

# Klanwatch Law Report

A publication of the Southern Poverty Law Center

September 1986

## Center Lawsuit Deals Crushing Blow to North Carolina Klan

Guilty Verdict Strips NC Klan of Its Leaders and Illegal Paramilitary Army



Center Chief Trial Counsel Morris Dees, U.S. Attorney Samuel Currin and Klanwatch Director William Stanton confer in Mr. Currin's Raleigh office.

RALEIGH, North Carolina — On July 25, a U.S. District Court jury convicted Klan leader Glenn Miller and his organization, the White Patriot Party, of two counts of contempt of court for operating a paramilitary organization in violation of a January 1985 injunction and breaking two North Carolina state laws prohibiting secret military or political organizations. Stephen Miller (not related to Glenn Miller), the White Patriot Party's second in command, was convicted of one contempt charge for operating a paramilitary organization and supplying weapons training intended for illegal use in a civil disorder.

This verdict stems from a 1984 civil lawsuit filed against the White Patriot Party, then known as the Carolina Knights of the Ku Klux Klan, by the Southern Poverty Law Center on behalf of Bobby Person, a black prison guard in Moore County. In January 1985, a federal court barred the defendants from harassing Mr. Person or his family, or from harassing any black citizens in North Carolina. The court also enjoined Klan leader Glenn Miller from operating a paramilitary organization and from violating state statutes regarding paramilitary activity.

Since that time, Klanwatch

investigators engaged in an intensive evidence gathering mission in North Carolina, where they documented numerous violations of the January 1985 court order by the Millers and the White Patriot Party. These efforts resulted in the recent contempt of court charges and the convictions of the Millers and their Klan organization.

U.S. District Judge W. Earl Britt set bond at \$10,000 for each of the Millers but let them be released when they signed a written promise to appear for sentencing.

Glenn and Stephen Miller now face maximum sentences of six months in prison and fines of up to \$1,000 for each conviction. The White Patriot Party could also be fined or ordered to comply with whatever conditions the judge imposes.

Judge Britt ordered Glenn Miller and Stephen Miller to sever all ties with the White Patriot Party, with any of its present or former members, and any present or former military personnel who associate with the White Patriot Party. The judge also forbid them to have any contact with other white supremacist organizations such as the Aryan Nations or The Order. The Millers were also ordered to have no contact with any witnesses who testified against them, the attorneys who

prosecuted them or their families.

As he left the courthouse and headed toward his pickup truck, Glenn Miller vowed to "return one day. You can bet your last dollar on that." Stephen Miller made no comment.

The prosecution team consisted of United States Attorney Samuel T. Currin and Center Chief Trial Counsel Morris Dees, who was appointed Special Prosecutor by the court. Attorney Richard Cohen, the Center's new Legal Director (see story on page 2), also assisted in trying the case.

U.S. Attorney Currin called the jury's verdict "a first strike in putting a stop to Klan paramilitary activity in North Carolina, I think it was critical that we obtain convictions against Glenn Miller and Steve Miller because they personify the Klan in North Carolina."

The prosecution team sought to show that the White Patriot Party was turning into radical militants similar to The Order, a right-wing terrorist group which committed dozens of illegal acts

during 1983-85, including the murder of Denver Jewish talk-show host Alan Berg, armed robbery, counterfeiting, and a conspiracy to overthrow the U.S. government. Members of The Order used their interpretation of the Bible to justify their beliefs and a novel called "The Turner Diaries"

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guided them. This novel tells of right-wing insurrection in 1992, and Glenn Miller is known to have boasted that he planned to take power then and set up a white "Southland."

Robert Norman Jones, a witness for the prosecution, (continued on page 3)

### Downfall of Klan Leaders Began When Bobby Person Asked Center for Help

In 1983, Bobby Person never dreamed that trying to win a promotion at the North Carolina prison where he worked would lead to the downfall of two of the nation's most militant Klan leaders, White Patriot Party leader Glenn Miller and his second in command, Stephen Miller.

Bobby Person and his family became the object of a campaign of terror conducted by the Millers' Klan group meant to make him give up his effort to win a promotion. Instead of quitting, Mr. Person asked the Center's Klanwatch Project for help. His personal struggle ultimately led to the banning of the White Patriot Party's paramilitary, and the court order mandating that the Millers sever all ties with the WPP. Just recently,



Mr. and Mrs. Bobby Person live in North Carolina with their three children.

one of the Klansmen who harassed Mr. Person pleaded guilty to a federal civil rights violation.

Bobby Person is a courageous example of how one man, unwilling to submit to injustice, can make a real difference.

## Center Asks Department of Defense to Bar Klansmen From United States Military

Following are excerpts from a Memorandum of Law sent to the Department of Defense explaining why the Center believes that active-duty U.S. military personnel should be prohibited from engaging in Ku Klux Klan activities.

The Ku Klux Klan and other Klan groups such as the White Patriot Party have armed forces personnel among their active members. Servicemen have been photographed at heavily armed Klan rallies, and newspaper reports reveal that the Klan's membership includes Marine and Army troops based at Camp Lejeune and Fort Bragg in North Carolina.

Numerous court cases have established that the Klan is a violent and law-breaking organization. The purpose of Klan existence is the promotion of white supremacy and racial purity. Klan members take an oath, swearing to uphold the values of a "Konstitution." Separation of the races, one of the values to which Klan members swear allegiance, is antithetical to the values of the Constitution. One upholding the Klan's twisted "Konstitution" cannot serve in the Armed Forces with the necessary loyalty and respect for the U.S. Constitution. The Klan is a racist organization whose theme of white supremacy motivates its actions.

In view of these facts, we submit that it is eminently reasonable for the military to recognize the internal threat posed by the Klan and restrict enlistment of active members of the Klan and prohibit military personnel from participating in the Klan.

Based on known facts, the armed services should conclude

that Klan membership threatens the military in the following respects:

1. The Klan's commitment to violence risks the improper utilization of military training and government weapons. Because the Klan has been discovered to have stolen explosives, the military must reduce access by Klan members to government supplies. The Klan is using the military for its own purposes and the military would be justified in protecting itself.

2. Klan participation interferes with loyalty and esprit de corps. Pitting blacks and whites of the same company against one another, the Klan has a demoralizing effect on the forces. The central tenet of the Klan, white supremacy, cannot be reconciled with the military's system of hierarchy which recognized superiority based solely upon rank. Blacks and whites hold positions of authority in the armed forces and military discipline requires recognition of authority by rank, not race.

3. The risk of disruption and physical confrontation exacerbates the morale problem and may cause injury to members of the forces. Confrontations between hooded KKKers and black soldiers aboard military vessels have been reported.

4. The military's image at home and abroad will be adversely affected by the Klan activities of military personnel. U.S. troops overseas are representatives of this country, and it is important that they be models of the America of which we are proud. There are several thousand U.S. military personnel stationed in West Ger-

many, and the West German government is concerned about the Klan's presence. Obviously, in Africa and Asia and other areas of the world, perceptions that Klan activists are in the armed forces hurt the U.S. military and the U.S. government.

It is a fundamental constitutional doctrine that action, even if it has some element of speech, is not necessarily protected by the First Amendment. Based on facts about the Klan, the Eleventh Circuit Court of Appeals has concluded that active membership in the Klan is not protected under the Constitution (*McMullen v. Carson*). This conclusion is supported by the fact that the Klan is confrontational by nature. In *McMullen*, the court also found that recruiting for the Klan constituted active, and therefore constitutionally unprotected, membership in the Klan. In applying the *McMullen* standard, active participation would include engaging in any Klan activity, such as attending Klan meetings or rallies, recruiting, training, and publicizing for the Klan.

A recent Supreme Court case upheld an Air Force regulation requiring absolute uniformity of dress and forbidding Jews to wear

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## New Legal Director Comes to Southern Poverty Law Center

Richard Cohen has joined the staff of the Southern Poverty Law Center as its new legal director, replacing Dennis Balske who has left the Center to go into private legal practice. A graduate of Columbia University and the law school at the University of Virginia in Charlottesville, Mr. Cohen practiced law for seven years at the Washington, DC, law firm of Morgan Associates, Chartered, where he worked with Joseph Levin, President of the Center's Board. He was a partner in the firm, which specialized in complex civil litigation, and at one time he represented a Coalition of Homeless in a First Amendment case.

Richard Cohen assisted Center Chief Trial Counsel Morris Dees in trying the contempt of court case against the Klan in North Carolina. While trying this case, Mr. Cohen was threatened by Dr. Ed Fields, an infamous neo-Nazi from Georgia. Dr. Fields was found in criminal contempt of court and will soon be sentenced.

At present, Mr. Cohen is preparing a brief in the State Trooper case which will be filed in the Supreme Court. The purpose of this case, which was first begun back in 1972, is to insure that the State Trooper Association of Alabama does not discriminate against blacks in its employment practices. When the suit was filed fourteen years ago, no black had ever been hired as a State Trooper. Although there are still a number of problems in the State Trooper Association, blacks currently occupy approximately twenty percent of the positions in the Trooper force.

Mr. Cohen is also involved in an investigation into the educational practices in states such as Alabama that may tend to discriminate against underprivileged students.

Mr. Cohen lives in Montgomery with his wife and 8-year-old daughter. In his spare time, when he is not playing carpenter while remodeling his home, he enjoys snorkeling and scuba diving.

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## Aryan Nations Holds Annual "World Aryan" Congress

Several hundred of America's most radical racists and anti-Semites gathered in Idaho in July for the Aryan Nations annual "World Aryan Congress."

The meeting, held at the neo-Nazi Aryan Nations compound in

As guards with semi-automatic weapons patrolled nearby, a parade of speakers promised a never-ending battle to roll back the gains minorities have made in recent years.

"I think we're entering a time of militancy like we've never seen before," the leader of a youth group was quoted in the press as saying.

"If peaceful means fail, the white youth of this nation shall utilize every method and option available to them to neutralize and quite possibly engage in the wholesale extermination of all sub-human non-Aryan peoples from the face of the North American continent."

The roll of participants at the meeting read like a "who's who" of white supremacist leaders: former California Klan leader Tom Metzger, who now heads a group called White Aryan Resistance; Aryan Nations leader Richard Butler and Robert Miles; Dr. William Pierce, author of *The Turner Diaries* and head of the neo-Nazi National Alliance.

Former White Patriot Party leader Glenn Miller was scheduled to address the conference, but decided not to attend because of his trial on a contempt-of-court charge brought by the Southern Poverty Law Center. Other representatives of the White Patriot Party did attend, however.

(continued on page 4)



Aryan Nations leaders Richard Butler and Robert Miles shown at an earlier gathering in Pula-ski, TN, birthplace of the Klan.

scenic Hayden Lake, drew approximately 300-400 participants, according to a law enforcement source. They ranged from Ku Klux Klan members to Nazis to followers of the racist Christian Identity religion.

The agenda for the 1986 conference, as in recent years, consisted of seeking ways to reassert white supremacy in the U.S., with the ultimate goal of expelling or exterminating all minorities from the country.

## North Carolina Klan Loses Court Battle *(continued from page 1)*

provided chilling testimony concerning the White Patriot Party's acquisition of military weapons and equipment, and the White Patriot Party's use of active-duty U.S. military personnel to train its members in the art of warfare.

Jones is a former marine who is now serving a 3-year federal prison term for the attempted purchase of explosives and other stolen military arms, and the possession of stolen government property.

Jones told the court he was paid \$50,000 to supply White Patriot Party members with arms and munitions stolen from Fort Bragg and other military installations.

He also testified that he obtained explosives, anti-tank rockets and anti-personnel mines from former Army Intelligence officer Capt. William M. Roberston. He said he supplied the White Patriot Party with 10 mines, 13 anti-tank rockets and 200 pounds of plastic explosives. He also supplied military radios, packs, boots, shovels, fatigues, weapons belts, riot grenades, ammunition, pistols, rifles and semi-automatic weapons, including some uniforms with Marine Corps symbols on them. Jones said he was paid \$100 a day

to conduct secret training sessions for White Patriot Party members in the use of the weapons that he had supplied.

Jones said Stephen Miller went with him in February or March 1985 to a farm near Fayetteville, North Carolina, where they met with David Lane, a member of The Order wanted by federal authorities. "We basically talked about money" for rockets, Jones testified. "I needed cash up front."

At meeting with David Lane, Jones testified a White Patriot Party member produced a duffel bag full of money and "said we would have no more problem with money" because the group had received a large contribution. In a 1985 confession to the FBI, Bruce Pierce, number two man in The Order, says that The Order's leader directed that \$300,000 in stolen money be given to Glenn Miller to assist him in his racist activities.

Former White Patriot Party member James E. Holder, once a paratrooper with the 82nd Airborne at Fort Bragg, testified that active-duty Marines from Camp Lejeune, North Carolina, and active-duty soldiers from Fort Bragg, North Carolina, took part in White Patriot Party paramilitary

training. Holder testified that Glenn Miller told him his Klan group intended to overthrow the U.S. government in 1992. They would then put all blacks on boats headed for Africa that would be exploded en route. Jews would be executed.

Other evidence presented at the trial included newspaper articles from the "Confederate Leader", the White Patriot Party's newspaper. Many "Confederate Leader" articles detailed facts about escape and evasion, river crossing, hand-to-hand combat, map reading, counter-ambush, orienting and firearms training.

During the trial, the defense claimed that White Patriot Party members merely liked to dress up in combat fatigues, get together for target practice and march in parades. Glenn Miller, a retired Army Special Forces sergeant who founded the group, said "Our militia is totally defensive."

Center Chief Trial Counsel Dees described this claim as "a smokescreen" that concealed the group's real purpose, which Attorney Dees said was to further civil disorder and overthrow the government.

William E. Martin, Glenn Miller's federal public defender, said, "Glenn Miller likes good

press. Good press gets you publicity. But sometimes good press gets you into a courtroom. Glenn Miller is here not because of his acts, Glenn Miller is here because of his words."

Responding to this assertion in his closing argument to the jury, U.S. Attorney Samuel T. Currin said, "Words shed a great deal of light on everybody's actions." He then picked up a hand grenade from the counsel tables, and asked, "What does this have to do with free speech? Nothing at all."

Until his conviction, Glenn Miller was viewed by other white supremacists as a leader on the move, one from whom great things were expected. His eclipse in the racist firmament, however, does not mean that the White Patriot Party can now be safely ignored.

The cache of military weapons, ammunition and explosives illegally acquired by the White Patriot Party has not been located, and the White Patriot Party already has a new leader, Cecil Cox of Jacksonville, North Carolina. Cox said after the trial that the party would continue to pursue its goal of "uniting and educating our people, white people, throughout the South."

## Klanwatch Identifies Military Personnel Involved with Klan



Circled from left to right, Richard L. Pounder (ex-Marine) and Russell Bordelon (active-duty Marine) are photographed marching in a White Patriot Party parade. Steve Miller, the WPP's former second in command, is to the right holding a Bible.

Klanwatch investigators have so far positively identified ten people involved in activities of the White Patriot Party, formerly known as the Carolina Knights of the Ku Klux Klan, while active-duty U.S. Marines or Army soldiers. These individuals are: Richard L. Pounder (former Marine), Russell Bordelon (active-duty Marine), Thomas Zankel (ex-Marine), Shawn Brimlow (ex-Marine), Ward Frazier (active-duty U.S. Army), Cecil Cox (ex-Marine and new leader of the White Patriot Party), Bill Roland (ex-Marine), Randy Ciuros (ex-Marine), Charles Reck (ex-Marine), and Kevin Colvin (ex-Marine). Klanwatch has tentatively identified half a dozen other members of the U.S. military involved with the White Patriot Party. "This is just the tip of the iceberg," said Klanwatch Director Bill Stanton. "The question is: how big is the iceberg?"

## North Carolina Leads Nation in Ku Klux Klan Activity

For several years, North Carolina has been the hotbed of KKK activity in the U.S. The state has more Klan members, shootings and other acts of violence than anywhere else in the country.

Law enforcement authorities, regrettably, were slow to respond to this outbreak of racist activity. The vacuum left by law enforcement inaction prompted the Southern Poverty Law Center to file suit against the Carolina

Knights of the KKK in 1984 on behalf of Bobby Person, one of the victims of such racist terror.

Now things have begun to change. In the last eighteen months 22 Klan members have been convicted or pleaded guilty to federal civil rights violation charges. The convictions of Glenn and Steve Miller by the Center and the Raleigh U.S. Attorney's office have struck a stunning blow to Klan activity in the state.

## U.S. Department of Justice Honors Klanwatch Director

U.S. Department of Justice

Award for Public Service  
Presented to

*William Stanton*

*in recognition of meritorious acts and service,  
that have materially contributed to the  
attainment of the highest standards  
of cooperative law enforcement and justice  
in the United States of America.*

*Samuel T. Currin*  
United States Attorney,  
Chairman of the Law Enforcement  
Coordinating Committee



July 25, 1986  
Date

For his role in gathering evidence that helped lead to the recent contempt of court conviction of the Klan's White Patriot Party, Klanwatch Director Bill Stanton has been presented with an

"Award for Public Service" by the U.S. Department of Justice. Mr. Stanton spent ten solid weeks in North Carolina this summer working on the case.

## Docket Update

### Roy Patterson Re-Trial Ends with Hung Jury



Seated at the defense table in the Cordele, Georgia, courthouse are Center paralegal Joe Roy, Roy Patterson and his Center attorney, Dennis Sweet.

CORDELE, Ga. — After waiting eleven years for a new trial to prove he was innocent of murder, black ex-Marine Roy Patterson remains in prison after a jury failed to reach a unanimous decision in his case. Nine jurors voted to set Roy free, but three could not be swayed from finding him guilty.

Patterson's nightmare began in 1975 when his brother was stopped for a routine traffic violation.

The arresting officer, known as a violent racist, handcuffed Joe Patterson, rather than issue a ticket, and took him to the Cordele, Georgia, police station.

Roy Patterson, his wife and infant son, followed the policeman to the station to see what was going to be done with his brother. At the station, the arresting officer cursed Patterson, drew his service revolver and struck Mrs. Patterson. Patterson, convinced the officer intended to kill him and his family, tried to wrestle the revolver from the officer's hand. In the struggle that ensued, several shots were fired. The arresting officer, and another officer who had joined in the fight, were fatally wounded.

The courtroom where Roy was tried was packed with uniformed law officers, and the prosecutors demanded the death penalty. Even though Cordele has a large black population, most of the potential black jurors were removed from the jury.

Patterson testified in his own defense. He explained that he was only trying to protect himself and his family and that he was deeply sorry about the officers' deaths. His testimony was so moving that it undoubtedly played a major role in persuading the jury to give him a life sentence rather than the death penalty.

Center attorneys have been working to free Patterson for a decade. A new trial date has been set for October 6.

### Michael Donald Lynching Trial Expected to Begin this Fall in Mobile, Alabama

Discovery has ended in the lawsuit filed in Mobile, Ala., by the mother of a KKK murder victim. A trial date is expected to be set soon.

Klanwatch attorneys filed the suit two years ago on behalf of Michael Donald, a black youth who was abducted at random off the streets of Mobile, beaten and lynched in 1981. KKK leaders Henry Hays and James "Tiger" Knowles were arrested for the killing

in 1983.

Knowles subsequently pleaded guilty to a civil rights violation, and Hays was convicted of capital murder and sentenced to death. But Klanwatch developed information that other Mobile Klansmen were involved in a conspiracy to kill Donald, and as a result the suit was filed. Evidence of the conspiracy will be presented at the upcoming trial.

### Another Klansmen Admits Guilt in the Klan Attack on Black Marchers in Decatur

Seven years after the crime was committed, a second Klansman has pleaded guilty to federal charges arising out of a KKK attack on black demonstrators in Alabama in 1979.

Derane Godfrey, of Fultondale, Ala., pleaded guilty August 18 to conspiring to violate the civil rights of a group of 60 blacks participating in a street march in downtown Decatur on May 26, 1979.

About 100 Klansmen, most in robes and many armed with clubs, ax handles or other weapons, blocked the march and attacked the demonstrators and law enforcement officers attempting to keep order.

Godfrey was one of nine Alabama Klansmen indicted by a federal grand jury in May 1984 after a Klanwatch suit filed against the Klan attackers

uncovered evidence of criminal violations. Klanwatch lawyer Morris Dees turned over the evidence to the U.S. Department of Justice and the FBI, which conducted an investigation into the incident in 1979 but found no evidence of criminal wrongdoing.

The FBI subsequently reopened its investigation, leading to the indictments. The case has been tied up in court since 1984 in a barrage of defense motions. A tenth Klan member, Jack Mize, pleaded guilty in 1984.

With the exception of Godfrey, who was a low-ranking member, the other defendants were key Alabama Klan leaders and one, Roger Handley, was the number two Klan leader nationally in the Invisible Empire, Knights of the KKK faction in 1979.

### Center Asks Defense Department *(continued from page 2)*

yarmulkes, even though it was inconsistent with a serviceman's religious beliefs. The regulation at issue forced Orthodox Jews to face the "painful dilemma [of choosing] between fulfilling a religious obligation and serving their country." In making its decision the Court knew that the consequence would be to keep religious Jews out of the armed forces, a group which certainly deserves at least as much governmental protection as the Klan. If the military's interest in absolutely identical dress sufficiently outweighs the individual's right to practice his religion, then certainly the military's interests in protecting its arsenals from theft, in preventing racial divisiveness and violence in the ranks, in recruiting black soldiers, and in presenting an image of America as free and democratic for all citizens, outweigh the individual interests of a small percentage of the armed forces devoted to bigotry.

Congress has granted the Secretary of Defense and the Secretaries of the different branches of the military great authority to promulgate regulations. For example, 10 U.S.C. § 505(a) (1978) grants the Secretary power to accept enlistments in the armed forces of "qualified, effective, and able-bodied persons." It is up to the Secretary to decide what is required to be qualified and effective. Judicial deference to military decisions is consistent with Congress' intent to give the Department of Defense broad powers.

The Secretary of Defense would be acting within his powers in promulgating the proposed [barring Klansmen from participation in U.S. military forces]. The unique nature of the Klan and the special needs of the military make the proposed regulations in the best interest of the American people.

### The Law Center Fund

You have it within your power to play an important part in assuring the Center's ability to fight injustice for years to come.

You can do it by remembering the Center in your will.

Bequests in wills help to assure the Center's long-term financial stability, and that is a key to success in our legal efforts, which often last for years and can cost thousands of dollars to conduct.

For More Information . . .

If you would like to know more about helping the Center in your will, please write:

The Law Center Fund  
Southern Poverty Law Center  
Attn: Cathie Wright  
400 Washington Avenue  
Montgomery, AL 36195

### "World Aryan Congress"

*(continued from page 2)*

Law enforcement authorities say meetings like this one gave rise several years ago to The Order, a violent offshoot of the Aryan Nations group, which committed a string of crimes between 1983-85 in an effort to start a white supremacist revolution in the United States.

Two dozen members of The Order pleaded guilty or were convicted late last year on federal racketeering charges in connection with the crime spree, which included robbery and murder.

One of The Order members now serving time sent a message to the group by letter, which was read at

one of the convocations. "I wish it were possible for me to be with you," he wrote, "but it seems ZOG has other plans for me right now."

ZOG is a racist name for the federal government; it stands for Zionist Occupied Government.

The writer went on to say that the government believes it has destroyed the racist movement with the arrests and convictions of Order members.

"Your being here today has proven ZOG wrong," the letter writer wrote. "It lifts my spirits to know there are those of you who will not let ZOG intimidate you."