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**Burning of African American
Churches in North Carolina and
Perceptions of Race Relations**



**North Carolina Advisory Committee to the
United States Commission on Civil Rights**

Transcript of a Community Forum
Held July 18, 1996, Charlotte, North Carolina



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The United States Commission on Civil Rights

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, as amended by the Civil Rights Commission Amendments Act of 1994, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study and collection of information relating to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections; and preparation and issuance of public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the law. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

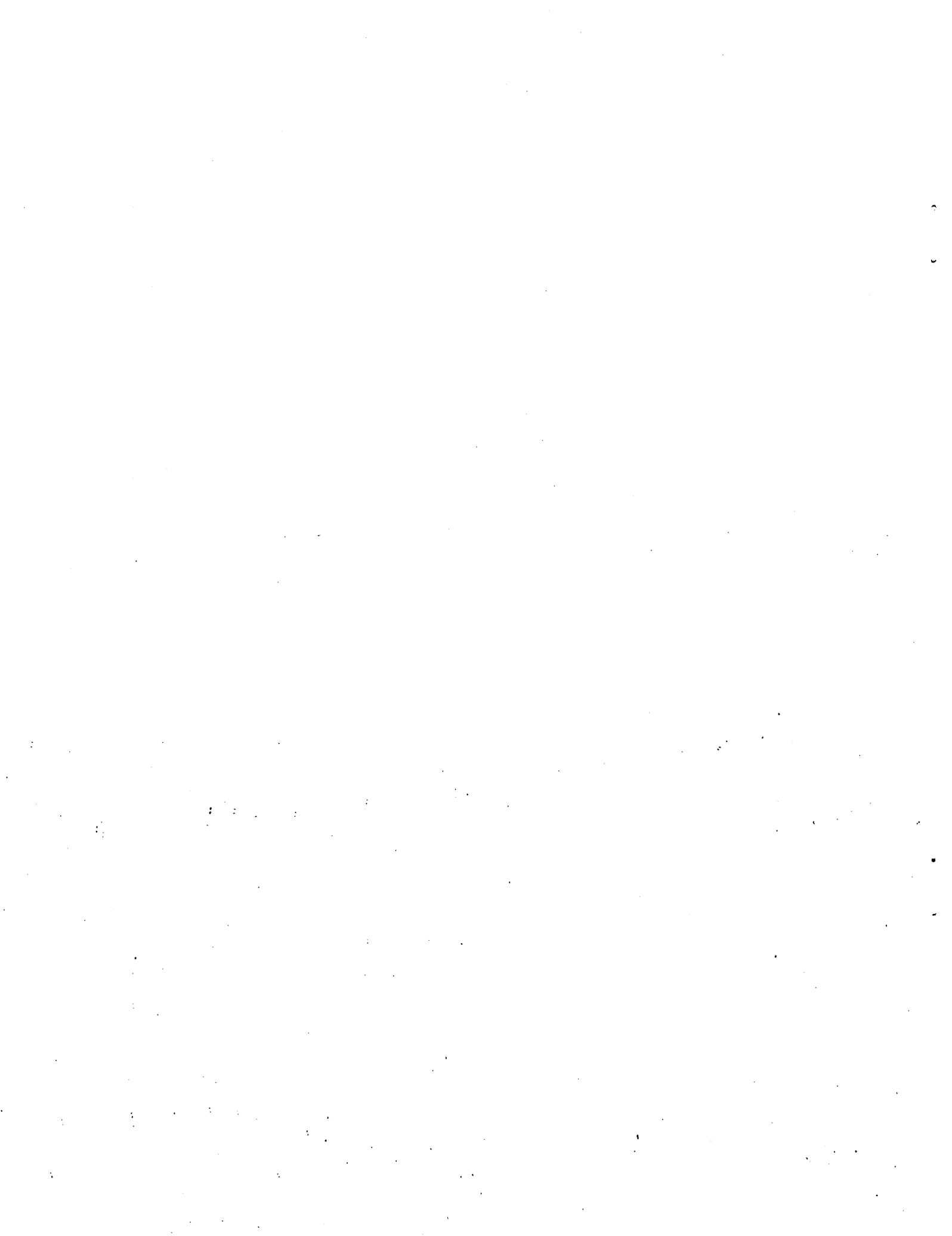
The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 3(d) of the Civil Rights Commission Amendments Act of 1994. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference that the Commission may hold within the State.

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**North Carolina Advisory Committee to the
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Mr. Asa T. Spaulding, Jr., *Chairperson*
Raleigh

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Winston-Salem

Ms. Lena Sun Chou
Cary

Dr. Joseph E. DiBona
Durham

Rev. Mazie Butler Ferguson
Greensboro

Mr. Darrel J. Williams
Charlotte

Mrs. Bettie C. Hooks
Jonas Ridge

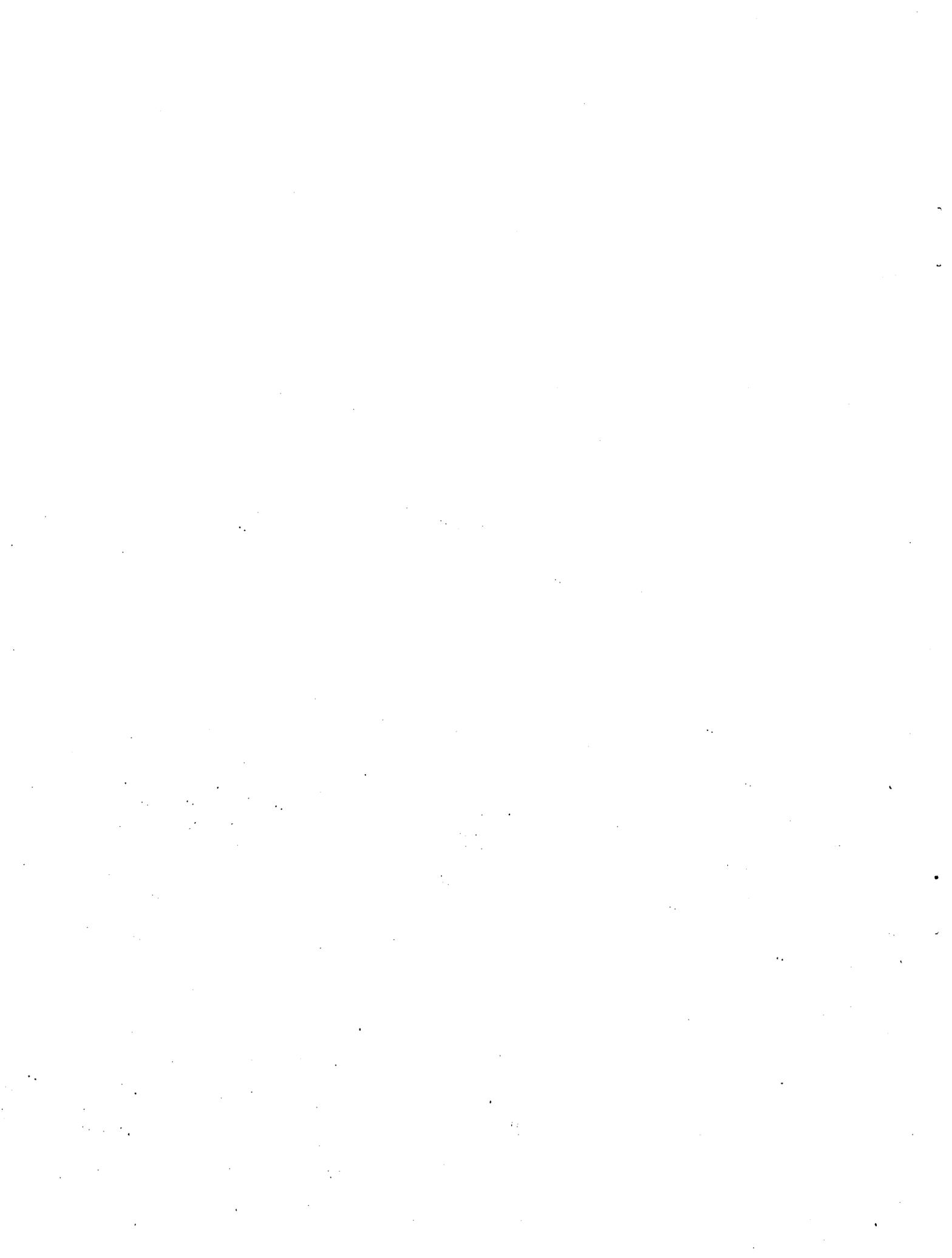
Mrs. Valerie Jarvis-Samuels
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Mr. John Poag
Morehead City

Mr. William Stern
Greensboro



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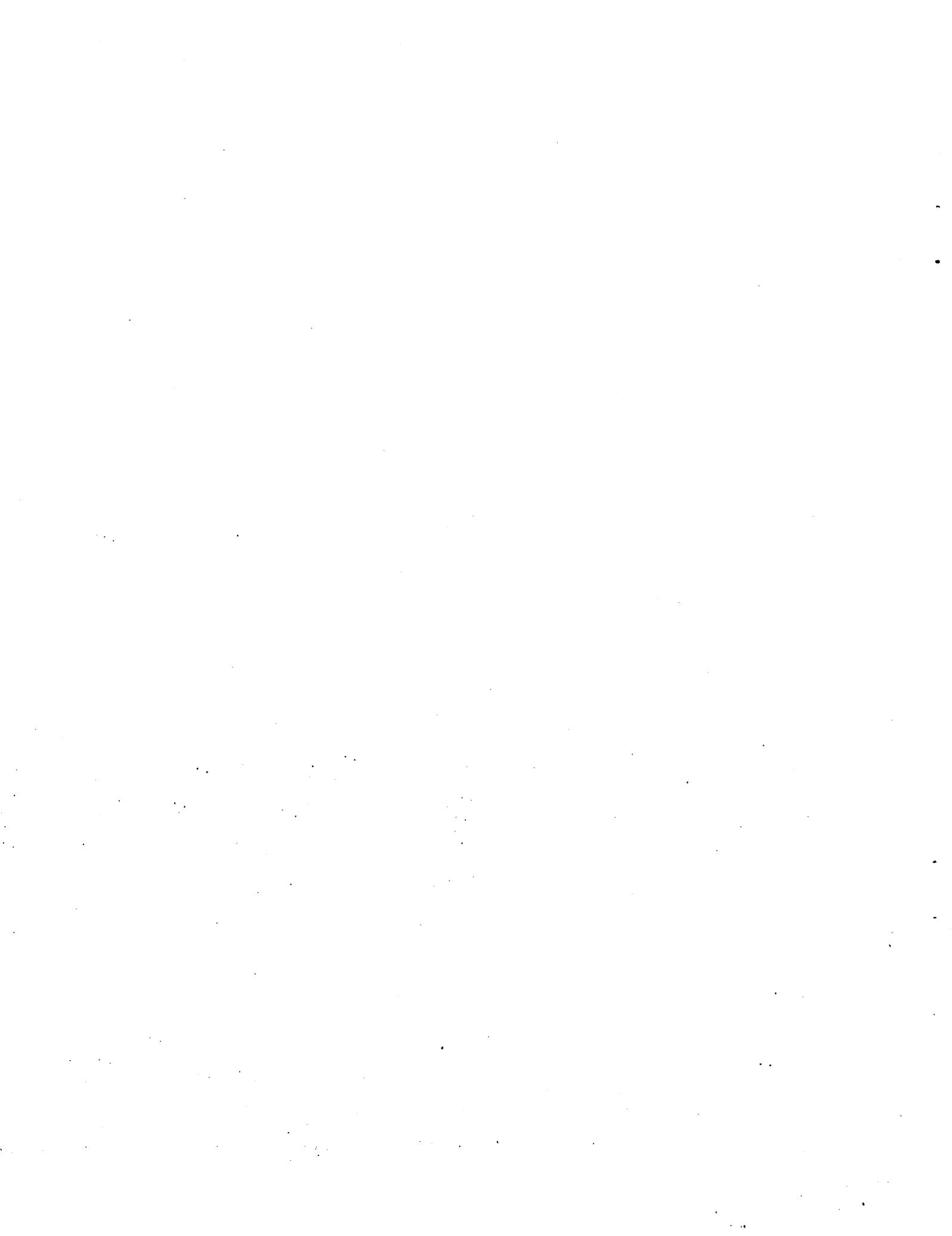
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The community forum of the North Carolina Advisory Committee to the U.S. Commission on Civil Rights convened at 1:15 p.m., July 18, 1996, at the Charlotte Convention Center, 501 South College Street, Room 201 A&B, North Carolina, with North Carolina Advisory Committee Chairperson Mr. Asa Spaulding, Jr., presiding. Other members of the Advisory Committee present were Rev. Mazie Butler Ferguson, Mrs. Bettie C. Hooks, Mr. William A. Stern, Dr. Wyatt D. Kirk, and Mrs. Geneva Bland Brown. Also attending the meeting were Commission Chairperson Mary Frances Berry and Commissioner Carl Anderson. Also present was Civil Rights Commission Southern Regional Office Director Bobby D. Doctor and Civil Rights Analyst Robert Knight.

Proceedings

Mr. Spaulding. My name is Asa Spaulding, Chairman of the North Carolina Advisory Committee to the U.S. Commission on Civil Rights. Welcome to this afternoon's community forum. We have a little administrative business we're going to take care of before we start.

In recognition of those who lost their lives in the crash of TWA Flight 800 last evening, and for the families and friends who survive them, I'm going to ask you to pause for a brief meditation, after which I'm going to ask that Rev. Mazie Butler Ferguson, who is a member of the North Carolina Committee and who is an ordained minister, if she will invoke the scripture.

[Whereupon, the invocation was delivered.]

Mr. Spaulding. Thank you, Reverend Ferguson. I suppose the first thing we should do to get started is to introduce the members of the dais. As you can appreciate, everyone here is important, and we have some very serious business that we want to take care of. Many of you I know and many of you I do not know; and we may, after introducing the dais, go around the room and ask you to identify yourselves by giving your name, the organization with which you are affiliated, as well as your title with that organization, especially so that the media might know which agencies are represented on this occasion. I'm going to introduce three people and then I'm going to ask the remaining members of the dais here to introduce themselves.

First, to my left, and many of you may be aware of who she is and what she does in some respects. I won't tell you everything, but it's the Honorable Mary Frances Berry, who is the Chair-

man of the United States Commission on Civil Rights.

Also with us we're pleased to have the Honorable Carl Anderson, who is also a Commissioner on the United States Commission on Civil rights.

And to my right is the Regional Director of the Atlanta Office, the region in which the North Carolina Committee functions.

Dr. Berry needs really no introduction. She's been a public official as the Assistant Secretary, U.S. Department of Education, and is a well-regarded educator in her own right. I'm going to ask her if she will make some introductory remarks to set the tone for this meeting from a national perspective. Dr. Berry?

Dr. Berry. Thank you, Chairperson Spaulding. First I want to say how pleased I am that Commissioner Anderson was able to be here today, and I also want to acknowledge that although my Vice Chair, Cruz Reynoso, could not be here, his special assistant, Cindy Valenzuela, is out there in the audience. I am so pleased that the State Advisory Committee here in North Carolina was able to organize this forum today, and I want to thank Bobby Doctor, our Regional Director, and the regional staff for their important work in this regard.

I promised that I would attend forums held by the State Advisory Committees of the Commission in every State in which large numbers of church fires had taken place. I have been to every one of those States. I've been on the road going from State to State and forum and forum, and today we come to North Carolina. We were in Columbia, South Carolina, just the other day. We've been to

Alabama, Louisiana, Tennessee, Mississippi, and so on.

What is it we're doing? First of all, let me say that the State Advisory Committee members are volunteers, and we are just so pleased that they are willing to serve the public and to serve on the Advisory Committee. This committee has been one of the most productive under the able leadership of Mr. Spaulding, and with the service of members, as folks who have supplied us with reports on inschool segregation in North Carolina, reports on black/white perceptions of race relations in Greensboro, North Carolina, both of which are still very useful to us in understanding racial problems in America. The national Civil Rights Commission embarked on a study of racial and ethnic tensions in America's communities about 5 years ago because the Commission believed, based on hate crime statistics, based on polling data, that in fact we were having more racial polarization in this country than we thought was good for the country, and they ought to be addressed, and we've been holding hearings around the country. So, to the extent that these fires are based on racial or religious discrimination or race hatred, it would come as no surprise to us; not that we're pleased about it, but we wouldn't be surprised that it in fact happened.

I'm here for two reasons and there are two things I want to find out. One is what are State, Federal, and local law enforcement officials doing about the problem of catching the perpetrators, identifying people who might know what is going on, and preventing more church arsons in this State—the same questions we've asked in every other State—and how well are they working together. The second thing is to find out how well the people of this community are addressing issues of tensions that divide them. Are people in a state of denial? Are they using the church arsons as an opportunity to come together to work on the problems, or are they simply saying, "Oh, yes, the church burned so, you know, let's deal with that and move on," or how responsive are people; and when the church burnings are behind us, and let's hope they are, will we still have accelerated tensions or will we have diminution of these tensions? And the Commission, by the way, is

interested in religious discrimination as well as race discrimination, and if any interference with religious worship was involved in this, we would be here anyway.

So, with that, I want to thank you very much, and I will listen with interest to the discussions here, and in about 30 days after the forums, we expect to release the transcript of this meeting, as well as a summary of the important issues that were raised here and how they were discussed. Thank you very much, Mr. Chairman.

Mr. Spaulding. Thank you again, Madam Chairman. As Chairman Berry has mentioned, the Atlanta office is paying for us to have a court reporting service here, and one of the reasons why—after we have our colleagues here at the head table to introduce themselves, we're going to go around the room and ask you to just give your names, the organization or your affiliation, and your titles, and of course your location, so that we can have that as a matter of record. We realize that those who show up later or are tardy in their appearance, we may not get them but, you know, it often happens that way. So, I'm now going to start and ask Bob Knight from the Atlanta Office to start the introductions—self-introductions.

Mr. Knight. Bob Knight, Civil Rights Analyst from the Southern Regional Office in Atlanta.

Ms. Brown. I'm Geneva Brown, a Committee member from Winston-Salem, North Carolina.

Dr. Kirk. Wayne Kirk of Greensboro, North Carolina, Committee member.

Mr. Stern. William Stern, Greensboro, North Carolina.

Ms. Hooks. Bettie Hooks, Jonas Ridge, North Carolina, a member of the Advisory Committee, North Carolina.

Rev. Ferguson. I'm Mazie Ferguson. I'm from Greensboro, North Carolina, and a member of the Advisory Committee.

Mr. Spaulding. Why don't we start to my left with the introductions?

Dr. Berry. Before you do that, I forgot to ask if my colleague, Mr. Anderson, wanted to say anything. Would you like to make any—?

Mr. Anderson. Not now.

Dr. Berry. Not now? Okay, thanks.

Mr. Spaulding. Okay.

Mr. Keesler. I'm David Keesler, Assistant United States Attorney in Charlotte.

Mr. Calloway. I'm Mark Calloway, United States Attorney for the Western District, and I am here representing all three U.S. attorneys in this State, Janice McKenzie Cole from the Eastern District and Walter Holton from the Middle District.

Dr. Berry. What was your name?

Mr. Calloway. Mark Calloway.

Mr. Simmons. My name is William Simmons. I'm with the Charlotte-Mecklenburg Community Relations Committee.

Mr. Meadows. Bob Meadows with the *Charlotte Observer*.

Mr. Sutton. Ozell Sutton, Regional Director, Community Relations Service, U.S. Department of Justice.

Mr. Parker. I'm Ronald Parker, Fire Chief of the City of Lumberton, and I'm also the current past-president of the North Carolina Association of Fire Chiefs.

Mr. Shaw. Robert Delane Shaw, Mayor *pro tem*, City of Lumberton, and the way it looks, I'm evidently representing the County of Robeson, 170,000.

Mr. Logan. Mark Logan. I'm the Special Agent in Charge for the Bureau of Alcohol, Tobacco and Firearms for North and South Carolina.

Mr. Spaulding. Mark, you've been getting a lot of media coverage.

Mr. Logan. Yes, sir.

Mr. Spaulding. Whether you wanted to or not.

Mr. Logan. Yes, sir.

Mr. Moore. I'm Richard Moore. I'm the Secretary of Crime Control and Public Safety for the State of North Carolina. I'm here today on behalf of my boss, Governor Hunt.

Ms. Bonham. My name is Mary Kay Bonham. I'm the Regional Director with the Appropriation for National Service, a Federal agency that's putting together a district program of volunteers in community service.

Mr. Troy. My name is Harold Gene Troy, Jr. I'm with the North Carolina Human Relations Commission. I'm a Human Relations Specialist.

Ms. Pickens. I'm Barbara Pickens, the Sheriff of Lincoln County, North Carolina.

Mr. Mastin. I'm Dane Mastin, Sheriff of Wilkes County, North Carolina.

Ms. Valenzuela. My name is Cindy Valenzuela, and I'm the assistant to Vice Chairman Cruz Reynoso.

Ms. Diamond. I'm a little embarrassed that I don't have a title. I'm simply Joanie Diamond from Hilton Head Island. I'm an activist down there and I've been trying to help African Americans get fair treatment for the past 6 or 7 years. It's a pretty tough job. Thank you.

Mr. Robertson. Mike Robertson. I'm Special Agent in Charge of the Intelligence and Technical Services Section, State Bureau of Investigation, representing Mr. Coburn and the Attorney General.

Mr. Skinner. I'm Brooks Skinner, Attorney General's Office in Raleigh, Citizen's Rights Section, here representing Attorney General Easley.

Mr. Jesset. Torre Jesset, from Congressman Melvin Watts' office. My capacity is media liaison.

Ms. Stubbs. My name is Pam Stubbs. I'm a member of Congressman Melvin Watts' district staff.

Ms. Love. I'm Tracey Love, and I'm a member of Congressman Watts' district staff based in Durham.

Ms. Hurley. Carol-Lee Hurley. I'm a member of the Commission staff in Washington, D.C.

Mr. Kaplan. My name is Stan Kaplan. I'm the Director of the North Carolina-Virginia Office of the Anti-Defamation League.

Mr. Enderson. I'm Woody Enderson, Acting Special Agent in Charge of the FBI here in Charlotte.

Mr. Jonas. Charles Jonas, District Coordinator for U.S. Representative Myrick. I'm here on her behalf.

Mr. Perkins. I'm Scott Perkins, Special Agent, FBI, here in Charlotte.

Mr. Shirley. I'm Bob Shirley, just a concerned citizen, and I just happen to be a Presbyterian minister.

Mr. Spaulding. Thank you as a concerned citizen for taking time out of your schedule to be here this afternoon.

Ms. Shirley. My name is Madge Shirley, and I'm from Charlotte, and I'm also a very interested party.

Mr. Patton. My name is Ken Patton, and I'm a Supervisory Special Agent of the FBI here in Charlotte.

Ms. Wilson. My name is Harriet Wilson, and I'm Regional Director of Senator Lauch Faircloth's office. I just wanted you all to know in the audience that Senators Faircloth and Kennedy last week signed the Arson Prevention Act, which will enlarge the time that a person will spend in prison, reiterated the Hate Act, and also made the time more available for prosecution.

Federal, State, and Local Officials

Mr. Spaulding. Thank you very much, each one of you for taking the time off to be with us this afternoon for this community forum. The Atlanta Regional Office has compiled a list of invited guests, both from the Federal category, the Governor and State officials, the city and county mayors, police chiefs, fire chiefs, sheriffs' departments, and the religious community. Obviously, there are a great many of you who wish to have comments to make at this forum. Because there are so many of you here, we're going to ask you to keep your remarks to 5 minutes or less. Most recently, I was Chairman of the Finance and Zoning Commission for the City of Durham; I used to call time. I would hope that I would not find it necessary to do that on this occasion, because we do want everyone to have an opportunity to make what comments they feel compelled to make; at the same time, we want both the members of the Committee and the Commission to have an opportunity to raise questions with you as they may feel inclined to do so. I'll ask you to keep your remarks to 5 minutes or less, if you will.

I have listed, first, Congresswoman Eva Clayton or her representative. I believe no one is

here to represent her at this time. We will now move to the U.S. Attorneys for the Eastern, Middle, and Western Districts. I believe Mark Calloway is going to be representing the U.S. attorneys.

Mr. Calloway. That's correct.

Mr. Spaulding. Let me ask each of you once again, as you give your testimony or your comments, would you please identify yourself by name and your position and who or what you're representing, so that our court reporter might have that as a part of the record. These proceedings are going to be transcribed and they're going to be made available, but we want to make sure, to the extent possible, that we get an accurate representation of those people who are participating in the program. Thank you very much.

Statement of Mark Calloway, U.S. Attorney for the Western District of North Carolina

Mr. Calloway. Thank you, Mr. Chairman and members of the Commission. Again, I'm Mark Calloway, the United States Attorney for the Western District of North Carolina, and I'm here representing all of the U.S. attorneys in North Carolina. There are two others, other than myself, Janice McKenzie Cole, who is the U.S. Attorney for the Eastern District of North Carolina, based in Raleigh; and Walter Holton, U.S. Attorney for the Middle District of North Carolina, who is stationed in Greensboro and Winston-Salem. They are both on travel attending to other matters and send their thanks for the opportunity to appear and their regrets that they cannot. We decided that I would represent all three offices, primarily since this meeting occurred in my district, they had to travel elsewhere, and I am the U.S. attorneys' representative on Governor Hunt's task force that I'll mention a little more in a few minutes. I would hope, realizing that it's almost impossible for a lawyer to say anything in only 5 minutes, that since I'm representing the other two districts as well, I might eke out a few—

Dr. Berry. You might get 7 or 8 minutes.

Mr. Calloway. I might get 7 or 8? I've got a few things I want to cover. I'll try to talk fast but not too fast. If I'm going too fast, the court

reporter will just kick me under the table and I'll slow down.

There are three areas I want to cover. First is briefly tell you what U.S. attorneys do, because some members of the public may not realize what we do. The second is talk to you about the Federal and State efforts from the U.S. attorneys' offices and Federal, State, and local law enforcement to combat and prevent church burnings; and lastly to give you a quick overview of some of the Federal statutes that are available for prosecutions of these crimes, and some of the considerations that U.S. attorneys' offices take into account in determining whether to take a case Federal or whether to work with the State prosecutor and have it prosecuted in State court.

First of all, as U.S. attorneys, what we do. All three U.S. attorneys in North Carolina were appointed by President Clinton and took office in the first quarter of 1994. It is our job as U.S. attorneys to prosecute Federal crimes that occur in North Carolina. In other words, we make the decision on whether a case is worthy of Federal prosecution and set the Federal prosecution policies within our respective districts and, of course, work closely with the Department of Justice and Federal, State, and local law enforcement agencies to carry out those prosecutions and investigations. In particular, on the church burning issue, we work closely with the Civil Rights Division of the Department of Justice and a task force set up that I'll talk about more in a minute to deal with those issues.

The Federal Government is using a full range of resources to respond to violent acts directed at houses of worship. Any sort of desecration or destruction of any place of worship is among the most despicable crimes, reaching to the most deeply felt of all American tenants, the freedom of religion. President Clinton has made it a top priority to prosecute those responsible for these arsons, to prevent future damage to houses of worship, and to help communities and congregations in their efforts to rebuild.

Under the direction of the National Church Arson Task Force, we've deployed over 200 ATF and FBI investigators. Working together with State and local authorities, this is one of the

largest Federal criminal investigations of any kind, one of the largest arson investigations in history, and the largest current civil rights investigation.

The Federal Government has authority under several statutes to investigate and prosecute suspicious fires at houses of worship, and I'll deal with those in a few moments.

Assistant Attorney General Deval Patrick and Assistant Treasury Secretary James Johnson are leading the national task force. They have brought together the FBI, the ATF, and Justice Department prosecutors, the United States attorneys, and the Community Relations Service, a member of which is here today, and the U.S. marshalls to forge a coordinated plan for investigating and prosecuting these crimes. We also coordinate very closely with State and local officials.

Each United States attorney has been directed by the Attorney General to set up a task force on a local level in their districts to deal with church burnings. All three U.S. attorneys already had in place a violent crimes task force, and we're using those task forces to deal with church arsons. Walter Holton, Janice Cole, and I felt that there was an additional need for a task force; that we should coordinate our efforts on a statewide level, so that we were in constant communication and could coordinate our efforts on a statewide level so nothing fell through the cracks. So, we have formed a statewide task force to deal with church arsons and church burning issues. That's comprised of Acting Special Agent in Charge of the FBI Woody Enderson; Mark Logan, Special Agent in Charge of ATF for North and South Carolina; all three U.S. marshalls; a representative of the State Bureau of Investigation; and a member of the Community Relations Service as well, and we had our first meeting—planning meeting on the Federal level last month. So, we did that as well. This statewide task force that we've set up through the Department of Justice and through the three U.S. attorneys' offices is for the purpose of ensuring that our efforts at the Federal level are coordinated, are comprehensive, and are pursued aggressively.

In any instance where a fire occurs, those three investigative agencies, the ATF, the FBI, and the SBI, will respond to the scene as quickly as

possible and engage in a coordinated investigative effort with the local fire and police or sheriff's departments to determine three primary questions. First, cause and origin of the fire. Was it an arson or was it an accident? Two, if it was arson, determine the identity of the individual or individuals responsible for setting that fire; and three, to determine what motivation is behind those individual's actions. Once these three issues are answered, which may be answered in a couple of days or sometimes it may take months to investigate a case, we'll then review the case in our office, and consult with the State district attorney in each prosecutorial district to determine the best forum for bringing charges.

Within each of our U.S. attorneys' offices, there's a victim-witness coordinator, and their names are listed on a handout that I've brought for the Commission and members of the audience. I encourage you, at any time, if you have any concerns or questions about what's taking place in a particular case or if you have general concerns or questions, to call the victim-witness coordinator of the United States attorney's office in the district in which you reside. Our victim-witness specialists are responsible for making sure that our offices stay in close communication with the victims of any type of crime, and that we maintain regular contact and notification of the status of the case as it proceeds through Federal court. We, as United States attorneys, and the United States Attorney General, Janet Reno, have specified that our victim-witness specialists will be key individuals in making sure that the United States Department of Justice and our offices are in regular communication with you, and are open and accessible to those of you who have been victims of these fires, and to communicate in general where there are great concerns about these fires. The handout that I have that I'll pass up when I get through with my remarks lists each U.S. attorney's office, the phone number, the name of the victim-witness coordinator, and the counties which each U.S. attorney is responsible for. So, if you know you live in a particular county, you'll know which office you may call. Of course, you're free at any time to call any office for information.

I want to talk about, too, aside from the task force that we set up statewide, the other efforts the U.S. attorneys' offices have made to coordinate with local and State law enforcement and government officials to deal with these issues, not only on the prosecution level, but on the policy level as well. I was appointed to the Governor's Task Force on Racial or Religious Violence or Intimidation. As the U.S. attorneys' representative for that, that gives us input on a statewide level with that task force, and puts us in contact with statewide community and local leaders so that we can have input on that task force. All three U.S. attorneys participated in an information and educational seminar protecting religious sanctuaries sponsored by North Carolina Attorney General Mike Easley's office, that was held at North Carolina Central University in Durham several weeks ago. It was a half-day seminar that about 300 persons attended. I have for the Commission, since you're finding facts and information, a copy of a program and materials that were handed out to each participant or member of the audience there. We presented some of what I'm doing here. Mark Logan of ATF spoke. Scott Perkins of the FBI spoke, and SBI and others. We talked about how those fires were investigated, law enforcement positions; we got feedback from the audience there, and talked about the need to better communicate with victims of those fires. It's not just the board of trustees at a church or the elders; it's the entire congregational community that are victims in these cases. Law enforcement needs to be sensitive to that. That seminar, I thought, gave us an opportunity to talk, but also gave us an opportunity to listen, and sometimes what law enforcement needs to do is sit and listen as opposed to talk. This gives us an opportunity to do that here today.

I've got one more area to cover. I can't stay for the whole time. I've got a commitment at around 3:00, but I will stay until then. I regret I can't stay for the whole time.

Let me tell you this, aside from those statewide efforts. I'm going to touch on the Federal statutes that are available briefly. I won't get into a lot of technical detail. The guiding principle that Federal law enforcement uses is what's best for

the case. That is, is it a case that should go to Federal court or is it a case that should go to State court? Who are the victims, who was the perpetrator of this, what sort of punishment as a policy matter are they deserving of, and those kinds of things.

What statute best addresses that conduct? We can prosecute cases under 18 U.S.C. 241, which is a Federal civil rights statute. We can use that when churches used by African Americans or other minorities or synagogues have been victims. That statute makes it a crime for two or more persons to conspire to injure, threaten, or intimidate any person in any State, territory, or district where free exercise or enjoyment of any right or privilege is secured by him or her by the Constitution and laws of the United States; when a church or synagogue is attacked by persons intending to intimidate members because of their race or ethnicity, including Judaism. The guarantees set forth in 42 U.S.C. 1982—all citizens shall have the same right in every State and territory as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, or convey personal and real property—we can use that statute.

We talk about the word conspiracy, and let me just in layman's terms tell you what that is, and that's an agreement by two or more persons to do an unlawful act, and that's what we're talking about when a conspiracy statute is used. It requires at least two persons who have gotten together to do an unlawful act or to agree to do an unlawful act.

18 U.S.C. 247, this statute has just been revised, as was alluded to by Senator Faircloth's representative, to eliminate jurisdictional limitations in section B of that statute, that previously made it difficult to use. Under revised 247(a), it's a crime for any person to intentionally deface, damage, or destroy any religious real property because of the religious character of that property. We must prove that offense is in or affects interstate commerce, requiring proof that the church had an effect on interstate commerce—sometimes the fact that the church has electricity is enough—or the defendant moved in interstate commerce to commit that offense; that is, the defendant crossed State lines. When the attack is motivated by the

race of the persons associated with that facility, we can prosecute under this new section C of 247 that prohibits attacks committed because of race, color, or ethnic characteristics of any individual associated with a house of worship. Those prosecutions, because of that new law, do not require proof that the offense had an effect on interstate commerce.

18 U.S.C. 844(i) is the Federal arson statute.

Mr. Spaulding. You'll have to wrap it up. Thank you.

Mr. Calloway. All right. We can use that when fire by explosion has been used as well.

Briefly, you should be aware of two other statutes: threats by mail and threats by mail, so that if you receive a threat, you don't have to wait for that threat to be carried out. You can contact the FBI and we might perhaps be able to deal with that as well.

In closing, let me say that the three United States attorneys' offices, the Department of Justice, and the task force that I described earlier are all committed to pursuing the steps necessary to put an end to these fires. We remain open and welcome to your suggestions and your input as this process moves forward. Hopefully, out of the ashes of these tragedies, by working together, we can ultimately move our efforts forward to eliminate racism and discrimination in our State and Nation. And I will say this finally: if there is ever a situation where local, State, and Federal law enforcement need to work together, and need to work with the community, it is to combat these church fires. Thank you very much. I'll be happy to answer any questions that you have.

Mr. Spaulding. Thank you very much, Mark. We would love for him to continue on so that he could reiterate the information about the statutes. Obviously, that information will not be repeated again during this session today.

Mark, I would make one comment or observation, and I'm not going to volunteer either myself or any member of the State Committee, but I was saying to the Chairman and she concurred, that there are certain committees and commissions being formed in the State we're told, and it would be our belief, not that we're looking for additional work to do, that the North Carolina Advisory Committee to the U.S. Commission might be

considered for having a representative of this body appointed to those since it is a factfinding body and that is the responsibility of this committee. As I say, we're not looking for more work, but at the same time, and I'm sure my colleagues share this view, the issues and problems that we're dealing with now are of such magnitude, I don't think you can have too many people working on them. Thank you very much for your comments. I'll now open it up for any questions from my colleagues.

Dr. Berry. I have some. Let me just thank you for your statement, Mr. Calloway, but I have several questions.

Mr. Calloway. I'll be happy to try to answer them.

Dr. Berry. The first one is, how many hate crime prosecutions has your office pursued over the last 5 years or in the last year, or have there been any? Could you just give me some idea?

Mr. Calloway. I can't give you a specific number. I've been there 2 years, but I will be happy to find that out and give you that information. I can tell you the ones that I'm aware of. I know that within the last 2 years, several individuals were indicted for cross burnings, and they received a 9-year sentence apiece for those cross burnings. There's also been another indictment, I believe, up in the mountains with respect to such activity. I deem that a hate crime, and those have been aggressively pursued, and our office has worked with the Civil Rights Division of the Department of Justice to prosecute those crimes as well; but I'll certainly get that number and let you know. David Keesler who is here is sort of the designated civil rights attorney in my office who deals with that, and we deal directly with the Civil Rights Division in any prosecution that deals with civil rights.

Dr. Berry. Is there any evidence of Klan activity in North Carolina, or any other organized hate group insofar as you know from the prosecutions or any other activities?

Mr. Calloway. What I can talk about is public knowledge. Obviously, the people that committed those cross burnings that have been prosecuted had those sentiments, and obviously the Klan exists.

Dr. Berry. Does anybody have any data—I'm going to ask other witnesses the same question. We just came from South Carolina and had a long discussion about the Klan with numbers and everything else. Do you have any sense of how widespread Klan activity or any other activity is, based on your familiarity with prosecutions? I know you're not a pollster or an investigator. I understand what U.S. attorneys do, but do you have any sense of it?

Mr. Calloway. I don't, and I don't know that I'm in the best position to answer that, since we deal with the investigations that come into our office; but I believe there's a gentleman here from the Anti-Defamation League. He might be able to answer that question.

Dr. Berry. And the other law enforcement officials. Maybe the FBI knows. The other thing is, are you concerned, since your role is to prosecute, that some of these fires—let's see, there was one March 1995, if my information is correct, and October of 1995, where no arrests have been made. Are you concerned about the fact that—well, you may know more from being on the task force. Do you have concerns about the fact that these older ones have not been brought to you for prosecution, where some of the newer ones have, or is my information incorrect?

Mr. Calloway. Mark Logan would be in the best position to address any specific church fire. Obviously, anytime we don't solve a crime, we're concerned about it, but I think you will find that in North Carolina, there have been great efforts made by the ATF and the FBI and others to investigate these crimes and prosecute them. I know that Mark Logan has pretty much worked tirelessly since he's got responsibility for North and South Carolina. It has taken a large majority of his time to coordinate that effort and to investigate that on the part of ATF.

Dr. Berry. I'll ask him. The last question is, why has your task force only had one meeting? I was told at least 2 months ago that all U.S. attorneys had these task forces that were operating. You said yours had met once, I think?

Mr. Calloway. We went to Washington about a month ago and met—the U.S. Attorneys went and met with Deval Patrick and the head of ATF.

We immediately came back and set that meeting up within about a week and a half of that meeting. We each have a task force—that's a statewide task force that we formed in addition to the requirement that our local task forces handle it.

Dr. Berry. In other words, you didn't know until you went there that you were supposed to have this—

Mr. Calloway. Well, we already had a violent crime task force. Let me explain that. Each district has a violent crime task force. In this district, that violent crime task force, in association with the FBI—the task force is housed in ATF—got together and worked on the Matthews Murkland fire and solved that crime, as you know, within 3 days or less. That task force—we already had a task force set up in this district and in every other district in North Carolina to deal with church burnings. So, we weren't going to reinvent the wheel. What we decided, as U.S. attorneys, is aside from the directive from the Attorney General, that we have a task force in each district. We felt a statewide task force from each U.S. attorney's office was necessary. So, we formed that in addition to the requirement that the Attorney General handed down. It's something we wanted to do in addition to that, and that task force met. Obviously, Walter Holton and Janice Cole and I talk on the phone whenever we need to; but in terms of why we've only had one meeting, we got the directive to set up a task force. We already had task forces. We said, well, we think we need a statewide one. We immediately came back and formed it and met.

Dr. Berry. But you coordinate really well with all the members, so you don't have any problems with the coordination?

Mr. Calloway. I haven't found any problem with the coordination. In fact, I've been very impressed with the way local, State, and Federal law enforcement have come together on this issue, and the way the North Carolina Attorney General and the Governor have come forward to set up their commissions and other programs to keep not only law enforcement coordinated, but to try to keep the public informed. As I said before, it's very important, I think, for law enforcement to listen to the public on these issues.

Dr. Berry. And do you have insurance problems? You know, in some of the other States, some of the churches had problems with insurance being taken away or—has anybody complained to your office about that?

Mr. Calloway. I haven't had any complaints of that, although I think the church ministers are in the best position to know that as opposed to me, but I've not had any calls to say we're having—you know, unfairly having our insurance taken away or anything like that.

Dr. Berry. Okay. I appreciate that. Thank you, Mr. Chairman.

Ms. Brown. May I?

Mr. Spaulding. Let me ask Mr. Anderson.

Mr. Anderson. [Shakes head negatively.]

Mr. Spaulding. Now, I'll take questions from the North Carolina Committee.

Ms. Brown. May I sort of follow up and ask you of the task force and the others that you had already set up, what basic mechanism do you have for giving the public the information? Thinking about the recent church burnings, how have you reported that from the task force?

Mr. Calloway. Well, I can tell you in this way. We have victim-witness coordinators in our office, and they're there to take calls and to keep victims informed. There are certain Federal statutes that give victims rights. One is the right to be kept informed of key proceedings. So, their job is to make contact with those victims when the case is brought to Federal court. For example, the Matthews Murkland fire, because of the age of the perpetrator, she was taken to State court. She was a 13-year-old juvenile. But they're there. Mark Logan of ATF, I think, has been tirelessly at different meetings to address the public, as has each U.S. attorney. When we went to the statewide forum, we made ourselves available to talk to the public and keep the public informed, and obviously, I'm here to do that as well. We can't talk about aspects of things that are under investigation, and I think Mark will probably touch on this when he speaks. It's important for the public to understand that Department of Justice regulations prohibit us from talking about an investigation, really, prior to indictment. Usually the standard is we can either confirm or deny the

existence of an investigation. There's an exception to that when, for public good and safety, it's necessary to let the public know that there is an investigation. We can acknowledge the existence of an investigation. We, however, can't talk about, you know, who's been brought before the Federal grand jury or what evidence we've collected. We have to wait, really, until there's an indictment to announce who has been charged. We can't talk about who's under investigation, and we have to wait until there's a conviction to really talk about what evidence was presented in court.

Ms. Brown. So, it would be some time before the public even knew how many you had found out about?

Mr. Calloway. Could be, but obviously, with the amount of coverage and publicity that these fires are making in the news media, they see the ATF and FBI there, and as a matter of fact know that we're investigating. The investigators make contact with the ministers and other church members.

Ms. Brown. Let me ask one more thing. Is there a feeling from your group, the task force, the U.S. attorneys, that we're at a point where this is subsiding or are we still doing heavy investigation?

Mr. Calloway. I think we're still doing heavy investigation, I hope. As far as I know we are. It's certainly my hope that this is subsiding. I think it's everyone's hope here that it is subsiding, but I think it's very important that we follow through with the plans we've made, and not because media attention may drift away from something or we go on to other things that we give up our efforts here. I think there's something much more important here that needs to be done, and so we're trying to stay focused to complete our investigations and see that under the appropriate circumstances that Federal charges are brought. Unfortunately, that doesn't happen overnight.

Mr. Spaulding. Any other questions from other members of the Committee of Mark Calloway? If not, thank you, Attorney Calloway for being here.

Mr. Calloway. Thank you. I'm going to hand up to you the packet of seminar information

that we all participated in, as well as a description of the districts—and I'll pass these out to the audience—as well as an editorial that dealt with the Federal and community response to the Matthews Murkland fire. Thank you very much.

Mr. Spaulding. I think you can see from the inquiry made by my colleague a few minutes ago, that there is much concern and you'll probably be hearing this. Mark, I hope you'll address that—much concern in the minds of the citizenry about just what is being done, if anything. Obviously, there are articles in the newspaper, but I think realistically—and not to talk about the print media versus the electronic media—you know, what we see is what we hear and then what we believe; and I think the concern on the part of many people—I know people with whom I talk—is that attention is being given shortly around the time some dastardly act occurs, and after that the interest wanes because not enough is being said about it. So, I do hope you'll continue to keep it a high priority. I realize you have a lot of other things you have to do. I hope your office will keep a high priority on this.

Mr. Calloway. We will and it certainly has dominated a large of my time in the last month.

Mr. Spaulding. I'm now going to call on Ms. Pam Stubbs, who works for Congressman Mel Watts, but I believe you are prepared to read a statement from Congresswoman Eva Clayton?

Ms. Stubbs. Congressman Melvin Watts.

Mr. Spaulding. Melvin Watts, I'm sorry. Where did I get the impression that someone was speaking for her? Well, come ahead.

Statement of Pam Stubbs on Behalf of Representative Melvin Watts

Ms. Stubbs. Good afternoon. I have a statement that was prepared by Congressman Watts to be read to the Commission and the participants.

"I regret that I am unable to attend today's forum on church arsons sponsored by the U.S. Commission on Civil Rights because of our legislative schedule in Washington. However, I commend the Commission's attention to this troubling issue.

"The recent rash of church burnings across the South, many targeted at churches with predominantly African American congregations, remind all of us that the flames of racism and hatred that we have battled for years have not been extinguished. On June 6, these flames consumed the Matthews Murkland Presbyterian Church in Charlotte. I am proud that individuals and churches in the community have shown support for the pastor and congregation of Matthews Murkland following this tragedy. However, it is all too clear that hatred continues to disrupt and divide communities throughout our country, and provide a climate for these cowardly acts.

"On May 31, the House Judiciary Committee, on which I sit, held a hearing on church fires. The Congressional Black Caucus followed with an additional hearing on June 20. In response to these hearings, and the increase in burnings, the House and Senate unanimously approved House Bill 3525, the Church Arson Prevention Act, which President Clinton signed into law on July 3. I cosponsored House Bill 3525 and Continuing Resolution 183, which condemns church burnings.

"I hope that our actions at the national level can help stop these senseless arsons and foster better communications. We must continue to make it clear that the burning of churches and other acts of lawlessness are unacceptable and will not, under any circumstances, be condoned.

"I applaud the Commission for initiating forums and discussions which allow us to discuss these issue and express the kind of outrage which we all should have about these cowardly acts."

That's the end of Congressman Watts' statement. I also would like to share in closing with the Commission—a lot of the members are probably aware of this, but for those who are not, as well as the participants—the Congressional Black Caucus has established a task force on church burnings, and one of the items that they have addressed, and addressed immediately, is the item of insurance. They have submitted correspondence to the National Association of Insurance Commissioners asking for information on how the insurance coverage of African American churches is being affected as a result of the burnings. Thank you.

Mr. Spaulding. Thank you very much, Ms. Stubbs. Mark Logan, your name has been invoked many times, so we'll now call on you as Special Agent in Charge of ATF based in Charlotte.

Mr. Doctor. Could we introduce for the record a statement that was sent over from the staff of Senator Faircloth, who is obviously one of the cosponsors of the Church Arson Prevention Act, and they've asked that we make this a part of the record.

Mr. Spaulding. Do you want her to read it into the record?

Mr. Doctor. No. We'll just make it a part of the record right now [see exhibit 1].

Mr. Spaulding. Thank you very much. At the request of Regional Director Bobby Doctor, we will make a part of the official record this statement of Sen. Lauch Faircloth of North Carolina. Now, we'll call on Mr. Logan.

Statement of Mark Logan, Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, North and South Carolina

Mr. Logan. I thank you for this opportunity to address all of you. I'd like to start out by saying that arson is a violent crime in the eyes of ATF and Federal law enforcement. Although these church fires have not involved occupied churches at the time of the fires, the potential for violence is there against firefighters, as well as other people that are trying to extinguish these blazes. It is a violent crime towards those investigators. It is a violent crime towards the mental and spiritual being of these people that are involved, and that ATF takes it as a top priority to investigate and solve these fires.

ATF is the Federal law enforcement agency that has the investigative jurisdiction of arson. We have been involved in arson investigations since about 1970 on individual fires in areas, to working with our national response team in responding to your major fires and bombings. We have expanded that towards working internationally with our international response team, which I am a supervisor for. I had been a part of the national response team prior to January when I took this position in Charlotte.

I am the Special Agent in Charge for ATF for North and South Carolina. We have here made it the priority to respond to every church fire. It doesn't matter what racial mix there is with the congregation. We have personally instructed all supervisors that on any fire relating to a church, that a supervisor calls a cause and origin specialist, and a sufficient number of agents will respond to all of them immediately. ATF continues to work with State and local investigators that we have been working with for all these years and have enjoyed a great working relationship with. ATF will assist in conducting these investigations from the start. This begins with cause and origin to the followup investigations to solve it, and bring these persons responsible to prosecution. Our relationships with State and local agencies, including the prosecutors, has been outstanding. We will investigate and then evaluate it, as Mr. Callo-way has said, on where would the interest be best served to prosecute it, whether it be Federal or State. It doesn't matter, we're going to investigate it the same way.

I have within this division 76 investigators for North and South Carolina. Every one of them is committed to investigating and working in relationship to this problem we have. We not only investigate the fires; we have also been a part of speaking with the public on ways that they may conduct themselves and set up their properties and their churches on preventing a lot of these activities. We have distributed a lot of material on prevention—things that they can do to prevent vandalism, prevent fires, security precautions. We've given them literature. We've spoken at different forums. I, myself, have spoken to the North and South Carolina contingents of the NAACP. I have spoken during an information forum that was sponsored by the Governor and attorney general in Durham just recently. I have assisted in the last national convention with the NAACP in giving a presentation on Federal efforts regarding church fires. I have spoken to various groups of ministers and parishioners throughout North and South Carolina. I was trying to assure them that the Federal Government and the Federal law enforcement agencies together, along with State and locals, are doing everything they can in

order to investigate these fires, investigate them completely, and bring these people to justice.

It doesn't matter whether the congregation is black or white, we're going to investigate all of these fires, and we're going to do the best job that we only know how to do. I have informed the public that with these investigations, you have the best investigators for arsons and bombings in the world working on these cases. They are trained just that much to doing just this, investigating arsons and bombings. I have experienced investigators working very long hours—not solicited to do this—to go the extra step in talking with the ministers and the congregation and assuring them that we're doing everything and asking them, What else can we do? Would they like for us to address other people? Is there anything else that any of us can do?

And the response has been great. We've encouraged the public that we cannot do it ourselves. I am not going to be too proud to say that we can't do it all. I've gotten after the public about we need their help. You know, we cannot solve these fires ourselves. We have not solved the fires. We had the fire in Cerro Gordo and we had the one here where, if it was not for the public, we would be lost; and it was because of the public having confidence in law enforcement and not being afraid to come forward with information that we were able to solve these fires.

We've spoken to various groups as far as our investigative techniques. Most of your investigative techniques will involve interviewing. We feel we want to make sure we cover all the bases on investigations, so we will interview people throughout the neighborhood, we will interview the pastor, we will interview congregation members; but I have heard the concern and we have addressed it as far as the sensitivity towards speaking with the pastor and church members and our investigative activity directed towards them. That has been conveyed to all of our investigators, I know for ATF. I know there have been other efforts with the other agencies to address this concern as far as sensitivity with speaking and conducting investigative activities when it involves the pastor of the church or the deacon or other church members. So, that's a big concern with

us, that the public is confident in our work, so that we can solve these.

You know, I've heard questions as far as investigative activity might be diminishing or slowing down. No, it has not. I recently had another fire on St. John's Island in South Carolina, and I have investigators there now. As soon as we hear of a fire, we will respond. We will continue to work these investigations with other agencies and the U.S. attorney's office until we solve them and stop this problem. We know no other thing to do but to investigate these things and make sure all the bases are covered.

I've heard questions and I've addressed it before about ATF's past activities, and I'll be specific and say the "Good Old Boys Roundup." My response is, there has been bad in everything, all right, and ATF has addressed that issue. Sure, we've had our problems. We've addressed them, but in no way have those problems affected any of these investigations. I am quite sure of that. I get briefed on all investigations throughout the Southeast every week. I am briefed on everything that goes on in North and South Carolina, and I know for a fact none of these negative activities that have been reported affect these investigations, nor will they. Everybody is sensitive to what is supposed to be done. I can say we are criminal investigators. We take pride in our work. The investigators take pride in their work, and we'll continue to do that. So, I want the public to be assured that we're going to work for the public like we're supposed to.

Some things that have been addressed about motive on these fires—you know, the national conspiracy and all—I specifically will say that we would not like to address motive. Motive is a part of doing our arson investigation. I would like it to be addressed in court, because if I were to say one thing, something else might change in the case, and I don't want anything to jeopardize the criminal prosecution of whoever we get for these fires.

I can say that we have not found evidence of one particular group or one particular person being involved in all these fires. Okay, I can say that. I can say there are racial problems in this country, and some of them may involve these churches, but to specifically say about a motive for a specific

case, I would choose not to address that, and would encourage others not to address it so as not to jeopardize an investigation, and that we can get these people prosecuted and be done with it and be comfortable in the community.

Again, I'd like to thank you for this opportunity. It is the top priority. You have seen it with our office, and you will continue to see it, because sure, we have feelings, too. We may not be able to express them. Our emotions and all, we have to set them aside to conduct the investigation, but we do have those feelings, and we're going to act on it, and do the right thing in investigating these cases. I thank you.

Mr. Spaulding. Thank you, Mr. Logan. One question that I have here for you.

Mr. Logan. Yes, sir.

Mr. Spaulding. You've indicated that you have on your staff now currently 76 investigators. Do you have adequate budget—not that we could do anything about it—to keep adequately staffed in order to handle the increase in investigations, and how are you dealing with that problem?

Mr. Logan. Well, I have the resources of not only just the 76, and I have used additional resources from other parts of the country. I have called in other investigators that I do have in this area as we speak.

Mr. Spaulding. So, basically what you're saying is—not to put words in your mouth—that your investigations are not being hampered by an inadequacy of resources to apply to the particular burnings as the case might be that you're faced with investigating?

Mr. Logan. No. No, they're not, because of the other resources that we have and in working with State and local investigators.

Mr. Spaulding. Any questions from the Commissioners and then the Committee members?

Dr. Berry. I have some, but I'll wait on them this time.

Dr. Kirk. Mr. Logan, from what Attorney Calloway said earlier about what a conspiracy is, to your knowledge, the investigations to this date, there's been eight church burnings in North Carolina. Are they conspiracies or do you perceive them as conspiracies at any point?

Mr. Logan. On some of these fires, you do have two or more involved. I count 13 investigations in North Carolina, just so you know, sir. Ten were considered arson or undetermined; three were electrical; six of those that were determined as arson or undetermined have resulted in arrests as of this date.

Mr. Spaulding. Any other questions?

Ms. Brown. How many of your 76 are minority?

Mr. Logan. I have—they've been moved around—I have three black male supervisors, all in North Carolina. I have one black female and six black male investigators. So, I am saying 13, not including myself.

Ms. Brown. I asked the question because I'm always wondering how we train our policemen, law enforcement officers, because I always hear there's a code of silence somewhere—trained one way and you do something another way—and I just bring that up because I hope that's not happening.

Mr. Logan. I can tell you this: not on my watch; no, ma'am.

Rev. Ferguson. I'm wondering if the initial response in North Carolina certainly has been, and it appears that in many places as well, to a lot of the church burnings has been to convene meetings of pastors, of churches, and particularly African American pastors; and it strikes me as the supreme irony that the efforts to solve the problem of church burnings, which people have prophesized may be due to hate crimes or racism, is focused on the victim. I'm wondering how many meetings have been held with white pastors to talk and discuss with them, in terms of investigations, what things are going on in their communities, and perhaps to try to find out some of the perpetrators.

Mr. Logan. Well, I can say that in all the presentations that I've been involved in, which have been quite a few, it has not been just black congregational-makeup churches. It has been a mixture, and when we address ways of protecting the churches, a lot of them are in rural neighborhoods and may be surrounded by a predominately white community, and we have stressed to the entire group about going out into the community and working with the community on keeping an

eye on these churches and the problems that have come up. So, you know, pastors and parishioners who are white have not been excluded from this. In fact, they have been attending these meetings, you know, and have been privy to hearing all of this. So, when a meeting is called, we don't call the meeting. We leave it up to the pastors. I've seen a mixture of races involved in those meetings.

Rev. Ferguson. May I ask you what percentage in terms of—

Mr. Logan. Well, as far as percentage, I have to say from my recollection, that's it's been a very small percentage of whites attending, just from what I've seen in the audience. The last one that I was part of was in Durham. That was one site that we spoke at, and my understanding is there were 13 remote sites and I'm not sure where those other sites were and who all participated; but the information that we're giving out is intended for everybody, and what we also had done and given out to everybody are these *Church Threat Assessment Guides*, and they've gone out to all the different communities as much as we can. We're asking the ministers throughout the States if they would assist us—and the NAACP—in getting a lot of this information out and just sharing it across the board, because it's a problem for everybody.

Mr. Spaulding. Would you leave some of those with us?

Mr. Logan. Yes, sir.

Rev. Ferguson. When you say the ministers, Mr. Logan, are you speaking primarily of African American ministers?

Mr. Logan. No. I'm speaking of all.

Mr. Spaulding. I think one thing that we want to make clear and we've discussed this, is we don't see this as a black problem. We see this as a problem facing society, and we don't want the erroneous impression being conveyed that our concerns are for one segment of the community. We, like you, are concerned about the care and well-being of all of the citizens and all of these churches and synagogues and other temples of worship.

Mr. Logan. Absolutely.

Mr. Spaulding. With that, are there any further questions?

Dr. Berry. I have a number of questions. Let me say that I agree with what the Chairperson has said, but my information from the Justice Department and BATF is that at least 70 percent of these fires at black churches appear to be or may be racially motivated; and we had testimony to this effect both in Washington and in the States where I've been before I came here from FBI agents that, in fact, at none of the white churches that have been burned has there been an intimidation or information that blacks burned them for racial reasons. That just doesn't happen. So, therefore, concern about black churches is because—we're concerned about all churches, obviously, and we're concerned about religion and places of worship, but it would be wrong for us to try to deny or sweep under the rug the fact that in the case of black churches, the reason all this concern is expressed is because of the evidence of racial motivation. We want to get at it and we want to say that's unacceptable in addition to attacking any church. So, we're concerned about everybody.

Also, obviously, you're a law enforcement official, and you have to be concerned about not talking about motivation and so on until you go to court, but you have to be aware that there are other concerns that people who are not strictly law enforcement officials have a right to be interested in. You understand that?

Mr. Logan. Sure, absolutely.

Dr. Berry. Some of the questions may appear to you to be over the line, and if they are, I expect you not to answer them.

Mr. Logan. Okay.

Dr. Berry. But the first thing I want to know is how soon did BATF get involved in—or were you called in or aware of or get involved in the fires that have not been solved yet, like the New Outreach Christian Center? My information is that they haven't been solved or no arrests, unless it happened after this was made up for me. One at Mount Pisgah Missionary Baptist in Raeford, North Carolina.

Mr. Logan. To be honest, a lot of these fires, we respond when we're notified by the local departments, and a lot of times we have not been. Mount Pisgah, we were aware of it. I guess it

happened October 31, 1995, and we were not notified until June of 1996.

Dr. Berry. Okay. June of 1996?

Mr. Logan. Right.

Dr. Berry. How about New Outreach Christian Center in Charlotte? My date is March 14, 1995.

Mr. Logan. We have not been a part of that one. That was strictly the local department.

Dr. Berry. What about the one on December 25, 1995, in Hillsboro?

Mr. Logan. The name of that church, please?

Dr. Berry. Mount Moriah. I just want to know when you got involved.

Mr. Logan. I don't have that information, but we are involved in it and we were—that one, we were aware of the investigative activity there, but actually physically getting involved, we did not until recently.

Dr. Berry. Also, the one at Wilson Light of the World in Wilson, North Carolina, February 10, 1996?

Mr. Logan. We are not a part of that one.

Dr. Berry. So, how do you become a part and how do you not become a part?

Mr. Logan. Okay. If the local department calls us for assistance, then we would get involved in a fire investigation. On major fires, because of the parameters that we have, if the fire loss is over certain dollar amounts and that type of thing, that's when we would get involved at the request of the local department, and being a part of arson task forces. With these church fires, as soon as we find out about them, we get involved. A lot of the church fires, I can say for North and South Carolina, have been in rural neighborhoods. A lot of times fires will be extinguished and nobody will say anything, but as soon as we find out, we will get involved. What we have been doing is trying to make an effort to get in contact with different departments throughout North and South Carolina, advising them of our interest in responding to church fires and assisting in investigations, in hopes of getting that call. As soon as we get the call, we will commit to doing an investigation.

Mr. Spaulding. Mr. Logan, let me follow up on the Chairman's question there. In trying to listen to what you were saying clearly, you were

saying that in a number of instances, you are called in and invited and asked to assist in certain locales and communities?

Mr. Logan. Right.

Mr. Spaulding. On the other hand, you've stated that in many instances, when you hear about these, you get involved. I'm not clear on when you are reactive and when you are proactive, and what automatically triggers an action on the part of your office.

Mr. Logan. When we saw the increase in—well, brought more attention to churches being burned, we immediately got involved in it when we heard about the fire and responded.

Mr. Spaulding. So, you have the authority under your mandate to be proactive and take the initiative to get involved in—

Mr. Logan. —church fires.

Mr. Spaulding. —situations like this without the local and municipal or county people getting in touch with you?

Mr. Logan. That is the direction I have now.

Dr. Berry. We were informed when we were in some of the other States that BATF finds out about fires from being informed by somebody in the local community who observed it or by local law enforcement officials, since you don't have agents in every spot standing out there watching for fire; otherwise you wouldn't let it happen.

Mr. Logan. Right.

Dr. Berry. So that if no one tells you about it, you wouldn't know about it?

Mr. Logan. We wouldn't know about it, no.

Dr. Berry. And of course you'd get involved with all the publicity in the news, but if you don't know, you can't?

Mr. Logan. Absolutely.

Dr. Berry. So that to some extent, you're relying on local people and local law enforcement to inform you?

Mr. Logan. Yes, the first responders, and who are your first responders? Persons from the fire or police departments.

Dr. Berry. Let me ask you this. The fires that have been solved—let's turn to those. Barnesville, North Carolina, Ohova AME Church, January 6, 1996. How soon after that fire did you get involved in that?

Mr. Logan. I don't have the information in front of me.

Dr. Berry. Were you involved in that, Barnesville, North Carolina?

Mr. Logan. Barneswell? No.

Dr. Berry. Barnesville, unless it's spelled wrong.

Mr. Logan. When was that?

Dr. Berry. January 6, 1996. B-a-r-n-e-s-v-i-l-l-e.

Mr. Logan. Oh, yes.

Dr. Berry. Were you involved in that?

Mr. Logan. Yes. Just a moment, please.

Mr. Spaulding. The name of church is Ohova, and the community is Orrum/Barnesville.

Dr. Berry. North Carolina. That's what I have right here.

I'm trying to find out whether you were involved. Was BATF involved in this, and if so, how soon after—this isn't one that was solved—how soon afterwards? If you don't have the information, I could move on to the next one.

Mr. Logan. Would you, please?

Dr. Berry. Because I have a purpose in asking these questions. Maybe you could provide the information to us.

Mr. Logan. Sure.

Dr. Berry. Pleasant Hill, East Howellsville, North Carolina, May 24, 1996. Was BATF involved in that?

Mr. Logan. Yes.

Dr. Berry. How soon after the fire did you get involved or do you know?

Mr. Logan. That was a little while afterwards.

Dr. Berry. May 24 is when it happened.

Mr. Logan. Right.

Dr. Berry. And this is July the something.

Mr. Logan. We got involved maybe a couple of weeks afterwards.

Dr. Berry. And do you know how you found out about that fire—somebody called you up or how did you know about that fire?

Mr. Logan. From the local department.

Dr. Berry. Okay. Matthews Murkland Presbyterian, the one here in Charlotte, June 6,

1996. How soon after that fire did you get involved?

Mr. Logan. Right away. We were there because we're part of a task force here.

Dr. Berry. My only point is, it seems to me, based on your testimony, that fires in which you got involved and got involved earlier have been solved.

Mr. Logan. Yes.

Dr. Berry. When you count the numbers, the ones where you weren't involved, are still unsolved. They are by my count. New Outreach is unsolved. Mount Pisgah is unsolved. I mean, I just went down the list with you. The only one you didn't remember was Ohova. That's the one that's been solved and you didn't know. So, I'm just wondering—

Mr. Logan. Well, I knew it was solved, but as far as exactly what date we got involved—

Dr. Berry. So, there may be a relationship between how soon you know about it and whether you're involved or not and whether it's been solved?

Mr. Logan. Well, it's been a factor, but I will not say because ATF was not involved in the investigation is the reason why it was not solved.

Dr. Berry. Why aren't they solved?

Mr. Logan. That, I could not answer.

Dr. Berry. Are you involved in them now?

Mr. Logan. Yes, we are. What helps an investigation to be solved, because arson is a difficult case to prove and to solve, is that we found when you do have a lot of investigators who have that expertise come together and share resources, we can cover the bases a lot faster, and that's what has happened with a lot of them, and especially, for example, the Matthews Murkland where we committed the violent crime task force immediately, got the community involved, and the community law enforcement involved, and were able to resolve that one.

Dr. Berry. Now, you mentioned St. John's Island in your testimony. Is that a recent fire?

Mr. Logan. Yes.

Dr. Berry. How recent?

Mr. Logan. Days.

Dr. Berry. Oh, it's been a matter of days?

Mr. Logan. Yes. St. John's, well, a week—6/30.

Mr. Spaulding. Madam Chairman, we understand that the Mayor of Charlotte is here. He has another commitment, but we do want to give him an opportunity—he has some brief remarks. Let me sum it up, because I can sense—

Dr. Berry. I'm sorry, Mr. Chairman, I have two more questions I need to ask him.

Mr. Spaulding. Well, he isn't going anywhere. Mark's going to be here.

Dr. Berry. Are you leaving?

Mr. Logan. I will be here for the duration.

Dr. Berry. Do you want to call him back?

Mr. Spaulding. If you want, that's fine.

Dr. Berry. Yes, because we need these questions so we can compare them with the record in the other States.

Mr. Spaulding. Mark, I ask your indulgence.

Mr. Logan. Sure.

Mr. Spaulding. The Mayor—His Honor, where is he?

Statement of Pat McCrory, Mayor, Charlotte, North Carolina

Mayor McCrory. Good afternoon. How are you doing? I apologize for my lateness. I just got word of this by telephone message late last night, and was working through some other conflicts; but I would like to welcome each of you to Charlotte. We in Charlotte are constantly looking for new ways to prevent this type of event and tragedy from happening again, and we welcome your input and we welcome your ideas.

Just one brief comment I would like to make is that I think Charlotte can be used as a role model on how to deal with this sort of issue, and let me just tell you three or four things that we did when we had the tragedy of our church being burned down.

One thing we did, and probably the first step we did, was first we tried to get all the facts prior to jumping to all the conclusions, whether it be by the national media, the local media, the politicians, and so forth. So, we made an effort to try to first calm the community and get the facts.

Then second, what we're extremely proud of doing, including the gentleman who just left us a

few minutes ago, we worked together as a team to solve this crime as soon as possible because that's exactly what we considered it. We considered it a crime that a church was burned down in the city of Charlotte, and we considered that an extremely serious crime. We in Charlotte are proud in developing relationships with the State government and also the Federal Government and working in a true team effort to try to solve this crime as quick as possible.

Something I was so proud of here in Charlotte during the recent burning is there was absolutely no turf whatsoever between the local police, the firefighters, the State government, and the Federal Government. We worked together as a team, and I think you even saw that in the handshake. I appreciated very much his assistance to the mayor's office in trying to deal with a very, very difficult situation, not only for the Nation but my immediate concern was in this community and how we dealt with it as a community. So, I just wanted to let you know if there's any way we can help you in breaking down any turfs between State, Federal, and local governments, we, I think, can be used as a role model in how well our police and our fire officials and your Federal agency worked together on this very, very difficult situation.

The third thing I want to stress to you is that we worked together as a community in dealing with this, all segments of our community. The churches consolidated together to try to help this wonderful denomination work through this tragedy of a very historical church. Although it was vacant for several years, it still had a lot of history that meant a lot to all segments of Charlotte-Mecklenburg. We as a community, both the black churches and the white churches, made an effort to do everything we can to work together.

I also want to compliment Reverend Hill who is the minister of this church. I can't stress to you the ability he had in order to communicate first with his congregation, and also with the public at large, and also the mayor's office and the police department in making sure we stayed together as a community. He just did a wonderful job in working through this, even though the emotional attachment was there. I mean, he stressed the

message that you can burn down a building, but you could not burn down his faith, and the congregation also firmly believed that, and I commend him for that.

But the community came together. We had local banks here—NationsBank—immediately put out an award or reward for any information leading to solving this crime, and so we saw that the private sector worked very well together.

And the other thing I'm extremely proud of is the ability we had to communicate between the police, especially at all levels—both the local level and the Federal level—and the community at large in trying to stress to them how important it is for us to solve this crime. If you were around during those days, the agents—ATF agents and others—Mr. Logan and others made a point to meet with Reverend Hill and his congregation and even national NAACP representatives who were visiting our city because the upcoming conference was coming and they were here for the planning of it—they made a point to meet with them and give them the most up-to-date information they had with regard to this crime. It just showed a trusting relationship between the criminal justice system and the citizens who were so much impacted by this church burning. We've learned something through that, that we have to look at the big picture in communications. Our police department with Chief Nowicki and others did just a wonderful job in that communications.

Last and just as important is we're constantly looking for ways to follow up to make sure this does not happen again. Our police department representatives and our government representatives have made a point to go visit many, many other churches throughout our community who maybe have received threats, whether it be through phone calls or messages or other types of threats, to make sure we're doing everything we can to provide the proper security that churches ought to have in our city. We've developed a very strong coalition in this community among all segments of our community to make sure this doesn't happen again, or to do everything we can to make sure it doesn't happen, so we can learn from what's happened in the past.

That's something we are extremely proud of in Charlotte. I made a statement when this church burning occurred one week later, and that was, "I am not proud that this happened in Charlotte, North Carolina, but I'm very proud about the way the citizens of Charlotte handled this terrible tragedy, and I'm very proud about the maturity that was shown among all segments: the law enforcement segments, the political environment, and also the church in the way we dealt with this in a team effort." That's the way I would recommend we now deal with this aspect in the future, try not to make it political, try not to make it an us-versus-them situation, but work together, because what we're talking about and to quote a local NAACP representative, we weren't talking about just a black church or a white church being burned down. In Charlotte we saw it as a church being burned down, and that is a very, very serious issue for us in Charlotte, North Carolina, and we made sure we worked together as a team to solve that; and you see part of that team effort right here in this room, and we're very proud of that. With that, I'll be glad to answer any questions that you might have.

Mr. Spaulding. Thank you, Mr. Mayor. Any questions from the Commissioners or Committee?

Rev. Ferguson. Mr. Mayor?

Mayor McCrory. Yes, ma'am.

Rev. Ferguson. Other civil rights matters and so forth in the Charlotte community are all well?

Mayor McCrory. Well, we have the same challenges that many other parts of the United States have. We have stress between races, between cultures. We are not exempt from that stress in Charlotte, North Carolina, but the one thing we do have in Charlotte is we have an open line of communication.

I'll just give you an example of that open line of communication. I was elected in November of this year and I ran against a very good friend of mine, a black Democrat, and just to show you the relationship we had at the end of that election, we hugged each other. We didn't just shake hands, we gave each other a hug. And by the way, since then, he's been reelected to the county board of commissioners and I'm a strong supporter of his.

But we constantly are looking for communication lines and how to communicate with all segments of our community. Our city is known for its community relations committee. In fact, last year, the National Conference of Mayors named Charlotte, North Carolina, the most liveable city in the United States because of our community relations involvement. We take it very seriously.

Rev. Ferguson. How would Councilwoman Ella Scarborough respond to that?

Mayor McCrory. I think she would agree. She would agree also that we still have challenges and we have problems. Ella and I are working peers and we disagree on how to solve some of those challenges, but Ella and I work very well together and communicate very well together. And by the way, she also, along with my other council colleagues—Democrat, Republican, conservative, liberal, black, and white—worked extremely closely with our agencies and your agencies to try to solve this crime and trying to prevent future ones from occurring.

Mr. Spaulding. Ms. Chairman?

Dr. Berry. I hate to, as usual, rain on everybody's parade.

Mayor McCrory. That's fine, Ms. Berry.

Dr. Berry. These are all wonderful words that you've given us and I commend you, and I'm aware of the reputation of this city, but I'd like to ask you, first of all, what is the coalition that you referred to that came together as a result of the burnings? What is it doing? Of whom does it consist? And what does it plan to do to address tensions in this community or is some other body doing that?

Mayor McCrory. Well, the first we did is we sent, by the way, not the politicians, but our law enforcement officials, including our chief of police, to churches from throughout our community. That was the first thing we did, is we went out and personally visited, not only, by the way, city churches but churches throughout our region. That was the first thing we did, and it was the police department that did that. It wasn't based upon me pushing them. They took that initiative upon their own.

The other thing we've done is there are several churches, we have formed a group—which, by the

way, the government did not form this group—and this group was formed prior to the church burning, about 2 months prior to the church burning. We're trying to form a coalition of both black and white churches and business and government leaders to try to solve the problems of joblessness, especially among the inner-city youth in an area we call the City Within a City—the CWAC area, a very important area. We're also trying to deal with public safety issues. We're also trying to deal with homelessness.

This group met 2 months prior to the church burning, and now that group continues, and this is one of the groups that was in existence actually before the church burning, but it saw a need for this group. Hugh McCall, who is chairman of the board of NationsBank, attended the church service, along with myself as mayor, a month and a half prior to the church burning; and that group continues and they're going to be coming back with recommendations to both the business community and the political community on ways we address these types of issues.

Dr. Berry. Well, this morning, I did something that I always do when I go to a community, is go out and talk to the people. About 6:00 this morning, I went out and jogged, and then I stopped down at the bus terminal down the street here to talk to all those black people who were sitting down there waiting for buses, and they were all black. I counted them. I asked them what they think about the situation here in Charlotte and what they think about the churches; what do they think about their own situation; were they aware of anybody making any efforts to deal with issues of race relations and joblessness and all these things you talked about. I do that everywhere I go.

I got some surprising answers—surprising to me at least. One of them told me—I said, “This is a nice place you're sitting in down here with the terminal and all these buses coming together right here in this spot. Isn't that wonderful?” They said, “They didn't want us up there on the square. We used to catch the bus up on the square, and then when they fixed that all up up there, they thought it was too good for us with our worn-out shoes and our backs bent trying to get this bus to

get to work. So, they congregated us all down here where nobody can see. We're surprised you ran down here—by here to come talk to us. Who are you anyway?” I just said, “I'm from out of town.”

They aren't aware of these efforts that you're talking about, at least those people, to the extent that the black folks who sit and ride the buses early in the morning aren't aware of what's going on. So, maybe there's a need to—maybe they're lying and maybe they didn't catch the bus up in the square and they all made it up, but I have a hunch they did not lie.

Mayor McCrory. Just to clarify that, they did used to catch the bus up on the square until a year ago. They caught it up at the square where there was absolutely no shelter from rain or elements or cold. There was no restroom facilities. There were no restaurants to eat, and we thought we were providing a major disservice to a very important client, those people who are trying to get to and from work and do other types of activities, do shopping. So, we committed \$13 million of city land—I'm sorry—\$8 million of city land, and the private sector, including NationsBank, committed over \$12 million to help build the building. We're extremely proud of that joint partnership. That transportation terminal has been quite a success. We understand some people's thoughts in that area, but if you had been here a year ago, you would have been very hot while interviewing those people and you would have had no restroom facilities.

Dr. Berry. Well, I was hot anyway and they were, too. They also told me about public housing and how when the stadium was built, they moved all those black folks. As I say, their perceptions may be unreal and they may be lying, but I'm just telling you that if you're not aware of this as mayor of this city, there are—and there were lots of folks, I'm not talking about five people, and if any of you don't believe me, you get up tomorrow morning and go down there to the terminal and stand there and talk to those people. I do that wherever I go. I'm interested in talking to the people. They won't come in a room like this to talk to folks. I said, “Y'all want to

come up there?" They said, "I be at work and I don't want to go up there anyway."

Mayor McCrory. You're absolutely right. I don't disagree with you. In fact, many of those people did not come to our joint church service that we had at out Sugar Creek Road where we had probably 500 or 600 people. I doubt any of those people were at that joint church service. So, we have some challenges to try to get to these types of people, and if they're saying it and it's their perception, I've always agreed perception is reality and we have to try to change that perception. We have that challenge as in many other communities. I do not disagree with it. If people are saying it, we've got to do a better job in getting the word out.

Dr. Berry. Well, I don't know what you mean by these types of people.

Mr. Doctor. I've got a question, Mr. Chairman. Thank you for coming.

Mayor McCrory. You're welcome.

Mr. Doctor. We certainly appreciate your presence here today. I've worked in this area in the region for a long, long period of time, and Charlotte has a reputation of being one of the more progressive cities in this region, and clearly in the initial days of school desegregation, you all led much of the way in terms of bringing about desegregation—not with some kicking and screaming, I might add—not without some—but at least you all are much more progressive than some of these other cities here in the deep South.

We have recently here in the deep South done a number of projects designed to look at the question of racial tensions—racial and ethnic tensions in Florida. Invariably, we have received information which clearly suggests in Florida, in South Carolina, in Tennessee, Kentucky, and even in North Carolina, that racial tensions are on the increase. We have had a series of what we call briefing meetings here in the State of North Carolina, including here in Charlotte, and clearly the preponderance of the information we have received suggests that racial tensions are on the increase.

What is being done outside of some of the more traditional ways of dealing in the area of racial issues to deal with that particular problem?

Mayor McCrory. Well, I would first agree with you that there is tension, and there's tension in Charlotte. We are not exempt from that tension. When I go out, by the way, as Ms. Berry has gone out, I hear the tension, I feel the tension. It's within groups, it's individuals within groups, and some groups have a higher tension than other groups even within larger spectrums of groups, and it depends on what community you go to—certain segments within public housing, certain segments within the bus area, for example. There is tension and I would not deny that.

I'll tell you the way we're trying to deal with it in Charlotte. One is the one we just mentioned, which it's not unique, but it's, I think, making progress. I think the other area is what we call our City Within a City program. We recognize that the 2-mile radius outside of downtown Charlotte is our biggest challenge. It's primarily minority. It's where our highest unemployment rate is. It's where, within the most economic vital area in the Nation right now, which is Charlotte, North Carolina, we have some depressed areas. We have vacant and abandoned buildings. We have poor housing. We have the homelessness and so forth.

So, what we've tried to do is identify a specific geographical area where we're going to concentrate our resources, and we're developing things like one-stop shopping, where we've consolidated our community policing, with social services, with many other government services, including neighborhood bus rides, which will go through neighborhoods, predominately poor neighborhoods, to try to get people to have access to the services that are being provided both by the public and private sector. We are literally pouring millions of dollars in improving these inner-city neighborhoods—by the way, to help them and to also help the entire city because we know if we take the path of the larger urban areas throughout the United States, if that decay continues to grow, we as a city are going to die. So, we want to deal with it before it becomes too big to handle.

So, we call it our CWAC program—our City Within a City program—and we are pouring—well, we've got another bond referendum coming up in November to pour money into special corri-

dors in which we're going to improve the sidewalks, the lighting, the roads, the storm water drainage, and it's almost all targeted toward the lower income neighborhoods, which is primarily being impacted by minorities at this point in time. So, that's one program that we're very proud of in Charlotte.

Mr. Spaulding. If there are no other questions of the mayor—

Mayor McCrory. Welcome to Charlotte. We hope that you get a little cool breeze this evening to cool you off. Thank you, very much.

Mr. Spaulding. Mark? Mr. Logan, if you would come back. I guess that chair should have been a red chair so we could call that the hot seat for those who are going to be—

Mr. Logan. Oh, no. It's not a problem. I would like, please, on the Ohova Church—in reviewing my records, that fire occurred maybe a week prior to us getting involved, and one person had been arrested, but that investigation is continuing and we are assisting in that investigation. Okay?

Dr. Berry. Okay. Well, the data you've given me confirms what I was saying before, that, in asking you the questions, for whatever reason, one of the factors in the ones that have been solved, at some point BATF was involved and was informed about the fire; and the others that are not solved—and I'm not saying it's cause and effect, you understand, but it's obvious that you either didn't know about it, weren't involved, and in some you're not even involved now.

Mr. Logan. Right.

Dr. Berry. And those cases still remain open. I only asked that because in other States where I've been, the problem was with local law enforcement—not the State law enforcement—local law enforcement informing BATF or anybody else that a fire had happened or the local people informing anyone. We were also told that the longer you have to wait after the fire before the experts get in to look at it, that it's just really difficult.

Mr. Logan. It is difficult. Could I ask you a question, please?

Dr. Berry. Yes.

Mr. Logan. Would you repeat the names of those so that I can make sure if it's something I

don't know about, that I will know about it when I walk out of here?

Dr. Berry. New Outreach Christian Center in Charlotte; Mount Pisgah—

Mr. Logan. Right. I have that one.

Dr. Berry. —in Raeford; Mount Moriah in Hillsboro.

Mr. Logan. I have that one.

Dr. Berry. And you have Ohova. Wilson Light of the World.

Mr. Logan. Okay. That's the one.

Dr. Berry. —in Wilson, North Carolina.

Mr. Logan. Where is that?

Dr. Berry. Wilson, North Carolina, February 10, 1996. I'll be happy to give you this list.

Mr. Logan. That would be great.

Dr. Berry. The only other thing I wanted to ask you—well, I had a lot to ask you, but I don't want to take up all the time—is the role of rewards. Are rewards effective in getting people to come forward? Is that how you solve fires—

Mr. Logan. No.

Dr. Berry. —is to put out a reward and maybe somebody will come in and give you the information?

Mr. Logan. We've put out a lot of rewards and I signed off on another one today for another church. I've gotten calls and all, but they haven't produced the fruit I need in order to solve the fire. It stimulates more calls, yes, it does; but to date, for North and South Carolina, the results have come aside from the reward announcement.

Dr. Berry. And "Good Old Boys," you gave an answer without being asked, but does your answer mean, and I haven't read all the press clips on your appearances, so you may have answered this somewhere else—does this mean that there are no people who participated in the "Good Old Boys" involved in your investigations and that none have ever been involved? Is that your answer?

Mr. Logan. No, it's not.

Dr. Berry. Oh, I misunderstood you.

Mr. Logan. No. I'm saying that the involvement of those persons in the "Good Old Boys" outings—and there have been several over the years—those participants, their investigative

activity has not suffered because of them attending one or two of those outings well in the past. I know that personally, and I will say, yes, there are two investigators in North Carolina that had quite some time ago attended; and through the investigative activities of that "Good Old Boys Roundup," it was found that the negative racial activities were not occurring at the times that they were there, and their involvement in those activities were very minimal, not deeming anything disciplinary other than advising about an agent's conduct, whether he is working or not, how it can affect that agent and the agency. But in my personal review of these church fire investigations, both physically and by reading and knowing the investigators, it has not been a factor in these investigations at all.

Dr. Berry. Why wouldn't it be a factor in how people regarded them to whom they spoke, if this information were known?

Mr. Logan. Well, that's another matter, okay. If you're going to stereotype them in saying that because they attended this "Good Old Boys" thing, although there's evidence that at times the "Good Old Boys" was very racial, which I did not agree with at all—but if you didn't know that these investigators were there, it would not have any effect on the investigation or the perception that people would of those investigators that are out there doing these interviews and everything. I, myself, personally am assuring the public that it is in no way affecting the investigations here in North and South Carolina.

Dr. Berry. Well, I won't pursue this because I'm sure it has been aired here, but it would seem to me that your personal assurances would not necessarily negate an inference by a person who knew of these involvements and who was being questioned that they ought to have some sensitivity or feel a little uneasy about talking to a person, unless nobody knows who they are. I don't know if that's been made public or not.

Mr. Logan. No.

Dr. Berry. Well, then if it hasn't been made public—

Mr. Logan. Because there was no wrongdoing found against these persons.

Dr. Berry. Okay. Thank you, Mr. Chairman.

Mr. Doctor. I have some questions along the same lines, but since the Chair has already dealt with most of them, I'll move along to the next set of questions.

I'm concerned, Mr. Logan, as a Federal bureaucrat here in the region, I read and followed with a great deal of interest some of the public statements you've made in connection with the church burnings, and am I misunderstanding or were you misquoted somewhere along the line, but I thought I picked up on it a bit here today—a reluctance on your part to deal with the question of motivation. In some of these burnings, you've not dealt with the question of whether or not any of the churches have been burned as a result of racial motivation, whereas in some other States, some of your counterparts have not been reluctant to deal with that at all. Can you explain this difference or am I wrong?

Mr. Logan. Well, I'm saying that the investigations are continuing, and that I have seen where someone may say there was no evidence that it was racially motivated and then later on down the line, you may find something where that person did have some animosity toward a race, group, or whatever, and then it's looked upon as contradicting. It causes people to be unsure of the law enforcement and their activities, and that is one thing that I'm trying to avoid here. Sure, it is an issue and we're going to address it. I don't care what the motive is, you know, that motive will be addressed; but I would rather it be addressed in court and be on public record then, and that's where it would count. By the time it gets to court, all activity involved in proving that case and developing all that information to be presented in court is done, and to avoid unnecessary confusion, let's wait for that.

Mr. Doctor. Well, I'm not talking about a response to a specific situation so much as I'm talking about a general kind of response, like, for example, out of the burnings that have taken place in North Carolina, how many in your opinion are racially motivated?

Mr. Logan. That, I don't know. I know that some are white persons involved in burning a black church. I know of white persons involving white churches. I know of blacks burning black

churches. Okay, so there's a mixture there. I'm not saying that none of these fires are racially motivated, absolutely not. I will not say that. I've got a couple of people down in South Carolina who are card-carrying KKK and they burned down two churches. That investigation is continuing. What I'm saying is that I would rather it be addressed in court, and all the different motivations will be addressed, which will include race, profit, or just being out of their mind.

Mr. Spaulding. It sounds like what you're saying is, among other things, that you don't want to be guilty of either speculating or allowing your agents who are doing the investigations, either by word or deed, to compromise the investigation so that when the indictments are handed down or the case is tried, that it may be thrown out because of any actions or inactions on the part of your personnel.

Mr. Logan. Absolutely. I do not want to risk somebody getting off on some technicality.

Mr. Spaulding. Okay. But having said that, I guess one of the concerns that some of us have is that you and I both know that racism is alive and well across North and South Carolina.

Mr. Logan. Yes.

Mr. Spaulding. Having said that, we know that there are still unsavory people serving in law enforcement and elected positions in many of these counties. Now, when the Chairman was asking the question—and I didn't follow up on it—about, you know, the process, one of the questions I had is, and I'll raise it here, both not only in terms of the people that you assign and who is assigned to which investigation, because the assignment of a particular agent may have some bearing on your success in gleaning the information that you need as a part of that investigation, but beyond that, the matter of when BATF gets involved in an investigation. Let's assume, for example, you've got one county that is known to be—and I don't mean this in a political sense—but conservative. They're not likely to call you and they're not likely to call one of your investigators directly to come in and do the investigation. They would like to keep it amongst the good old boys to get it done their own way. So, the concern then becomes, you know, whether you and your staff on its own initiative,

because you have concerns, quote, unquote, about how such an investigation might be carried out, whether you get into that process, one, early enough, or at all.

Mr. Logan. And what I'm trying to address—we're trying to address also by—and during speaking engagements, I have several with the South Carolina Firemen's Association and that type of thing where I'm supposed to give a presentation—another thing down here is to let fire officials and law enforcement of the different counties and cities—hopefully they would understand that because the Federal Government is coming in to conduct an investigation, we are coming there to work with them in conducting an investigation, and not just to take over and shove them aside, because this is a concern, I know, in the local communities. All right. There may or may not be other motivations why they would not like us there, but I have heard concerns about we would come down and we would have a lot of investigators, and they may feel overwhelmed or they may not want the attention brought to their city or town, and therefore would be reluctant on calling us.

That is a big concern that I have, that we, as investigators, whether its State, local, or Federal, cannot do everything. We need to work together. We need to not be so proud as not to call in for help when it is needed. The more people involved, the better we're able to investigate. From our standpoint with ATF, a lot of people are stuck on who is going to get the credit for this. What we come out with and what I come out with right off is that everything involving notification of the public, as far as media relations, we do it together—just trying to assure them that we're not going to come in there and just sweep them aside, and that's been a concern that's been brought to my attention.

There may be other hidden agendas also, but once we identify them, we're trying to address them so that we can come together and deal with these and we can be notified right away. You know, I tell the investigators, I don't care if it's 1 in the morning or 2 in the morning, if there's a fire, I want to know about it; and I'm trying to encourage other law enforcement agencies to do

the same thing so that we can come together. Nobody will be swept aside. We can attack this problem, deal with it, and get it over with.

Mr. Spaulding. Mr. Logan, we have had you on long enough. What I'm going to do, because we've got several people who are in and out—you said you were going to be here for the duration?

Mr. Logan. Yes, sir.

Mr. Spaulding. What I'd like to do is I'm going to have to amend the schedule, if you don't mind. We may call you back or talk with you informally about some of the questions we have.

Mr. Logan. Sure.

Dr. Kirk. I'd like to get a copy of the brochure he was showing.

Mr. Spaulding. Yes. If you could either leave enough copies or have them sent to the Atlanta office for distribution so that we might have them.

Mr. Enderson is the Acting Special Agent in Charge of the FBI here in Charlotte, and he's agreed to allow us to recognize the Honorable Richard Moore, Secretary of North Carolina Crime Control and Public Safety. Richard, I'm going to, at your request, do that and I'll see you when I come back to Raleigh. He does have a plane to catch and we did not want him to get away without having an opportunity to make some comments so that our good Chairman here can interrogate him to the extent that she feels inclined to. We wanted this as a matter of record.

Statement of Richard Moore, Secretary of North Carolina Crime Control and Public Safety

Mr. Moore. Thank you, Mr. Chairman, members of the Commission, and members of the Committee. I am here today representing our Governor, Jim Hunt, in several capacities, the first of which is in my capacity as Secretary of the Department of Crime Control and Public Safety. I would like to thank you for this opportunity to change places. We have been extremely busy in the last week with Hurricane Bertha. I have Emergency Management, the National Guard, the Highway Patrol, and numerous other divisions that have been working around the clock.

We also have in our department a division called Crime Prevention, and I wanted to talk to you today about things that we are doing in the short term for preventing these crimes. So far today we've talked about what do we do once they happen—the things that North Carolina is doing in a proactive way to stop future tragedies from happening, both short term and long term.

The short-term solutions have been twofold, the first of which our Governor, under Executive Order 96, Racial or Religious Violence and Intimidation, has put together a task force that has been referred to earlier today that is comprised of myself, the State's Attorney General, our SBI Director, the Chairman of the North Carolina Human Relations Commission, the Chairman of the Martin Luther King, Jr., Commission, and 16 others made up from law enforcement, the General Assembly, the religious community, and the general public.

We have had our first organizational meeting about 2 weeks ago. The chairman and the co-chairman did a wonderful job of breaking us up into four specific committees, one of which will focus on future legislative changes; one will focus on awareness and prevention; one will focus on what we need to do as far as race relations, how we can open better channels of communication, what steps we can take as far as the big picture goes.

I am on the prevention subcommittee. We have already met, and we have made great strides in what we're trying to do, and I want to tell you about what we're doing. We have taken a program that we've had in North Carolina for a long time called Community Watch. It's focused primarily on rural areas and trying to teach them how to look out for themselves, and patterned it—and I brought just one of the examples today of a Church Watch sign that is going up. The response to this has been tremendous. We've already sent out over 100 of these. This goes out in a packet telling any church that requests this information how to protect themselves. How to look into lighting, how to look into organizing someone to be at the church at all times, just a vast array of practical things.

What we're also doing is we have a 1-800 number that we have worked very hard to get out. It's 1-800-990-CRIME and you don't dial the "E." But we will make available to any congregation that asks us a member of our crime prevention staff to physically go out and look at the church and decide anything that we can do; and along with this expertise, we are going out to seven locations in North Carolina, primarily rural locations—I think Raleigh is probably the only metropolitan location—over the next 3 weeks to bring in people from the community and let them know that these resources exist. We're also attempting to educate folks. Every time I turn around, I'm made aware of a new Federal program that's making money available to this problem through different means.

We are also, as a part of that procedure, asking people to pull their insurance policies out, to think about the merits of buying a policy if they don't have one, and specifically—Madam Chairwoman, to your request earlier—we have had no requests, and this is something the Governor has tasked me to look very closely to—we have had absolutely no information that anybody has even threatened to cancel a policy here in North Carolina. We are familiar with it supposedly happening in other places, but I've consulted with the Insurance Commission. If it's not legal, we're going to prosecute them. If it's legal, we're going to try to shame them into putting it back into place.

We have also, as a part of my department, we have ordered and the North Carolina State Highway Patrol is currently making special trips by every rural church in North Carolina. I've gotten numerous phone calls that people have already noticed the heightened profile of the Highway Patrol. Hopefully, these measures will prevent tragedies from ever happening.

Now, the long-term solution. There's a lot to be done. Hopefully, whether there is a conspiracy involved in these church burnings, hopefully where there is or is not racial motivation in any of these church burnings, we can use this to focus on some cracks and some problems that we have in our society that far too often get swept under the rug; and as someone who is part of the first generation of leadership in North Carolina who's

a graduate of the integrated schools of North Carolina, it's not particularly a side that I'm very proud of at times, and hopefully we can do a better job and all work towards a more understanding society. Thank you.

Dr. Berry. Since Mr. Spaulding is not here, does any member of the Committee have any questions for Mr. Moore? I have just one or two.

The one or two I have is, first of all, do you think it would be possible for either the Chair of our State Advisory Committee or some member of the Committee chosen by them to serve as an observer of the work of either your subcommittee on prevention or the task force? It would be very useful to us if you could do that.

Mr. Moore. I meant to mention that during my remarks. At our first meeting of the full task force, it was brought to our attention that there were others that could bring constructive knowledge to what we were trying to do, and the last that I heard from the Governor's office, we will try to do better than just observing. I think we're going to try to expand, and I am going to take back—I had already made a note to myself to make sure that any expansions, either formal or informal, include members of the North Carolina Advisory Committee.

Dr. Berry. Because that would be very useful for us at the national level, since they're our eyes and ears. He's just agreed that someone will be on the task force.

Mr. Spaulding. I'm glad you raised the question. It saves me the embarrassment of not—but he and I will be talking in other regards as well.

Dr. Berry. The other thing I wanted to ask you, is there any evidence of Ku Klux Klan activity in North Carolina?

Mr. Moore. We do not have any prosecutorial authority as a department. I can tell you as a human being that I live in a county where the Klan has an 800 number, and I'm ashamed of that number. As a former Federal prosecutor, I am also quite aware that such activities are legal in our country.

Mr. Spaulding. The number is probably all right. It's the message that's on it.

Mr. Moore. The message is—and once again, I'm not speaking in my official capacity. It's a disgusting message.

Mr. Spaulding. A lot of us have called that number just to hear the message and laugh at it, but that's neither here nor there.

Mr. Doctor. Mr. Moore, I'm concerned about other hate groups in the State of North Carolina. I remember some years ago, clearly there were neo-Nazis and Skinheads and some other groups as well, having been very closely involved in that Greensboro situation several years ago. Are there other hate groups in the State of North Carolina, including some factions of the militia, that you are aware of, and can you say some numbers for us if you will?

Mr. Moore. I am not aware. I would be shocked if they did not exist, but I'm not aware.

Mr. Doctor. Very good. Thank you.

Rev. Ferguson. Mr. Moore, I was interested in the task force on the church burnings. The church burning issue seems to be such a marvelous opportunity for political posturing—you know, a safe issue for politicians and social workers to harp on because it gives you a safe place to posture from; but I'm wondering, in light of the number of burnings that have existed in the State, if that number anywhere closely approximates the number of complaints about racism in this State, and if the complaints about racism have been greater, is there a task force on racism? Has the Governor set up a task force on racism? Are you aware of any task force that has been set up on racism in light of any outrageous number of complaints that may exist in excess of the complaints we have on the church burnings?

Mr. Moore. Well, I'm not aware of the numbers of complaints. I do know that I serve on the task force with the chairman of the North Carolina Human Relations Commission, and it is a very active commission, and that is its role by definition, to constantly explore these types of issues in our society, and that is something that was in place long before this unfortunate wave of church burnings.

Rev. Ferguson. I asked that because I'm certain that, in fact, that commission could have been delegated the church burning issue; but, in

fact, a task force has been set up and meetings have been held with preachers. So, I'm wondering in light of that kind of concern, has there been any discussion perhaps of setting up a separate task force on churches in light of the fact that any of them could have been delegated to the Human Relations Commission?

Mr. Moore. I'm not quite sure what the administrative structure this last task force will take on. I can assure you that I feel very comfortable in speaking for Governor Hunt that he will not rest until we feel like everything that could possibly be done as a government—and I think it's important to realize that there may be some limitations on what the government can do; it's what we as people have got to do—that we will continue to put resources towards trying to get folks together to come up with solutions.

Rev. Ferguson. I'm glad to hear that, particularly because I'm part of a group of 10,000 people that have written the Governor about an outrageous situation where a young African American in Greensboro, North Carolina got two life sentences for a nonviolent, weaponless crime. For five burglaries, he was given two life sentences. The Governor has been written repeatedly because everyone involved has indicated that this appears to be a travesty of justice; and certainly in light of the great number of African Americans that have been incarcerated unfairly, this is a case where the Governor has been asked to commute the sentence of this young man because it is typical of the kind of racist activities that are going in the State. I'm glad to hear that he's interested, and I would like for you to mention to him the name of Kwami Cannon, and that it came up today.

Mr. Moore. That's exactly what I'm going to do, I promise you.

Rev. Ferguson. Thank you.

Dr. Kirk. Mr. Moore, given the task of your committee or task force in North Carolina, what is the Governor's office doing with respect to the racial problems at Fort Bragg, and how is he involved in that, and what does he intend to do, can you tell the Commission here today?

Mr. Moore. Well, I can tell you, I guess, as the figurehead commander of the North Carolina

National Guard, that we have absolutely no say-so on the base at Fort Bragg.

Dr. Kirk. What kind of pressure is the Governor's office bringing to that situation to ease the tension?

Mr. Moore. Well, it is my understanding, through conversations that I had not too long ago with Secretary West, the Secretary of the Army, that he is very pleased with the progress that has been made at Fort Bragg, and I know he personally was there not too long ago in trying to look into a lot of problems that are just below the surface and in the last year or two have not stayed below the surface. But I am not aware of any specific effort made by the Governor to pressure Federal authorities at Fort Bragg because I wasn't aware that there needed to be more pressure placed; perhaps there is.

Mr. Spaulding. Any further questions? Thank you, Mr. Secretary. We appreciate your being with us this afternoon.

Mr. Moore. Thank you again for your courtesies.

Mr. Spaulding. Mr. Woody Enderson, we're going to call on him. He's the Acting Special Agent in Charge of the FBI, and we thank you for your indulgence.

Statement of Woody Enderson, Acting Special Agent in Charge, Federal Bureau of Investigation, North Carolina

Mr. Enderson. Mr. Chairman, Madam Chairman, I am pleased to be here today representing the FBI in North Carolina. As the mayor mentioned, I did not receive word of this until this morning, as a matter of fact, so I have no prepared statement, but I just wanted to highlight a couple of things that I thought might be of interest to you.

First of all, the FBI has long been involved in investigating civil rights violations across the country. In North Carolina, historically over the last several years, our efforts have been primarily directed towards excessive use of force by law enforcement officials, discrimination in housing matters, and we've even obtained convictions in involuntary servitude and slavery cases here in North Carolina.

When the fires seemed to start to the proportion that we have now seen, we redirected the resources from those types of cases, and have placed all of our available agents directed towards these fires. Now, unlike other Federal agencies, we have a broad spectrum of violations that come under our investigative jurisdiction. In this State, we have approximately 100 agents total. We have the responsibility for foreign counterintelligence investigations. We have responsibility for organized crime and drug investigations. We have responsibility for white-collar crime investigations, as well as civil rights investigations. So, we have taken the resources that we have allocated for civil rights and have augmented those with as many agent personnel and other support personnel as we need to try to address each and every one of these fires as they've occurred.

I am also a member of the Governor's task force, along with Mr. Calloway, and one of the things that you have highlighted here today that that task force is addressing, and I think it's something that really needs to be addressed, is that in the State of North Carolina—and one of the reasons that I think some of the fires that you mentioned, Madam Chairwoman, that we might not have been aware of is because I learned at our meeting of the task force that there are many fires that may never be reported to law enforcement. In the State of North Carolina, we have State fire marshalls that frequently go out and investigate these fires, and it may never be reported to a police agency or a sheriff's department.

So, what we are doing, I'm on a subcommittee as part of that task force to try to develop a uniform system of reporting and recording each of these church fires. We have met a couple of times. We have another meeting scheduled next week in Raleigh to try to centralize the reporting and the maintaining of these records in the State through the State Bureau of Investigation. I think that that will certainly expedite any kind of reports that we might need, and it will provide us with a more uniform method of ensuring that we receive timely notification of these.

At the present time, the FBI has been working with the Bureau of Alcohol, Tobacco and Firearms on all of the fires that you have mentioned.

Unfortunately, as Mr. Logan has mentioned, some of those we did not receive timely notification of. Two that you specifically mentioned, the one in Orrum and the other one in Raeford, we only received notification last week, July the 12th. So, it's imperative that if we're going to be involved and try to work from a civil rights standpoint, we need to receive timely notification.

I have a coordinator in this State of all of our civil rights investigations, and that is Scott Perkins, who has been introduced here earlier. He has attended meetings throughout the city and throughout the State to try to make sure that the citizens of this State understand the commitment of the FBI to solving each of these crimes.

My policy is that if a church fire is reported to us, I make a presumption that it is going to be a civil rights case, and I immediately direct that a civil rights case is opened. If it turns out that it's an electrical fire or some natural cause or it's not a civil rights case, but it's just a straight arson case, we can close it; but I would rather open it immediately and then be able to close it later than come in at a later date. So, we are absolutely committed to these cases and are redirecting whatever resources we need to redirect to solve them.

I personally appreciate the efforts of Mr. Logan and ATF and the U.S. attorneys' offices throughout this State. We have received superb cooperation at all levels, and I think that if we get that continued cooperation that we can certainly be more effective in solving all of these.

As I said, I have no prepared remarks, but I'm open for any questions that you might have.

Mr. Spaulding. Thank you, Agent Enderson. Are there any questions by the Commission or the Committee?

Mr. Anderson. Special Agent Enderson, could you just describe for me briefly when the FBI is called into a case where ATF is already working and local law enforcement has already investigated the situation? Is there one agency or one agent that takes over all direction of the investigation, or just how do the various law enforcement officers from the different agencies relate to each other?

Mr. Enderson. Well, in most recent instances, I think that the Bureau and ATF have pretty much responded to these at the same time or within hours. Normally, ATF will be notified before us and they will notify us, and we will get there as quickly as we can.

My experience has been that, as Mr. Calloway has mentioned and as Mr. Logan has mentioned, we really don't care who runs the thing. The most effective task forces that I've ever seen are those that are not run by anybody, but that everyone understands their role and understands that they have a unique function. When assignments are made, they're made together regardless of agency.

That is the kind of case, for example, that we're working right now on the Mount Moriah Baptist Church in Efland, North Carolina, where there is a task force made up of ATF, local officials, and the FBI. When assignments are made, if there are interviews to be conducted, we go out as teams regardless of who makes up that team. When a report is done, each member agency of the task force gets a copy of that report. Those are the kinds of cases, I think, that we can be most successful in. I don't consider either the ATF or the FBI to be lead agencies.

Now, from a national perspective, as Mr. Calloway has mentioned, the task force that was formed 2 or 3 weeks ago back in Washington, D.C.—at that time it was decided from a national perspective that ATF and FBI would be co-lead agencies in these matters if they're prosecuted federally. We clearly recognize that many of them may never be prosecuted federally. So, it's imperative for us, and I think we've been pretty successful, to ensure that everything we do—if a case ultimately is prosecuted in the State, that we have done the things that need to be done to bring about a successful prosecution.

Mr. Anderson. Thank you. The reason I asked that is now I want to ask you what I consider to be a sensitive question, and that is, in terms of the uncleared investigations that we've been hearing about where there has not been, you might say, timely notification of Federal investigators, or at least a long delay—5 months, 6 months, etc.—do you have any indication or do any of your agents have any indication that there is anything

other than what you might call a good faith reason for that delay in notifying Federal investigative officials?

Mr. Enderson. Mr. Anderson, I have seen nothing like that. The ones that we did not receive timely notification on are the ones that I believe just the local agencies—in one case, it was handled primarily by a fire marshall, as I said, instead of a law enforcement agency; and I think that that kind of situation will be resolved when, at a State level, through the Governor's task force, we promulgate rules that say this is what you're supposed to be doing, this is how you're supposed to report them.

Our plan is to work through the North Carolina Association of Fire Chiefs, the North Carolina Chiefs of Police Association, and the North Carolina Sheriff's Association so that we get the same message out to anyone who might be involved in these. So, if we can get out the message on how they need to be reported and set up a telephone tree, more or less, so that when we're notified or when ATF is notified, then the other appropriate agencies are immediately contacted, I think that any confusion will be resolved.

I clearly understand where you're coming from, but I personally am not aware of any instance in which a fire has been deliberately not reported to try to conceal it from Federal investigators. I'm just not aware of that, nor am I aware of any instance in which there was not timely notification that we've gone in and received less than full cooperation by the county and local officials involved.

Mr. Anderson. Thank you. I wanted to ask Agent Logan this, but I didn't have the opportunity yet, but perhaps I could ask you. What is a reasonable expectation on the part of the public for an arson case to be cleared or solved or someone arrested in response to that, and what is a reasonable expectation when there has been a 6- or 7-month delay in notification, say, to ATF? Now, obviously, we all want all of these cases to be solved, but what should be a reasonable expectation on the part of the public, 100 percent, 90 percent? Is it fair to ask you that question?

Mr. Enderson. Well, maybe Mr. Logan would be a more appropriate person to ask. I can

tell you that I'm not sure that he or anyone in Federal law enforcement could answer the second part of your question on what impact would less than timely notification have.

The Uniform Crime Reports, which are maintained by the FBI based on input from all law enforcement agencies across the country, reflect that arson—I believe the figures that I've read indicate that arson cases are solved about 20 percent of the time, and that's a rough estimate. I don't claim to give you an exact figure. I know for the Uniform Crime Report for 1994, about 48 percent of all of the cases of arson that were solved were people under 18 years of age that committed them. So, it's that kind of figure that we're dealing with, and it's a difficult crime to solve—not impossible, but it's difficult and because of the nature of the crime, there's frequently very few witnesses.

Mr. Logan was asked a question about the benefits of rewards, and I agree that in the cases of these arsons, as yet, we have not seen a significant impact of the rewards that are being offered. I can, however, say that, historically, the FBI has worked with the banking industry in solving bank robberies, and in those case, rewards have been very effective; and I think that maybe in this case, it might be a matter of publicizing a little more. The bankers have publicized their offering of rewards for years, and people pretty well assume that if they furnish information that leads to the successful arrest and conviction of a bank robber, they might get a reward. Perhaps because this is a new type of reward that's just being offered, people just don't know about it at this point.

Mr. Anderson. I don't want to monopolize all the time here, but I have two more questions if that would be all right. The first is that based on your experience—and I assume you're having some kind of coordination with the investigations in various States, if it's a weekly briefing or whatever so you know what's happening somewhat—are you able to see, based on your experience here in North Carolina, whether there tends to be a difference or a distinction between States in this problem, or do you see just sort of a uniform problem occurring?

Mr. Enderson. Well, actually I don't get a briefing as the Acting Special Agent in Charge here. My full-time job is the Assistant Special Agent in Charge, and at this present time, we're between Special Agents in Charge. Our new one will be in about mid-August. I've been here for about a year now, and I'm well aware of what's going on in North Carolina, but we don't routinely get briefed on a weekly basis on this type of matter throughout the Southeast.

Mr. Anderson. Okay. Then let me ask you two brief things. One, the Special Agent in Charge for South Carolina on Tuesday indicated that he had no evidence that there was either an interstate conspiracy or a national conspiracy or a statewide conspiracy in South Carolina. He would not go on to say whether there was a localized or regional conspiracy within the State. Would you care to comment in terms of North Carolina in those terms, based on what you've found so far?

Mr. Enderson. Well, I think I agree with what Mr. Logan said. When you define conspiracy as an agreement between two or more persons, clearly we have found some individual fires in which two or more persons have been involved that would meet the conspiracy definition. I would be, I think, premature to discuss whether in the grand scheme of things when all of these are solved—and I certainly trust that all of them are going to eventually be solved—that there may—I can't answer it, because we don't know for sure who's involved in all of this at this point.

Mr. Anderson. Okay. In one of the cases he cited in South Carolina, they tracked down the suspects by following their bicycle tracks, and it turned out to be four teenagers. Now, I don't know whether you file Federal conspiracy charges against four 16 year olds or not, but that's not the kind of conspiracy I think people have been talking about.

Mr. Enderson. Right.

Mr. Anderson. The FBI and the South Carolina Law Enforcement Division on Tuesday both indicated they thought there was some Klan involvement in this, at least in South Carolina. Can you comment on that here in terms of North Carolina?

Mr. Enderson. I'm aware, as Mr. Logan has already indicated, of the possible Klan involvement in South Carolina. I would not want to characterize or comment on who might be involved in the unsolved ones in North Carolina at all. It would be, I think, premature and possibly presumptuous. One of the things that I appreciate that Mr. Logan mentioned—and it's important that we understand this and goes to another question that was asked, I believe, about our approach to the members of these churches. Certainly, we're sensitive, but in any investigation, if we in law enforcement are going to do what we should do, we go into a case with no preconceived ideas whatsoever about who might have done it, how it might have been done, what the motive was, or anything like that, because if we have any ideas or any preconceived ideas, we tend to work towards those ideas, and we must maintain an open mind. As I maintain that open mind, I'm certainly not prepared to say that I don't anticipate that we'll find any Klan involvement, but I certainly can't say that we have found any at this point.

Mr. Anderson. Thank you.

Mr. Knight. Mr. Enderson, does your office have any involvement in the Federal Hate Crime Reporting Act and if so, do you have any comments on its effectiveness or how it's working now?

Mr. Enderson. We don't have any involvement in that, no.

Ms. Brown. Glad to hear you say that, evidently, through these task forces there's going to be some connection in terms of reporting fires. It's amazing to me that you can pick up *USA Today* and they've got them all listed, or you could ask the Klan and they would have them all listed. I guess it says throughout this country, we don't have the networking in law enforcement and in the justice system that we should have. I hope that gets back to the FBI, SBI, and the other groups.

Mr. Enderson. It's already there.

Ms. Brown. It is there?

Mr. Enderson. It's already there and we're taking --

Ms. Brown. But it only came there as a result of all of this, right?

Mr. Enderson. Well, as a result of a realization that when we started trying to go back to identify specifics on fires in this State back to 1990, we could not do that. There's no one agency within the State government that has been tasked with maintaining that type of record. We have learned through the meetings of the committee that I'm on on the Governor's task force that the State Bureau of Investigation not only has the facilities but also has the capability at the present time to very easily maintain those records. So, that's the direction we're working toward at this time—not only, I might mention, involving fires, which really will be relatively easy to report because it's something that clearly happens. The difficulty is going to be—and this is something that the FBI is involved in also—in threats because those may never be reported to anyone, or in vandalism, and the FBI for years has been very active in investigating and has been pretty successful in many areas of the country with vandalism against churches and synagogues.

Mr. Spaulding. If there are no further questions—

Dr. Berry. I have some questions.

Mr. Spaulding. All right, Madam Chairman.

Dr. Berry. Mr. Enderson, first of all, aside from the church burnings or before the church burnings—you say you've been in office about a year? I guess you've been here about a year?

Mr. Enderson. That's correct.

Dr. Berry. So, you wouldn't know, I guess, but I want to know whether, aside from that, there's any evidence of KKK or organized hate group activity in North Carolina to your knowledge.

Mr. Enderson. There has been none that I'm aware of during my tenure here. Before that, I really don't have those records available. Obviously, because of Attorney General guidelines on the way we conduct investigations, we focus our investigations on crimes, not on the nature of any particular group. We don't conduct intelligence activities on groups that are lawful, and regardless of how all of us may feel about some groups, if they're not committing a crime, then we are prohibited under Attorney General guidelines from looking at them.

Dr. Berry. The U.S. attorney told us about arrests for cross burnings and Federal prosecution of cross burnings. Was the FBI not involved in any of those?

Mr. Enderson. No, we were.

Mr. Calloway. They were. They were the investigative agency on them.

Mr. Enderson. Those were our cases.

Dr. Berry. Were any of the defendants in those cases involved in any organized hate group activity?

Mr. Enderson. Not that I'm aware of, no.

Dr. Berry. Do you recall who burned the crosses, just in general? I mean, what kind of crimes were these, if your office was involved?

Mr. Enderson. Let me ask my supervisor. I don't remember the names.

Dr. Berry. No, no, no. I don't want the names of the people. I'm just trying to see if they were totally unconnected from any kind of organized hate group activity. Was it the case that none of the cross burnings were related to any organized hate groups?

Mr. Calloway. The one that I recall being prosecuted while I've been U.S. attorney involved two or three individuals that burned a cross in front of the trailer of a racially mixed couple. As I said, they were prosecuted and they got 9 years apiece for that crime.

Dr. Berry. Well, the U.S. attorney—I thought what we heard this morning was that there were several cross burnings that were prosecuted. You only mentioned one. There was only one?

Mr. Calloway. There have been several. That's the one I can give you specifics on.

Dr. Berry. Okay, but there have been others?

Mr. Enderson. There have been others and unfortunately, I don't have the specifics on who those were. I can certainly get those for you over a period of whatever years you would want.

Dr. Berry. In the last 5 or 6 years.

Mr. Enderson. All right.

Dr. Berry. The other thing is, have there been episodes of graffiti on churches or synagogues or other kinds of indicia of vandalism of that time?

Mr. Enderson. Here in Charlotte and in this State, we've not had a lot of that reported, which is a little bit surprising because I spent 12 years in Chicago, and there was a great deal of that up there; but here, not a great deal of vandalism of the type you describe. We've had some threats that we are actively investigating at this time, but not a great deal of vandalism that I'm aware of.

Dr. Berry. The last thing I want to know is under the laws of North Carolina, Article 7958-79-1, and the provisions of the law require that when a fire occurs, any local law enforcement officer or any official who is aware of the fire shall forthwith notify the Attorney General, and must within 1 week of the occurrence furnish the Attorney General a written statement of all facts relating to the cause and origins of the fire. Now, if local law enforcement officials reported fires to the Attorney General through the SBI, why wouldn't there be a record of all the fires that at least the local law enforcement officials were aware of? Now, I could see if they weren't aware, then this would not apply; but if they were aware, then if the statute is enforced, which I believe it is, there would already be a reporting requirement, and somebody would have a record somewhere of all the fires that took place.

Mr. Enderson. I don't disagree with you. Unfortunately, the reasons why that is not being enforced fall outside of my areas of jurisdiction. One of the things that came to our attention when we met as a committee of the Governor's task force is the existence of that requirement. It may very well be, Madam Chairman, that it's just one of those things that over a period of time has been allowed to slip through the cracks. I don't know the answer to that, but obviously, SBI is the agency that we're working to get as the repository of this kind of information. It's the most logical and they have been very cooperative, and said that they would like to be that repository.

Dr. Berry. Okay. Thank you, Mr. Chairman.

Mr. Spaulding. Any further questions? If not, thank you, Special Agent Enderson.

Mr. Enderson. Thank you, sir.

Mr. Spaulding. We'll move now to Mr. Ozell Sutton of the Community Relations Service,

U.S. Department of Justice. After Mr. Sutton has completed his comments and our questions, we're going to take a 2-minute stand-up stretch break.

Statement of Ozell Sutton, Community Relations Service, Atlanta Office, U.S. Department of Justice

Mr. Sutton. Madam Chairperson, Mr. Chairperson, to the members of the SAC, as I call it, staff, ladies and gentlemen, I am pleased to represent the Community Relations Service, U.S. Department of Justice, here at this hearing today. I want to express appreciation for the work that the U.S. Commission on Civil Rights does, both in hearing-type situations and reporting-type situations. I had the great honor at one time to be a consultant for you for 2 long years before I became a government employee coming out of Arkansas. I used to set up and conduct the hearings in Arkansas and east Texas and north Louisiana coming out of there for 2 long years. I actually had the experience of going through those parts of those three States and making a determination of need for Federal registrars back in those critical days working with the Commission. So, I can have full appreciation for what you do. I also have full appreciation for the cooperation that my agency has received from you all of these years. Bobby Doctor and I were in Memphis when Martin was killed. Martin was in 306 of the Lorraine and I was in 308. We worked very closely with the Commission and its staff during those days, so I have full appreciation for you, and I thank you for bringing this issue to head. Somebody needed to do what you're doing, and I thank you for getting on it.

The Community Relations Service was established under Title X of the Civil Rights Act of 1964, as all of you know, and under that title, we are mandated to assist communities, institutions, agencies, what-have-you, with resolving racial and ethnic conflict. So, we're in the business of conflict resolution when that conflict is rooted in race or ethnic origin. We've had our ups and downs since that time, and I've been with the agency a good long time. I came with the agency in 1966, shortly after it was formed—about a year and a half after it was formed. I left the agency in

1968 to become special assistant to the late Governor Winthrop Rockefeller of Arkansas. I stayed with Win from 1968 until 1970 when he lost to Dale Bumpers, and I came back to the agency as State director for Arkansas, and I've been in Atlanta as Regional Director since 1972—a long tenure in that position.

In our agency, we have the regular conglomerate of national regions. I have Kentucky, Tennessee, Mississippi, Alabama, Georgia, North and South Carolina, and Florida. In this case, the case of the church burnings, I am chair of the agency's task force to direct the agency's work all across the country as relates to the church burnings; and you know how it is, I became chair because I raised so much hell about doing more and being more involved, aware of the fact that simple law enforcement cannot resolve the deep-seated racial problems that are involved—insisting upon it, and when you start doing that, whether it's with the Federal Government or with private organizations, you end up as chair, right? So, I accepted the chair of the task force of the Community Relations Service on church burnings.

We have come forth with several things that we must do. I told you what our mandate is. I have not talked about our method. Our method is conciliation and mediation of racial conflict. We go into a community first and assess the level of racial tensions involved and what kind of activity that's going on, both good and bad, as relates to race, and then try to address those problems as best we can in respect to it. We go about pulling communities together and people across racial and ethnic lines to try to work to resolve whatever problems that are involved. We are fairly decent, if I might say, in assessing the level of racial tension in a community. We have our methods and we know how to work them to do that in respect to that, and I can say in these cases, we are concerned about the level of racial tension that is involved.

The black community is very suspicious of all of us—when I say all of us, all Federal agencies, State agencies, and what-have-you—as to our intent and our devotion to and our commitment to this cause; but, you see, you have to understand that the black church is a different instrument in

the black community from what a regular church is to the rest of the community. The black church is to blacks their shelter. It is their keeper of the faith and of the culture. It furnishes the opportunity to be somebody, quote; and thus it serves more than just a place of worship. When you attack the black church, you're attacking the very heart of the black community.

Now, we can say that there is no conspiracy, but you know one thing? They don't believe that. What I say is, it really makes little difference if there's a conspiracy at all; racism is involved. We know that to be so. And even if there's not a conspiracy, it's a worse situation because a conspiracy can involve just a small little group of people, and you can investigate and find who they are and deal with that; but if it's not a conspiracy, that means racism is just that pervasive. Without any suggestions from anybody or without any notions from anybody, it's just out there very extensively, and that's hard to deal with in respect to that.

Now, you and I know that racism is very extensive in our nation. I have no reservation about saying that, and there is increased tension among races in this country. There are many reasons for that that I don't have the time to deal with, but let us just say that there is. This issue is personified because of—or even came into being because of the extensive racism that exists out there. In some kind of way, we in the Community Relations Service try to apply our skills to the reduction of racism, to the reduction of tension caused by racism, and to resolving the problems that face us in respect to that.

Now, as you know, we lost half of our staff—well, lost half of our funding just recently. Our funding for 1996 fiscal year is only half of what it was in 1995, despite the increased racial tension that exists in this country. When we lost one-half of our funding, we lost 60 percent of our staff. I try to operate in eight States with four people. Ridiculous, plain ridiculous, but I won't deal with that. One of the things that we have just experienced recently, based upon a paper which I wrote as chair of the task force, the Attorney General has directed that all Justice Department agencies to which our staff went when they were cut from our

agency return those staff to CRS on detail to us. One of the good things about it, since she knows that we don't have any money, they detailed them back to us and remained on the payrolls of the agencies from which they come. So, I now have a staff, believe it or not, of 20 people in this area with which to deal with that.

Staff has been assigned to each of the States that we have so many problems in. They are five States out of my region: Tennessee, Mississippi, Alabama, and North and South Carolina, where most of the burnings have taken place. As you know, 75 percent of all of the burnings have taken place in this region, the Southeast region; and we're most concerned about that in respect to it. So, we work in these fire clusters and I have staff assigned to the clusters.

The first thing we are doing, we will do a thorough assessment of the level of tension and the level of racism in every area where there has been a burning. That comes because I put that in the direction as to what we would do in respect to that—every single area where there's been a burning. We will work in cooperation with all Federal agencies. We are on, by the Attorney General's direction and by our own proposal, every U.S. attorney task force within this region. Now, that's crazy for me to accept that kind of assignment. Actually, I was in three different cities last week and will be in three different cities this week. I expected to be able, by this time, to be settling down into a more comfortable position in this struggle, but that has not been my lot, and it seems that it won't be.

But what I'm worried about, if you will, they're detailed for the rest of this fiscal year. Now, what's going to happen all of a sudden on October 1? Unless we get some more money, I don't know; but I won't worry about that right now. I take what I have and deal with what I have to deal with as best I can with the hope that when the time comes, that other resources will be provided. I know I'll be fighting for it. I get in trouble because I do some things that staff persons are not supposed to do, politically that is. I know I'm going to get in trouble with it one of these days and they're going to fire me. That's all right. I never had a job that was good enough to

worry about. One of these days, maybe I'll get one good enough to worry about. I'll worry about it then, but I've never had one that good in that sense; plus the fact, Bobby, they've messed around and let me get enough age and enough time to retire. The worse thing they can do to me is fire me or make me retire—force me to retire, and then I'll get involved as a civilian just as much as I am.

I say all of that just to say this: we bring concern, we bring you commitment, and we bring you know-how to this whole area, and we do appreciate all of the work that the Commission does. I'm familiar with the State Advisory Committees all over this region. I'm familiar with the staff all over this country, because you don't have any more staff than I do. That's being funny, isn't it, Bobby?

Mr. Doctor. A lot more.

Mr. Sutton. You don't have any more money than I do. Let me just say this and I shall be finished, Mr. Chair. I've known you for a long time and I appreciate your great commitment and involvement all of these years. The country has to rekindle its concern about the level of racism, and I will go so far as to say that the fires are but a manifestation of the lack of concern and the lack of attention to these problems that are so critical at this time. Those of us who work in the field are going to have to somehow generate or regenerate that concern and that commitment to eliminate racism in this country and extend justice and freedom to all of our citizens.

Let me just stop right there, and if there are any questions of me—again, I say I appreciate your cooperation. I appreciate working with you all these years. I appreciate working with the FBI and with all of the agencies of the Department of Justice that are assisting us and we are trying to assist them, because we have to, oft times, go into a community to make it possible for them to work in the community without suspicion and without the community totally withdrawing from even talking with them. So, we have a tremendous job and we will do it as best we can. I know I didn't have but 5 minutes, and I have a habit of talking on and on, and I'll stop.

Mr. Spaulding. Thank you, Mr. Sutton. Any questions? Yes, Mr. Anderson.

Mr. Anderson. Thank you, Mr. Sutton. The first question I have is whether you can relate to us in some specificity what CRS has done in particular communities related to church burnings.

Mr. Sutton. I'll be glad to do that. For example, we went into Boligee—that's Alabama. Four churches were burned in that little community of less than 1,000 people. We went into Boligee and the community was all upset and concerned about the burnings, both the black and white community, but nobody knew what could be done and how it could be done. They didn't even know how to begin to work with the FBI or begin to work with other Federal agencies. So, we had to be their source of information of who to contact and what to do and this kind of thing.

The first thing we had to do was do an assessment identifying the forces that were working for good, identifying the forces that would give us trouble, and how to address these forces as best as the Federal community could do, how to generate the best kind of law enforcement cooperation between the Federal agencies, the State agencies, and the local agencies in the sense of that.

Now, I know that the FBI was correct in saying that quite often no particular agency is in charge. That offers both a danger as well as an asset—everything does in that sense. We have to be working with all trying to make sure that the best thing is done in the community—gaining the community's respect and working with the ministers, the local leadership, and we bring that.

See, the black community quite frequently is skeptical about investigations. When I got into Boligee, they were concerned because law enforcement was questioning parishioners, in their perception, more than they were questioning anybody else about the fires, as if parishioners had burned the churches, if you get what I mean in that sense. So, we had to clear that up and work with those communities in doing that. So, we just sort of worked between all forces assessing the level of tension and the potential for racial difficulty, and working to prevent the rise of tension and preventing racial difficulty. It's a multiplicity of things we try to do in a community.

Mr. Anderson. Perhaps you heard the FBI Special Agent in Charge say that he had not seen or experienced or had reported to him anything other than really a good faith effort on the part of local law enforcement in investigating church burnings here in North Carolina, which is where he has direct experience. Now, based on your experience, in North Carolina specifically because that's what we're here talking about, but in addition perhaps in other States, would you concur in that assessment?

Mr. Sutton. I would concur on that. I have seen nothing but good faith in that sense on the part of all law enforcement agencies. As the lady, Ms. Ferguson, said, church burnings is an issue that everybody can get aboard on. It's not like many other racial questions. We all abhor church burnings. That's really against the whole nature of this country. So, we can pretty well come together on church burnings across racial lines. It's just a matter sometimes of having the cultural awareness of how to deal with various racial and ethnic groups—best deal with them in addressing what it is you're trying to address.

Mr. Spaulding. Anything further?

Mr. Anderson. No.

Mr. Spaulding. Okay. It's break time, folks. Two minutes, and when we come back, I'm going to have to adhere more rigidly to the time schedule. We're supposed to be out of here by 5:00 and I know it's going to be a little after that.

(Whereupon, a short break was taken.)

Mr. Spaulding. We're now going to call on the representative of the Attorney General, Brooks Skinner, Jr. Brooks, I hate to be unfair or prejudicial, but we're going to hold you to that 4 or 5 minutes.

Statement of Brooks Skinner, Jr., on Behalf of North Carolina Attorney General Easley

Mr. Skinner. I'll do my very best.

Mr. Spaulding. And we're going to do everybody else the same way to move ahead.

Mr. Skinner. Mr. Chairman, I'd first of all like to say on behalf of Attorney General Easley how pleased we are to be represented here and how important we believe this Committee and the Commission's work to be.

I was asked to provide generally an overview of hate crime laws in North Carolina. Obviously, that would take longer than 5 minutes, but I have provided for you much of the handouts that were included in the educational and information seminar that the Attorney General sponsored in Durham 2 weeks ago. Included in that is a hate crime statutes overview in North Carolina and some information on fire laws in North Carolina, some information on the insurance situation, and I'll be happy to address any questions that any of you have about those hate laws and about any of those statutes.

Suffice it to say that North Carolina has four that I will talk about, primarily the Ethnic Intimidation Statute and then the two sentence enhancement statutes, one for misdemeanors and one for felonies, and I'd like to just mention the church burning statute, which has recently been taken out of the church and school statute, and the penalty for that has been increased from a Class F felony to a Class E felony.

All these statutes, except for the church burning statute, say that if a person shall because of race, color, religion, nationality, or country of origin, assault or intimidate or whatever the underlying crime is—those are the categories that are included in North Carolina hate crimes, and that's what we're working with.

The church burning statute, it is a Class E felony to burn a church, regardless of your motivation, and the sentence enhancement statutes can be used in addition to the church burning statute to up that if the motivation is determined to be because of race, religion, ethnicity, or country of origin.

We also do some reporting and do some coordination through the attorney general's office and the State Bureau of Investigation of hate crime information that is sent to the Federal Bureau of Investigation, pursuant to the Hate Crimes Statistics Act of 1990. In that information, we do gather information regarding sexual orientation in addition to the information that's included in our own statutes, but it is not—as with the civil rights statutes—the Federal civil rights statutes—sexual orientation is not included in the North Carolina statutes.

That's really all I'm going to say about the hate crime statutes. I'm sure there will be some questions, and I will be happy to answer them. I would just like to share some of the things the attorney general has done proactively, we believe, and in addition, some of the words that he shared with the participants of the educational and information conference that was held at North Carolina Central University, and which was simulcast via satellite to 17 community college sites across the State.

That seminar was primarily to provide information to clergy and law enforcement about prevention and practical things. The Department of Crime Control and Public Safety's church watch program was unveiled by the attorney general at that seminar, and there were representatives of the SBI, the FBI, ATF—Agent Logan was there and gave a wonderful presentation. We had arson investigators, we had people who have specialties in alarm systems, and it was an all-afternoon conference, and I think there was a lot of good information provided.

Obviously, the SBI has been very involved. You're going to hear from them immediately after me. We have worked in facilitating the process of beginning to rebuild burned churches by connecting interested donors with the National Council of Churches. As you've heard several times today, the attorney general is serving as the chair of the Governor's Task Force on Racial and Religious Intolerance and Intimidation. I would just like to note that the name of that task force is not the Governor's task force on church burnings.

I think one of the charges that that task force has, and I know that one of the commitments that the attorney general has, is to talk about the underlying issue of racial intolerance and religious intolerance and hatred in this State and this nation. As he has said, we cannot be afraid to confront racism because we can never win the battle if we're afraid to confront the enemy. How we protect our houses of worship is a statement about who we are. It defines us as a society and it defines us as a people.

Equally important, however, is the message that we send to those who seek to destroy our churches. Our message to those individuals who

do that in North Carolina is very clear. If you burn a church in this State, we will investigate you, we will catch you, we will prosecute you, and we will put you in jail, period. That is our message.

But I think the words of the attorney general in Durham that speak most to me and most to that group who was gathered there—that assembly—that it is our duty, black and white, Native American, Asian, and Hispanic, to rebuild not only our houses of worship with board and beam, but to rebuild our relationships among all races with care and with tolerance.

That's it as far as my prepared statement. Any questions you have, I'll be happy to entertain those.

Mr. Doctor. Thank you so very much, Mr. Skinner. I certainly have a couple of questions I'd like to raise with you, but at this point, I'll defer to the members of the Committee.

Dr. Kirk. Where is Mr. Skinner from?

Mr. Doctor. He is with the—

Mr. Skinner. I am with the State Attorney General's Office, Attorney General Easley.

Mr. Knight. Mr. Skinner, I don't know whether your office attended the meeting in Washington, D.C., where they had some State Attorney Generals—

Mr. Skinner. With President Clinton?

Mr. Knight. Well, I think there was one at Howard University.

Mr. Skinner. The Governor and the attorney general both met with President Clinton. I'm not aware of his other meetings in D.C.

Mr. Knight. I followed one on C-Span which was initiated by the State attorney general from Virginia. They indicated that some States have initiated additional legislation or laws that deal with these hate crime groups more extensively. In North Carolina is there any contemplation of that, or is there legislation that's being considered now in that area? Some indicated that they are even working toward barring their activities in certain States, and they gave some number. I was just wondering if you had any—were aware of that or had any comments on it?

Mr. Skinner. I don't have any information about any current initiative to strengthen those

statutes as they exist now in North Carolina. There very well may be something of which I'm not aware. I will call your attention to article 4(a) of the North Carolina General Statutes, chapter 14, which is the criminal code, that talks about prohibited secret societies and activities. Some secret societies are prohibited, in particular, those which organize or encourage, aid, or assist in any way any secret political society or secret military society having for a purpose the violating or circumventing of the laws of this State. So, you know, any of these societies that are meeting and advocating illegal activity, they're already illegal in this State anyway. I certainly know that the State Bureau of Investigation and the Attorney General will pursue those individuals very vigorously.

Mr. Doctor. Okay, Mr. Skinner. I have a couple of questions I'd like to raise with you if I may. I think it was back in the 1980s, there were five people shot up in Greensboro, North Carolina, by members of the Klan and the Nazis. In the aftermath of that incident, this Advisory Committee went into Greensboro with an informal hearing designed clearly to look at the question of racial tensions and race relations in the city of Greensboro. Clearly, the Klan and the Nazis were very actively involved in North Carolina during that particular decade. Is there any evidence that you have at your disposal which suggests the extent to which hate groups in North Carolina are active?

Mr. Skinner. I'm not an investigator and I'm not even a member of the investigative arm of the attorney general's office, so as far as any intelligence information, I'm simply not privy to that; but I will say that I think, as is evidenced throughout this country, these groups are certainly more vocal than they have been in the last few years. They are shrouding themselves with legitimacy—home pages on the Internet and those kinds of things. So, I don't think I'm saying anything out of school to say that I do believe that there is activity going on, sure.

What I can speak to is, though, our Justice Academy, which is the entity which trains our law enforcement agents—provides them with training—we have a 2-day hate crime recording and training course that law enforcement officers can go

through as part of their basic law enforcement training. I have attended that training on a couple of occasions, and I know that there's a large portion of that training dedicated to explaining to law enforcement agents the history of hate crime activity in North Carolina, some of the signs to look for, some of the dates to be concerned about, and that kind of thing. I know that there's a staff member at the Justice Academy in North Carolina who is available to law enforcement, as are we in the attorney general's office, to help them if they begin to suspect that that kind of activity is going on. But as to the actual intelligence information, I'm simply not privy to it.

Mr. Doctor. Okay, very good. Thank you. Mr. Kirk, do you have a question?

Dr. Kirk. Maybe you can answer just yes or no. What about paramilitary activity in North Carolina? Does the attorney general's office know anything about that?

Mr. Skinner. I'm not aware of the level of that. I think that probably, again, would be better asked of an intelligence officer.

Mr. Doctor. Thank you very much, Mr. Skinner. We appreciate your being here. Okay.

Mr. Robertson, Special Agent in Charge, North Carolina Bureau of Investigation. Thank you so much for being with us. We certainly appreciate that.

Statement of Michael Robertson, Special Agent in Charge, North Carolina Bureau of Investigation

Mr. Robertson. On behalf of Mr. Coburn and again, the attorney general, we're glad to be here and share what information we have.

I am the Special Agent in Charge of the Intelligence and Technical Services Section of the Bureau, and I was asked specifically to provide an overview of the North Carolina fires, particularly the fires that occurred at African American black churches.

Since 1995, there have been more than 70 fires throughout the South. This has certainly attracted the attention of the public, of law enforcement, and the national news media. In North Carolina, we have information on 12 fires, now 14, because Chairman Berry came up with 2 more that I was

not familiar with. I'd like to just touch those briefly, if I can.

July 7, 1990, there was a fire at the Moores Chapel Church in Boger City, North Carolina, which is in Lincoln County. There was an accelerant thrown through the window of the church. In this particular instance, there were racial slurs. There were arrests made of some white males in this case, and I would call that case a racial fire.

December 2, 1994, at the Browns Chapel Church in Wilson, North Carolina, there was an arson type fire that was investigated by the Wilson Police Department only. Arrests were made in that case, and I think I could state unequivocally that was not a racial fire.

The October 31, 1995, fire at Mount Pisgah Church in Raeford, North Carolina, is an attempted arson. There is a suspect developed by the Hoke County Sheriff's Department, and the information is that this is not a racial situation.

December 25, 1995, the Mount Moriah Church in Mebane, North Carolina, which has been discussed earlier today, flammable liquid was poured on the floor of the sanctuary. The investigation was begun by Orange County, then the SBI, and then at later stages, Alcohol, Tobacco and Firearms. This is still a very active investigation. There has been media coverage on it, and I won't comment on motive on that one.

January 2, 1996, the Ohova AME Church in Orrum, North Carolina, which is in Robeson County, has been discussed here today. The fire was actually started within the church. There was an elderly white male arrested at the scene, who was intoxicated. I have no information on racial motivation of that particular fire.

May 23, 1996, at Mount Tabor Baptist Church in Cerro Gordo, which is in Columbus County, there was an arson-type fire of a church that was being remodeled. This is a Columbus County Sheriff, SBI, ATF, fire department—it was a multijurisdictional case. Arrests have been made. It was a contractor and an accomplice. They were charged with arson and conspiracy counts. It does not appear to be a racial fire.

May 24, 1996, at the Pleasant Hill Baptist Church in Lumberton, which is in Robeson County; this fire originates in the doorway of the

church. Robeson County Sheriff's Department, several fire departments, the SBI, and ATF arrested a white male volunteer fireman. This man's public statements to the media indicate no racial motivation.

June 6, 1996 is the Matthews Murkland fire here in Charlotte. This was an arson-type fire to an historical chapel. It was actually not being used as a sanctuary, possibly under renovation. A 13-year-old white female has been arrested and pled guilty in this particular investigation. This is the one that everybody's talked about today. It was absolutely the best cooperation between local, State, fire, law enforcement that I'm familiar with. I've worked a lot of drug cases where agency cooperation has led to arrests, but in this particular fire case, everybody worked together to a common end.

June 17, 1996, at the Hills Chapel Church in Rocky Point, fire totally destroyed the sanctuary. We had an immediate response by local law enforcement, fire department, the SBI, ATF, and it was an electrical fire—faulty wiring circuits to a fluorescent light.

June 30, 1996, at the St. James AME Zion Church in Maysville, North Carolina, in Jones County. This is a definite arson fire. There were eight Molotov cocktails within the church; accelerant distributed throughout the church; took a lot of time in there; had no previous threats. This is a very active investigation. I will go so far as to say that there are suspects. We have no motive.

There are two fires that I have no information on, one in Winton, North Carolina, at Jordan Grove Baptist Church on 6-25-93; and one at Hillside Baptist Church in Hickory on August 10, 1995; and the two fires that Chairman Berry mentioned.

Now, out of all these reported fires throughout the South, fewer than 20 percent show racism as a clear motivation. A lot of these fires are things that we in law enforcement are overwhelmingly familiar with, drunken teenagers. I think the national standard, and I wrote the numbers down, for juveniles and arsons is 55 percent nationally. North Carolina is running 44 percent of persons under the age of 18 committing arsons. We've got a devil worshipper. We've got burglars breaking

into churches to hide their crimes. Churches now have got computer systems, they've got elaborate sound systems, and thieves actually break in to steal this. They burn the church to hide it. Then, again, we've got, in a very few instances, firefighters who themselves have been accused of setting fires.

Another thing that's apparent to law enforcement now. If you notice the dates I gave you, everything has happened recently or a lot of it. Twenty-five percent of our fires have happened since President Clinton made the first spotlight issue of arson fires. It's a copycat crime, and any veteran law enforcement officer will tell you that copycats commit the same crime but not for the same motivation. It's just another sick person committing a criminal act.

It's our position, along with the attorney general, that every suspicious fire is going to be investigated to the fullest extent. We're going to use every resource that we have, and that the perpetrators of arson against any church is going to be arrested and vigorously prosecuted. Listening to Mr. Logan, it was actually an informal agreement very early in 1996 between Jim Coburn, our director, and Mark Logan, who's the SAC for ATF North Carolina/South Carolina. They did their own informal task force agreement: you tell me when they call you about a fire; I'll tell you when they call me about a fire. We've had that agreement going with Federal law enforcement, and it works. The attorney general has sponsored these public awareness programs, and branching from these, I've provided people to give talks and informational series at smaller meetings across the State. We've done one in Wilson, done one in Fayetteville, and have some others planned for the coast. These are basically to give methods regarding protection against arson. These programs have been very well received by the community.

We concur with the opinion of other law enforcement agencies, local, State, and Federal, that there's no commonality, there's no link. I don't have a group name that I can give you responsible for these fires. I don't think it exists at the present time, but we will assure you that

every fire will be investigated to its appropriate end.

From my particular section of the SBI, the intelligence section, along with the district field operations, we proactively gather criminal intelligence on individuals and organizations that could be responsible for these arsons or any other criminal activity and we share this information with all law enforcement, local, State, and Federal.

Now, I'll take the questions.

Mr. Doctor. Thank you. The Commission, members of the Committee, staff? Okay. Well, perhaps I will come up with one, Mr. Robertson. We spoke with the people in SLED over in South Carolina—South Carolina Law Enforcement Division—and like you, they were fairly candid about describing the motives underlying a lot of these fires. Some Federal officials have been a little reluctant to do that. Can you explain it? I know I'm putting you on the spot but—

Mr. Robertson. I don't know that I'm any more willing to discuss the motive. I don't mind giving you the facts that I have. The ones where I told you—the 1990 fire, that's an old case.

Mr. Doctor. Well, they would have those same facts, wouldn't they?

Mr. Robertson. I really don't know. We've got a problem with the reporting system on arsons in this State, and I'll be the first to admit it. There's two statutory requirements that arson fires be reported. I think that there is a misconception or a falling through the cracks as it was said earlier between 5879.1 and maybe 5879.45, because the AG gets some reports and the Insurance Commissioner gets some reports, and I'm not sure they ever get together; but I assure you that in the very near future, they're going together. We've got the computer system in place. DCI can do it. It's a matter of feeding that information in and collating it.

I'll share a personal story with you. I got a report from, well, some of the news media first. I got an insurance report on fires. The report said that it was one of these racial type fires. This is a news media report. I looked through it and see the church that I go to. This is a true story. I called my pastor and I said, "John, can you tell

me about this church fire we had last night?" And the pastor said, "What fire?" I said, "Well, we've got a fire reported at the church, May the 31st, 1995—our church." So, he asked his wife, who was the principal of the school that is next door to the church. It so happens that the fire department responded to a fire set by a child playing with matches. It caught some material for one of the church groups on fire. It was actually a parachute within the building. They called them because it was still smoldering. It was sprayed and it was put out with absolutely no damage, and it was reported as an incendiary fire to the North Carolina Insurance Commission. Then it made the newspaper because somebody misinterpreted that "10" code over there that caused an incendiary fire. Not to make light of the situation, but that is one that I am familiar with it.

Mr. Doctor. Okay, very good. Mr. Knight?

Mr. Knight. Do you have an opinion on the Federal Hate Crime Reporting Act—any problems with it or do you have any involvement with that?

Mr. Robertson. I don't have any involvement at all with that statute. The intelligence section, for lack of a better definition, I gather information on persons who have committed crimes, who are committing crimes at the present, and who we have information are about to commit a crime.

Mr. Knight. The reason I asked is because there seems to be varying opinions as to what constitutes a hate crime, and I'm wondering whether that's a consistent idea among law enforcement? At least are they together on it or does it pose problems in your operation or that type of thing?

Mr. Robertson. I don't have an opinion on that.

Mr. Doctor. Mr. Robertson, thank you very much. We certainly appreciate your coming out today.

Next on the agenda we have Jim Long, who is the Commissioner, North Carolina Insurance Department. Is Mr. Long here? [No response.]

Okay. We have next Mr. Gene Troy, Jr. He is a human relations specialist for the North Carolina Human Relations Commission. Thank you, Mr. Troy, for being here.

Statement of Gene Troy, Jr., Human Relations Specialist, North Carolina Human Relations Commission

Mr. Troy. I will. First of all, I want to give greetings on behalf of my director, Eddie Lawrence, who was unable to attend. He had committed to a prior engagement, and when he had gotten the news that the U.S. Commission on Civil Rights wanted him to be here, he called me because I am somewhat the information person for him dealing with these church burnings. My name is Gene Troy. I'm with the North Carolina Human Relations Commission. We are based out of Raleigh, North Carolina.

Our office has two sections. My section deals with community relations, where we deal with assisting local human relations commissions throughout the State, trying to establish local human relations commissions throughout the State. We also deal with factfinding based on hate crimes. We have an information network called the Hate Against Violence Information Network, where we basically go out to areas that we either have a call from someone or we see something in the paper or we hear something on TV or some kind of information has been told to us about hate crimes. So, what we do is once we get that information, we take it upon ourselves and do some factfinding on our own. We don't have any law enforcement powers. We just basically find out some of the details on persons who are particularly involved.

Throughout the State, we do have what we call HAVIN [phonetic] affiliates, where some of the affiliates are law enforcement, some are organizations throughout the State, some are human relations commissions in the counties and in the cities. So, we do have some kind of an involvement dealing with hate crimes.

In this particular situation dealing with the church burnings, we have been involved with the Governor's office with the task force that he has developed. We also have taken a look at the situation as far as we train police departments and sheriff's departments across the State as far as police-community relations are concerned, and what we are now looking at is trying to go back into our training program to include hate crimes

and hate crime law in that. Basically what was happening prior to that was how to treat people with respect, dealing with the beatings in California and some other beatings. We've been teaching them how to basically respect people; but now with the situation dealing with the hate crimes of the church burnings, we're looking at our program to include the North Carolina hate crime law and also to make them aware of some things or some items where they can identify and see if this person has some kind of involvement as far as hate crimes are concerned in their areas.

Like I said earlier, we are partially staffed with the attorney general's office as far as the task force is concerned—the Governor's task force. They're going to meet next week like somebody said earlier. I can't remember who. I didn't have anything prepared because everything has been basically said, but my involvement—got involved back in May when in Durham, North Carolina, they had bomb threats.

The NAACP, the chapter in Durham, the president had received bomb threats on churches. The message was, and I'm just quoting, "I'm tired of blacks. We're going to bomb some churches." It didn't indicate any names of the churches. It did not state when. It just said 3 weeks from now. So, what happened was, we, at the commission, looked at it as a hate crime. We went and did our factfinding. We talked to the director of the Durham human relations commission, which is Chester Jenkins, and he said that there was going to be a meeting with the NAACP on that Saturday. He told me that I should be there, which I told him I would be there, and also that I would get a chance to talk to the NAACP chapter president, and also another church that had been threatened, which was Orange Grove Baptist Church. I went to the meeting. Mark Logan was the speaker and he basically said some of the same things he said here. He's been very consistent, because I've seen him about two or three times. That's my involvement. I informed Reverend Gatewood and Reverend Kinney that our office is available for him, and that has been to every other community that our office has been available for them as far as trying to see if we can give them any kind of

training concerning—helping out with the training concerning prevention of church fires and arsons.

So, that's how our office got involved, and since then, Reverend Kinney and Reverend Gatewood demanded to see the Governor. My boss, Eddie Lawrence, went to that meeting with the Governor and since then, that developed into the Governor's task force, and now we're part of the staff with the task force of the Governor. So, that's where we are at this point, and a lot of the information we have is basically some of the same information that the SBI has, although we do have feelers out with every commission in the State to let us know if anything in their areas is occurring so that we can notify the SBI, the ATF, the FBI. We have also contact with the FBI, with Mike Robertson's office, and I have specifically spoken with Mark Logan on many occasions and he has told me that the communication lines have been opened. And that's where we are right now.

Mr. Doctor. All right, very good. Before we turn it back over the Chair, I'd like to ask you a quick question, if I may; and we've found this to be the case in a number of other States as well. Your agency obviously already existed—not only already existed, but has a rather noteworthy track record in the area of human relations and race relations.

Mr. Troy. Yes, sir.

Mr. Doctor. Why do you think the Governor decided to come up with his special task force to deal in the area of church burnings, as opposed to giving that assignment to your agency?

Mr. Troy. Well, actually it's called the Racial and Religious Hate Task Force. As far as I know, our office was somewhat of a spearhead of that idea to develop a statewide task force. Now, we don't necessarily have our director named as a member, but he is a very active participant with the task force.

Mr. Doctor. Let me make sure I understand you. So, none of your staff or none of your commissioners are members of the task force?

Mr. Troy. Yes, sir, two of them are: Dr. Jerry Dreighton, who is the chairperson of the commission, and Dr. Harold Gates, who is the chairperson of the Martin Luther King Commission, which our office has jurisdiction over.

Mr. Doctor. Okay, very good. Thank you. **Mr. Chair?**

Mr. Spaulding. Thank you very much. Any questions? Thank you.

Let me go through and ask who is here so we can make some assessment as to who is to speak. We've heard from the mayor. Luther Fincher, chief of the Charlotte-Mecklenburg Fire Department? [No response.] Dennis Nowicki, Police Chief? [No response.] Al Rouso, City Council? [No response.] Billy Wireman, Chairperson of the Mecklenburg County Community Relations Committee? [No response.] Williams Simmons?

Mr. Simmons. Yes.

Mr. Spaulding. Okay. Ann Schrader's not here. Johnny Hunt? [No response.] Sheriff Glen Maynor?

Mr. Campbell. Yes.

Mr. Spaulding. Mayor Raymond Pennington?

Mr. Shaw. Yes.

Mr. Spaulding. Chief Harry Dolan? [No response.] Chief Ronald Parker?

Mr. Parker. Yes.

Mr. Spaulding. Mayor Bob Gentry? [No response.] Chief James McNeil? [No response.] Chief Crawford Thomas? [No response.] Sheriff Dane Mastin?

Sheriff Mastin. Yes.

Mr. Spaulding. We will now move to Mr. Simmons.

Mr. Simmons. Chairperson Berry, Chairperson Spaulding, and the rest of the Committee, welcome to Charlotte. You've already received that greeting, but I wanted to take the opportunity to welcome you myself.

Mr. Spaulding. Thank you.

Statement of William Simmons, Community Relations Specialist, Charlotte-Mecklenburg Community Relations Committee

Mr. Simmons. My name is William Simmons. I'm a community relations specialist for the Charlotte-Mecklenburg Community Relations Committee. CRC was created over 35 years ago to work in the area of improving race relations in this community. Its initial efforts were in the areas of public accommodations, but since that time, we've also dealt with issues relating to education, fair

housing; and my immediate responsibility is to work in the area of police-community relations, and it is in that regard that I'll make a few comments—very brief comments. In particular, in reference to the Matthews Murkland fire, some of what I would say has already been said, so I'm going to be extremely brief.

On the morning following the fire, I visited the site with four primary purposes in mind. One was to get a sense as to whether or not the fire was intentionally set; two was to get an idea as to whether this fire was connected to any others; three, to offer support to the pastor and his congregation; and four, to ensure that law enforcement was doing all that was possible to bring this issue to closure.

In my responsibilities with the CRC—like I said, I deal with police-community relations, and I'm often involved with handling complaints relative to allegations of police misconduct. I oftentimes review policy changes and various training techniques that the Charlotte-Mecklenburg Police Department is involved in. So, I had a particular interest, and we had a particular interest, as to what was going to be happening in this situation. The observations that I made and the conversations that I had with various individuals left me with the impression that law enforcement—and I'm talking about local, State, and national—was doing everything that was possible to bring an end to this situation. They performed their duties and responsibilities in an exemplary fashion, and I noticed in particular, when I was walking through the burn site that morning, that there were a number of individuals—and I heard estimates on that morning of up to 60 different people from various agencies, including the fire department—who were just going about their responsibilities, utilizing their skills and abilities and what-not, and the issue of turf was not an issue. I got the impression it was more geared towards trying to, like I said, bring it to some type of closure.

I was also impressed with the sensitivity that was exhibited by Mark Logan and his staff, the Charlotte-Mecklenburg police, and what-not in keeping the pastor and his congregation and the general public informed and updated on issues relating to this situation without compromising

their abilities to prosecute this case at the appropriate time.

Those are my general comments about that situation, and like I said, much of what I said has already been stated; but I appreciate the opportunity to address you. Do you have any questions?

Mr. Spaulding. Thank you, Mr. Simmons. Any questions of any members of the Committee?

Mr. Doctor. I have some, but I'll reserve them for afterwards.

Mr. Spaulding. Thank you very much.

Mr. Simmons. Okay.

Mr. Doctor. Wait a minute. Is he leaving?

Mr. Spaulding. Bet you thought you got away.

Mr. Doctor. You almost made it. One quick question.

Mr. Simmons. Yes, sir.

Mr. Doctor. Have you noticed any increase in racial tensions here in the Charlotte area in recent years?

Mr. Simmons. Yes, I do. I don't think Charlotte is any different from any other community, and in the aftermath of this situation, I think the community was poised to do some things, and I think some things probably did not happen as a result of the way this entire situation was handled; but there is some tension out there, and this goes beyond my responsibilities with police-community relations, but there is some tension out there.

Mr. Doctor. One other final question. Have you noticed any increased activity on the part of hate groups here in North Carolina or the Charlotte area?

Mr. Simmons. Not as far as groups. I think there have been some individual acts that have happened here. I know in the earlier part of this year, I got involved in a situation involving one of our schools where some writings had occurred on one of the outside walls. We got involved and asked some questions and tried to be constantly updated as to what was going to happen with that situation. Fortunately enough, the police did apprehend two young people who were responsible for those writings, but again, they were not—at least the information that was given to me and shared with others, it did not indicate that they were any part of any type of group. It appeared

that they had some type of vindictive motives towards some people that were inside of that school. There were definitely some writings that would normally be associated with a group or some type of hate group or that type of thing.

Mr. Doctor. Okay. Thank you very much.

Dr. Berry. I hadn't planned to ask anything, Mr. Chair, but you said you thought tensions were a problem. Are there any particular issues that you could just tick off without going into any detail, that would be something that in the community generates tensions?

Mr. Simmons. I think a lot of the tensions that I've dealt with, and I try to associate with a number of people of various economic backgrounds—I think issues relating to economics, jobs, and that type of thing, the lack of, if you will—and then you have situations such as the ones that we're all very much aware of. I think that just adds another layer and causes more tension. But it's a number of different issues, and I think you're probably very much familiar with. I don't think it's just one issue, it's a combination of several.

Dr. Berry. For the sake of the record, we have to list some kind of issue even though I know what—

Mr. Simmons. What I'm speaking of, to be more specific, are jobs, economics, there are some housing issues. You spoke earlier—when the mayor was here, you were talking about some of the conversations that you had with some folks. I think another problem is the lack of information. I know prior to coming to CRC, I spent almost 16 years working in public housing, and I'm familiar with some of the problems there; and some of the problems come from a lack of information, assuming certain things, and it goes from there.

Dr. Berry. Thank you, Mr. Simmons.

Mr. Spaulding. Please give your chairman, Billy Wireman, my regards.

Mr. Simmons. I will.

Mr. Spaulding. Chairperson of Robeson County Commission, Johnny Hunt, your representative?

Statement of John Campbell, Executive Director, Robeson County Human Relations Commission

Mr. Campbell. Mr. Chairman, Madam Chairman, I'm here today at the request of Johnny Hunt, the chairman of our board of commissioners. I'm John Campbell, the executive director of the Robeson County Human Relations Commission, and I also serve in Robeson County as a rural Baptist pastor. So, I bring concern and interest and involvement. Mr. Hunt could not be here, so he invited me to come and share with you, and I'm pleased to be here.

Mr. Spaulding. You also bring a captive audience, which I'm delighted to see you have with you today.

Mr. Campbell. Right. He's here chaperoning me in Charlotte. Robeson County is a unique county bordering South Carolina of about 110,000 citizens; a triracial county, unique in the way that we are the home also of the Lumbee Indian. Pembroke is their native home and has a State university, which was recently changed to the University of North Carolina at Pembroke. So, we have a triracial setting that adds some interesting challenges to human relations and race relations and just getting along, and we've been dealing with that.

The commission that I serve came about in 1988 after many years of citizens advocating and lobbying and promoting the idea that government has a role to promote good human relations, and local leaders such as Dr. Adolph Dowell—and some of you may know Dr. Joy Johnson and Dr. E.B. Turner and other right-thinking citizens across the racial spectrum were involved down through the years in saying we need to be more intentional about creating environments that promote folks living together and working together and who have equal access to a good quality of life. That went unheeded by elected officials and decision makers in government to resource that kind of idea until in 1988 we had the takeover of a local newspaper down there by Eddie Hatcher and another individual of *The Robesonian*, and that promoted folks to get together and put resources where talk had been. So, the Robeson County

Human Relations Commission was formed, and we've been in existence ever since.

Our challenges have been many as we've tried to promote inclusiveness and equal opportunity for all of our citizens. The board of commissioners would have me say to you that they stand with the efforts to reject racial and religious and ethnic intolerance. We had two fires in our county.

Dr. Berry. Which churches were they?

Mr. Campbell. Pleasant Hill Baptist Church where Rev. Vinston Rozier is the pastor, and also Ohova AME Church in Barnesville. One church is in Lumberton and the other is in Barnesville/Orum. We had those two fires and we've been involved with city officials, county officials—glad to have several of our officials here with us today who will be coming: City Councilperson Elaine Shaw representing the mayor and others. We have attended public occasions where this has been addressed. I, as a staff person, as the director has, have met with pastors in individual churches to talk about the church watch program and other things that, our Lumber River Baptist Association with the moderator E.B. Turner is also promoting awareness of some preventive things that local congregations can claim ownership of and be involved in to deter, such as all of those things included in the packet that you've seen and are aware of.

But I'm glad to report that instead of dividing further and alienating further, these two fires in our county have been positive—hard to believe—in bringing folks together; maybe just for these incidents, but after coming to the table, we are expecting and believe that there's an increasing willingness to address underlying issues that contribute to this kind of thing. So, we are optimistic that that will take place.

It also gives me, as staff with the human relations commission, increased opportunity to argue with my bosses, the board of commissioners, that we need resources to continue to do what we're called to do. I'm so glad that we've got Federal and State agencies, but where the rubber meets the road is on a local level, and so often you find local level decision makers who aren't as committed to providing resources, especially in this era of downsizing and cutting back and fiscal

conservatism. As a matter of fact, in this budget year, we have been given another staff person, and we think some of that may be—I don't know if any of them would say so, but some of that would be attributable, I think, to the recent attention to the climate in the country that folks have turned their back on: the war against intolerance and indifference. Because of that, locally maybe we can help increase awareness about the need for tolerance and the need for equal opportunity.

So, I thank you for the opportunity to be here, and anything that you can do from your levels to let local decision makers know that we are necessary. Just like economic developers are necessary in a region, human relation workers are important also when they're looking at the budget. It's not an afterthought as we see it, it's just as integral to quality of life as economic development and tax departments, etc.

Mr. Spaulding. Thank you, Mr. Campbell. Any questions for Mr. Campbell?

Mr. Doctor. Thank you, Mr. Campbell. Please give our regards to the Locklears and others up in that area.

Mr. Campbell. I'll do it. Thank you.

Mr. Spaulding. The representative for Mayor Pennington, and that's Mr. Shaw.

Statement of Robert D. Shaw on Behalf of Lumberton Mayor Pennington

Mr. Shaw. Madam Chair Berry, Chair Spaulding, and members of the Commission, thank you for the opportunity to be exposed to such information that I have been exposed to. My name is Robert Delane Shaw. I am mayor *pro tem* for the city of Lumberton, representing Mayor Pennington. I serve at his pleasure. It was his pleasure that I travel here today to receive this information, and hopefully I will impart to him a beautiful report of which I would specifically ask that you provide a copy of your final report to us, that we might extract information, and apply it at the grassroots level.

Aside from being a city council member, I am a man of the streets. I am one of the individuals that you addressed this morning that sat down at the bus station. I hear comments and I try to, in some way, compile that kind of information,

impart it with our city council and other responsible individuals to try and bring about a change.

We have had these unfavorable situations and surprisingly enough, all that has been said by the Reverend is true. I'm happy to endorse that. We have been in a position that we have travelled to the churches. We have spoken with members of the church, and I'm happy to say that they are very pleased. In one example, it has been an overwhelming response of unusuality, if there's such a word. One of the churches, they decided to invite in the individual that has been alleged to have started the fire—invited him into the congregation, and the individual has been and served with the members of that church in prayer meetings and prayer sessions, and actually attended work sessions for the reconstruction of the damage that was done. There has been an outpouring of affection within the community as a result of this. In speaking with one of the deacons, he said that, "It has served to bring us closer together because we only had 60 active members out of a total of 140 so-called members—you know how we do." But he said, "It has brought us together and we're somewhat proud of that, but we are not in the position of condemnation. Instead, we want to do the right thing."

The city, along with the county, wanted to make this an awareness program, and on the 4th of July, in the city of Lumberton, we always have a big celebration—fireworks and the whole bit. This year, the pastor of the church was invited to serve in the opening session of the fireworks program to the tune of some 12,000 viewing that. The condition surrounding the fire was made known, and a proclamation or a special letter given at that fireworks ceremony in the presence of 12,000 people to say we condemn it and we praise you for the efforts of moving forward. I have a copy of *The Robesonian* which verifies this event, to include the presentation to the pastor of that church. I'd like to leave that with you if at all possible. [See exhibit 2.]

I'm very pleased to see so much activity going on in this arena, and I'm sad to report that there is still fear out there. There is a concern in the black arena that all appears to be well, but all isn't well. There is that area of distrust. We have had

heard it and it sounds good, but oh Lord, when will it come? It makes it difficult to impart with your beliefs based on your exposure to these kinds of sessions to convey those messages to the people, but we're trying, and we're doing our very best.

Good luck to you, and please continue what you're doing. We didn't come here with a prepared message, but there is a lot of hope. Thank you very much.

Mr. Spaulding. Thank you very much. Questions, comments?

Dr. Berry. I just want to thank you for telling us about the reaction in Lumberton. That's a very positive reaction. As you were talking, I was thinking that I had thought this morning that we were at the end perhaps of these episodes, but according to what Mr. Logan told us when he was testifying, if I followed him, there have been two very recent incidents, at least one or two that I hadn't even heard about. I was about to say that it was all over. He mentioned something about St. John's Island, South Carolina, and then he mentioned, I think, also he's looking into something at St. James AME Zion Church in Maysville, North Carolina, which was June 30. So, I don't know. I was hoping that with all the publicity and all of the discussion of these events, we'd come to the end. Now, I'm a little bit worried.

Mr. Chairman, without displacing the witness, could Mr. Logan just come here and say, yes, that I was correct when I read those two there, and that's all? Will he just do that?

Mr. Spaulding. Sure.

Dr. Berry. So we won't just be relying on my reading this.

Mr. Spaulding. You can just share the microphone with him for a minute.

Dr. Berry. Mr. Logan, was that correct? Was I reading the right information?

Mr. Logan. Yes. St. John's Island, South Carolina, there was a fire at a dwelling. It was my understanding that it was not a church, but it was used for storage of pews and all, and that a church might have been intended to be there, but because of some local things it was not. The fire was discovered to have destroyed that dwelling.

Dr. Berry. You investigated that?

Mr. Logan. Yes, I've had investigators on that for the past several days.

Dr. Kirk. Where was the other one?

Mr. Logan. That was on St. John's Island. That had not been named a church. It was used to store pews and all, and it was my understanding that they were intending for it to be a church, but for some reason it had not become a church and no worship had been practiced there; but that was destroyed by fire just recently and investigators are at that scene right now. Then on the 30th of June, this other one, St. James AME Zion in Maysville, where some folks used Molotov cocktails to commit the arson of that church. Investigators are continuing their efforts on that as we speak.

Dr. Berry. Okay. Thank you. I just wanted to make sure we didn't rely on my reading of it into the record. Thank you. So, let's just all hope and pray, Mr. Shaw, that this is all over; and that in the cases where it has happened, that people come together the way they did in Lumberton. Thank you very much.

Mr. Shaw. Thank you.

Mr. Spaulding. Chief Ronald Parker?

Dr. Berry. Chief, you've been very patient. You've been here all day.

Statement of Ronald Parker, Fire Chief, City of Lumberton, North Carolina

Mr. Parker. Thank you, Mr. Chairman and Madam Chairperson. I'm Ronald Parker, Fire Chief, City of Lumberton. I received your mail-out request to attend. I'm not really sure why I was on your mail-out, unless there was a misunderstanding about the two fires in Robeson County. They were not within the city limits of my jurisdiction of my city. It was out in the rural area, which was in the jurisdiction of both volunteer fire chiefs and the county fire marshall. So, it was not within my city jurisdiction.

You won't burn inside my city if I can help it. You're going to jail. I have an arson task force that was created in 1989 when I was appointed fire chief. It is made up of fire department officials and also the police department, and we have over a 60 percent conviction rate of arsons inside my

city. You burn inside my city and if I can prove it, you're going to jail. I'm very serious.

Now, what I am concerned about today, and I agree with everyone here about church burnings. It is appalling. What I am not hearing is the concern that I, as a fire chief, and the fire chiefs in this State have a concern about, all fires are illegal, whether they're a church or whatever. We are in a three-county area that is paying outrageous fire insurance premiums—Robeson County, Columbus County, and Brunswick County—because of arson. There seems to be a lack of—and I do not know or have proof to say for sure what the real problem is—there seems to be a lack of priorities to get arson cases investigated from the fire service standpoint.

Law enforcement has a plate full with murders and drugs and so forth. We sometimes become very frustrated as fire service personnel that a lot of fires do not get the priorities as far as investigations as we would like for them to have through law enforcement and district attorneys, and then when they get to court, sometimes it appears to be a slap on the wrist by judges and juries. That is a frustration.

So, if there's anything that your Commission can do to help the fire service in North Carolina and eastern North Carolina to get some additional district attorneys or assistant district attorneys elected or appointed, or some funding for full-time arson investigators in this State, or some funds for law enforcement to have more people to make arson a priority, please do it for us. We need that help.

Arson of any kind, whether it's a car fire, grass fire, house fire, church fire, is a crime; and we want to put all of them behind bars, not just the ones that burn churches. The people, in our opinion, who burn churches have also burned other things and have not been caught. That church fire probably was not the first fire they set. They probably set some other fire and just never got caught, and they got nerve up and got brave with it, and then maybe the racial issue came into, and then set the church fire. We want to catch them and put them in jail for all arson fires—all of them. Please help us if you can.

I do not have a prepared statement, but I'll be glad to answer anything for you.

Mr. Spaulding. Thank you very much, Chief Parker.

Mr. Knight. Have there been any deaths attributable to any of these fires?

Mr. Parker. Not in my jurisdiction that I know of. We've had some accidental fires, that were proven to be accidental, where we've had a death or two over the last 10 years; but they were not racial as far as deaths. To be honest and frank with you, we're worried, you know, that if we don't get a handle on these things—and I'm sure you all agree—that it's going to lead to that.

Dr. Berry. If I understood you correctly, there are a lot of arsons of various kinds in this three-county area?

Mr. Parker. Sure.

Dr. Berry. To what do you attribute this? I mean, who engages in arson? I mean, what is the profile of the arsonist?

Mr. Parker. There's a lot of different profiles, as law enforcement will tell you, and ATF and SBI work wonderfully with us in working these cases. However, because there are so many, and based on the insurance premiums, that'll tell you there's a lot of them. If you want to see how many fires are going on, those fire reports are sent to the State fire marshal's Office and Jim Long's office, the insurance commissioner. We do not send—I have never had it requested by law enforcement as far as my number of fires each month. I always send mine, and have always sent them, to the Insurance Department, State of North Carolina. So, I'm not aware of any tracking that they do of my fires or my number of fires.

There's a lot of reasons for fires. It may be for jealousy. It may be domestic. Fire for hire was very popular in the 1970s and 1980s for profit.

Mr. Spaulding. Didn't you have some tobacco warehouse—

Mr. Parker. Not in our area. That was in Columbus County.

Dr. Berry. I'm just trying to find out why in this three-county area you would have—I mean, I could see somebody being mad at somebody or

jealous or whatever, but the profile of the arsonist—who chooses arson?

Mr. Parker. For economic reasons, they can't make car payments, house payments and they, you know, burn them for those reasons. Some of them are burnt by themselves.

Mr. Spaulding. I was going to say that another aspect of that too that is unique, not only to that county but that region, is you have a triracial area. I'm not enough of a sociologist or what-not to be able to make an assessment as to why or a political scientist, but I'm sure that brings with it some unique relationships, not all of which are good.

Mr. Parker. But we also have some fantastic people in our community, and unfortunately, too often, we hear the negative or the negative gets publicized.

Mr. Spaulding. I know you're right about that. My relatives were born in Robeson County.

Mr. Parker. Robeson County. Thank you.

Mr. Spaulding. Thank you very much. Let's see. I want to make sure I didn't miss anybody. Chief Harry Dolan? [No response.] Mayor Bob Gentry, Raeford? [No response.] Chief James McNeill, Raeford? [No response.] Chief Crawford Thomas? [No response.] Sheriff Dane Mastin? In a different section of the State.

Sheriff Mastin. Mr. Chairman, members of the panel, I am Sheriff Dane Mastin. I'm the Sheriff in Wilkes County in the—

Dr. Berry. What's the county seat?

Sheriff Mastin. Wilksboro, in the northwest region of the State.

Mr. Spaulding. Where they have the car races, among other things.

Statement of Dane Mastin, Sheriff of Wilkes County, North Carolina

Sheriff Mastin. We do to this point; maybe not next year.

My understanding of the memo that was sent, what you pretty much wanted from myself, as I took it, was our response to the church burning, in particular, that occurred in our county at the Beulah Land Baptist Church in Roaring River. That occurred on July the 1st. It actually was not a church in itself. It was a fellowship hall that

was approximately half a mile down the road from the church, even though it was affiliated with the church and posted with signs. It is in a racially mixed community, and our response to that has been—of course, in the light of that, we have attempted to increase our patrols in the areas of churches. We have a lot of rural counties, as opposed to any urban or city-type area. The majority of the population, around 60,000, lives outside the city limits in the county, so it is very rural. The majority of the churches would be outside.

To be totally honest with you, the greatest concern that I had upon notification of the fire was what the media would do to the investigation. I must agree with my fellow law enforcement officers that have already spoken on the State and Federal level that we needed to, for our purposes of investigation, find facts and not look at any preconceived notions or ideas that might be interjected into either the detectives involved in that case or my mind or any of the people we would be interviewing as witnesses; and that became very easily done because the news media, particularly the electronic media, was there on the spot wanting to interview everybody right then. That was one of the greatest concerns I had.

I do agree that it is a copycat crime. I do agree that the media fans that fire, and it does make it more, I think, easy to avoid prosecution or detection when you have so many different people that are looking at a particular motivation, when the motivation can be something totally different. Some people light these fires, like a pyromaniac, for some type of gratification. Other people light these fires for revenge or for money or for whatever reason.

In my particular scenario, the guy was striking out at the community who he felt had turned their backs on him. It was a mixed community; however, the membership of the congregation was all white. They did have occasional black visitors. Never, to my knowledge in my 17 years of law enforcement in that county, have there ever been any racial confrontations in that particular community. They seem to get along well together and live well together. The gentleman that started the fire was also a white male, and as soon as he was

arrested on July the 4th, the first appearance hearing he had, which would have been on Friday the 5th, he was immediately sent for mental evaluation, if that gives you an idea of his possible motivation. I'm not a psychologist, but I would venture a guess that it's some type of paranoia disorder, from my conversation with him because I personally interviewed him.

Again, let me reiterate to you that I think that some of these other law enforcement officers in the room would agree with me that media attention—I realize the public has a right to know; however, sometimes it does interfere. They should know what's going on with their law enforcement and crime and so forth, but it does tend to bind us when we're attempting to work a case and you have a camera or a microphone shoved in your face trying to get you to explain something that at this point you have no idea about. We need to go in there openminded, work to find a cause and origin in the case of a fire, find a suspect, then when we got ahold of the suspect, maybe we can get to a motive.

With that, I would end our scenario, and if you have any questions of me, I'll be happy to respond.

Mr. Spaulding. Thank you, Sheriff Mastin. Any questions or comments by the—

Dr. Berry. I only have one question.

Sheriff Mastin. Yes, ma'am.

Dr. Berry. That is, have you had a lot of arsons, too? The fire chief was talking about a bunch of arsons over in his area. Is arson a crime that happens frequently in your area?

Sheriff Mastin. More frequently than we like. Probably, the solution rate, as I heard the SBI Special Agent in Charge mention, is a very low percentage for clearance. I think he said 20. I believe it's closer to 10. We had 20 last year and were able to solve 4, if that gives you an idea. A lot of them are cars, out buildings—not necessarily dwellings or churches. We've only had one church in recent memory that there was any burnings of, but breaking and enterings and larcenies and vandalism are a common thing. It is nothing new.

I would say this on a personal note, and in my opinion totally, that you are not going to stop

church burnings. Just as when God commanded, "Thou shalt not kill," you have not stopped murders. But we in law enforcement must be vigilant to solve those crimes and to educate people to hopefully keep them from trying to injure each other, themselves, and each other's property. What we see in this nation at this time—and I'll preach for 1 minute and then I'll leave—is a symptom of a problem; that is, a lack of love and a lack of respect. That starts in the home, that starts in the church, that starts in the community. It has to be shown between people, between families, between husbands and wives, brothers and sisters, and therefore neighbors. When Jesus commanded, "Thou shalt love thy neighbor as thyself," we left off "as thyself." You can have no love or no respect for anyone if you do not care for yourself. One of the greatest programs that we have, and I'm very fond of, is the DARE program. One of the key factors of that is self-esteem.

With that, I would leave you. I snuck my part in for the day, and I'm not running for an election this year; I'm there.

Dr. Berry. Thanks very much.

Mr. Spaulding. Let me call on now Samuel Kaplan, the director of the North Carolina-Virginia Anti-Defamation League.

**Statement of Samuel Kaplan, Director,
North Carolina-Virginia Office,
Anti-Defamation League**

Mr. Kaplan. Good afternoon. My name is Samuel Kaplan. I'm the director of the North Carolina-Virginia Office for the Anti-Defamation League.

This past year has seen the best of times and the worst of times. Last year in our annual audit of anti-Semitic incidents, we showed a slight decrease nationally. However, this was not the case in the Tarheel State. The same period showed a dramatic increase of anti-Semitic incidents. If the current trend continues, we will unfortunately surpass last year's numbers before the end of this year.

North Carolina is the home to a number of national hate groups and icons of the hate movement. These individuals and entities have contin-

ued to aggressively recruit new members and peddle their messages of hate.

The National Alliance, the nation's largest and most active neo-Nazi organization has been particularly aggressive in North Carolina. At Fort Bragg, for instance, our research told us that in April 1995, they advertised in their membership bulletin that they were so brazen in their recruitment efforts of military personnel that they had a bulletin board outside of Fort Bragg on Bragg Boulevard advertising "Take our country back. Join the National Alliance" with an 800 number. In mid-December of last year, one of their members was arrested for carrying a concealed weapon. Earlier that day, he had reportedly been distributing racist and extremist literature on the campus of Laney High School in Wilmington, North Carolina.

Also in December, our State was rocked by the heinous racial murder of an African American couple in Fayetteville in which active duty military personnel stationed at Fort Bragg with extremist ties were charged. As a result of these activities, the Anti-Defamation League, on a national level, has worked with the Secretary of the Army's task force in reviewing and addressing this most serious issue of extremism in the military.

On a local level in an unprecedented effort, the North Carolina-Virginia Office of the Anti-Defamation League and the Provost Marshall's Office for the U.S. Army's Training and Doctrine Command, TRADOC at Fort Monroe, sponsored a seminar for military law enforcement personnel on extremism and hate crimes for the military installations in North Carolina and Virginia, the Nation's largest concentration of military bases. Virtually every installation was represented with 85 people in attendance. The seminar dealt with national extremist groups, local extremist activity, and hate crimes—a positive effort as a result of these unfortunate incidents.

The wave of fires directed at religious institutions has been devastating. On a national level, the Anti-Defamation League and the National Urban League joined forces in establishing a Rebuild the Churches Fund. Yesterday, July 17, a check in the amount of \$100,000 was presented

by our two organizations to the Congress of National Black Churches.

The fires of hate ring an all too familiar bell of one of the ugliest periods of humankind, when on November 9, 1939, Jewish houses of worship were attacked and the silence was deafening. We will not be silent, and we will not sit idly by during this time of anguish within our community.

In addition, the Anti-Defamation League, along with the National Urban League, the National Council of LaRaza, and the National Conference have launched a cooperative effort known as Bigotry Watch, which among other things has called for a national conference on pluralism.

On a regional level, along with the Virginia State Conference of the NAACP, we cosponsored a security seminar for religious institutions held in June. It was a positive response to deal with the traumatic period the community was going through. What we can do is work together as a community to address these problems, this conference identified what these community institutions can do to protect themselves, first; secondly, it brought the groups together. We had members of the Jewish community in attendance, we had members of the African American community represented, we had members of the gay and lesbian community participating, and we had members of the Islamic community attending, all there together. They realized it was not just one particular group, it was not one particular race, it was not one particular religion. There was a pattern of activity that was erupting in our area that needed to be addressed, and they shared common issues and concerns. What we accomplished in this session was that we helped build bridges of understanding and cooperation between not only the different groups in the community, but the government entities and law enforcement communities. What we find in many cases is that certain relationships that exist between some communities are not shared by other communities with their respective government agencies, and that needs to be improved; and these sort of seminars and these workshops address that. We are planning on having a similar community seminar for religious institutions for the Charlotte-Mecklenburg area to take place in the fall.

That's just a brief statement. I could go on. I know we're short on time and I have a plane to catch at 7, but I'm delighted to be here. I think we're doing good work. I also think we've got a lot of work to do. We're touching the surface, and that's one of the things that came out of the seminar for religious institutions in Richmond, and I know it will come out of the seminar we're going to have here in Charlotte. This is only a first step. It's not an end result, it's not the final result, it's addressing a problem, it's bringing people together; but it's only a first step. Unfortunately, as many times as we see these organizations in place, there seems to be a void when an incident happens that people have to come to terms with, and then they deal with these issues when it should be an ongoing process. So, like I said, this is a first step. I think if there's a silver lining in this situation, it has brought a lot of people together who may have been apart for a number of years but have realized that there's an issue that needs to be addressed.

I've brought some of our bumper stickers that we have, "Fight the Fires of Hate," which are available at the back of the room.

As far as the incident reporting is concerned, I'm absolutely convinced that the numbers of incidents are far greater than we're having. We talked about hate crimes reporting and the need for better reporting, and that's really the issue. We were questioned about the number of incidents that took place in North Carolina and Virginia, and I said I don't think really the issue is the police and their reporting system. I think the issue is getting the numbers reported to the police, because people are embarrassed or humiliated and a lot of times don't report things. So, we developed an awareness campaign to get people to report the incidents, and we've got these little brochures available in the back; and I'm convinced that that's been part of the increase in numbers.

The other reason I think the numbers have increased is there's—and the gentleman who spoke before me sort of addressed it—there's a mood of intolerance that is pervasive in this country, and it's set at different levels of the community and the government. We have to be more civil to each other. We have to be more caring and more

sharing, and it all starts with us as individuals, and it's got to be at the grassroots level, not just the leadership level. In my capacity, I know all too often leadership gets along great together, but not when you take it down to the grassroots level. That's sort of what we're working at.

So, I thank you and I commend you, and I'll be happy to address any questions that you might have about any part of our activities.

Mr. Spaulding. Thank you, Mr. Kaplan.

Mr. Knight. Mr. Kaplan, I thank you for coming at the last minute, but we do want to get that information and we will be working with your other counterparts in the other States.

Mr. Kaplan. Good. You asked about extremist groups earlier, there are a number of Klan groups that are active in North Carolina and a number of extremist groups. I talked about the national groups earlier.

The Confederate Knights of America are active. They're based in Huntersville, North Carolina.

The Christian Knights of the Ku Klux Klan, based in Charlotte and Mount Holly, they've had a couple of marches. One march they had was in Black Mountain this past year.

The National Association for the Advancement of White People has a group here and they were so brazen that they marched in the annual holiday parade in Yadkinville, North Carolina, this year. People were in a quandary. They said, "Well, should we let them march or should we not let them march because some people find it offensive?" So, they said, "Okay, we'll put them in the back of the parade," but they marched. So, they participated in that.

I mentioned the National Alliance and some of their activities.

Harold Covington who—

Mr. Spaulding. —ran for attorney general.

Mr. Kaplan. That's right, and received quite a few votes—more than anybody thought he would. Harold Covington recently moved back to North Carolina. He was out on the west coast in Seattle for a number of years, and he's now in Chapel Hill. Some of his hate literature has been turning up not only in North Carolina, but also in Virginia in the Hampton Roads area of Virginia.

There are a number of militia groups that are active in North Carolina.

Dr. Kirk. Are they on the increase?

Mr. Kaplan. I'm sorry?

Dr. Kirk. Are they on the increase?

Mr. Kaplan. Yes, they are, they absolutely are. Some of them use the computer network to recruit membership, and that's been the mixed blessing of the information age, is that it's been helpful as far as technology is concerned, but it has also been a good vehicle for recruiting people because you've got the anonymity factor. You don't know who's on the other end, so you get somebody active, and you never know that this may be somebody that if you saw them in person, you wouldn't care to socialize with that person, but they hit the right buttons.

Mr. Spaulding. Is the band leader back, Glenn Miller?

Mr. Kaplan. He's gone but not forgotten. His presence is still there. We've got Nord Davis, Jr., out in the western part of the State with North Point Tactical Teams, which sponsored a seminar this past year that had possibly 250 people there, and there keynote speaker was Bo Gritz from Idaho. Who is Bo Gritz? Colonel Bo Gritz was a former Green Beret. He was one of the negotiators at Montana. He was portrayed as a do-gooder, but he's extreme in his own right, and I think it was a disservice to present him in any other fashion.

Dr. Kirk. The computer can be a blessing in disguise because you don't know who the other person is on the other end. You can give out information to anybody.

Mr. Kaplan. Yes.

Dr. Kirk. And we found out what kind of information is coming out.

Mr. Kaplan. Correct; but Harold Covington and his group, the National Socialist White People's Party is back active here. I mentioned the National Alliance, and there are a number of Skinhead groups that are also active throughout the State, both in Fayetteville as well as in Asheville. So, you know, there's a lot of activity there. Unfortunately, we all have our work cut out for us.

We've published a report talking about the Internet, *The Web of Hate*. We believe the best way to defy extremism on the Internet is not to censor it because people have a first amendment right, but to expose who these people are. So, that's the avenue that we took. Even though we find it offensive, they have certain first amendment rights; but we have the right to let people know who they are and what they do, and this documents some activity on the Internet.

We also published another report to assist parents in guiding their children in navigating the Internet because of these perils that face them.

I guess that pretty well covers it. So, I thank you and I look forward to working with you in the future.

Mr. Spaulding. You have a lot of data and we'll certainly be looking forward to working with you.

Mr. Doctor. One quick question, if I may, Mr. Chair. I know we're late here, but, Mr. Kaplan, certainly we appreciate and are indeed impressed by your information. I knew you would have it because I know they're here; but can you explain—and perhaps you can and perhaps you can't—why it is that a lot of these State officials either won't comment or won't share the information that they obviously have on those groups here in this State? Why do you think they chose not to do that today? We asked that question several times.

Mr. Kaplan. I don't know. I can't speak for them.

Mr. Doctor. I understand, but do you have an opinion just off the top of your head?

Dr. Kaplan. I can't really speak for them, but I know that in some cases, if a situation is involving an active investigation, people may be reluctant to speak about an active investigation that may imperil that investigation.

Mr. Spaulding. They don't want to queer the investigation.

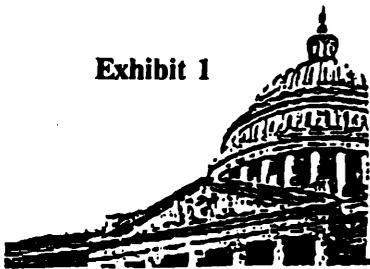
Mr. Kaplan. I'm just speculating. I don't know. I can't speak for somebody else.

Mr. Spaulding. Thank you very much, Mr. Kaplan. Before closing, I'm going to ask our national Chair Dr. Berry to make a wrap-up or summary comment before we close.

Dr. Berry. Let me just say that I am pleased to have been here, and I have listened with great interest and asked a few questions, and I've been informed. I want to thank the Chair of the State Advisory Committee, Mr. Spaulding, and his Committee members, and the Regional Director, Bobby Doctor, and Mr. Knight for putting on this forum, and the witnesses who came. I very much appreciate it, again, and it will greatly inform the national Commission and the public. Thank you very much.

Mr. Spaulding. Thank you. I want to thank our court reporter service. Please put in the record that we expressed grateful appreciation to you for your assistance on today's program.

(The meeting was adjourned at 5:45 p.m.)



UNITED STATES SENATOR ♦ NORTH CAROLINA

LAUCH FAIRCLOTH

N E W S R E L E A S E

FOR IMMEDIATE RELEASE
June 26, 1996

Contact: Peter Hans
(202) 224-3154

SENATE PASSES FAIRCLOTH/KENNEDY CHURCH ARSON PREVENTION ACT

(WASHINGTON, D.C.) -- The Senate today voted 98-0 to pass the Church Arson Prevention Act of 1996, introduced last week by Senators Lauch Faircloth (R-NC) and Ted Kennedy (D-MA). The bill extends the statute of limitations for prosecution of church arsonists from five to seven years, and raises the penalties for church arson from 10 years to 20 years. Sen. Faircloth commented,

"The Church Arson Prevention Act of 1996 is designed to meet two goals. One, prosecute those criminals who would sink so low as to burn a church. Secondly, send a clear message that people of faith will not stand for such violence."

"Sen. Kennedy and I have worked together on this bi-partisan legislation in order to demonstrate that America's commitment to protecting houses of worship crosses philosophical and geographical boundaries."

The bill also authorizes allocation of funds, which have already been appropriated, for the Treasury and Justice Departments to train local law enforcement investigating church arsons. Additionally, the legislation allows the HUD Secretary to take money that has already been appropriated to use as loan guarantees for the re-building of these churches.

"I am hopeful that no such funding will be needed. I believe that the American people, through their own charitable good deeds, will put forth the funding to re-build these churches. In fact, the bill includes a Sense of the Congress commending those that have and will put forth such funding -- urging other individuals and companies to continue these efforts."

"Growing up and living in the rural South, I understand how the church serves as the center of family and community life. Burning these churches is an assault on everyone's family and community. As I said last week, if we in Congress can't agree that church burning is a despicable crime, what in the world can we agree on?", commented Faircloth.

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Catalyst for change

Human Relations Commission honors church for show of compassion toward accused arsonist

ELLEN CHURCH
Staff writer

Pleasant Hill Baptist Church could have become a catalyst for racial hostilities when Billy Shawn Baxley allegedly set fire to the sanctuary in May.

Instead, the church became an example of compassion when the congregation, led by Rev. Winston Rozier, invited the 17-year-old to join in the church's weekly Bible study.

Rev. Rozier has since been the center of attention, locally and nationally, for an act of forgiveness that is seldom displayed in times of tragedy.

For Rozier, it was simply the "right thing to do."

He expressed surprise at the reaction the invitation received from both the community and the media.

"I suppose people expected us to push the child away," he said. "We couldn't show hate, that would not be the Christian thing to do... I hope people realize that this was done for Christian love, and not for publicity. It was the Godly thing to do and one of the only ways to keep peace among us."

The May fire was one of thirty-two arson fires across the nation of predominately black churches. The fires created tensions among the black community who suspect the church burnings are racially motivated.

Fire officials here say they don't believe the Pleasant Hill fire was race related, although a majority of the church members are black and Baxley is white.

Because of his demonstration of compassion for Baxley, the Robeson County Human Relations and Unity Commissioner has elected to recognize Rev. Rozier during a program planned for Wednesday's Family Fourth Celebration in Lumberton.

Human Relations Executive Director John Campbell said the idea was spurred by commission member Horace Hunt during a regular meeting.

"One of the things that got the commission excited was the fact



Steve Humbert photo

Rev. Winston Rozier

that Rev. Rozier and his congregation left the emphasis on redemption," Campbell said. "All too often people tend to judge. They chose to lift up this individual versus the condemning, criticizing and out casting that could have occurred."

Campbell said he sees Rev. Rozier's action as an example of what people in the county should do in all situations.

"All too often those who show a negative response are the ones we hear and see. Some folks can become part of the problem in promoting that negative side. Then

there are others like Rev. Rozier who are part of the solution. We are delighted that we have this time to honor and recognize his effort."

Campbell is extending an invitation to all county ministers to take part in Wednesday program which will be the first order of business when activities begin. Besides recognizing Rev. Rozier, Campbell said the commission will be presenting the minister with a plaque and a framed letter that has been sent to President Bill Clinton.

Rev. Rozier said he would happily to participate in the program.

Please see ROZIER, page 4A

Rozier

Continued from page 1A

love.

He hopes the attention to be stepping stone for all religious sectors in the county as a way for those leaders to realize that they are all working for the same cause.

"I hope that we can take this beyond racial lines," he said. "In a tra-

ditional manner we have always functioned separately, and may continue to do so, but there is no segregation in heaven."

Anyone who would like to participate in Wednesday's program can contact Campbell at 671-3026 for more information.

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