can be done?

With thousands of cases apparently going unrecorded each year, the national statistics on hate crime have proved to be only the crudest of indicators of the level of bias in America. If we are ever to have a better picture of this aspect of U.S. life, the current data collection system will have to change.

Fundamentally, the issue is one of leadership. Both political and law enforcement leaders need to make a far greater push to encourage both awareness and reporting of hate crimes. But government officials also should consider a range of incentives to local agencies, such as technical assistance grants. And a study of best reporting practices from around the nation could help local law enforcement agencies devise effective programs.

The authors of a Department of Justice-funded report, “Improving the Quality and Accuracy of Bias Crime Statistics Nationally,” make 28 separate recommendations to improve the system. The recommendations fall into four major categories.

Police-community relationships. To encourage hate crime victims to come forward, local law enforcement agencies should seek to improve their relationships with minority communities and to raise public awareness about bias crime and the resources available to combat it.

Infrastructure and support. Local police agencies, with the support of the FBI, should develop formal policies for dealing with hate crimes — policies that include procedures for investigating, recording, verifying, and reporting bias incidents.

Training. Hate crime training, spearheaded by the FBI, should be a priority.

Improving data and reporting. In addition to improving local hate crime collection efforts, modifications should be made to the FBI annual hate crime report. The federal government also should encourage state and local agencies to convert to incident-based reporting — a method that allows for the collection of detailed information on crime victims, offenders, their relationships, and the circumstances of the crime — rather than continuing to rely on the skimpiest Uniform Crime Report system.

For the full text of the Justice Department report and its recommendations, see www.ojp.usdoj.gov/bjs/abstract/iqabcsn.htm.

reported a hate crime, and it apparently doesn’t intend to. “We likely won’t be participating in the FBI program,” said Paul Peron, an official in the state attorney general’s office who has been helping the state implement its hate crime penalty enhancement law. He said the FBI’s definition of a hate crime “is very broad and very subjective and it’s hard to know what somebody had in their heart when they beat somebody up.” As a result, Peron said, the state feels prosecutors, not police, should determine motive.

Alabama has submitted reports of a handful of hate crimes, but for years it reported none at all. In the latest, 1999 report, Alabama, like Hawaii, is not listed as reporting at all. But that is not for want of trying, says Carol Roberts, spokes-

Indiana officials reported 111 hate crimes to federal authorities in 1999 — but the racist murder of Sasezley Richardson in Elkhart wasn’t one of them.

The National Alliance has never been an organization to hold back its opinions. Hours after airplanes piloted by hijackers smashed into the World Trade Center and the Pentagon, the deputy membership coordinator of America's leading neo-Nazi group was hard at work, pecking away at his computer keyboard. ¶ Billy Roper had a simple message for his underlings. ¶ "Anyone who is willing to drive a plane into a building to kill Jews is alright by me," Roper wrote on a National Alliance Internet list as some 5,000 people lay dying in the wreckage of the worst terrorist attack in American history. ¶ "I wish our members had half as much testicular fortitude." ¶ While the vast majority of Americans reacted to the Sept. 11 attacks with horror, shock, dismay and anger, the response of the nation's radical right ranged from hearty endorsements of the strikes against "Jew York City" to calls for the expulsion of all foreigners and outright threats. Among the softer-line "Patriot" groups, such as militias, some reacted with the anger and fear that characterized most Americans. Others, however, saw in the attacks a secret conspiracy by the government meant to pave the way to martial law and other horrors. ¶ And some said that they could have protected Americans better. ¶ The Republic of Texas (ROT), a militia-like group that claims Texas was never legally

incorporated into the United States, used the slaughter to criticize the "inability or unwillingness" of what it calls "the unconstitutional government of Washington, D.C.," to protect its citizens. Then, in a missive signed by "Secretary of Defense" Charles Doreck, ROT issued a "call to all patriots" to join its "Defense Forces" in the "provisional capital" of Cuero, Texas (population 6,700). ¶ "Inductions," Doreck announced, "will take place all day." ¶ Around the country, the radical right reacted with denunciations of Arabs, expressions of slack-jawed admiration for the well-coordinated attack, and denunciations of Israel and American policy in the Middle East. There were calls for the expulsion of all immigrants and for a purely white society. The more religiously oriented — including several "mainstream" preachers — tended to blame American "sins" like abortion and homosexuality. The League of the South, a neo-Confederate white supremacist group, lost some key members who were angered by their leader's essay suggesting "multiculturalism and diversity" led to the terrorist strikes. ¶ On the following pages, gathered from World Wide Web pages, E-mail groups and other sources, are remarks from an array of right-wing groups and individuals. Organizations listed as hate groups by the Southern Poverty Law Center are denoted with an asterisk(*).

"ANYONE WHO IS WILLING TO
DRIVE A PLANE INTO A BUILDING
TO KILL JEWS IS ALRIGHT BY ME."

— BILLY ROPER, DEPUTY MEMBERSHIP COORDINATOR, NATIONAL ALLIANCE



Around the country, the far right reacts to September's terror with anti-Semitic hatred, threats and conspiracy theories

'Reaping the Whirlwind'

Martin Lindstedt, *Director of Political Warfare for the 7th Missouri Militia, Granby, Mo.*

"I have no doubt that the Resistance may well have to carry out a policy of 'prion-poisoning' and other low-cost cheap effective biological warfare making it in effect impossible to ever again have a social order capable of maintaining any form of Evil Empire. ... I've been wishing that the A-rabs had stolen a couple hundred jumbo-jets full of talmudic Khazar mamzers, criminal-regimeist whiggers, niggers, gooks, beaners, etc., and crashed them into the Supreme Kort, CONgress-Kapital, J. Edgar Hoover FBI Building, all 50 state capitals, TalmudVision stations and as many concentrations of baal-priests as possible. And do you know what I'd have called it? A DAMNED GOOD START!!!!!!"

Rocky Suhayda, *Chairman of the American Nazi Party*, Eastpointe, Mich.*
"[W]hat's wrong with just ACCEPTING the FACT that a HANDFUL of VERY BRAVE PEOPLE were WILLING TO DIE FOR 'WHATEVER' THEY BELIEVED IN ... and DID IT? All I can say is that it's a DISGRACE that in a population of at least 150 MILLION 'White/Aryan' Americans ... we provide so FEW that are willing to do the same. ... [A] bunch of 'towel head/sand niggers' put our great 'White Movement' to SHAME. ... IF 'we' were ONE-TENTH as 'SERIOUS' ... WE JUST MIGHT START GETTING SOMEWHERE."

Glenn Spencer, *Leader of American Patrol/Voice of Citizens Together*, Sherman Oaks, Calif.*
"ALL NON CITIZENS OUT OF U.S. Contact your Congressman, Senators and the President. Demand that all non-citizens leave the United States IMMEDIATELY!!"

Jared Taylor, *Editor of American Renaissance/New Century Foundation*, Oakton, Va.*
"If we go to war, it will not be because we are the land of freedom and opportunity, but because we are the best friend

and benefactor of Israel. ... If we fight Israel's enemies, the United States will become like Israel: a garrison state and battleground."

Steve Wilkins, *Pastor of Auburn Avenue Presbyterian Church, Monroe, La.*
"We have had a horrible judgment visited upon us this past week," Wilkins said in a Sunday sermon. After a list of American "law-breaking" including fornication, "perversion," abortion and idolatry, Wilkins added, "We have loved things and been worshippers of mammon. ... It was no accident that the terrorists chose to target the World Trade Center and the Pentagon. Symbols of two of the great idols of our country: money and military power. We have sinned as a nation."

Paul R. Mullet, *Minnesota Leader of the Aryan Nations*, St. Paul, Minn.*
"[T]he current events in Jew York city have caused me to activate my unit. We are preparing a strike here in Minnesota and other surrounding areas. Please be advised that the time for ALL ARYANS TO ATTACK IS NOW NOT LATER. Our opportunity may never be the same. The call to arms goes out to all true Aryans around the world. We will be ready next week for our revolution."

William Cooper, *Author, conspiracy theorist, Eagar, Ariz.*
Under the headline, "Somebody knew what was coming," Cooper posts on his Web site a reproduction of a rap music CD published before the attacks that has a picture of the World Trade Center exploding on its album cover — a cover Cooper says "displays the Red Communist Star representing Socialism." "Expect Martial Law!" he adds. "Militia and Patriot leaders go underground immediately!"

Council of Conservative Citizens*
St. Louis, Mo.
Under the headline, "Dirty Rotten Arabs and Muslims," the Council's main Web site posts photographs of Robert Khayat ("Syrian Chancellor of Ole Miss. Conducted a *jihad* against Southern Culture. Black Muslims and Arab Students Wel-

come!") and the former Republican senator from Michigan, Spencer Abraham ("This crosseyed Lebanese ex-Senator lost reelection in Michigan due to his support of lax immigration laws. Osama bin Laden says: 'Thanks, Spence!'") and Michael Muhammed ("Allah's Boy") of the black supremacist New Black Panther Party. Under the photographs, the site adds, "Arab treachery and deviousness have been a scourge since biblical times. Islam is a religion of hatred and vindictiveness."

Sam Francis, *Editor for the Council of Conservative Citizens*, Alexandria, Va.*
"The blunt and ugly truth is that the United States ... started the war in the name of 'spreading democracy,' 'building nations,' 'waging peace,' 'stopping aggression,' 'enforcing human rights' and all the other pious lies... . What is new is merely that this week, for the first time, the war we started came home... ."

David Duke, *President of the European-American Unity and Rights Organization*, Mandeville, La.*
"The Government and Media, who are in service of a supremacist state in the Middle East [Israel], rather than the American nation, have made millions across the world despise us. ... [O]ur country now reaps the whirlwind. ... Our masters already plan ... a war on our most basic freedoms... . In the days ahead, let us free ourselves from the foreign powers that dominate us and put our love for our America and our people first."

Federation for American Immigration Reform, *Washington, D.C.*
On its Web site, FAIR reran a highly controversial advertisement featuring side-by-side photographs of Osama bin Laden and former U.S. Sen. Spencer Abraham (R-Mich.) under the headline, "Why Is a U.S. Senator Trying to Make It Easy for Osama bin Laden to Export Terrorism to the U.S.?" FAIR originally ran the ad in 2000 because Abraham, the only Arab-American in the Senate, was backing legislation to allow more skilled workers visas to work in the United States. The ad was condemned nationally.

Institute for Historical Review
Newport Beach, Calif.
"[T]he jolting impact of the September 11 attacks ... will also encourage growing numbers of thoughtful Americans to see through the lies propagated by our nation's political and cultural elite, and its Zionist allies, to impose their will around the world. ... [R]age will grow against those who have subordinated American interests ... to Jewish-Zionist ambitions."

Michael Hill, *President of the League of the South*, Monroe, La.*
"In part, these events spring from an 'open borders' policy that has for the past four decades encouraged massive Third World immigration and thus cultural destabilization. Hence, these acts of violence were also the natural fruits of a regime committed to multiculturalism and diversity, hallmarks of empire rather than of nation. ... [T]his is America's wake-up call to forsake its idolatry and to return to its true Christian and Constitutional foundations."

Bill White, *Webmaster for Libertarian Socialist News, Silver Spring, Md.*
"The acts committed against the United States today were not 'evil' acts — they were acts that proceeded naturally and organically from U.S. policy, and they were acts of justice... . My sense of righteousness and justice knows that these acts are good in an absolute sense — because the natural and good result of evil policies is pain... ."

Richard F. Masker, *Self-described "conspiratologist", Hayden Lake, Idaho.*
"Our New World Order treasonous government for sure knew about the plans for the WTC attack several weeks in advance and the Zionists saw the opportunity they had been diligently waiting for. ... When the planes hit the building the Israeli Mossad operatives used radio controlled detonators to bring the building down... . No human being has the mental ability to comprehend the degree of abject hatred that the Jew is capable of displaying toward all other non-Jews."

Norm Olson, *Co-founder of the Michigan Militia Corps Wolverines, Alanson, Mich.*
Saying large numbers of militia enthusiasts are being "reactivated," Olson said he was contacting President Bush to offer his group's help. "The President knows that millions of patriots across America are equipped, armed and trained to guard and to defend our land. He is obliged and expected to recognize the citizen militia as its primary guardians. ... If America's enemies are among us, we will find them... ."

Micetrap Distribution*, *White power music firm, Maple Shade, N.J.*
"[A]lthough it would be illegal for me to publicly call for violence against the Muslims, I know there are many angry people out there and I surely support those that decide (on their own) to strike against these internal enemies by physical violence and damage against their homes, shops and places of religious worship. It is my opinion that we must strike fear into their hearts... . I had originally planned to use all of my many resources to call for attacks against them, but later decided that this would cause me too many problems... . I believe it is up to us to cleanse our streets of their evil and plotting minds."

William Pierce, *Leader of the National Alliance*, Hillsboro, W.V.*
"This time ... things didn't go smoothly for the Jews and their U.S. bully boy. ... What happened this week is a direct consequence of the American people permitting the Jews to control their government and to use American strength to advance Jews' interests... . [T]he people who flew those planes into the World Trade Center and the Pentagon did it because they had been pushed into a corner by the U.S. government acting on behalf of the Jews... ."

Billy Roper, *Deputy Membership Coordinator of the National Alliance*, Hillsboro, W.V.*
"The enemy of our enemy is, for now at least, our friends. We may not want them marrying our daughters, just as they would not want us marrying theirs. We may not want them in our societies,

just as they would not want us in theirs. But anyone who is willing to drive a plane into a building to kill Jews is alright by me. I wish our members had half as much testicular fortitude."

Kevin Alfred Strom, *Member and former radio show host for the National Alliance*, Earlysville, Va.*
"Men and Women of the West: For almost 50 years, 'evil' 'racists' and 'extremists' warned you that you were courting disaster by allowing almost unlimited numbers of racial aliens inside your borders ... [and] by allowing the organized Jewish minority to control your media and government... . Will you now concede those who warned you were heroes — and that the Pied Pipers of 'diversity' and Zionism were liars and murderers?"

NSDAP/AO*, *Lincoln, Neb.*
"The real reason the U.S. was attacked is because of the U.S. government support of Israel. ... [America must] stop acting like an empire by trying to be policemen of the world for robber-baron, monopolistic, international finance capitalism."

August Kreis, *Director of Information for the Aryan Nations*, Ulysses, Penn.*
"May the WAR be started," Kreis wrote even before the World Trade Center towers had collapsed. "DEATH to His enemies, may the World Trade Center BURN TO THE GROUND!" Elsewhere, Kreis claimed "4,000 Israelis" worked in the Center's two towers but none were killed or wounded in the attacks. He suggested that this was because of "hints from the Israeli General Security Apparatus," and he referred to "unannounced suspicions on [the part of] American officials who wanted to know how the Israeli government learned about the incident before it occurred... ." He added, "We can blame no others than ourselves for our problems due to the fact that we allow ... Satan's children, called Jews today, to have dominion over our lives."

Charles Doreck, *Secretary of Defense for the Republic of Texas, Cuero, Texas*
"The events of September 11 have proven

that the unconstitutional government of Washington, D.C. ... cannot stop a well planned terrorist attack... The Provisional Government of the Republic of Texas is issuing a call to all patriots to report to the provisional capital ... for the purpose of joining ... the Defense Forces."

Carl Worden, *Liaison Officer for the Southern Oregon Militia, Eagle Point, Ore.* "I am no fan of the our current government. ... But the attack that took place on 9/11 in New York and Washington, D.C., was an attack by foreign agents. ... [W]e are all threatened by a group of people who make our own illegal government look mild by comparison. ... Now is not the time to promulgate propaganda intended to divide our people. If we are to win against this vicious aggressor, we must all pull together."

Edgar Steele, *Former attorney for the neo-Nazi Aryan Nations, Sandpoint, Idaho* "To the Arabs, America and Israel are

the same. In a very real sense, they are absolutely correct, of course. America is Jewish controlled now, at all levels. America IS the Jews. ... This happened because we have been taken over from within by people that see that the only way to remain in power is to conquer the rest of the world... "

Tom Metzger, *Leader of White Aryan Resistance*, Fallbrook, Calif.* "If the U.S. Criminal leaders had kept [their noses] out of the middle eastern feud thousands of Americans that are dead would still be alive. Intervention and international policing to protect transnational corporations, banking and Jew intrigue are the causes — disaster is the effect."

Fred Phelps, *Pastor of Westboro Baptist Church*, Topeka, Kansas* "The Rod of God hath smitten fag America! ... At left is the filthy face of fag evil. [Hijacked American Air-

lines pilot] David Charlebois. One of the hundreds of fags and dykes and fag-/dyke-enablers working for American Airlines... . If the fags have a secret funeral for David Charlebois — in order to frustrate WBC's plan to picket his funeral — WBC will picket his house... . The multitudes slain Sept. 11, 2001, are in Hell — forever!"

Matt Hale, *Leader of the World Church of the Creator*, East Peoria, Ill.* "The attacks ... are in need of a fervent and immediate response by White Racial Loyalists everywhere. The time is at hand to preach ... why these attacks: the control of the United States government by International Jewry... . We must NOT allow this opportunity to reach the people to be squandered."

Peter Brimelow, *Founding member of V-DARE, Warrenton, Va.* "It's the immigration, Stupid." ▲

In the 'Mainstream'

One remarkable aspect of the reaction to September's terrorist attacks was the often highly intolerant commentary that came from "mainstream" politicians, preachers and columnists. Here is a brief sampling of some of their more egregious comments:

John Cooksey, *U.S. Rep. (R-La.) Republican candidate for U.S. Senate* "If I see someone [who] comes in that's got a diaper on his head and a fan belt wrapped around the diaper on his head, that guy needs to be pulled over." When a reporter noted that this implied illegal racial profiling, Cooksey said it was clear "that some people, that 100% of the people who were involved in this, met a certain profile. ... [W]e can and should scrutinize people that fit that profile."

Jerry Falwell, *Television evangelist* "I really believe that the pagans, and the abortionists, and the feminists, and the gays and the lesbians who are actively trying to make that an alternative lifestyle, the ACLU, People for the American Way — all of them who have tried to

secularize America — I point the finger in their face and say, 'You helped this happen.'" Falwell went on to blame federal courts as well. He backed away from all these comments after the White House and many others criticized them.

Ann Coulter, *Contributing Editor for National Review On-Line* "We should invade their countries, kill their leaders and convert them to Christianity."

Rusty Lee Thomas, *columnist for Operation Save America (formerly Operation Rescue)* Blaming the attack on legalized abortion in America, an editorial on the group's Web site said: "The astounding events of this morning are just another sign of the judgment of God upon our nation. We have turned our backs on God and we are now

reaping the horrible consequences of our error. ...If we do not return to the God of our fathers we will continue to reap the whirlwind of our own foolishness."

Pat Robertson, *Television evangelist and host on Christian Broadcasting Network* Responding to a statement from fellow evangelist Jerry Falwell partly blaming various liberal groups for the terrorist attacks, Robertson seemed to agree, telling his guest on the "700 Club," "Jerry, that's my feeling." He also agreed with Falwell when he said the American Civil Liberties Union has "got to take a lot of blame for this." Later, after a barrage of criticism, Robertson softened his comments but still said that groups that "strip religious values from our public square" help to "take away the mantle of divine protection" that protects America from harm.



AP WIDE WORLD PHOTO

September's terrorist strikes trigger a violent outbreak of American xenophobia

Four days after hijacked planes tore into the World Trade Center and the Pentagon, shopkeepers were shot to death in California, Texas and Arizona as an anti-Muslim backlash broke out across the country.

"It's an unbelievable situation," Laila Al-Qatami, a spokeswoman for the American Arab Anti-Discrimination Committee (ADC), told the *Chicago Tribune*. "The incidents have ranged from hate mail to verbal assaults to crimes that have resulted in deaths. The number of calls we're getting is unprecedented."

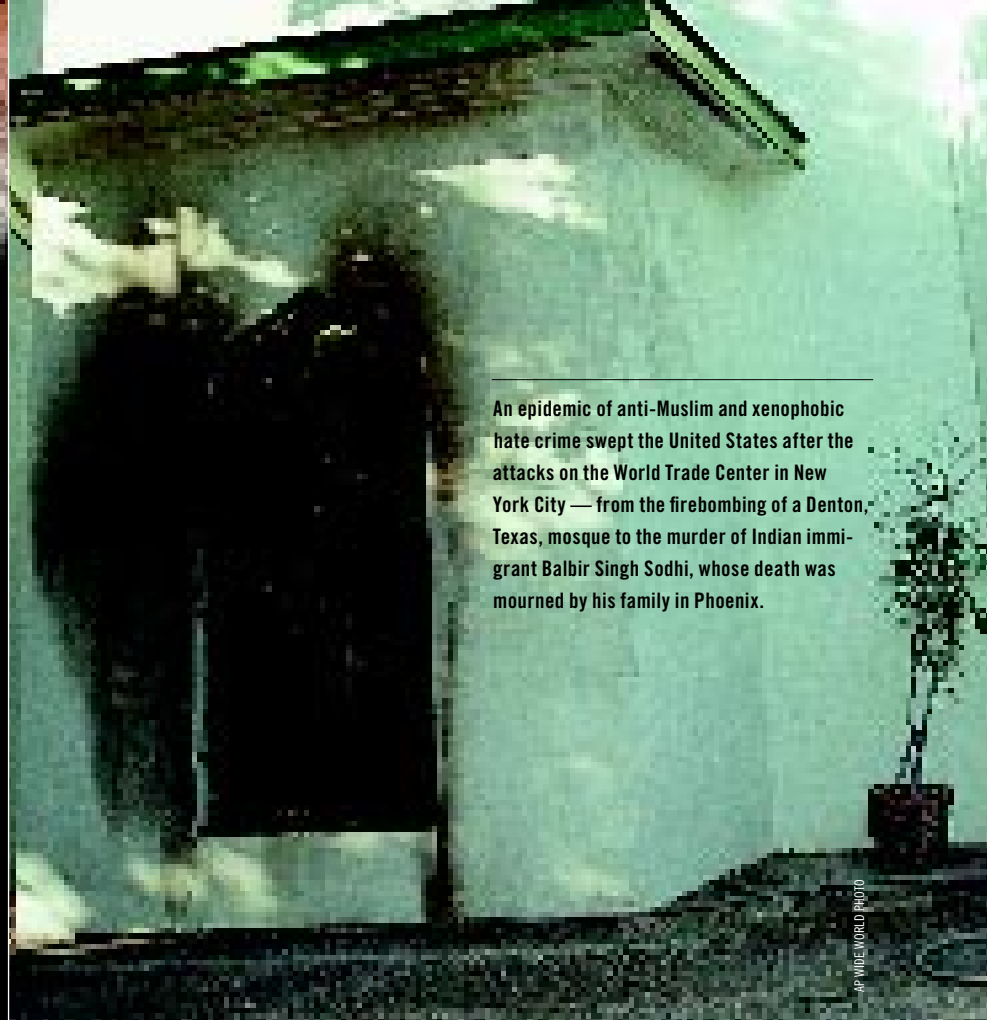
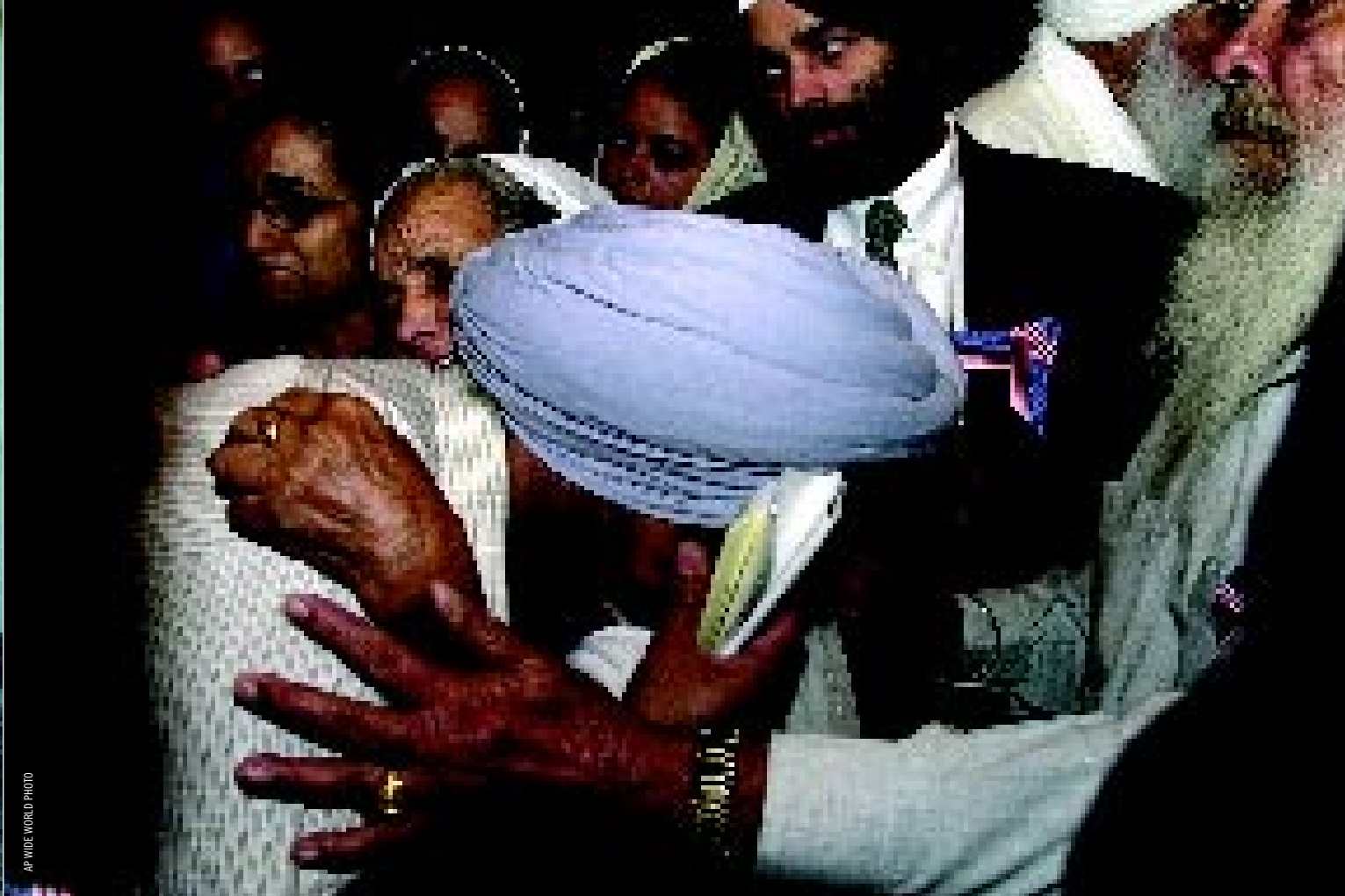
By Oct. 11, one month after the terrorist attacks, the ADC had collected more than 700 reports of hate crimes. The Council on American-Islamic Relations had 785 reports. At hate-crime hotlines set up by the U.S. Commission on Civil Rights, the volume of calls per hour peaked at 70. In Los Angeles alone, the police and sheriff's departments reported 167 hate crimes in the first four weeks of the backlash.

The targets were not limited to people of Middle Eastern descent. Frank Silva Roque's alleged drive-by shooting spree in Mesa, Ariz., began with the murder of Balbir Singh Sodhi, a 49-year-old Sikh, who was hit outside his gas station. Roque allegedly then shot, but did not kill, a Lebanese-American clerk at another gas station before opening fire on the home of a family of Afghan descent.

"I'm an American! I'm a damn American all the way!" Roque bellowed as police handcuffed him and shoved him into a squad car.



AP WIDE WORLD PHOTO



An epidemic of anti-Muslim and xenophobic hate crime swept the United States after the attacks on the World Trade Center in New York City — from the firebombing of a Denton, Texas, mosque to the murder of Indian immigrant Balbir Singh Sodhi, whose death was mourned by his family in Phoenix.

Aside from natives of the Middle East, the American Sikh community was the hardest hit. Before the end of September, a Web site set up for reports of harassment and hate crimes against Sikhs had received 274 complaints. Indian Americans, Asian Americans, Latinos and natives of Israel were also finding themselves the targets of “patriots” like Roque.

“The pattern is similar to the knee-jerk reaction after the Oklahoma City bombing,” said Marvin Wingfield of the ADC.

Similar, but by all accounts more widespread. The range of hate crimes, from Orlando to Oregon, was even broader than the range of victims. Hate mail and verbal threats were reported by the hundreds. Arab Americans and Muslims were shot at, spat on and physically assaulted in schools, on the streets and in their workplaces. Mosques and worshippers became the targets of rocks, bullets, arson and — at a Hindu

temple in New Jersey — a Molotov cocktail. In Salt Lake City, a man was arrested for allegedly setting fire to a Pakistani restaurant. In Palos Heights, Ill., a man used the blunt end of a machete to attack a Moroccan gas-station attendant.

On Sept. 29, a Yemeni native was shot dead — apparently by a group of four local teenagers — at his convenience store in Reedley, Calif. Two days before the killing, Abdo Ali Ahmed had found a death threat note on his car after grocery shopping in nearby Dinuba. Stan Peterson, who runs a bar next to the store, told The Associated Press that Ahmed, who had moved to the United States 35 years before, had recently asked him for some American flags to display. “He wanted people to know he supported the U.S.A.”

Flying American flags, shaving off beards and eschewing traditional Islamic garb — self-defense measures taken by

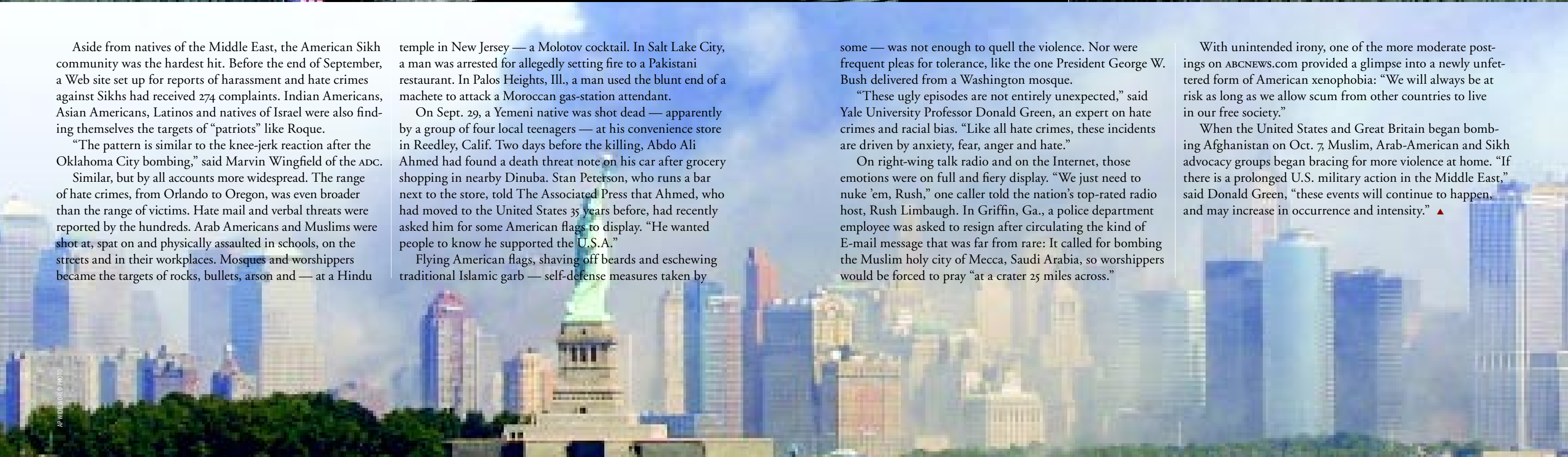
some — was not enough to quell the violence. Nor were frequent pleas for tolerance, like the one President George W. Bush delivered from a Washington mosque.

“These ugly episodes are not entirely unexpected,” said Yale University Professor Donald Green, an expert on hate crimes and racial bias. “Like all hate crimes, these incidents are driven by anxiety, fear, anger and hate.”

On right-wing talk radio and on the Internet, those emotions were on full and fiery display. “We just need to nuke ‘em, Rush,” one caller told the nation’s top-rated radio host, Rush Limbaugh. In Griffin, Ga., a police department employee was asked to resign after circulating the kind of E-mail message that was far from rare: It called for bombing the Muslim holy city of Mecca, Saudi Arabia, so worshippers would be forced to pray “at a crater 25 miles across.”

With unintended irony, one of the more moderate postings on ABCNEWS.com provided a glimpse into a newly unfettered form of American xenophobia: “We will always be at risk as long as we allow scum from other countries to live in our free society.”

When the United States and Great Britain began bombing Afghanistan on Oct. 7, Muslim, Arab-American and Sikh advocacy groups began bracing for more violence at home. “If there is a prolonged U.S. military action in the Middle East,” said Donald Green, “these events will continue to happen, and may increase in occurrence and intensity.” ▲



THIS IS A
U.N.-FREE



ZONE

**United Nations
Keep Out!**

www.unwatch.com

THE MOUSE THAT ROARED

L AVERKIN, Utah — This Independence Day, the LaVerkin City Council had planned to skip its regularly scheduled meeting. The councilmen in this town of 3,400, only a few miles from spectacular Zion National Park, intended to enjoy the holiday. But just before the holiday, councilman Gary McKell received a phone call asking whether he could attend a meeting nonetheless. He said he figured he could.

“I’ve never been to an honest-to-goodness tent revival,” McKell says today, “but now I know what it must feel like.”

Almost two dozen townspeople stood to testify, to shake their hands in the air and to slap each other on the back. They weren’t there to praise God, though, but to condemn a rather unlikely enemy: the United Nations. The official minutes give some sense of this extraordinary meeting. “If [the] U.N. had power, we would all be facing death,” one man declared. Others agreed that the United Nations “is not for peace but for war,” “a threat to the country,” “anti-God, anti-family,” “evil.” One asked whether his audience would be “servants of God or slaves of Satan.”

Hardly skipping a beat, a man explained that until the United Nations met its supposed global population targets, it planned for “382,000 people . . . to be killed each day.” A woman presented her conviction that “all members of Congress are communists.” Another argued simply that “there [are] strange people here already and [I don’t] want more strange ones.” Later, the councilman who introduced the ordinance, Al Snow, held up a map of the United States. “Everything in red on the map is controlled directly or indirectly by the U.N.,” he exclaimed. “We may only have two years of freedom left in this country.”

The ordinance they were debating was part of a broader isolationist campaign to get America out of the United Nations — a campaign supported by at least one congressman known for his sympathy for antigovernment causes — and it was blunt. It would ban the U.N. from LaVerkin. It would force U.N. supporters to post signs reading “United Nations Work Conducted Here.” The ordinance was meant, its enthusiastic supporters explained, to protect the Constitution and the Bill of Rights. And over McKell’s stunned opposition, it passed — three votes to two.

The slogan ‘Think Globally, Act Locally’ takes on new meaning as a tiny Utah town adopts conspiratorial beliefs of the radical right.

Increasingly alienated by what they perceive as their waning sovereignty — a sense that faraway forces are controlling their fates — local officials around the country are looking for ways to fight back.

“[The United Nations is] after our way of life, our freedom, and our use of public lands. ... We feel that the sovereignty of our great nation is in jeopardy,” LaVerkin Mayor Dan Howard wrote. “This has all gone on long enough.”

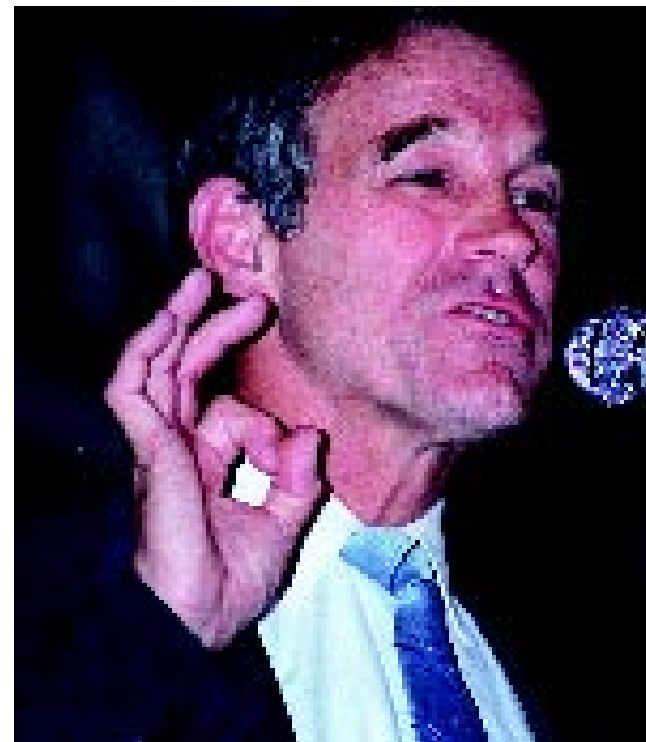
Little LaVerkin had become the mouse that roared.

The Politicians Join In

The story of LaVerkin is unusual, but it's not unique. The so-called “Patriot” movement that helped popularize such issues has been in steep decline since 1996, but concerns about these issues have remained strong in many areas. Increasingly alienated by what they perceive as their waning sovereignty — a sense that faraway forces are controlling their fates — local officials around the country are looking for ways to fight back. And the United Nations — which has sought to limit handguns and taken other stands unpopular with many Americans — is a favorite scapegoat for people with understandable fears and grievances about the role of global and federal government. But it is not the only one. Resuscitating many of the themes that animated the militia movement, officials and others far away from the cosmopolitan east and west coasts have taken a number of confrontational stands that seek to challenge the authority and intentions of federal and global officials.

U.S. Rep. Ron Paul (R-Texas) has repeatedly offered up his doomed American Sovereignty Restoration Act, a bill that would take the U.S. out of the United Nations.

Not far from LaVerkin, the town of Virgin, Utah, officially requires its citizens to own firearms. Washington City has demanded a repeal of the 17th Amendment, hoping to return the election of U.S. senators to state legislatures. Late this summer, Utah's Republican Party joined in, demanding a pullout from the United Nations. The party even considered, however briefly, secession from the United States.



AP/WIDE WORLD PHOTO



And it's not just Utah. The campaign against the U.N. — and the larger movement that includes strident opposition to government regulation in general — has reached cities in several states. An ordinance similar to LaVerkin's became law in tiny Bingham, N.M., this August. (Unincorporated Bingham's mayor is Clayton Douglas, editor of *The Free American*, a magazine popular among militiamen.) In fact, via the Internet, LaVerkin activists are in close touch with far-right campaigns nationwide, coordinating strategies and even raising money for them. The anti-U.N. ordinance itself was first proposed by Texan Daniel New as part of his larger campaign to get America out of the U.N. It was New's son, Michael New, who became the darling of antigovernment militias and other Patriot groups when, in 1996, he was court-martialed and given a bad conduct discharge from the U.S. Army for refusing to participate in U.N. activities.

Resolutions opposing the Clean Water Act passed in Macon and McDowell counties in North Carolina. And a fierce fight has developed in Klamath Falls, Ore., over enforcement of the federal Endangered Species Act (see story, p. 32). These campaigns have roots in the bitterly anti-environmentalist Wise Use movement of the 1980s and 1990s, and in antigovernment hotbeds like Catron County, N.M., where elected officials, calling federal agents “a clear and present danger,” tried during the 1990s to evict the U.S. government from public lands.

Finally, there is Ron Paul. The Republican congressman from Texas has long been a favorite of America's militia and other Patriot groups, and his stand on the United Nations isn't going to cost him any such supporters. This year, once more, he introduced his perennially doomed American Sovereignty Restoration Act — a bill that would take the United States out of the United Nations.

In a Quiet Town, 'Unspecified Naughty Language'

In most respects, LaVerkin is just a friendly, patriotic, one-stoplight town in the high Utah desert. The streets feel open and easygoing; children playing outside wave to passing cars. Sitting at a booth inside the Sunrise Market, one is struck by the warmth of the postman, the ranchers, the city officials who drop in to drink coffee and swap stories. In LaVerkin, people get along pretty well and things are usually quiet. A volume of local history recorded only two events in 1984; one was an allegation that a police officer had used “unspecified naughty language.”

It is certainly not the case that everyone here supports the anti-U.N. ordinance. “We all think it's pretty silly,” says Emily Hudson, a woman in her 20s working in LaVerkin's main grocery store. “We don't really understand why the city council did it. It seems to me that all the nations working together is a good thing.”

Yet LaVerkin makes no secret of its politics. This overwhelmingly Mormon town is, like the church, extremely socially conservative. (Church doctrine officially maintained the inferiority



AP/WIDE WORLD PHOTOS

The spectacular scenery around LaVerkin has been home to an assortment of extremists including neo-Nazi Skinhead Johnny Bangerter (far right, above) and “Aryan” serial killer Chevie Kehoe (far right, below).

ordinance. “It wasn’t meant to apply to the States.” The Fourteenth Amendment guarantees equal protection under the law.

A Town With a History

LaVerkin and Washington County which encompasses it have attracted more than their share of high-profile radicals and survivalists. In the early 1980s, LaVerkin was the site of a proposed 240-unit underground condominium development to be called Terrene Ark I. Each unit was to come complete with blast-proof doors, a decontamination chamber, 24-hour security to protect against invasions and a four-year supply of freeze-dried food stuffed into the ceilings and walls. The promoters, who hoped to turn a profit on fears of the coming end times, were not worried about a negative reaction from the town.

Many locals agreed with the premise that the end was nigh. “Some people who live here are nervous” about the development, explained the LaVerkin town recorder at the time, “but the majority are for it.” Ultimately, the project only completed one room. But even so, locals say, some residents of LaVerkin and neighboring Virgin today keep camouflaged trailers up in the hills, packed with guns, ammo and food — a refuge in case of civil war or economic collapse.

Through the 1980s, Washington County was home to members of the Posse Comitatus, a violently anti-Semitic tax protest group, and members of the Invisible Empire, Knights of the Ku Klux Klan. At one point, Posse members tried to establish a haven from American taxes and laws that they called Zion Township.

During the 1990s, LaVerkin also was ground zero for neo-Nazi Skinhead Johnny Bangerter and his white supremacist Army of Israel, a group that at one point declared it would turn nearby Zion National Park into an all-white homeland.



of blacks until 1978, and it continues to oppose equal rights for homosexuals.) LaVerkin citizens seem almost unanimous in their zealous opposition to abortion and taxes, and their support for gun and property rights. And they have, if anything, only become more vocal on these issues as the town’s population doubled over the last 10 years — a major influx of newcomers that may help explain the fears of locals that they are losing their way of life.

Council member Daren Cottam concedes that his vote for the ordinance wasn’t directly related to the U.N. “I saw this ordinance,” Cottam says, “as a way of making a statement against environmental radicalism and gun control.”

LaVerkin’s anti-U.N. ordinance also seems to come to fulfill a famous prophecy of Mormon Church founder Joseph Smith. The time would come, Smith prophesied, when the Constitution would “hang by a brittle thread” and the Mormons would “step forth and save it.” Clearly, many LaVerkinites see themselves as the heroic saviors of American freedoms. There is, however, at least one part of the Constitution that’s not universally popular.

“The Fourteenth Amendment has done a lot of damage,” insists Al Snow, the councilman who introduced the anti-U.N.

A chapter of the ultraviolent, white supremacist Hammerskin Nation was located in Washington County. One LaVerkin resident has been awaiting trial for years on an alleged federal tax fraud and “constitutional history” scheme called Association de Libertas. And, in 1997, on the other side of Washington County in Gunlock, Utah, investigators nabbed Idahoan Chevie Kehoe, leader of the white supremacist Aryan People’s Republic and mastermind of a gruesome, cross-country murder spree.

‘A Menace to Society’

“Why now? Why are smaller communities talking about issues like [revoking the 17th Amendment]?” asks Victor Iverson, a LaVerkin councilman who supported the anti-U.N. ordinance. Then he answers his own question. “I think we feel disenfranchised by the federal government, and that’s an eerie feeling. ... We’re not in any way trying to be isolationists.”

A huge part of that perceived disenfranchisement is sparked by resentment of the growing power of government, especially with respect to the environment. Fully 60% of Utah’s land area is owned by the federal government, and millions of additional acres are held by state and county governments. Locals were infuriated by then-President Clinton’s decision to establish the nearby Grand Staircase-Escalante National Monument. Public use of the Red Cliffs Desert Reserve also has been restricted to protect an endangered species of tortoise. Several years ago, environmental groups fought unsuccessfully for parts of LaVerkin to be designated the “Scenic Corridor” to Zion National Park and have their use restricted by the U.S. Bureau of Land Management. Perhaps most enraging of all to locals was the nomination of Zion National Park to become a United Nations World Heritage Site.

Kelly Wilson was the second city council member to vote against the anti-U.N. ordinance; by LaVerkin standards, he is a moderate. But Wilson’s feelings about environmentalists are clear.

“As far as I’m concerned, the Sierra Club, the Southern Utah Wilderness Alliance, even the Grand Canyon Trust are a menace to society,” says Wilson. “I think they couldn’t care less about the environment. They just want to stop growth and pursue their own agendas. I don’t know what’s motivating them ... unless it’s just to gain control.”

Will the Real U.N. Please Stand Up?

Whatever complaints LaVerkinites may have, a large number of citizens and elected officials have been swept up in classic, outlandish conspiracy theories that originated on the far right. To all appearances, their grievances are with their more liberal fellow Americans and with the federal government — not with the United Nations. So why does LaVerkin identify the U.N. as the culprit?

“That’s a good question,” concedes Kent Neal, owner of a hamburger restaurant on State Street. “How can we make the connection that the United Nations is behind it all? Well, it’s exactly the same as the case here with our trailer park people. Sometimes, trailer park people come in here and I can tell by the way they’re talking and thinking that they are trailer park people. And later I find out they’re trailer



AP/WIDE WORLD PHOTOS



park people. That's just like the U.N. How many people could be so stupid about managing their forests? It *must* be coming from the U.N."

The accusations LaVerkin brings against the United Nations are remarkable. The U.N.'s "New World Order" is a "killing machine" that has "brought about and controlled every war" since World War II, opined one letter-writer to the local paper. It is an "octopus" created "by a group of Soviet KGB masters under the direction of the Soviet Comintern," wrote another. Shauna Johnson, a local rancher, explained that the U.N. controlled vast areas of the United States. "As part of their Biosphere Plan, they are going to clear out all the people from those areas," she said. "And the way they are going to do that is by destroying the economy. That's exactly what so-called 'environmental' organizations are trying to do."

"It's just laughable," says Professor John Brehm, chairman of the Department of Political Science at the University of Chicago. "The United Nations has none of the intentions that people in LaVerkin are claiming, and it's not nearly that powerful. The U.N. is under-funded, under-organized, under-equipped and is scarcely able to contain a small conflict in Macedonia."

Outside Agitators

Clearly, LaVerkin was fertile ground for discontent with the United Nations. But the anti-U.N. ordinance would never have come about if not for LaVerkin's ties to much broader

Michael New became an American hero to many in the Western states after refusing to participate in United Nations activities. His father, Daniel New, is promoting an anti-United Nations ordinance nationwide.

networks of far-right activists. Locals say that on-line groups and publications like *Frontiers of Freedom-People for the USA*, *freedom.org*, *Sovereignty International*, *Ecologic*, *freedom21.org*, *The Sierra Times*, the John Birch Society's *New American* and others keep them in touch with similar campaigns across the country. Some locals have raised money for the protesters in Klamath Falls.

Activists in LaVerkin deepened their nationwide connections last year, after the neighboring town of Virgin passed its ordinance requiring each household to own firearms. Awash in newfound fame, Virgin activists were invited to be guests on antigovernment radio shows in Texas. The town even was given a free Web site on a "Patriot-owned" server.

When Daniel New went looking for towns to pass his anti-U.N. ordinance, Virgin and its neighbor LaVerkin were obvious choices. Armed with the fame of his son — Michael New was a hero to many LaVerkinites and other Americans who fear a totalitarian plot in favor of world government — Daniel New had been campaigning for five years to get the United States out of the United Nations. He has promoted his ordinance in at least four communities. Last June 20, two weeks before the

law was adopted on July 4, he made his pitch to the LaVerkin city council. In the interim, anti-U.N. councilmen reportedly kept the ordinance very quiet. "The people who set this up sprung it on the rest of us," says councilman McKell. "They showed up with all their supporters and all their ducks all in a row. There was virtually no debate."

The actual author of the ordinance text is Herbert Titus, the 1996 vice-presidential candidate of the far-right, isolationist U.S. Taxpayers Party (now called the Constitution Party). According to the Web page of the Patriot group Americans for Constitutional Integrity, Titus worked with the American Civil Liberties Union (ACLU) after his graduation from Harvard Law School. But in 1975, the page says, "Titus was dramatically converted to Christ." Besides teaching at fundamentalist law schools, LaVerkin councilman Al Snow says, Titus actually fought the ACLU in a legal battle to allow an Alabama judge to post the Ten Commandments in his courtroom. Titus could not be reached for comment.

'United Nations Work Conducted Here'

The original ordinance was comprehensive. It outlawed occupation of LaVerkin by U.N. troops and any U.N. taxes on the city. It prohibited extradition to any U.N.-sponsored international court and prevented the city from investing or contracting with any supporters of the United Nations. Most controversial were the restrictions on civil liberties. The law

'As part of their Biosphere Plan, they are going to clear out all the people. The way they are going to do that is by destroying the economy.'

banned the display of any U.N. flag or logo on city property, even at employees' desks. And it required supporters of the U.N. to register with the city, provide detailed reports of their activities, pay a fee and post public signs reading "United Nations Work Conducted Here."

To many, the law, supposedly passed to protect against tyranny, was an obvious and ironically unconstitutional infringement on civil liberties. Two LaVerkin police officers resigned in protest, citing constitutional violations. Said Mayor Howard: "We will miss them [and] wish them well in future endeavors." Councilman Snow was less sanguine. "If they felt that way," he said at a closed-door city council meeting, "then the city didn't need them."

When the American Civil Liberties Union vowed to fight the ordinance in court, Utah Attorney General Mark Shurtleff visited the subsequent, July 18 council meeting to explain that the law was unconstitutional and should be repealed. In the end, the council revised the ordinance to be a largely symbolic prohibition against stationing U.N. troops on city property or flying the U.N. flag from the city flagpole. The language detailing how supporters of the United Nations would be publicly identified, taxed and ostracized was struck.

Still, the World Comes Calling

Although LaVerkin has found a way to highlight itself on the political map, it is still just a friendly, one-stoplight town in the desert. Local activists say they lament the "liberal media's" negative coverage, but they mostly don't hesitate to talk to reporters. They are the first to say that this ordinance is part of a broader nationwide effort to take back the government and reinstate their values.

It's not clear how far they'll get. Attorney General Shurtleff did not visit LaVerkin's city council by accident. Preparing for the 2002 Olympics in Salt Lake City, the state of Utah has made explicit efforts to contain some of its more isolationist and reactionary elements. Best known is the recent conviction of a man for polygamy, the first such prosecution in years. This September, Shurtleff wrote to the mayor of Virgin, advising him that it is illegal to require citizens to own guns. But it is LaVerkin's ordinance that is especially embarrassing for the state; the Olympic torch is scheduled to pass through town on its way out of Zion National Park.

"I can't go anywhere now without someone jabbing me about LaVerkin," sighs McKell, the councilman who opposed the ordinance. "We will laugh about this someday, I hope, but we're not laughing about it now." ▲



Conflict in Klamath

A battle over irrigation rights in Oregon becomes, for a time, the latest flash point for antigovernment activists

The head gates that control irrigation waters at Klamath Falls, Ore., were not just the site of five months of protests by farmers this year against a federal ruling denying them irrigation water. They were also the focus, at least in some minds, of some particularly vivid fantasies of overthrowing the federal government.

In one imagined scenario, proposed in a hopeful E-mail from someone in the Southern Oregon Militia, a citizen bearing a white flag confronts an officer of the federal Bureau of Land Management (BLM). This ambassador of peace, "backed up by over fifty heavily armed citizens surrounding the Head Gates, all with their precision sniper rifles and semi-automatic weapons brought to bear on the BLM officer and his men," demands that the BLM officer leaves immediately.

"The BLM officer sees the light ... or he and his men die right on the spot. ... All evidence and shell casing are carefully recovered, boot prints are obscured, tire tracks are obliterated, the Head Gates are opened, and the citizens go home to a quiet night with their families."

The conflict at Klamath Falls never got that far, although there were those who worried that it might. And it involved thousands of local residents who had nothing to do with antigovernment militias or their ideology. But for a time this year, the battle of Klamath Falls was the latest flash point in a continuing, low-intensity war between activists of the antigovernment "Patriot" movement and workers and officials of the federal government. In the minds of some, the confrontation — pitting federal regulators against what was portrayed as just plain folks — had the potential to become another Waco, Texas.

"We are at war," roared former militia leader J.J. Johnson in his Internet publication, the Sierra Times. "We did not start this war but, having no choice but to wage it, let us wage it well. The forces against us claim they are trying to save fish. We are trying to save humans. In our minds, the most threatened species in the Klamath

Basin is man himself. This may become one of the greatest rescue and re-supply operations ever — and more important than the Historic Berlin Airlift."

Blowtorches and Human Shields

The battle of Klamath Falls goes back to April 2001, when, after an extreme drought, the Bureau of Reclamation decided not to supply any water at all to the 240,000 acres of farmland in the Klamath Basin Irrigation Project. What little water the bureau had left was to be kept in Upper Klamath Lake, to protect the habitat of the endangered suckerfish, whose population has declined precipitously in recent years. The decision enraged farmers, officials and even some local law enforcement officers who saw locals' livelihood hanging in the balance.

Most agreed the problem's root cause was a federal government that had promised too much water to too many groups. The Endangered Species Act strongly limits any government action that puts species at risk. Yet according to some, the government had earlier also promised farmers irrigation water "forever" when it made Klamath Basin land grants between 1908 and the 1940s. Further, in an 1864 treaty with the Klamath Native American tribes, the government guaranteed water and suckerfish fishing rights downriver in exchange for their land upriver. When making land grants, the government did not tell the farmers of the tribe's

rights. And as all involved learned this year, there isn't always enough water to go around.

The affected farmers, numbering more than 1,000, had seen reductions but never a complete denial of water. Projected to lose hundreds of millions of dollars from the decision, and very possibly their land and livelihood, they were understandably furious.

They mounted protests, organized round-the-clock vigils and, in May, held a symbolic "bucket brigade" of water from the lake to the canals that drew some 13,000 people. Four times in June and July, protesters forced the irrigation head gates open in defiance of the law. Before federal marshals were sent to guard the head gates, protesters even used a chain saw and a blowtorch to open gates welded shut by the federal Bureau of Reclamation, creating a human shield as they did so to hide the identity of the cutters. Protesters laid pipe and, for a time, siphoned a symbolic amount of water around the head gates and into the irrigation canals.

'Federal Agent Viewing Area'

The locals devised rather creative protests. They organized a "Klamath T Party," established a real cavalry with dozens of horses, and put up a sign reading, "Call 911 — Some sucker stole our water." They set a banner atop the fence separating the protesters from the marshals: "Federal Agent Viewing Area." They won a giddy

victory by convincing the driver of a local portable toilet supply truck, arriving at the head gates to deliver a unit to the federal marshals, to turn around.

Even local law enforcement supported the protesters. Calling the conflict a “federal issue,” Sheriff Timothy Evinger stood by as protesters trespassed on federal land and illegally opened the head gates. In uniform and surrounded by fellow officers at the head gates, Klamath Falls police officer Jack Redfield gave a speech, saying that if the water was not turned on, he saw “the potential for extreme violence, even to the extent of civil war.” Naming individual local environmental activists, Redfield warned, “It won’t take much from [them] to spark an extremely violent response. I am talk-

ing about rioting, homicides and destruction of property.” Redfield was temporarily put on administrative leave following the comments; the environmentalists sued the city, calling his comments a threat.

As the controversy received national media attention over the summer, two Oregon congressmen introduced bills to amend the Endangered Species Act and to force the federal government to compensate the farmers for some \$200 million in lost crops. In the end, farmers received just \$20 million in disaster relief and several million dollars from the state of California, which shares the Klamath Basin with Oregon. And for several weeks, Interior Secretary Gail Norton opened the head gates, allowing irrigation at one-seventh of capacity.

The Battle Goes National

The dispute over water revealed many of the political fault lines of the American West. While farmers raged, environmentalists and the Klamath tribes said they finally felt that their legal arguments had been vindicated. “We know that livelihoods are at risk in the farming community,” wrote Klamath Tribal Chairman Allen Foreman. “We would like to remind you that over-use of the water [above the reservation] has already severely damaged the livelihood of our families.”

More than anything, though, the Klamath Falls protests fed the flames of far-right, antigovernment fervor. Militia activists, cursing the “U.S. Gestapo” in E-mails, volunteered to “fire the first shot at the feds.” One poster on the hard-line Michigan Militia Corps Wolverine’s E-list wrote, “I know good and well that there

are those of you who have access to airplanes and explosives. Common sense tells me that a nice little package dropped from the sky onto the gates that hold back the water will undoubtedly open the gates and let the water flow.”

One man was arrested at the head gates for failing to appear in court to face illegal firearms charges; he claimed to be a “constitutional counselor” involved in “treason” charges brought in a pseudo-legal “common-law court” against Oregon public officials. In August, alerted by a series of Internet postings, convoys of antigovernment protesters made their way through Montana, Nevada, Idaho, Washington, California and Oregon and converged on Klamath Falls for a large “Freedom Day” protest.

Into the Shadows

Yet while antigovernment activists were trying to turn the Klamath fight symbolically into another Waco or Ruby Ridge, some locals worried that their cause was being hijacked by outsiders with different interests than their own. “We’ve been contacted by the Freemen,” said Klamath County resident Stan Thompson, referring to a well-known common-law group. “We don’t need those jerks in here.”

Today, the water dispute has not been solved, and negotiations inch along. Farmers have fiercely resisted federal offers to buy their land. They seemed more receptive to a plan presented in early September by the American Land Conservancy, a private group that proposed to buy land from some farmers to construct a new lake for water storage.

But on the eleventh of that month, the hijacked airliners that smashed into the World Trade Center towers and the Pentagon — turning the attention of a grieving nation to New York City and Washington, D.C. — also seemed to take the life out of the battle of Klamath Falls.

Days later, after most outside activists had returned home following the Patriot-organized convoys, local protesters decided that the federal government had enough problems on its hands and didn’t need to have its agents tied up in Oregon. The government and the protesters agreed to keep negotiating, and to end the demonstrations, at least until Jan. 1. “We feel like we’ve been under siege here in Klamath, but we realize that the national emergency takes precedence over our cause,” Bill Ransom of the Klamath Relief Fund told a reporter. “We’re not antigovernment. I think you’ll find some of the most patriotic citizens in the country in the farmlands.”

For six years, Deborah Rudolph was part of the extended family of Eric Robert Rudolph, the fugitive who has been charged with the fatal 1996 Olympic Park bombing in Atlanta, two other Atlanta-area terrorist bombings in 1997, and the fatal bombing of a Birmingham, Ala., abortion clinic in 1998. Deborah Rudolph first came into contact with the Rudolph family — mother Patricia, five sons including Eric, and daughter Maura — in 1984. She married one of Eric’s older brothers, Joel, the following year. Living with Joel in Nashville until their divorce six years later, Deborah Rudolph

spent a great deal of time with the close-knit Rudolph family, with Eric visiting the couple several times in Tennessee and Deborah and Joel visiting with the Rudolph clan frequently at their family home in Topton, N.C. In the years since her divorce in 1991, Deborah Rudolph has remained close to Joel — who last spoke to Eric in 1997 — and to other members of the Rudolph family. Because of her

Deborah Rudolph unwitting with RUDOLPH

close contact with Eric, Deborah was asked to work with an FBI profiler to help federal agents capture her former brother-in-law. The *Intelligence Report* asked Deborah Rudolph, 48, about Eric Rudolph, his family, beliefs and way of life.

IR: What was your impression of the Rudolph family when you first met them in Topton in 1984?

DEBORAH RUDOLPH: They had a charming little house on eight-and-a-half acres on one of the highest peaks in North Carolina. It was something to realize how self-sufficient they were, how they had a generator in case the electricity went out. They had a wood-burning stove that heated water inside

A former in-law reveals that accused bomber Eric Rudolph was a long-time anti-Semite who sold marijuana for a living

“It won’t take much. I am talking about rioting, homicides and destruction of property.”

a radiator. They had a distiller for their water that steamed the water so you wouldn't have to drink faucet water and its fluoride. They'd say, "It's terrible how they put fluoride in the water to poison our kids!" And Joel would always tell me, "If we ever get invaded, you'll have a place to go."

Everything up there was tastefully done. I mean, these are not back woods country people, hicks living in the back woods. They are very clean, very self-sufficient people. I like to call them my little organic family. A lot of people get this impression that Eric was this guy who was raised up there in the mountains — some kind of Grizzly Adams. Well, they've got the wrong impression. He was very smart. All the kids were very well read.

IR: It's been said that some of the Rudolph family were adherents of the anti-Semitic and racist Christian Identity theology. What was your first contact with family members' racial views?

“In his mind, Eric believes that what he's doing is right, just like Osama bin Laden thinks what *he's* doing is right.”

RUDOLPH: I already knew Joel's racial inclinations [at the time of meeting the family], his feelings about races and the Jewish people—how they run the country, they run the money, most of them are on Wall Street or in banks, they run the publishing companies, the media is run by them. He said that Jews control what we hear and see on TV and what is in publications. And he would have all these facts to back his ideas up—people in publishing, people in Hollywood, actors who changed their Jewish names. He could name them all off, like Michael Douglas.

And the Bible, it was like I was reading the Bible in a whole new light. I got really, really interested just from listening to Joel talk about it. It's really amazing how your mind takes on their whole mindset.

But the last time Joel saw Eric [at Christmas 1997, at Maura's house in Hendersonville, N.C., just weeks before the Birmingham bombing], they had words. They were arguing about Eric's views. Joel said he couldn't handle it. Everything is hate, hate, hate. And Joel has now become this really enlightened spirit.

IR: Although Bob Rudolph, Eric and Joel's father, died in 1981 before you met the family — and before they moved from Homestead, Fla., to Topton -- I understand you heard a lot about him. What kind of man was he?

RUDOLPH: Bob was smart, successful. He worked around airports and that's supposedly how he got melanoma [a form of skin cancer]. I think they operated on him [unsuccessfully] and that's why the family is so dead set against operations. You know, Bob was on laetrile [a drug that has been used to treat

cancer, but which has not been proven effective]. It's derived from apricot pits, but it's illegal here.

They have hard feelings [about Bob's death]. They think that if Pat could have given him laetrile, he wouldn't have died.

IR: What was Eric's mother like?

RUDOLPH: Pat is from Philadelphia. Her maiden name was Murphy and she used to be a nun, but she didn't take her vows -- she left the convent before her three years as a novice were up. She left and met Bob and they started having kids.

She is really an intelligent and sociable and artistic woman who probably got her education through the Catholic Church.

IR: How did members of the family get interested in racial ideas?

RUDOLPH: I don't know whether it was through Bob or how it came about, but it was going on before Bob died in Florida.

IR: How did they come to leave South Florida and move to North Carolina?

RUDOLPH: Through Tom Branham. Tom and Pat were friends in Florida and he's apparently the one who found this property for Pat. It happened to be right next door to him. [Editor's Note: Sawmill owner Tom Branham was arrested in 1984 after federal agents found a submachine gun, dynamite, blasting caps and other materials in his home. Pat Rudolph was the co-signer on his bond, putting up the family home in Topton as security. In a motion, Branham referred to an "oppressive government" that he said was "causing tyranny and despotism." Ultimately, Branham's conviction on federal weapons violations was overturned. Neighbors have told reporters that in the absence of Bob Rudolph, Branham became a father figure to Eric Rudolph.] So Pat packed up the boys and got out of Miami. She said, "I am not raising them in the city. I don't want my kids to walk down on the canal and find packets of cocaine or a dead body floating in the canal."

I think Eric got a lot of his ideas from Tom. You'd walk into Tom's house and he had all these firearms and canned goods and water and gasoline. He was stocked up. And his house was made out of steel and cinder block, a fortress on this mountain. I thought it was an eyesore.

IR: Not long after the Rudolphs moved to North Carolina, Eric's ninth-grade teachers remember him writing a paper that denied that the Holocaust ever occurred. When they questioned him on his sources, Eric produced some sort of pamphlet. What kinds of things did the family read?

RUDOLPH: They had wall-to-wall bookshelves in the living room that were filled with books on philosophy and evolution, among other things. They subscribed to *Thunderbolt* magazine [a crude publication edited by Marietta, Ga., white supremacist minister Ed Fields]. And Eric would get *High Times* magazine [specializing in marijuana and marijuana cultivation] and *Soldier of Fortune*. They couldn't pick up much TV. Eric loved philosophy, especially Nietzsche. The whole family was into philosophy.

RUDOLPH: Well, the family talked a lot about Nord Davis. I never had the opportunity to meet him, but Pat and he were on a first-name basis. It was always Nord this, Nord that, but eventually Pat ended up having a falling out with Nord.

And the family would go see [political] people speak. That is something I've never mentioned to anyone. If it was an issue that Pat was interested in or the guys were interested in, they



Eric's paper saying that the Holocaust never happened, this was Eric's and Joel's and the whole family's deal. I mean they had it down to numbers. Okay, there were X amount of Jews before the Holocaust and then after the Holocaust there were this many Jews, so how the hell could Hitler have killed 6 million Jews?

IR: Pat is known to have spent time with a number of Christian Identity ministers. Was Identity her theology?

RUDOLPH: Not at first. They called it "Pat's search for the church." It became a joke after a while because she'd find this little group and she'd get pissed off at them, just like she got pissed off at Dan Gayman, and then she'd leave. [Editor's Note: Pat took Eric and Eric's younger brother, Jamie, to spend several months in 1984 at the Church of Israel in Schell City, Mo., an enclave run by nationally known Identity minister Dan Gayman, before returning to Topton.] While they were up in Missouri, Pat would send Joel and I tapes of Gayman's sermons.

IR: What about Eric?

RUDOLPH: I think Eric took a little bit of his journey "searching for the church" with Pat, but then he developed his own thoughts on things. You know, I don't think he's a follower. I don't think he wanted to be at a mass with a lot of people. I really don't think that Christian Identity was the whole thing for him.

IR: In 1998, the Southern Poverty Law Center said it had learned that Eric was connected to Nord Davis, Jr., a well-known Identity minister who lived close to the family and who died in 1997. Do you know anything about this?

would discuss it and if they wanted to go, they'd go. They were a very close-knit family and they talked a lot.

IR: Was Tom Branham in that circle?

RUDOLPH: Probably. Tom knew a lot of people before they moved up there. Tom lived in Florida, got to know Pat and Bob and knew how they thought, so they had something in common. That's why I think they were already involved in this stuff before Bob died. It wasn't all Pat.

IR: Did Pat and the family attend Identity church services?

RUDOLPH: No, no, no. It was more friends getting together and having a political discussion. They might go to see Nord and all get into a conversation and Tom might walk in and they would sit around and talk. It was a potbellied stove thing, where everybody sits in the general store and talks.

IR: Did you know Eric well? What was it like to be with him?

RUDOLPH: Oh God, yes. Eric stayed in my home [in Nashville, where Eric frequently visited in the early 1990s] a lot. He would sleep all day, then stay up all night and eat pizza and smoke pot and watch movies by Cheech and Chong. I mean, what do I not know about the guy? If you were to walk into my house, you'd see him hanging out with his brothers, talking about an issue they were discussing on TV with a joint hanging out of his mouth. They'd say, "Hey dude, let's eat a pizza." It was like [the movie] "Bill and Ted's Excellent Adventure."

IR: Well, was there anything about him that indicated he might one day be accused of bombings that killed two people and injured more than 100 others?

RUDOLPH: It was his animation and the way he would act things out. You could be watching a 30-minute sitcom and the credits would roll and there'd be Jewish names and, excuse my expression, but he would say, "You fucking Yids." Any little thing and he would start. He'd say, "Look at this commercial. They've got to show this white, blond, blue-eyed woman modeling beside this black guy, where it looks like she's hanging all over him."



A cheerful Eric Rudolph rappels down a mica mine shaft in this undated photo released by federal agents. The western North Carolina hills where Rudolph disappeared are filled with old mines and limestone caves that have complicated a massive, three-year manhunt. Rudolph is still at large.

IR: Eric left Topton to enlist in the military in 1986, although he only lasted 18 months before being discharged. Why do think he went in?

RUDOLPH: Everybody thinks it was to learn about bombs and stuff. Everybody in the family was shocked. Nobody knew why he did it, because although he was outspoken about political issues, religious issues, racial issues, he was pretty quiet about himself. But now, when I think back, I remember he

really respected [Gen. Erwin] Rommel [who led Nazi forces in North Africa] and he read a lot about wars. He talked a lot about leaders, generals and heroes. I think he thought he could be a leader. He wanted to be an airborne ranger and then go into the Special Forces. But he didn't make it. I think he finally realized he was just a peon there.

I don't think he realized the racial situation. I was raised in the military and you better get along with your brother over here because his color doesn't matter — he may be the one who saves your life. I can't see Eric standing there with some black guy telling him what to do. I don't see him sleeping in the barracks. I mean on the weekends, he was at my house [in Nashville]. I think that when he realized he wasn't going to make it in the Special Forces, he pretty much lost interest.

IR: Pat left the Topton house in the late 1980s and moved to Sylva, N.C., near Western Carolina University, where Eric had gone to school briefly before dropping out in 1985. What was it like at the Topton house after Pat left?

RUDOLPH: First, it was Dan and Eric living up there doing whatever they wanted to do. Joel joined them in September of 1991, after our divorce. If they wanted to go camping, if they wanted to go canoeing, they did it. If they wanted to work, they

could work. [Eric sometimes worked part-time as a carpenter.] Dan and Joel were more the workers. But Joel said it got to where all Eric wanted to do was sit around and smoke pot and philosophize all day.

IR: What exactly was Eric's involvement with marijuana?

RUDOLPH: At one point, he was probably making \$60,000 a year selling pot. What happened was once Pat moved out, she agreed to sell the house in the mountains [in Topton] to Dan and Eric. Eric built a garage that went up under the house and there was a secret little room for hydroponics [a method of growing plants in nutrient solutions that allows indoor cultivation without sunlight]. But he had already been growing pot out on Army Corps of Engineers land behind the house. He kept it buried out in the yard. It was surreal.

IR: How did he conduct his business?

RUDOLPH: He always got top dollar for everything. He would have people pay up to \$80 for a quarter-ounce of his product [more than twice typical marijuana street prices]. I know he put that money away. I mean he would go on little shopping sprees and get what he wanted. He spent his money on stuff he thought he needed for his protection, like two pits that he bought to guard his house and a 9mm pistol. But Eric was pretty tight. He set his prices on his pot and that was about it—no discounts. Most of that money went to pay for the house.

IR: At some point, Eric found out that his younger brother, Jamie, who now works in the music business in New York City, was gay. How did he react?

RUDOLPH: He never talked about it. But boy let somebody else be gay and he was very verbal, calling them sodomites and faggots.

In his mind, Eric believes that what he's doing is right, just like Osama bin Laden thinks what *he's* doing is right. Eric's striking out on his own, thinking that he can draw attention to certain situations in this country. Like the gay thing. When he found out his brother was gay, I think that had a whole lot to do with why he focused on a gay nightclub [Eric is charged with bombing a lesbian club in Atlanta].

And you know why he bombed the abortion clinic? He believes that the white people are eventually going to be a minority instead of a majority. He believes that you should reproduce and be true to your race. He thought white women should marry white men and black people should marry black people. He would say we are all going to be one color—and God doesn't want us all one color. He'd be so upset! You know, he's fighting for what he believed in.

IR: What was the family's reaction when Eric was identified as a suspect in 1998?

RUDOLPH: Eric's mother is in denial. She swears up and down Eric has been framed. They've all discussed it. Pat was going to write this book to help Eric, but it ended up being more about herself than about Eric, from what Joel told me. Dan doesn't believe it, but I don't think Dan wants to believe it. He's in denial.

IR: In March of 1998, a couple of months after federal agents identified Rudolph, Dan cut off his left hand with a radial saw and made a videotape of the act in which he first said, "This is for the FBI and the media." [The hand was later successfully reattached.] What do you think was going through his head?

RUDOLPH: Okay, here's my take on the whole ordeal. You take a man in his thirties who was always tied to his mother's apron strings. He finally moves down to Florida to help his sister, whose house was damaged in Hurricane Andrew. He is discovering for the first time, this independence -- society without mother and without the influence of Eric and everybody else. Then he meets a woman, finds some love, and gets married to this girl. She graduates from college and he's got a job -- the whole deal. But then they divorce and everything about Eric comes out.

So what does that do? It brings attention on the rest of the family. Dan's working for these very rich people building homes on a private island off the coast of South Carolina. Every day when he leaves, he's got the FBI in his yard, he's got media in his yard, he's got them meeting him at work trying to get him to talk. It starts really stressing him out. He's not used to that. I mean he's just now delving into society. I think he really couldn't deal with it. It was a sick way to act out.

IR: The federal manhunt for Eric Rudolph has been one of the largest in American history. Do you think he's still alive, up there in the mountains of North Carolina?

RUDOLPH: He's not up there. I think he made his way to the coast, got on a ship and he's gone. I think he went to Europe. Eric loved Europe. He went over there twice—once he just went to Amsterdam and brought some [high-quality] pot seeds back. Eric always talked about how much he loved Amsterdam. Pat, Joel and Eric visited Switzerland, Germany and, I think, England together. Eric's a big history freak. He's really into the history of Europe, the battlefields and the architecture.

He was also really interested in Civil War history. He would go to the battlefields near Nashville when he came to visit.

IR: What does the FBI say about your Europe theory?

RUDOLPH: They say, "He couldn't go, because we have his passport." Yeah, but he probably *wanted* to leave that passport for the FBI. Eric used to talk about how easy it is to get fake identification. He'd say, "You know, people die and you can get their identities." He would read all this stuff in those mercenary magazines.

IR: You don't think he was helped by likeminded racists?

RUDOLPH: I think Eric acted alone. Eric's not a follower. And I don't think he was on the Internet. There are ways of getting involved with those kinds of people, but I don't know if Eric would really trust somebody or be scared enough to ask for help.

IR: If you were able to say one thing to Eric, what would it be?

RUDOLPH: I would want to know in my heart if he really did it so there would be no doubts in my mind that I've done the right thing by talking about this. ▲

And Eric hated weak people. He would say Hitler killed all those people to get rid of the weak. He would say if you're weak, you are no good to society because you can't contribute.

I used to tell Joel [after their 1991 divorce], "Eric is going to get in trouble. He's going to go down in infamy one day. He is too radical and you don't need to go up there and live with him." It must have been bad because Joel moved out [of the Topton house he had moved back into with Eric] in 1994 and left Eric by himself. Dan [one of Eric's older brothers] had already gone.

IR: Eric was a big action movie buff. But he wasn't fond of television?

RUDOLPH: He thought it was "The Electronic Jew." You sit your kids down in front of it and let their heads get filled with crap. You know how in *1984* [a famous novel by George Orwell that attacks totalitarianism] the guy was so controlled by the government through the TV? Eric's deal was Big Brother was the TV. Instead of being able to see into your home, they controlled what came into your home.

But he loved videos, because he could control that. I think it's about control with Eric.

After four decades of organizing by right-wing tax protesters,
U.S. officials have largely caved in on enforcement

Untaxing America

By Daniel Levitas

Nearly 40 years before We the People placed full-page ads in *USA Today* urging would-be taxpayers to safeguard their constitutional rights by refusing to file income tax returns, a building contractor from Wichita, Kansas, named Arthur Julius Porth scribbled “I plead the Fifth Amendment to the Constitution of the United States” across his Form 1040 and sent it to the IRS. Opposition to the federal income tax predates Porth’s 1961 rebellion, but his one-man act of defiance inspired a legion of activists, helped spark a national “Tax Strike” movement in the two decades that followed and laid the groundwork for today’s generation of militant tax protesters.

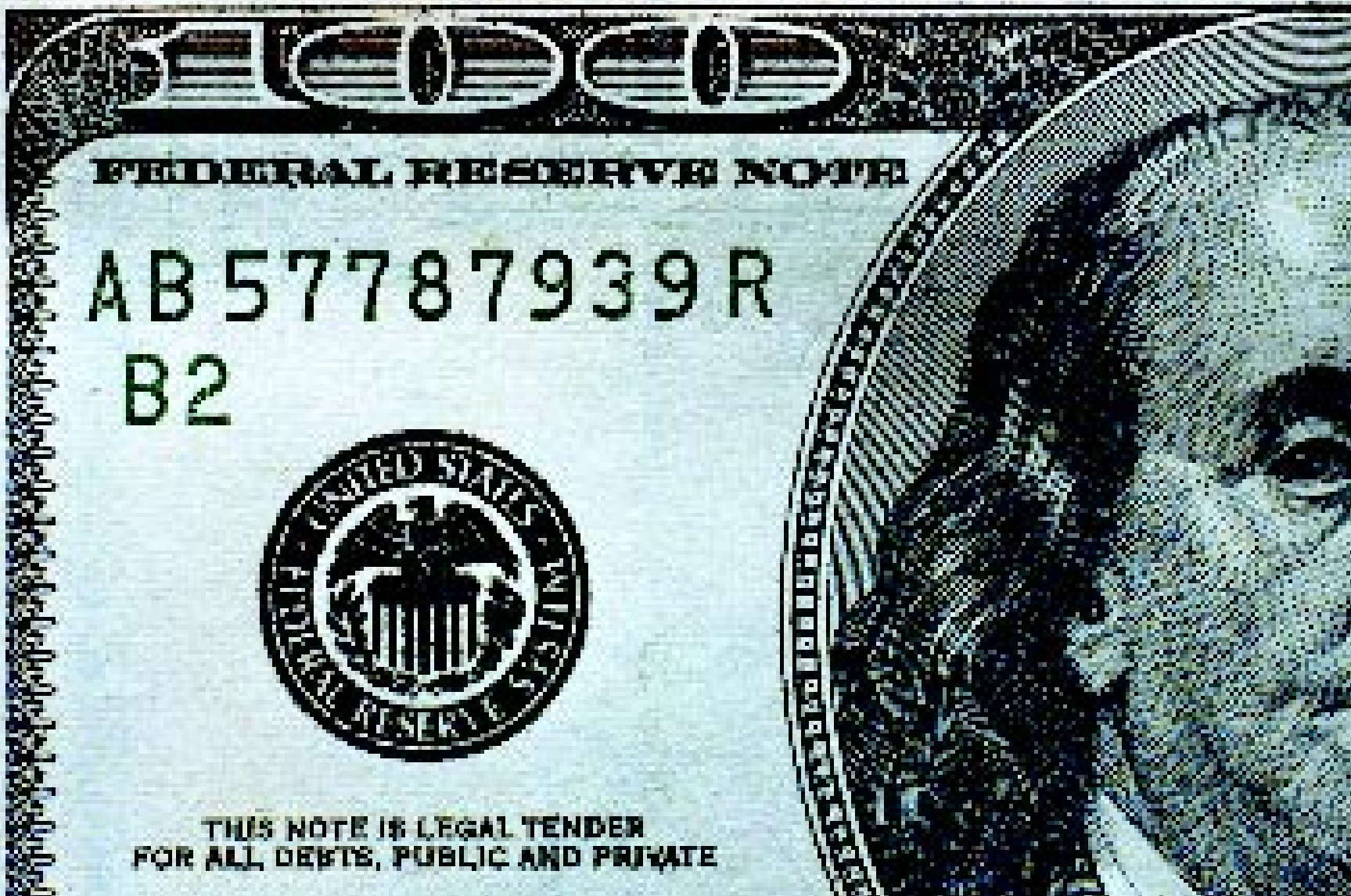
Although the government finally cracked down on tax protesters in the early 1980s, imposing new penalties and launching prosecutions that sharply curtailed the growth of the movement Porth and others had created, that did not last. In 1998, after holding one-sided hearings into alleged IRS abuses, Congress reversed course, passing legislation that has drastically weakened IRS enforcement, cost as much as \$300 billion in lost tax revenues, and helped to unleash a new wave of tax rebellion. Today, the number of those who simply refuse to file has skyrocketed, and federal tax and Treasury Department officials have shown a remarkable reluctance to act decisively.

In just six years, a taxpayer’s chance of being audited has fallen from one in 67 to less than one in 200, with the IRS’ budget slashed by more than a quarter since the 1980s. Property seizures to recoup back taxes have virtually ended. And, as *The New York Times* reported last April, the IRS, struggling to stay within its meager budget, effectively wrote off \$2.5 billion owed by 668,018 taxpayers.

“I am worried,” said Sen. Charles Grassley (R-Iowa), who then headed the Senate Finance Committee, “that the IRS is a dog that doesn’t have a bark.”

How did we get here? How is it that the poor in America now have a substantially higher likelihood than the rich of having their tax returns audited? How can increasing numbers of businesses and individuals simply refuse to file without much fear of prison or fines? Although right-wing tax protesters cannot claim all the credit for this “victory,” they are certainly reaping the

Daniel Levitas, a long-time expert on the radical right in America, is the author of a forthcoming book on the history of the militia movement and the Posse Comitatus.



Americans have produced a huge volume of anti-tax literature since World War II. One of the first such writers, A.J. Porth, also drafted citizens' "arrest warrants" for use against officials (far right) that prefigured many similar efforts on the radical right.

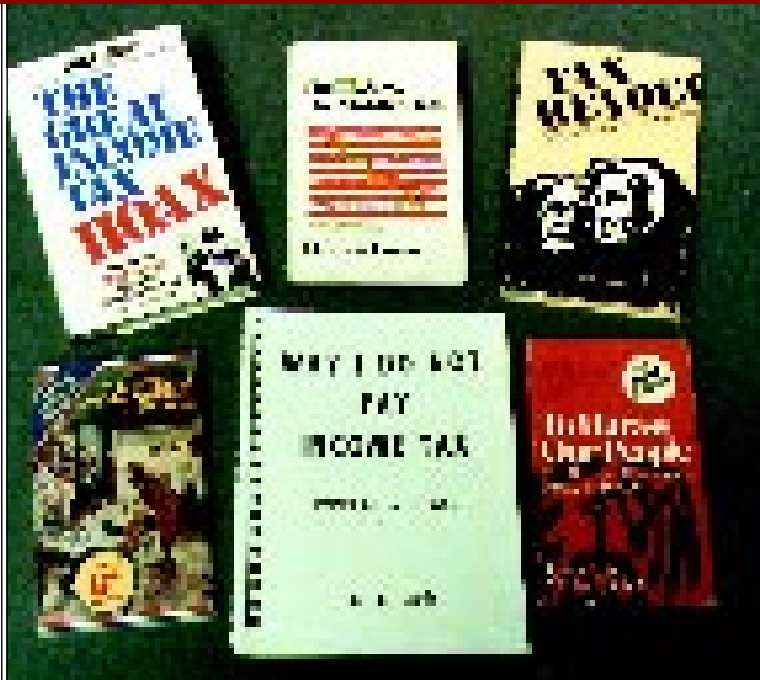
benefits. As the story of the tax protest movement and its founding patriarchs reveals, some of the central ideas espoused by the anti-Semitic Posse Comitatus and other tax-protesting "Christian Patriots" — including many in the militias — have now penetrated far into the mainstream. As we look at the situation today, it is important to understand how we got here.

Back to the Beginning

Like present-day tax resisters, A.J. Porth gave plenty of reasons for breaking the law, including the notion that the 16th Amendment was unconstitutional and "put Americans into economic bondage to the international bankers" — a thinly veiled anti-Semitic reference to the supposed "international Jewish banking conspiracy." In addition to citing Bible verses to justify his actions, Porth argued that because paper money was not backed by gold or silver, taxpayers weren't obligated to pay their taxes because "Federal Reserve Notes are not dollars."

Reasoning like this led to Porth's 1967 conviction for violating federal tax laws, and he was sentenced to five years in prison. But his crusade actually dates back to 1952, when he sued the government on the grounds that being forced to withhold money from his employees' paychecks was equivalent to slavery and therefore unconstitutional. His lawsuit was dismissed and in 1957 he was ordered to pay \$4,000.

To many observers, Porth's ideas may have seemed like fringe material, but hatred of the 16th Amendment and the IRS has never been limited to the political margins. In 1952, Ralph Gwinn, a Republican congressman from New York, introduced the so-called "Liberty Amendment," which proposed to repeal the income tax. By 1964, seven states had endorsed the proposal before it died. Leaders such as J. Bracken Lee, the governor of Utah, also called for repeal of the 16th Amendment, saying taxes were unconstitutional because they paid for foreign aid, which supported America's enemies. Lee made this and other anti-tax arguments throughout his 20-year political career; first as gover-



nor, from 1949 to 1957, and then as mayor of Salt Lake City, from 1960 to 1972.

A Newspaper Applauds an Emerging Movement

Porth may have been tilting at windmills, but his earnest zeal won him the endorsement of the *Wichita Evening Eagle and Beacon*, which editorialized that he had a "unique rationale" for his actions and deserved the "good wishes" of all its readers. "If the Internal Revenue Service disagreed with the figures on his tax return, it could use them in a criminal case against him," the paper declared. "So Porth plans to fill in his name and address, leave the rest of the return blank, and stand on the Fifth Amendment guarantee against self-incrimination."

Porth's so-called "Fifth Amendment Return" became wildly popular among tax protesters, even though federal courts categorically rejected the scheme. He wrote a handbook, lectured widely and won further fame for his commitment to confrontation. Long before the so-called "common-law courts" of the 1990s handed down their edicts threatening government officials, Porth drafted homespun "arrest warrants" to be used against bureaucrats who allegedly

violated the Constitution. But it was his 1967 conviction and subsequent prison sentence that made Porth's battle with the IRS a *cause célèbre* on the radical right.

Among those who campaigned for Porth's freedom was William Potter Gale, who would become the founder of the Posse Comitatus in 1971. Gale used the newsletter of his California-based Ministry of Christ Church — a church espousing the racist and anti-Semitic theology of Christian Identity — to promote Porth and the early tax rebellion movement. After exhausting his appeals, Porth finally went to jail late in 1970, but he was released on probation 77 days later.

Behind the Curtain: Racism and Anti-Semitism

Porth's actions excited and energized many on the radical right. Among those he inspired was Jerome Daly, a tax-protesting attorney from Minnesota who became Porth's lawyer and whose activism eventually led to his disbarment. The two men met in 1965, the same year Daly filed his first protest return and just days before Porth was indicted by a federal grand jury. Like Porth, Daly was convicted of violating federal tax laws, and in 1969 the Eighth Circuit Court of Appeals issued a landmark decision invalidating what by then

had become known as the "Porth-Daly Fifth Amendment Return."

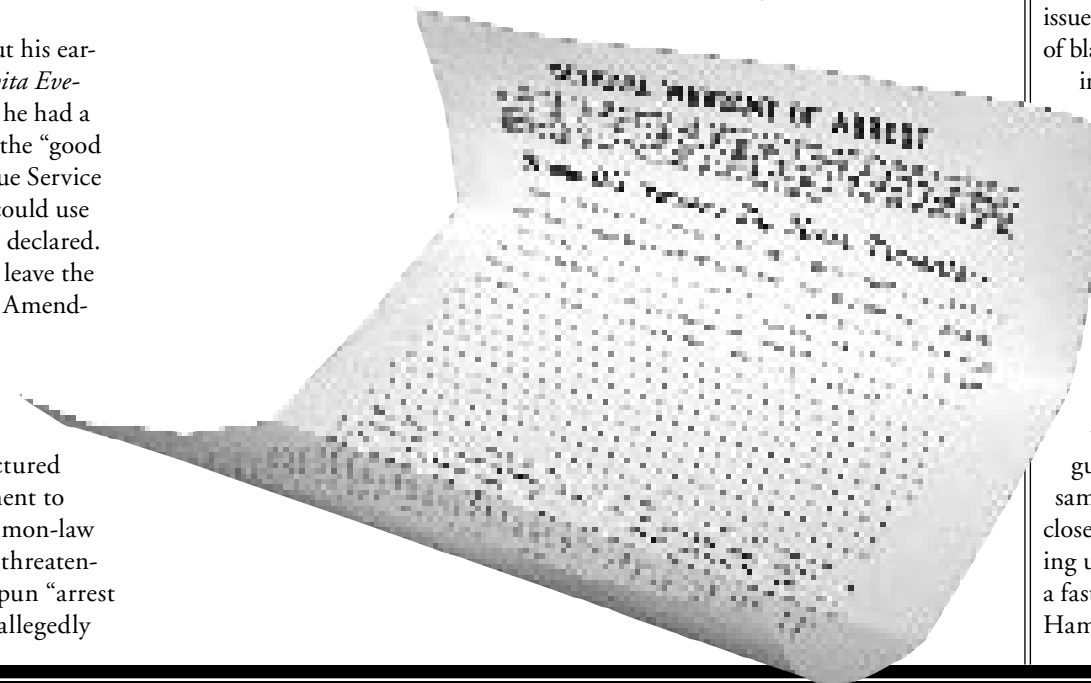
By the summer of 1972, what had become known as the "Great Tax Strike" movement had grown enough to warrant a cover story and half of the 70 pages in the summer issue of the far-right *American Mercury* magazine.

Attacks on the income tax were often couched in vague antigovernment, pro-Constitution rhetoric, but anti-Semitism always played a large role in the conspiracy theories and arguments that reinforced the anti-tax message. And sometimes that message was explicitly racist: "The Negroes in the United States are increasing at a rate at least twice as great as the rest of the population," warned the *American Mercury* in 1967, asserting that the tax burden posed by blacks "unquestionably doomed ... the American way of life."

The author of the article was Martin A. Larson, a contributing editor of the *Mercury* who chronicled the travails of tax protesters in two books: *Tax Revolt: U.S.A.! Why and How Thousands of Patriotic Americans Refuse to Pay the Income Tax*, published in 1973, and its sequel, *The Continuing Tax Rebellion: What Millions of Americans are Doing to Restore Constitutional Government*. According to Larson, who later wrote a regular column on tax and money issues for the far-right newspaper *The Spotlight*, the majority of black women were prostitutes whose "offspring run wild in the streets, free to forage their food in garbage cans, and grow up to become permanent reliefers, criminals, rioters, looters, and, in turn, breeders of huge litters of additional human beings belonging to the same category."

A Magician Explains How to Fleece the Government

Larson praised A.J. Porth as "America's best-known and most active tax-rebel," but there were others who greatly contributed to the growth of the movement. Unlike Porth, who made his pitch to thousands of Posse Comitatus activists and other gun-toting militants, men like Irwin Schiff spread the same message to millions of Americans who were much closer to the political mainstream. Schiff, "America's leading untax expert," as he sometimes called himself, was a fast-talking insurance and financial consultant from Hamden, Conn., who parroted Porth's arguments about



TAX DODGES Tax protesters have come up with a cornucopia of legalistic arguments for not paying their federal income taxes, all of them without merit. Here are some of the principal claims they have put forward — along with the facts that refute them. **THE CLAIM:** Filing an income tax return can violate one's Fifth Amendment right against self-incrimination. **THE FACTS:** The Supreme Court rejected this argument as early as 1927, in *United States v. Sullivan*, 274 U.S. 259 (1927). One may not avoid filing tax returns on the grounds that doing so may be incriminating with respect to earlier tax violations. A later case, *United States v. Daly*, 481 F.2d 28 (8th Cir.), cert. denied, 414 U.S. 1064 (1973), extended the holding

to find that taxpayers must do more than file a blank return or one containing little or no information. **THE CLAIM:** Because federal reserve notes are not redeemable in gold or silver, they are not legal tender but only accounts receivable and therefore cannot be taxed. **THE FACTS:** This argument has been consistently rejected by the courts as frivolous or "without merit," as in *United States v. Gardiner*, 531 F.2d 953 (9th Cir.), cert. denied, 429 U.S. 853 (1976). **THE CLAIM:** Wages are not income. Labor worth a certain amount is exchanged for money worth the same amount, and therefore there is no "income" to be taxed. **THE FACTS:** The argument that "income" is limited to "gain" or "profit" has been consistently rejected by the courts. Congress has determined, by enacting Internal Revenue Code

North Dakotan Gordon Kahl (right) became the tax protest movement's most famous martyr after murdering three lawmen before being killed himself in a fiery Arkansas shootout.

the Fifth Amendment and how paper money invalidated the income tax. "I only received federal reserve units, not dollars," he once told a judge. "I received no lawful money upon which a tax can be collected."

In addition to his talents as an amateur magician, Schiff skillfully exploited the broadcast media's obsession with controversial content.

His appearances on network television shows and radio broadcasts over the past 25 years have reached a huge national audience.

In 1976, Schiff, then 47, wrote *The Biggest Con: How the Government is Fleecing You*. His second book, published six years later, was called *How Anyone Can Stop Paying Income Taxes* and earned him at least \$135,000 in royalties over the next two years and another \$85,000 in the decade that followed. Schiff authored six other books, including his most recent, *The Federal Mafia and How It Operates*, which he wrote while in federal prison on tax charges.

In Nashville, an Ad Man Creates 'Money' for Tax Rebels

Another equally colorful and prominent promoter of tax resistance was Frederick "Tupper" Saussy III, author of the popular tax protest book, *Miracle on Main Street*. At just 160 pages, the slim volume sold 100,000 copies from 1980 to 1982. Saussy was a musician, songwriter, artist and local celebrity from Nashville, Tenn., who applied his talents as the composer of advertising jingles to market both his book and a new kind of phony checkbook money that

he invented for tax protesters to pay their debts. Called "Public Office Money Certificates," Saussy claimed the worthless paper was "redeemable in dollars of the money of account of the United States upon an official determination of the substance of the money of account."

Others copied the concept, especially Posse activists in the Midwest who conned farmers into believing that similar fake financial instruments could rescue them from debt during the agricultural crisis of the 1980s. Saussy was convicted of tax evasion in 1985 (and later became

a federal fugitive) but he also gained right-wing notoriety for publishing *Tennessee Waltz*, the autobiography of James Earl Ray, the assassin of Martin Luther King, Jr.

Saussy's magnetic personality may have charmed audiences into embracing tax protest, but Arizona patriot Marvin Cooley's gruff demeanor was equally convincing. "I will no longer pay for the destruction of my country, family, and self," he wrote the IRS in 1971. "Damn tyranny! Damn the Federal Reserve liars and thieves! Damn all pettifogging, oath-breaking U.S. attorneys and judges. ... I will see you all in Hell and shed my blood before I will be robbed of one more dollar to finance a national policy of treason, plunder and corruption."

Cooley had little formal education, but he, too, wrote a right-wing bestseller: *The Big Bluff*. This 1972 book, which described the struggles of his fellow tax protestor, W. Vaughn Ellsworth, and contained sample letters and copies of Cooley's tax returns, placed him in high demand on the far-right speaking circuit. Cooley's seminars were well attended but he, like Saussy, Porth and the others, would eventually go to prison for tax evasion, in 1973 and again in 1989.



From Tax Protest to Terror

Among Cooley's followers was Robert Jay Matthews, the future founder of the neo-Nazi revolutionary group, The Order. In 1970, Matthews was 17 years old and still living with his parents in Phoenix when Cooley indoctrinated him about the income tax and made the teenager a sergeant-at-arms for some of his meetings.

Inspired by what Cooley had taught him, Matthews would list 10 non-existent dependents on his W-4 tax form in 1973. This was a common enough protest tactic, but Matthews failed to take into account the basic fact that no 20-year-old could have so many dependents — especially not one whose tax form showed him as unmarried. Matthews was convicted on misdemeanor charges and sentenced to six months on probation. He soon left Arizona and moved to Metaline Falls, Wash., where he later launched The Order.

Another tax protestor who followed Matthews' path of armed rebellion was Ardie McBrearty, the founder in 1974 of the United States Taxpayers Union, a group dedicated not only to repealing the 16th Amendment, but also to abolishing the Occupational Safety and Health Act, consumer protection statutes, gun control laws, and other "unconstitutional" legislation. McBrearty was a believer in the white supremacist Christian Identity theology, and he eventually abandoned tax protest in favor of the militancy of The Order. His role in the group — he helped set up its security system — eventually earned him 40 years in prison.

The Feds Strike Back

By the early 1980s, the propaganda efforts of men like A.J. Porth, Jerome Daly, Irwin Schiff, Tupper Saussy, Ardie McBrearty, Marvin Cooley and others had motivated tens of thousands of Americans to act. The problem was severe enough that the agency launched a special "Illegal Tax Protester Program," and appointed special "tax protest coordinators" to each of its district offices. Congress also raised the penalties for illegal tax protest in 1982. It took more than a year, however, for the legislation to make itself felt. Illegal tax returns peaked in 1983 at 58,000, up 10-fold from five years earlier. Filing an illegal return now had serious consequences, and the fact that nearly 60,000 people were willing to risk jail in 1983 demonstrates the significant strength of the movement.

Other prominent propagandists included William "Bill" Benson, a former investigator with the Illinois Department of Revenue, whose two-volume set, *The Law That Never Was*, argued that the 16th Amendment was never properly ratified and that the income tax, therefore, was a nullity. The first volume came out in 1985 and was co-authored by Martin J. "Red" Beckman, a hard-core anti-Semite and "constitutionalist" from Billings, Mont., who accused Jews of worshipping the devil and asserted that the Holocaust was God's "judgment upon a people who believe Satan is their god."

'A Struggle to the Death'

Not all tax protesters were religious bigots, but hatred of Jews has been a dominant theme in the tax strike movement since its inception. This point was driven home by Gordon Wendell Kahl, the 63-year-old Posse Comitatus activist and tax protestor who shot and killed two federal marshals, also wounding two other lawmen, outside Medina, N.D., in February 1983. Wanted for violating probation in a 1977 federal income tax case, Kahl — and two others, including his son — responded with gunfire when the marshals tried to arrest him. Kahl described his version of events in a 16-page handwritten letter he wrote the night of the shooting and mailed several weeks later. In it, he announced that it was time to wage war against the Jews.

"We are engaged in a struggle to the death between the people of the Kingdom of God, and the Kingdom of

(IRC) section 61(a), that all income is taxable unless specifically excluded by some part of the IRC. **THE CLAIM:** The 16th Amendment, which authorizes the federal income tax, was not properly ratified in 1913. **THE FACTS:** In *Porth v. Brodrick*, 214 F.2d 925 (10th Cir. 1954), the court dismissed an attack on the 16th Amendment as "clearly unsubstantial and without merit" and "far fetched and frivolous." Other court decisions have similarly rejected these claims. **THE CLAIM:** The income tax amounts to involuntary servitude, which is expressly forbidden by the 13th Amendment. **THE FACTS:** In *Porth v. Brodrick*, the same case where the 16th Amendment argument was rejected, the court ruled that enforcement of the income tax does not constitute slavery. **THE CLAIM:** Certain religious

beliefs nullify the requirement to obey income tax laws. **THE FACTS:** Freedom of religion does not extend to freedom from taxation. In *Autenrieth v. Cullen*, 418 F.2d 586 (9th Cir. 1969), cert. denied, 397 U.S. 1036 (1970), the court ruled that "the fact that some persons may object, on religious grounds, to some of the things that the government does is not a basis upon which they can claim a constitutional right not to pay a part of the tax." **THE CLAIM:** Section 861 of the United States Tax Code limits the paying of income tax to those employed by foreign-based corporations. **THE FACTS:** Section 861 actually broadens the class of taxpayers to include employees of foreign-based corporations. IRS Commissioner Charles Rossotti has called this claim "just plain nonsense."

Don Quixote of Queensbury

Bob Schulz's We the People may be tilting at windmills, but its efforts reflect a reenergized tax protest movement

Today's right-wing tax protest movement is normally far from the minds of most taxpayers. Yet the movement's size and growing visibility were made stunningly clear to federal officials and 2 million other Americans when they opened the Feb. 16, 2001, edition of *USA Today*.

Inside was an expensive, full-page advertisement from the We The People Foundation For Constitutional Education (WTP), a tax-exempt organization run from Queensbury, N.Y., by a man named Robert Schulz. The ad named three former IRS agents who claimed that most Americans owe no income tax and that the 16th Amendment, which authorizes the U.S. government to levy income taxes, is fraudulent and invalid.

Over the next few weeks, *USA Today* published two more WTP ads, one featuring business owners who had stopped withholding taxes altogether from the wages they paid. Among other things, the ads argued that only employees of foreign-based companies owed income taxes.

Now, after a much ballyhooed, 20-day hunger strike by Schulz over the summer, the Department of Justice has agreed to send a representative to meet with Schulz and his allies in the "tax honesty" movement. Though a September meeting was postponed indefinitely after the terrorist attacks in New York and Washington, WTP has met with surprising success in making its unorthodox message heard.

"Our effort is called 'Project Toto,'" one of Schulz's *USA Today* ads explained. "Just as the little dog in 'The Wizard of Oz' pulls the curtain back and exposes the truth about the Wizard, our series is

intended to ... reveal [that] ... the tax system is founded upon fraud and operates as a giant hoax."

'The Greatest Hoax Ever'

WTP's various arguments have been rejected repeatedly by the courts (see story, p. 42). But the fact that the organization was able to raise at least \$250,000 to pay for a total of four *USA Today* ads (one in 2000 and three in 2001) is one indication of what seems to be a resurgence of tax protest — a movement that was eclipsed during the 1990s by the appearance of right-wing militias. Other signs include the scores of Web sites that offer dubious tax advice and arguments purporting to prove that federal taxes

needn't be paid. Former militia members organize tax "research" seminars in states from New Hampshire to California. Bestselling books explain how not to pay any taxes. Most visible of all has been Schulz's We The People. In an interview with the *Intelligence Report*, Schulz claimed that WTP has donors and volunteers "from every state in the country."

WTP began as an outgrowth of Schulz's earlier activism in conservative legal causes. For two decades after founding the All-County Taxpayer's Association in 1979, Schulz brought dozens of *pro se* lawsuits against the state of New York for supposed constitutional violations. In 1997, just as the militia movement was beginning a steep decline, Schulz founded WTP to conduct "a statewide educational effort" about the New York State Constitution. But within two years, Schulz had discovered federal tax protest "research." From that point forward, WTP focused almost exclusively on the issue of taxation.

In the last year, WTP has picked up steam. In a February meeting in Arlington, Va., WTP was able to bring together almost 400 people from across the spectrum of the tax protest movement, including militia members, far-right attorneys, tax-evading business owners, former IRS agents and extremist authors. According to *The New York Times*, Schulz denounced the tax laws at his meeting as "the greatest hoax ever perpetrated by a government on its people."

The subsequent *USA Today* ads, funded by participants at that meeting, caused considerable consternation in Congress. In April, the Senate Finance Committee held a hearing called "Taxpayer Beware: Schemes, Scams and Frauds,"

in order to question IRS Commissioner Charles Rossotti on increasingly open, explicit disregard of the tax laws by numerous citizens in the aftermath of 1998 legislation weakening IRS enforcement (see related story, p. 40). With the *USA Today* ads posted as exhibits behind him, the commissioner conceded that tax fraud was "absolutely a big problem" and that "we need to be more aggressive."

In short order, *USA Today* refused to run further WTP ads. "They told us," Schulz says now, "that we were encouraging people to break the law."

Starved for Attention

Within a few days of the hearing, hundreds of protesters gathered outside IRS headquarters in Washington, D.C. Alleging that there is no legal requirement to pay taxes, they chanted, "Show us the law!" And promises made by Rossotti and the IRS to crack down on tax protesters did not discourage WTP either. In June, two months after the Senate hearings, the dauntless Schulz announced he would fast until the government answered all his questions about the tax code.

Perhaps surprisingly, he received little initial encouragement from other tax protesters. "The overwhelming number of people I heard from said, 'Don't do it, they'll let you die, we need you alive.' They didn't understand," Schulz says. But with U.S. Reps. Roscoe Bartlett (R—Md.) and Ron Paul (R—Texas) (see also related story, p. 24) supporting his request for a hearing with tax officials, Schulz went ahead. He says he did not eat for almost three weeks, losing 22 pounds over the first 20 days of July and even scoring a Day 12 appearance on Fox News' highly conservative "Hannity & Colmes" show. He finally relented, he says, when the Department of Justice agreed to a September meeting.

Whether the government saw the meeting as a chance to record complaints or merely to pacify an annoying gadfly, Schulz anticipated a full-press interrogation of "top tax and legal experts," and he implied that even IRS Commissioner Rossotti might attend. As a result, Schulz organized an August convention of 42 tax "researchers" in Las Vegas to talk strategy on outsmarting the IRS. He also didn't pass up the chance to make some money from his role in what he pictured as the coming historic confrontation. On his Web site (www.GiveMeLiberty.org), Schulz pre-sold videos and WebCast Internet broadcasts of the upcoming meeting. Schulz's most expensive "Patriot Package," offered to the public for \$30, includes a specially "numbered 'Freedom Certificate' personally signed by Bob Schulz."

Now, with Schulz's meeting indefinitely postponed, it's unclear where the next hot spot in the tax protest movement will erupt. Certainly, Schulz's efforts — and his tireless self-promotion — seem to have put him at the center of the action, at least for the moment. But whether or not the focus remains on Schulz and We The People, one thing seems certain: Tax authorities, who literally have spent decades trying to beat back the tax protest movement, have a long way to go.

Satan," Kahl wrote. "We are a conquered and occupied nation; conquered and occupied by the Jews, and their hundreds or maybe thousands of front organizations doing their un-Godly work. They have two objectives in their goal of ruling the world. Destroy Christianity and the White race. Neither can be accomplished by itself, they stand or fall together."

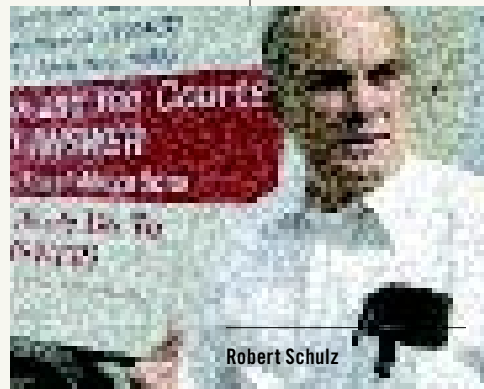
Kahl escaped right after the shooting and, despite a massive manhunt, disappeared into the right-wing underground for four months before the FBI finally tracked him down in the hills of northern Arkansas. A local sheriff was killed in the gun battle that followed, as was Kahl, who became the most famous martyr of both the Posse Comitatus and the tax protest movements.

He Who Laughs Last

Fifteen years after Kahl murdered the three lawmen, a bipartisan and overwhelming majority in Congress lent credibility to the claims of right-wing activists regarding IRS abuses. Repeating some of the same themes heard in Sen. Arlen Specter's 1995 probe into the events in Ruby Ridge and Waco, Republican-sponsored hearings in the House and Senate in 1997 and 1998 focused attention on supposed commando-style raids by armed tax inspectors wearing flak jackets. No testimony was heard about the sharp decline in audit rates for wealthy Americans and large corporations as a result of deep cuts made to IRS spending by the same Congress in 1995, however. Instead, lawmakers chose to emphasize the image of a menacing federal agency out of control — an image long cultivated by the patriarchs of tax protest and other ideologues of the radical right.

"The I.R.S. is too big and too mean," said then-House Majority Leader Dick Armey of Texas in November 1997. Swept up in heady antigovernment rhetoric, the House voted 426 to 4 to overhaul IRS collection practices and the Senate followed, 97 to 0. Congress said it was "protecting taxpayer rights," but attacking the IRS was good election year politics and supporters of the "overhaul" did not seem overly troubled — or simply did not see — that their actions both vindicated an old generation of tax strikers and inspired a new legion of right-wing scofflaws.

The sponsors of this recent round of anti-IRS legislation did not share the explicitly anti-Semitic and racist motivations of those in the right wing tax protest movement. But their IRS-bashing owes much to the efforts of men like A.J. Porth, William Potter Gale and others who spent decades agitating around the issues of tax rebellion. Even though the Posse and its militia descendants have been discredited in many ways, their relentless criticism of the IRS contributed to a climate that, decades later, helped politicians to dramatically weaken the IRS. ▲



Robert Schulz



BOOKS ON THE RIGHT

Popularity and Populism

Experts examine movements based on personality and 'producerism'

Brother Love: Murder, Money and a Messiah

By Sydney P. Freedberg
NEW YORK: PANTHEON BOOKS 1994,
333 PP., \$24.00

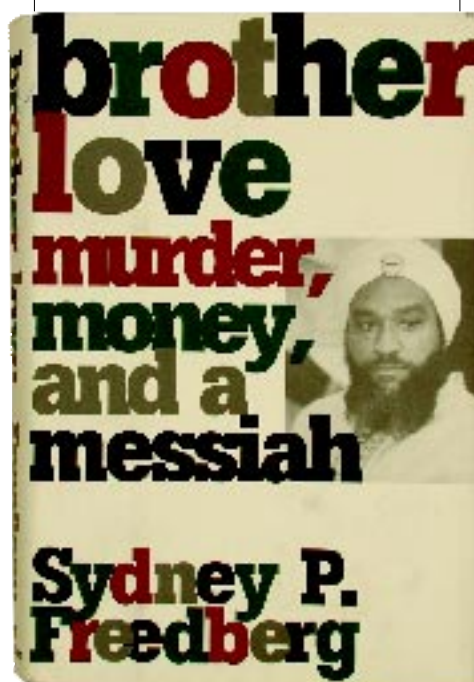
This August, a distinguished-looking, 65-year-old man who has described himself as a "prince of peace" walked out of federal prison after 11 years behind bars. The world should be afraid.

Just how afraid becomes clear from a reading of *Brother Love: Murder, Money and a Messiah*, a book by journalist Sydney P. Freedberg, who won the Pulitzer Prize for her reporting on the case. It is the harrowing tale of Yahweh Ben Yahweh, the cult leader whose black supremacist Nation of Yahweh has been linked to 23 murders, including those of a temple dissident beheaded with a dull machete and several whites whose ears were hacked off as trophies.

Born in Oklahoma as Hulon Mitchell Jr., the man who later would achieve international notoriety as Yahweh Ben Yahweh attended law school, dropped out, and moved to Atlanta. He joined the black separatist Nation of Islam, becoming Hulon X, and got to know civil rights activists from Martin Luther King Jr. to Stokely Carmichael to H. Rap Brown. But, Freedberg writes, Mitchell left the Nation in the late 1960s after being accused of skimming money and sexual improprieties, only to resurface as one Father Michel, a.k.a. "the King," a prosperity preacher who promised miracle cures for an array of ailments.

In 1978, after a stint preaching in Oklahoma, Mitchell, now known as Brother Love, arrived in Miami, a city seething with racial tensions and black rage. Before long, he had embraced the loosely knit Black Hebrew movement, strains of which have existed in America since the 1800s. He wrote a book — *You Are Not a Nigger! Our True History; the World's Best Kept Secret; Yahweh God of Gods* — and embraced increasingly supremacist theories. "God is concerned about us, the so-called Negroes only," he wrote. Caucasians were "white devils."

Black Hebrews generally believe that they, not Jews, are the descendants of the Bible's lost tribes of Israel, and that God is black. Like their counterparts on the white supremacist right, many believe that Jews are the spawn of Satan who secretly pull the strings in Ameri-



can society. Many expect to return one day to Israel.

Eventually, Mitchell decided he was Yahweh Ben Yahweh — "God, Son of God," in Hebrew — and began to build up his Nation of Yahweh organization, marked by the white robes and turbans worn by its members. Along the way, as Freedberg describes it, Yahweh allegedly molested prepubescent girls as young as 10, including his own relatives; led "midwife classes" for young women that were sometimes conducted entirely in the nude; slept with a series of women associated with his Miami temple even as he made their spouses promise chastity; and performed acts on the men including gruesome amateur circumcisions.

At the same time, throughout the 1980s, the Nation grew, organizing satellite temples around the country and building up an empire of apartment buildings, hotels, restaurants, retail stores, houses and a fleet of hundreds of white-painted cars, vans and trucks — holdings Yahweh once claimed had reached \$100 million. Fund-raising quotas were imposed on members, and violators were beaten, forced to sit in steel chairs for days, and had food withheld by temple enforcers.

As the Nation of Yahweh turned into more and more of a personality cult, with beatings administered to temple members and outsiders alike, a dissident group began to coalesce. Ultimately, a key dissident was kidnapped and beheaded. Two days later, a dissident couple was attacked as they returned from telling police about the war within the temple. The man was shot dead. The woman had her throat cut in an unsuccessful beheading. "Yahweh got them," the former Hulon Mitchell exulted, according to his nephew. "Yahweh called these niggers."

The beheading, the shooting murder, an incredibly brutal mob killing of a man inside the temple, and, most remarkably, a series of gro-

tesque murders of "white devils" whose ears were taken back to the temple as war prizes — none of it seemed to prompt decisive action from the authorities. Even the very public firebombing of a street of houses and the terroristic takeover of a South Florida housing complex failed to provoke action against the Nation for almost a decade.

In fact, Yahweh turned himself into a civic hero. Black leaders in Miami shouted his praises, saying he was bringing discipline to the ghetto. White leaders fell over themselves to embrace the black messiah who brought such order to their troubled city. The orgy of misplaced praise culminated on Oct. 7, 1990, which Miami Mayor Xavier Suarez christened "Yahweh Ben Yahweh Day."

A short time later, after an investigation that began more than a year before Suarez's infamous declaration, Yahweh and 15 followers were arrested and tried on federal racketeering charges. Prosecutors said Yahweh had ordered followers to "kill for Yahweh" and had watched from the podium as a mob of 50-plus followers beat a man to death inside his "Temple of Love." Represented by former federal judge Alcee Hastings and helped a long by a series of dubious decisions by the judge in the case, Yahweh was found guilty only of a conspiracy charge, rather than the racketeering charge tying him to the murders. Six others were found guilty of the same charge, and the other nine were freed. Given the often extensive testimony that Yahweh had called for the beheading of apostates, played with the severed ears, celebrated the murders and even ordered the mob killing, prosecutors were stunned.

U.S. District Judge Norman C. Roettger, Jr., had one more surprise in store. As he turned to sentence Yahweh, he said little of the destruction the "prince of peace" had wrought. "The Nation of Yahweh under the leadership of this defendant ... tried to be a

good citizen," Roettger intoned as he imposed a lesser sentence.

"Thank you," an understandably grateful Yahweh replied.

Today, Yahweh Ben Yahweh is free on parole, although a judge recently called Yahweh "an extreme risk" to the community and denied his attempt to force authorities to allow him to return to leadership of the Nation of Yahweh. He will be on parole until 2008. The Nation, meanwhile, reportedly still has some 1,000 followers, hundreds of whom attended two conferences in Montreal this spring — although, with most of the cult's property lost to creditors since Yahweh's jailing, it's not clear where its members live. That they still have money, though, is certain. The two conferences in Canada, along with a third planned for this fall, were booked at a cost of about \$200,000 apiece.

In many ways, Freedberg's excellent book is a dismaying chronicle of sloppy police work, hobbled prosecution, almost incredible pandering by the Miami political establishment and black leadership and, finally, mind-blowing judicial decisions. As a reader, it is hard to know who to be angriest at. *Brother Love*, documenting the metamorphosis of a personality cult into an incredibly violent hate group, ends with a quote from the black messiah that should now send chills down Americans' collective spine: "When the morning comes, we'll be ruling the earth! Won't that be a glad day? Won't that be a glad time?"

— Mark Potok

Right-wing Populism in America: Too Close for Comfort

By Chip Berlet
and Matthew N. Lyons

NEW YORK: GUILDFORD 2000, \$21.95

It's easy to dismiss fanatical white supremacists and other far-right zeal-

ots as fringe characters who play a peripheral role in American politics. But right-wing populist movements in the United States have long been part of our nation's social fabric, and they have influenced our values and policies to a much greater extent than most people recognize. Chip Berlet and Matthew N. Lyons argue this case persuasively in their illuminating new study, *Right-wing Populism in America: Too Close For Comfort*.

Deeply rooted in American political traditions, populist movements in general are "a response to the tensions and inequities of U.S. society" which exploits anti-elite resentments by mixing reactionary and progressive-sounding appeals, the authors explain. Fueled in large part by real grievances, such movements can follow widely divergent paths. Much depends on the extent to which they actually challenge entrenched hierarchies, or whether they demonize oppressed groups and target those who are alleged to be part of a sinister, secret cabal.

Essential to right-wing populist ideology, the authors say, is an interpretative framework known as "producerism," which posits a noble, hardworking group of middle Americans who produce the goods and create society's wealth while constantly in conflict with "parasites" at the top and the bottom of the pecking order. The key image that comes to mind while reading this volume is that of a vice — with diligent, tax-paying producers squeezed from two sides, exploited by greedy financiers and plutocrats while at the same time being bled dry to finance dubious social programs that are wasted on an unworthy underclass of lazy ne'er-do-wells.

"The sense of being cheated undergirds the producerist worldview and provides a powerful mobilizing framework for right-wing populism," write Berlet, a senior analyst at Political Research Associates in Somerville, Mass., and Lyons, a historian. They note that the producerist model easily lends itself

to scapegoating and conspiracy theories. Accordingly, America's woes have been attributed to the machinations of "Jewish bankers" or other evil powers from on high and the shameless mooching of "welfare cheats," ethnic minorities, non-English-speaking immigrants, and assorted freeloaders from below.

Tapping into a deep vein of discontent, Klansman-turned-Republican David Duke fashioned a producerist pitch when vying for statewide political office in Louisiana in the early 1990s. Railing against "internationalists" and "Zionists" who allegedly control the news media and dominate the U.S. government, Duke said it was "time for the white middle class or any middle class person in this country that's productive and works hard, it's time for us to say 'no,' we're not going to finance illegitimate welfare birthrates anymore."

In a chronological sweep dating back to the pre-revolutionary era, the authors show how the producerist narrative has figured prominently in defining moments of American history, including Bacon's Rebellion in 1676, the War for Independence, the rise of Jacksonian-

ism in the early 19th century, Ku Klux Klan terror after the Civil War, Teddy Roosevelt's Progressivism, and the emergence of the Christian right and other contemporary New Right movements.

The Jacksonians, for example, are typically remembered as champions of "the common man" because they criticized banks and monopolies and helped to eliminate property requirements so that white males of all classes could vote and run for office. But in keeping with the producerist motif, the Jacksonians also supported slavery and the mass killings of Indians, while denouncing the abolitionist movement as a British plot to undermine the United States.

Like President Andrew Jackson, Teddy Roosevelt delivered blustery diatribes against corporate monopolies. He was also aggressively white supremacist. A leading proponent of race-suicide theory, Teddy the Rough Rider fear-mongered about how white civilization was in big trouble because of falling birthrates among white women, especially upper- and middle-class women. Echoing the Ku Klux Klan of the Reconstruction era, President Roosevelt beseeched white America to undertake a collective renewal in the face of grave threats to the race.

In celebrating violence as a spiritual purifier, Roosevelt and the Progressive groundswell in the United States paralleled a new breed of right-wing mass movements that sprouted across Europe between 1880 and 1914. Relying on charismatic politics and mass activism, repressive populist groups embraced a romanticized nationalism that glorified self-sacrifice, warned of cultural and physical decay, and foreshadowed the European fascist movements that emerged after the First World War.

Describing fascism as "the most virulent form of right-wing populism," the authors assert that

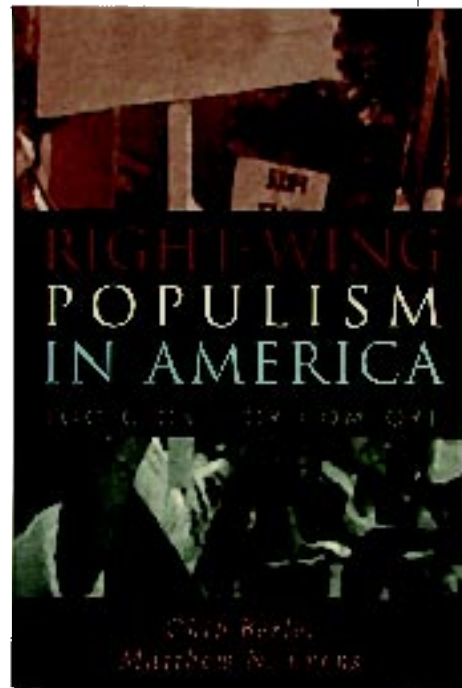
the threat of a fascist takeover is not the main danger posed by far-right populists in America. In addition to day-to-day violence and the pervasive psychological toll from bigotry and scapegoating, the threat of right-wing populist groups lies in how they interact with other political forces and with the U.S. government. "Such movements," Berlet and Lyons contend, "help pull the entire political spectrum to the right and make mainstream forms of brutality and injustice look more acceptable by comparison."

As the authors analyze the myriad manifestations of contemporary right-wing populism in America, another danger becomes clear. While purporting to champion the interests of "the people," right-wing populist leaders steer grassroots discontent away from positive social change by channeling anger against the weakest and most vulnerable elements in society.

After the civil rights movement peaked and the New Left began to unravel in the late 1960s, GOP strategists realized that by appropriating populist language they could harness the grievances of white middle- and working-class Americans in a manner that would ultimately further the interests of the rich, the well-born and the economically powerful. President Ronald Reagan skillfully employed populist rhetoric to advance deceptive policies that primarily benefited wealthy elites.

By invoking anti-corporate language as they trumpet certain "leftist" themes (opposing globalization and free trade as bad for workers, for example), right-wing populist organizations hope to attract support from a broad spectrum of people who are not readily aware of their repressive agenda. In the end, according to the authors of this important book, right-wing populism reinforces existing ills by deflecting attention away from the structural causes of economic and social injustice.

— Martin A. Lee



LEGAL BRIEF

Freedom and Dissent

The nation struggles to balance civil liberties and police power in the aftermath of the September horror

By Brian Levin

At the dawn of a new century, America is on the verge of a difficult war. Congress follows the president's lead by enacting expansive legislation aimed at protecting the nation from potentially dangerous foreign residents by strengthening federal law enforcement authority. The president is even given the power to deport foreigners he considers dangerous.

The genesis of this legislation is a looming foreign war — not the war against terrorism being waged in the aftermath of the Sept. 11 attacks, but a war with France in 1798. But just as our nation passed draconian laws restricting civil liberties at the end of the 18th century, so too has Congress today responded to the latest international crises by passing a legislative package granting federal authorities sweeping enforcement powers. More than 200 years ago, Thomas Jefferson blasted the government's actions in the face of the French threat as an "unconstitutional reign of terror." Today, critics are raising similar objections to the new legislation.

To Save the Union

History shows that civil liberties are often the first casualties of war. One of the most infamous episodes occurred in 1861, shortly after the start of the Civil War. Fearful of Confederate sympathizers in border and northern states, President Abraham Lincoln suspended the writ of habeas corpus — the constitutional guarantee giving prisoners the right to challenge their detention through independent judicial review — and ordered military authorities to arrest and detain those of questionable loyalties.

One of those arrested was John Merryman, a farmer, militia member and Confederate sympathizer who lived outside Baltimore. Merryman was suspected in a conspiracy to sabotage railroads, but never charged. Almost immediately after his arrest, Merryman petitioned the federal courts for relief.

United States Supreme Court Justice Roger Taney, a Maryland native sitting temporarily on a lower federal appeals court, ruled that Merryman should be released.



The Supreme Court upheld the mass detention of Japanese Americans during World War II despite a dissenting justice who complained of "one of the most ... complete deprivations of constitutional rights" in U.S. history.

Merryman's detention was illegal because, in Taney's view, only Congress had the authority to suspend the writ of habeas corpus. *Ex parte Merryman*, 17 Fed. Cas. No.9, 487, p. 144 (1861).

But Taney was powerless to enforce his order. While the justice may have had the law on his side, Lincoln commanded the troops. Military commanders simply ignored Taney's command that Merryman be released.

On Independence Day, 1861, Lincoln called together a special session of Congress to defend his actions. "Must [the laws] be allowed to finally fail of execution even had it been perfectly clear that by the use of the means necessary to their execution some single law, made in such extreme tenderness of the citizen's liberty that practically it relieves more of the guilty than of the innocent, should to a very limited extent be violated?" the President asked. "To state the question more directly, are all the laws but one to go unexecuted, and the government itself go to pieces lest that one be violated?" Eventually, Congress ratified Lincoln's suspension of habeas corpus, but not before military commanders had detained many people like Merryman in the name of national security.

'Reds,' Labor Organizers and the Japanese

During the World War I era, the country's commitment to civil liberties was challenged again. The war itself, post-war isolationism, a flood of new immigrants, and the emergence of the Soviet Union heightened security concerns. Beginning in 1919, Attorney General A. Mitchell Palmer launched an infamous series of politically motivated raids

and prosecutions against those who dissented from government policy. The prosecutions were frequently used as a pretext to deport recent southern and eastern European immigrants who expressed unpopular, typically socialist, views, but they were upheld by the courts nevertheless.

Constitutional guarantees were compromised in an even starker fashion in World War II. Following the attack on Pearl Harbor, President Franklin D. Roosevelt signed an executive order that permitted military leaders to designate areas “from which any or all persons may be excluded.” Citizens or not, and without proof of individualized suspicion, over 110,000 persons of Japanese ancestry who lived on the Pacific coast were eventually imprisoned in internment camps. Citing wartime exigencies, the Supreme Court upheld the imprisonments by a 6-3 vote — a decision that dissenting Justice Murphy termed “one of the most sweeping and complete deprivations of constitutional rights in the history of this nation.” *Korematsu v. United States*, 323 U.S. 214 (1944).

Future Supreme Court Justice Tom Clark represented the government in the wartime relocations cases. But he later wrote: “The truth is — as this deplorable experience proves — that constitutions and laws are not sufficient of themselves... . Despite the unequivocal language of the Constitution of the United States that the writ of habeas corpus shall not be suspended, and despite the Fifth Amendment’s command that no person shall be deprived of life, liberty or

property without due process of law, both of these constitutional safeguards were denied by military action... .”

Abuses Lead to a New Climate

Cold War era fears following World War II led to another set of politically motivated government abuses. Congressional investigations running from the late 1940s through the mid-1950s, including the infamous hearings chaired by Wisconsin Sen. Joseph McCarthy, sought to uncover allegedly influential Communists in American society. The lies and abuses that characterized McCarthy’s crusade in particular were eventually exposed, his career ruined and his name forever associated with political smears and witch hunts. But that did not help those whose lives were destroyed by innuendo, anonymous accusations and blatant lies.

In the 1960s and 1970s, Vietnam War protests and the civil rights struggle led the FBI to develop its Counter-Intelligence Program, better known as COINTELPRO. The program targeted not only violent left-wing groups and the Ku Klux Klan, but also peaceful dissenters. Civil rights leader Martin Luther King, for instance, was the victim of government leaks about his personal life. Peace activist and resident foreigner John Lennon endured an expensive deportation battle after the Nixon administration targeted him because of his pacifism.

The Watergate scandal and the revelations of illegal government snooping it brought to light changed the political landscape. Public hearings spearheaded by Sen. Frank Church (D-Idaho) in 1975 exposed additional law enforce-

Gun Advocates Get Unexpected Victory

On Oct. 16, 2001, the United States Court of Appeals for the Fifth Circuit became the first federal appellate court to declare that the Second Amendment protects the right of individuals to own firearms. *United States v. Emerson*, No. 99-10331 (5th Cir. Oct. 16, 2001).

Prior to the Fifth Circuit’s decision, every court of appeals to consider the issue had concluded that the Second Amendment protects only the right of the states to maintain militias — a collective right of gun ownership. The full text of the Second Amendment provides that, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”

The NRA said that it was “gratified” by the Fifth Circuit’s decision. The Brady Center to Prevent Gun Violence called the decision “a gross distortion of American constitutional history and prior rulings of the U.S. Supreme Court.”

Despite its interpretation of the Second Amendment, the Fifth Circuit allowed the prosecution of Dr. Timothy Joe Emerson — a Texas physician charged with violating a provision of the federal Violence Against Women Act that makes it a crime for someone under a domestic restraining order to possess a firearm — to go forward. The fact that the Second Amendment protects individual gun ownership rights, the court reasoned, “does not mean that those rights may never be made subject to any limited, narrowly tailored specific exceptions or restrictions for particular cases that are reasonable.”

Because the court allowed the prosecution of Dr. Emerson to proceed, one of the three judges on the Fifth Circuit panel that heard the case argued that the court should not have discussed the broader, Second Amendment issues. Judge Robert Parker explained that the question of “whether the right to keep and bear arms is collective or individual [was] of no legal consequence” to the outcome of the case given that the right, whatever its source, is clearly subject to reasonable restrictions. Whether the source of the right will have a bearing on future cases is an open question.

ment abuses and helped fuel the movement to rein in the government. The upshot was a raft of reforms, including new legislation, executive guidelines, and permanent Congressional oversight of intelligence gathering activities.

A key aspect of these reforms were guidelines implemented by President Gerald Ford’s attorney general, Edward Levi, in 1976 that put strict limits on domestic security investigations. By the late 1970s, a series of laws were also passed that established standards for intelligence-gathering aimed at American residents and citizens suspected of links to foreign terrorists.

The Pendulum Swings Back

Terrorist attacks in the 1980s and the 1990s helped to swing the legislative pendulum the other way. In 1983, the Reagan Administration relaxed the Levi guidelines amid criticism that they were too restrictive and cumbersome. In 1986, the Omnibus Diplomatic Security and Antiterrorism Act expanded jurisdiction to cover terrorist acts committed outside the United States where Americans are targeted. In 1996, the Antiterrorism and Effective Death Penalty Act was enacted a year after 168 people were killed in the Oklahoma City bombing. Passed over the protests of many civil rights groups, the law sharply restricted appeals in death penalty cases. It also expanded the authority of federal officials to proscribe domestic fundraising by terrorist groups; to ban suspected terrorists from entering the United States; and to expel foreigners linked to terrorism.

The terrorist murders of Sept. 11 — and the national anthrax scare that has followed them — have once again exacerbated the tension between civil liberties and police power in American life. In the six weeks that followed the terrorist attacks, authorities arrested or detained more than 1,000 people on immigration violations, various criminal charges, and as material witnesses.

While the public generally has applauded these steps, there have been vocal critics. Harvard Professor Alan Dershowitz, for example, described the detention of material witnesses as a “medieval” tool giving officials far too much power. As to the immigration-related detentions, Dershowitz complained that, “Right now, it’s simply the word of an administrative agent and FBI agents. They may be acting completely honorably, but we the citizens are not in a situation where we can appraise it and see whether it is subject to the rule of law.”

A Precarious Balance

Civil libertarians have been further alarmed by the anti-terrorism legislative package enacted in October.

The key parts of the package — subject to a “sunset” requirement that requires reauthorization in four years if

the law is to be extended — streamline and relax warrant, investigative, and detention requirements. The new law gives federal agents expanded authority to track the flow of Internet and telephone communications. It allows information exchange between various law enforcement and intelligence agencies and the limited transfer of information from traditionally secret grand jury proceedings. It speeds deportation procedures. And it increases the time that the Immigration and Naturalization Service may detain non-citizens, from 48 hours to a week. In some circumstances, the period of detention could be extended even longer.

Most importantly, perhaps, the package bill allows one federal court to have nationwide authority to approve roving wiretaps, phone record searches, and retrieval of electronic evidence. Roving wiretaps follow a particular targeted person, allowing phone intercepts of multiple phones across numerous jurisdictions.

“We need speed in identifying and tracking down terrorists,” Attorney General John Ashcroft said while defending this last measure during recent Congressional testimony. “Time is of the essence. The ability of law enforcement to trace communications into jurisdictions without obtaining an additional court order can be the difference between life and death for American citizens.”

Others see the package in starkly different terms. “These new and unchecked powers,” said Gregory Nojeim, the associate director of the ACLU’s Washington office, “could be used against American citizens who are not under criminal investigation, immigrants who are here within our border legally and also against those whose First Amendment activities are deemed to be threats to national security by the attorney general.” The organization has pledged to monitor the implementation of the new law for potential abuses.

In many ways, the attorney general’s defense of the anti-terrorism package was reminiscent of Lincoln’s justification of the suspension of habeas corpus. “[T]he American people,” Ashcroft argued, “do not have the luxury of unlimited time in erecting the necessary defenses to future terrorist acts. ... They require that we provide law enforcement with the tools necessary to identify, dismantle, disrupt and punish terrorist organizations before they strike again.” In the end, history will determine whether the new legislation represents an unwarranted deprivation of American liberties or a measured and proportionate response to an unprecedented and deadly threat. ▲

Attorney Brian Levin is a professor of criminal justice at California State University, San Bernardino, where he directs the Center for the Study of Hate & Extremism (www.fighthate.org). He has testified before Congress on civil liberties and terrorism and is the co-author of a book on the subject.

Incidents of hate crimes and hate group activities listed in For The Record are drawn primarily from media sources and initial police reports, not all of which have been verified by the Intelligence Project. This listing carries some incidents from the third quarter of 2001 (complete listings, as well as listings for earlier periods, may be found on the Southern Poverty Law Center's Web site, www.splcenter.org). Because hate crimes often are not reported, this listing understates the true level of bias incidents.

Alabama

Cullman · Aug. 24, 2001

Steven Clinton Smith, 19, was one of three white men charged with a hate crime in an alleged attack on two blacks whose car was smashed with baseball bats and a racial slur cut into the side.

Alaska

Anchorage · Aug. 12, 2001

Fliers from the neo-Nazi National Alliance were distributed throughout a neighborhood.

Arizona

Mesa · Sept. 16, 2001

Frank Roque, a 42-year-old white man, was charged with murder and a hate crime for allegedly killing an Indian immigrant earlier this month.

Prescott · July 28, 2001

Daniel Cody Barnett, 22, and Melinda Lee Winsor, 29, were charged with felony aggravated criminal damage and arson for allegedly burning a cross in front of an interracial family's house.

California

Bakersfield · July 20, 2001

Swastikas and racial slurs were scrawled on the walls of a black family's residence.

Canyon Country · June 26, 2001

Swastikas were scrawled on a Jewish man's apartment door for the second time in a week.

Foresthill · July 17, 2001

A 6-foot wooden cross outside a local church was torched.

Long Beach · June 21, 2001

A local black business was set on fire in what authorities called a racially motivated incident.

Los Angeles · June 26, 2001

A series of anti-Islamic messages were scrawled on the doors and walls of a local mosque.

Novato · July 17, 2001

Thomas Halloran, 18, was charged with suspicion of violating civil rights by force or fear after he allegedly used ethnic slurs and waved a knife at two Latino men.

Port Hueneme · July 11, 2001

Joshua Brunkhurst, 18, Michael Keaser, 23, James Smiley, 24, and Christopher Wallace, 18, were arrested after they allegedly attacked two people, one of them of Filipino descent, in what authorities described as a racially motivated hate crime.

San Diego · Aug. 24, 2001

Michael Dasilva, 22, was sentenced to 22 months in prison and Robert Morehouse, 54, was sentenced to 18 months in prison for their roles in a spree of racially motivated acts that included threatening a Jewish congressman and vandalizing two synagogues.

San Francisco · Sept. 19, 2001

Anti-Arab graffiti was spray-painted on an Iraqi-American grocery store in three separate incidents.

Santa Clarita · July 30, 2001

David Lampman, an 18-year-old white man, was sentenced to six months in jail, placed on three years' probation

and banned from using the transit system after he stalked a black bus driver.

Somerset · Sept. 13, 2001

Craig Jennings, 18, Jeffrey Lizotte, 17, and a 16-year old were charged with a hate crime after allegedly throwing a Molotov cocktail on the roof of a convenience store owned by Arab-Americans.

Colorado

Cortez · July 4, 2001

Shaun Murphy, 18, was charged with second-degree murder for allegedly bludgeoning to death a 16-year-old gay Navajo boy.

Glenwood Springs · July 16, 2001

Steven Michael Stagner, a 42-year-old white man, was charged with first-degree murder for allegedly shooting to death three Latino men and wounding three other Latinos in a racially motivated incident.

Grand Junction · July 12, 2001

Sjon Elmgreen, a 19-year-old white man, was charged with ethnic intimidation, second-degree murder and committing a crime of violence in the stabbing death of a Hispanic man. Judith Richmond, an 18-year-old white woman, and Brandon Ryan, an 18-year-old white man, were charged with suspicion of being accessories to commit second-degree murder in connection with the incident.

Florida

Orlando · June 24, 2001

Neighbors of a local rabbi received anti-Semitic fliers after the rabbi was

warned that weekly prayer gatherings violated a zoning ordinance.

Georgia

Augusta · June 17, 2001

Six white men allegedly assaulted a black man while yelling racial epithets.

Idaho

Lewiston · Aug. 31, 2001

Shane L. Johnson, 22, was charged with felony aggravated assault, misdemeanor battery and misdemeanor malicious harassment for allegedly attacking a black man.

Illinois

Bunker Hill · Sept. 13, 2001

James Logsdon, a 22-year-old white man, was charged with aggravated battery and a hate crime after he allegedly drove a car into a black teenager in April.

Chicago · July 22, 2001

Fliers from the neo-Nazi National Alliance targeting a predominantly African-American Catholic church were distributed to residents.

Chicago · Sept. 13, 2001

Andrew Holden, a 49-year-old white man, was charged with assault, a hate crime and disorderly conduct after allegedly threatening to bomb a food store owned by an Arab-American.

Geneva · July 13, 2001

Two white men allegedly yelled racial epithets at a black woman, scrawled racial slurs on her car and then burned it.

Macomb · July 8, 2001

A cross was burned in an interracial couple's yard.

Murphysboro · June 11, 2001

The letters "KKK" were spray-painted on a black woman's car.

Indiana

Bloomington · Sept. 13, 2001

A Muslim student was allegedly assaulted and verbally harassed by a white student.

Indianapolis · Aug. 17, 2001

Trevor David Thompson, a 20-year-old white man, was charged with attempted murder for allegedly shooting a 14-year-old black girl because of her race.

Iowa

DeWitt · June 26, 2001

A noose was found hanging from a tree in the yard of an interracial couple.

Kentucky

Nicholasville · July 11, 2001

An American flag defaced with a swastika and racial slurs was left at the home of a white woman who was dating a black man.

Louisiana

Thibodaux · Aug. 25, 2001

Jamie Danos and Blake Herbert, both 17, were charged with aggravated battery for allegedly shooting a black woman in the face with a paintball gun.

Maine

Augusta · July 25, 2001

The homes of two gay couples were spray-painted with anti-gay insults and their cars were scratched.

Old Orchard Beach · June 9, 2001

Micheal Rancourt, 19, and Richard Lamotch, 21, were charged with aggravated assault for allegedly attacking a black man.

Maryland

Annapolis · Aug. 5, 2001

A black family's car tires were slashed and their home was spray-painted with racist phrases.

Annapolis · Aug. 7, 2001

A black girl and boy, both 14, and Tacarra Tyler, a 17-year-old black girl, were charged with armed robbery and a hate crime for allegedly attacking a white woman.

Crofton · Aug. 5, 2001

Racial epithets were spray-painted on a black couple's house and vehicle.

Massachusetts

Lawrence · Aug. 3, 2001

Three white men allegedly assaulted two Hispanic men while yelling racial slurs.

Sharon · Aug. 18, 2001

Racist and anti-Semitic literature from the neo-Nazi National Alliance was left on lawns in the predominantly Jewish town.

Michigan

Traverse City · June 15, 2001

Jason Gibson was sentenced to three months in prison for allegedly attacking a gay bartender in September 2000.

Minnesota

Minneapolis · Aug. 3, 2001

Gary Corum, 51, was charged with using a telephone to make a threat to kill, injure or intimidate an individual or unlawfully damage or destroy a building and other real and personal property by means of fire or explosion for allegedly threatening to burn down Jewish synagogues.

St Paul · Aug. 25, 2001

Michael J. Pigg, 19, and Jarod Sparks, 25, both white, were charged with harassment and fourth-degree assault for allegedly attacking a biracial four-year-old after a Klan rally.

St. Paul · Aug. 25, 2001

The National Knights of the Ku Klux Klan, the neo-Nazi National Socialist Movement and the neo-Nazi Aryan Nations held a rally.

Missouri

Cape Girardeau · Aug. 21, 2001

Justin Scapino, 23, was sentenced to 16 months in prison for burning an eight-foot cross in the yard of a black family in November.

Nebraska

Omaha · July 22, 2001

A racial epithet, a sketch of stick-men hanging from nooses and the words "Not Welcome" were scrawled on a black couple's house, shed and sidewalk.

New Hampshire

Conrad · July 13, 2001

Richard Labbe, 35, was charged with two counts of second-degree murder for allegedly murdering a Laotian man.

New Jersey

Fort Lee · Aug. 3, 2001

A depiction of Yasser Arafat and a threat to kill Jews was placed on the door of a Jewish synagogue.

Lakewood · Aug. 20, 2001

A swastika and racial epithets were painted on the walls of a house owned by a Jewish businessman.

Manalapan · Aug. 19, 2001

Two swastikas were painted at the site of an Orthodox Jewish facility under construction.

Pemberton · Aug. 2, 2001

Brian Nielson, 23, and Henry Baird, 34, were arrested for allegedly beating a black couple with baseball bats.

Teaneck · Aug. 2, 2001

Racist graffiti was spray-painted on the walls of an Islamic school.

Toms River · June 28, 2001

James L. Holmes was charged with bias aggravated assault after he allegedly pointed a knife and shouted expletives and a racial epithet at an Asian worker in November.

New York

Bayside · May 31, 2001

Benny Loria, a 17-year-old white man, was charged with several counts of assault, menacing and criminal possession of a weapon for allegedly assaulting a black man.

Brooklyn · July 16, 2001

Maxim Tcherkassov, 16, was charged with criminal mischief, aggravated harassment and making graffiti for allegedly spray-painting swastikas, SS insignias and anti-Semitic slogans on a synagogue and several homes in a Jewish neighborhood.

Brooklyn · July 22, 2001

A swastika and the words "Kill Jew" were spray-painted on the front door of seven homes and a synagogue.

Franklin Square · June 26, 2001

Swastikas and anti-Semitic graffiti were scrawled on the front door of a local church.

Ithaca · Aug. 18, 2001

Michael Palahicky, 20, was charged with harassment as a bias crime after he allegedly punched a man and called him an anti-homosexual epithet.

Nassau · Sept. 12, 2001

Adam Lang, 76, was charged with first-degree reckless endangerment and a hate crime after he allegedly tried to run down a Pakistani woman with his car.

Riverhead · June 6, 2001

A black doll with a noose around its neck was left hanging on a black man's truck at his job.

Ronkonkoma · Sept. 11, 2001

Brian Harris, 29, was charged with a hate crime after he allegedly held an Arab-American at gunpoint while making anti-Arab threats.

Syracuse · Sept. 12, 2001

An unidentified woman called in a

bomb threat to the Islamic Society.

Woodside · Sept. 7, 2001

Two Pakistani men were allegedly assaulted and robbed by six white men who hurled racial slurs.

Wyandanch · Aug. 7, 2001

Jonathan McCloud, 20, Randy Gilbert, 17, and a 15-year-old were charged with second-degree robbery, second-degree aggravated harassment and a hate crime for the alleged attack and robbery of two Hispanic men.

North Carolina

Charlotte · Aug. 28, 2001

Anti-Semitic messages were spray-painted at two Jewish synagogues.

Charlotte · Sept. 18, 2001

Fadi Fathi Hasan, 17, Rami Danil, 18, and Patrick Valdez, 19, were charged with hate crimes after allegedly spray-painting anti-Semitic graffiti at a Jewish community center.

Gastonia · Aug. 11, 2001

Shane Griffith, 17, was charged with one count of harassment and three counts of ethnic intimidation for allegedly making racist threats over the phone.

Harmony · June 25, 2001

A cross was burned at a black family's home.

Richlands · July 12, 2001

A cross was burned at a residence shared by a black man and two white women.

Ohio

Ashtabula · June 17, 2001

A cross was burned into the lawn of a biracial couple's residence and a rock with a derogatory message was thrown through the window.

Delaware · July 5, 2001

Danny W. Kincaid, 55, the leader of the Ohio chapter of Aryan Nations,

was arrested on 14 charges, including being a felon in possession of firearms and a pipe bomb, after authorities allegedly found racist literature, guns and ammunition at his residence.

Newark · July 10, 2001

Randall Yost, a 35-year-old white man, was charged with felony ethnic intimidation after he allegedly threatened to kill an Asian cab driver.

Oregon

Eugene · Sept. 11, 2001

Christopher Paul Younce, 33, was charged with a hate crime after allegedly making a threatening phone call to the Islamic Cultural Center.

Hillsboro · Aug. 26, 2001

Lorenzo "Loni Kai" Igisaia Okaruru, 28, was savagely beaten, allegedly because he lived as a woman. Authorities termed the incident a hate crime.

Medford · June 19, 2001

Keith A. Hollensbe, 20, was charged with third-degree assault and first-degree intimidation for allegedly assaulting a Hispanic man while yelling "white power."

Portland · July 27, 2001

Five members of the racist Skinhead group the Oregon State Boot Boys were charged with hate crimes for allegedly burning crosses at a city park and spray-painting racist graffiti at a Korean church and a Jewish cemetery earlier this year.

Pennsylvania

Pittsburgh · Sept. 6, 2001

Richard Baumhammers, a 36-year-old immigration lawyer, received five death sentences plus 112 1/2 to 225 years in prison for a mass shooting rampage in April 2000 that killed his Jewish neighbor, two Asian men, an Indian man and a black man.

Rhode Island

Newport · July 5, 2001

Joseph G. Nixon II, 23, was charged with committing extortion for allegedly sending an anonymous letter threatening the congregation of a local synagogue.

Pawtucket · July 27, 2001

Literature from the neo-Nazi World Church of the Creator was left on the front steps of many residences in an ethnically mixed neighborhood.

Texas

Fort Worth · Sept. 18, 2001

Three middle school students were charged with making a terroristic threat after allegedly threatening and harassing a schoolmate of Indian descent.

Tyler · Aug. 28, 2001

Jeffery Morgan, 19, Jeffrey Cook, 18, Matt Sanders, 17, and Mitchell Kuykendall, 18, all white, were sentenced to five years of community supervision for spray-painting racial slurs at a predominantly black church in April.

Wichita Falls · July 3, 2001

John Matthew Turnbow, 28, was sentenced to life in prison for the 1998 shooting death of a black man.

Utah

Salt Lake City · Sept. 12, 2001

Michael Herrick, a 31-year-old white man, was charged with first-degree felony aggravated arson and a hate crime after allegedly starting a fire at a Pakistani family's restaurant.

Virginia

Centreville · July 23, 2001

A swastika and the words "I Love Hitler" were written on the garage door of a Jewish family's home.

Roanoke · July 23, 2001

Ronald E. Gay, 55, was sentenced to four life terms for a shooting rampage

in a gay bar that killed one man and left six other people wounded.

Roanoke · Aug. 3, 2001

Two men and the pastor of a predominantly gay church were allegedly attacked after a Bible study and prayer meeting.

Washington

Oakville · July 27, 2001

Racist graffiti was scrawled on an interracial couple's home.

Olympia · June 10, 2001

The letters "KKK" were spray-painted on a black man's fence.

Wisconsin

Honey Lake · June 9, 2001

A swastika and racial slurs were spray-painted on a black man's truck.

Madison · Aug. 20, 2001

Paul Murphy, 41-year-old white man, was charged with two counts of recklessly endangering safety while using a dangerous weapon and a misdemeanor penalty enhancer for committing a hate crime after allegedly stabbing two black men.

Manitowoc · Aug. 17, 2001

Michael Nicholson, 21, Miguel Rodela, 25, Casey Tegelman, 21, Tomas Vanlannen, 22, and Andrew Franz, 22, were charged with violating federal hate crime laws after allegedly burning down the home of an Asian family and placing an explosive underneath another Asian family's minivan.

Oshkosh · June 21, 2001

Grant Heim, 18, a self-proclaimed member of the Northeastern White Aryan Brotherhood, was charged with bail jumping, battery and disorderly conduct after he and another man allegedly attacked a white camper in a racially motivated incident. The attack allegedly occurred after Heim asked the group of campers if they liked black people and they replied they had no problem with them. ▲



'Silent Thunder'

A massive California police raid reveals how white supremacists are making a bid to control methamphetamine distribution By David S. Barry

LANCASTER, Calif. — An 18-month joint operation by the Los Angeles County Sheriff's Department and the federal Drug Enforcement Agency has broken up a multimillion-dollar methamphetamine trafficking ring — a loosely organized operation whose leaders are linked to white supremacist gangs.

Code-named "Silent Thunder," the covert operation culminated Aug. 22 in pre-dawn raids on 23 houses and businesses in the high-desert city of Lancaster, where police reported seizing \$500,000 in cash, over \$2 million worth of processed methamphetamine and 175 firearms. Many of the guns seized were assault rifles, some of them fully automatic machine guns. Officers said silencers, hand grenades, the makings of pipe bombs and instructions on building pipe bombs were found along with Nazi emblems, photos, flags and literature.

"It appears that most of the higher-ups in the organizations follow some sort of white supremacist ideology," said Sheriff's Detective Lt. Ron Shreves, commander of the operation. "We found Nazi flags, swastikas, pins, belt buckles and racist literature at many of the locations raided."

In the months leading up to the August raids, 270 people described as lower-level functionaries in the meth-trafficking operations were arrested. Police said 200 of those rolled up already had prison records, and one third were members of three white supremacist gangs — the Peckerwoods, Supreme White Power and the Nazi Low Riders.

The operation was directed at the leaders of a meth-trafficking enterprise that police

said was made up of a loosely knit organization of six "cells," which supplied each other with the chemicals to produce methamphetamine for distribution in Idaho, Colorado, Texas and New York.

"Getting the street vendors of the drug is easy," Shreves said. "But this operation was designed to get the people at the top. ... We were able to take down the people who thought they were so well-insulated that they couldn't be reached."

Police used extensive surveillance by wiretap, hidden cameras and long-term stakeouts staged from three "safe houses" rather than the Lancaster Sheriff's station to maintain secrecy. Shreves said many of the people targeted in the operation maintained sophisticated counter-surveillance equipment. "We encountered them watching us watch them," he said. "They're pretty good at it. Some places we hit had video cameras set up, with alarm systems hooked up to video cameras that taped anybody within camera range."

On the day of the raid and during the following week, police arrested another 23 people, for a total of 293. Among them were several local businessmen, including the proprietors of a motorcycle customizing shop, a machine shop and a glass shop. Because production of methamphetamine involves a variety of toxic chemicals, machine shops and metal and glass-working businesses that use such chemicals are

often involved as fronts for drug-making and distribution.

Drug experts say meth was illegally produced and sold by outlaw motorcycle gangs until the late 1980s, when the business was largely taken over by Mexican drug families running large "super-labs." The Lancaster operation, Sheriff's Det. Craig Peterson says, shows that race-based organizations are trying to take control of the local market. "Especially in the high desert," Peterson said, "you're seeing more and more of the effort by white supremacist gangs to make money from methamphetamine trafficking to support their 'just causes.'"

Though police found no links between those arrested and local hate crimes, their organizations have a history of violence. In 1999, for instance, two members of the Nazi Low Riders were convicted of murder in the beating death of a black homeless man.

Peterson said that the 16 labs shut down in the investigation were not found in the run-down dwellings often associated with meth. "Some of the homes in this case were beautiful homes, with well-tended grounds," he said. "Just your average next-door neighbor, that you wouldn't think would be involved in meth trafficking or white supremacy."

"Most of the people in this operation were career criminals," said Los Angeles County Sheriff Lee Baca. "This has put a severe dent in these individuals' ability to peddle methamphetamine to our community residents." ▲

David S. Barry, a veteran criminal justice reporter, was awarded a national journalism prize recently for his work covering methamphetamine production.

The Southern Poverty Law Center's Programs Have Far-Reaching Impact

Promoting Tolerance

Combating the causes of hate is vital to our country's future. Teaching Tolerance is an education program dedicated to helping teachers across the nation foster respect and understanding among their students. Tolerance.org is a Web initiative that awakens people to the problems of hate and intolerance, prompts them to action, and encourages them to dig deeper into themselves and the injustices that we face.

Teaching Tolerance is one of the nation's leading providers of anti-bias resources — both in print and online. Its award-winning *Teaching Tolerance* magazine gives classroom teachers practical ideas for promoting an appreciation of diversity and the values of democracy. It is distributed free twice a year to more than 500,000 educators nationwide.

The program's teaching kits *America's Civil Rights Movement*, *The Shadow of Hate* and *A Place at the Table* chronicle the history of intolerance in America and the struggle to overcome prejudice. A fourth kit, *Starting Small*, helps early childhood educators teach tolerance. More than 300,000 kits have been distributed free of charge to schools and community organizations.

Each year, thousands of copies of the Center's handbooks — *Responding to Hate at School*, *Ten Ways to Fight Hate*, and *101 Tools for Tolerance* — are sent free to educators and community leaders throughout the nation.

Using the Courts

Center attorneys handle innovative cases that few lawyers are willing to take. For example, they specialize in using novel legal strategies to cripple hate groups by suing them for the violent actions of their members.

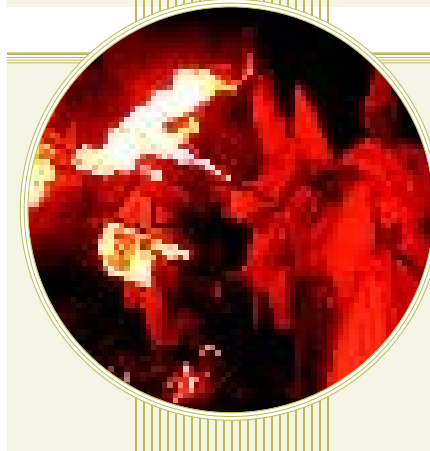
In one ground-breaking case, an all-white jury awarded \$7 million to the mother of a young black man who was lynched by members of the United Klans of America. Although the United Klans did not have \$7 million, the verdict forced the group to deed its headquarters to the victim's mother. The case marked the end of the United Klans, once the nation's most notorious Klan group.

The Center fights all forms of discrimination and works to protect society's most vulnerable members. Several of its cases have reached the U. S. Supreme Court, and many have resulted in landmark rulings. The Center's case to integrate the all-white Alabama State Trooper force lasted 23 years; when it ended, Alabama employed the highest percentage of minority officers in the nation. Another pioneering lawsuit brought a landmark Supreme Court decision in women's struggle to achieve equal treatment under the law.

Monitoring Hate

The Intelligence Project monitors more than 600 hate groups and tracks extremist activity throughout the United States. It maintains a state-of-the-art database of information and provides comprehensive updates to law enforcement, the media and the general public through its quarterly magazine, *Intelligence Report*. Staff members regularly conduct training sessions for police, schools and civil rights and community groups, and they often serve as expert witnesses at special hearings and conferences.

The Center began investigating hate activity in 1981 in response to a resurgence of the Ku Klux Klan. In 1994, after uncovering links between white supremacist organizations and elements of the emerging antigovernment "Patriot" movement, the Center expanded its monitoring operation to include the activities of militias and other extremist antigovernment groups. During the late 1990s, the *Intelligence Project* extended its scrutiny to include not only Klan and neo-Nazi groups but also a variety of other racist organizations — from neo-Confederate organizations to black separatists.



Southern Poverty Law Center
400 Washington Ave
Montgomery, AL 36104

Non Profit Org.
U.S. Postage
PAID
Southern Poverty
Law Center