

Law Report

A publication of the Southern Poverty Law Center and its Klanwatch Project

March/April 1987

Jury Awards Mrs. Donald \$7 Million

For First Time, A Jury Finds KKK Liable for Members' Violent Acts

MOBILE, Ala. — The United Klans of America and six of its members have been ordered by an all-white jury to pay \$7 million in damages to Mrs. Beulah Mae Donald, whose teen-aged son, Michael, was brutally murdered by the Klan here in 1981.

It marks the first time in history that a Ku Klux Klan group — the organization itself — has been found liable by a jury for the actions of its members. Center attorneys believe the case sets a precedent for other victims of Klan violence.

The verdict was handed down in a civil suit brought on behalf of Mrs. Donald by the Southern Poverty Law Center, which handled the case for free and will accept no part of the judgment she was awarded.

(Center attorneys estimate the Klan's assets at no more than \$300,000 and warn of serious legal obstacles in the way of seizing them for Mrs. Donald. See story, page 2.)

"The Klan sought to send a message of intimidation to black citizens by killing Michael Donald and hanging his body in a tree," said SPLC Executive Director Morris Dees, who was lead counsel in the case. "This verdict sends a message right back: white Southerners will no longer tolerate racist violence of this sort."

The lawsuit, which was brought under the federal civil rights

statutes, accused the six Klansmen of conspiring to murder a black man in retaliation for a mostly black jury's failure to convict a black defendant who was on trial in 1981 for killing a white officer in a totally unrelated case.

Two Klansmen were arrested for killing Donald following a long federal investigation and are now serving time in prison for the murder (See story, page 3).

Evidence in the SPLC lawsuit demonstrated that the murder plot was conceived by three Klansmen: Bennie Jack Hays, a titan or regional officer and the highest-ranking UKA member in south Alabama; Henry Hays, his son, an officer of the Mobile chapter, Unit 900; and James Llewellyn "Tiger" Knowles, at 17-years-old second in rank only to the elder Hays.

According to Knowles, who pleaded guilty to a federal civil rights violation and testified in the civil suit, the three men agreed on the plot and decided to carry it out if the jury in the police killing case failed to return a guilty verdict.

At a meeting of Unit 900 at the elder Hays' home on March 18, 1981, the conspiracy was approved by the unit's membership.

"Take this down," Bennie Hays ordered his son, Unit 900's kligrapp (secretary). "If a nigger can get away with killing a white man, then a white man ought to be able to get away with killing a nigger."

With that, the other members of Unit 900 chimed in their agreement.

On Friday, March 20, the trial of the alleged police killer ended in a hung jury, and the conspiracy was set in motion. As soon as a report of the mistrial aired on the 10 p.m. TV news, Henry Hays and Knowles left Hays' house, where several Klansmen had gathered to await the verdict. The pair drove to a black neighborhood and searched for a suitable victim, bypassing an elderly black man in a phone booth before sighting Michael Donald.

Michael was on his way to a nearby store for a pack of cigarettes. He was the perfect victim: a black man walking alone in a dark, secluded area. Hays, who was driving, pulled his car alongside Michael, and Knowles motioned him over to the vehicle on the



Mobile Press Photo

SPLC Chief Trial Counsel Morris Dees, State Senator Michael Figures, Mrs. Beulah Mae Donald, and SPLC Legal Director Richard Cohen answer reporters' questions at a post-trial news conference. Senator Figures is Mrs. Donald's personal attorney and helped try the case.

The Klan Behind the Killing

The UKA: A Bloody Past Catches Up With It In Court

Michael Donald was not the first victim of the United Klans of America. SPLC attorneys brought suit against the UKA on behalf of Michael's mother in hopes he would be its last.

This oldest of the four major "national" Klan groups is an extremely violent organization — even by KKK standards — which traces its origins back to a meeting of Klan leaders near Indian Springs, Ga., in 1961. Representatives of various Klan groups met there amid bitter factional infighting to ponder the formation of a national KKK organization which would be powerful enough to stop the civil rights movement, which at that time was just beginning to pick up steam.

At the end of the meeting an Alabama KKK leader, Robert Shelton, emerged as the president or Imperial Wizard of the new Klan faction. He has held the post ever since.

In 1965 Congress conducted an investigation into KKK activity in the South, subpoenaing numerous Klansmen to testify before the now-defunct House Un-American Activi-

ties Committee. Shelton refused to testify, was found in contempt of Congress and was sentenced in 1966 to a year in federal prison.

By that time the UKA had grown to as many as 30,000 members and had won a reputation for being one of the most violence-prone Klan groups since the Ku Klux Klan was founded after the Civil War.

Among other known victims of the UKA:

- Walter Bergmann, one of the Freedom Riders, who was crippled for life in a UKA attack directed by Shelton at the Greyhound Bus Station in Birmingham on Mother's Day, 1961.

- Four black girls killed in the 16th Street Baptist Church bombing in Birmingham in Sept. 1963.

- Col. Lemuel Penn, a black Army reservist who was shot to death near Athens, Ga., in July 1964 while on the way back to his home in Washington, D.C., after undergoing training at Ft. Benning, Ga.

- Viola Liuzzo, a white civil rights worker who was killed after shuttling marchers from Selma to Montgomery during the Voting Rights March on March 25, 1965.

Inside

- SPLC sues Klan in Forsyth Co., Ga., page 8
- Reaction to the verdict, page 4-5
- Collecting the judgment, page 2
- Photos from the trial, page 3
- SPLC wins case in U.S. Supreme Court, page 8
- WPP leaders indicted in plot to kill SPLC Chief Trial Counsel, page 7

(Continued on Page 2)

Donald v. UKA, Part II: Collecting the Damages

Now comes the hard part: collecting the damages. With the return of the verdict holding the UKA corporation liable in Michael Donald's death, SPLC attorneys immediately launched an investigation to determine the extent of the Klan group's assets.

"No one expects to recover the full \$7 million assessed against the defendants," according to Klanwatch Director Bill Stanton. "In fact, we will be lucky to recover a fraction of that amount. But our staff intends to press hard to collect as much as possible, both for Mrs. Donald's sake and to punish and deter the Klan."

Whatever happens, every dollar recovered will go to Mrs. Donald; the SPLC represents its clients for free.

As far as is known, the UKA's main asset is its national headquarters building, which sits on 6.3 acres of wooded property in a rural area about 10 miles north of Tuscaloosa. Assessed on the tax rolls at \$113,000, the building has a market value closer to \$250,000 or more and is situated next to a popular recreational lake.

But a major legal obstacle stands in the way of the SPLC seizing the property at once and turning it over to Mrs. Donald: ownership of it legally belongs to the "Anglo-Saxon

Club, Inc."

According to SPLC Chief Trial Counsel Morris Dees, the Anglo-Saxon Club is merely a "front" name for the UKA — one of hundreds of such names UKA units across the

transparent front it is.

Already Klanwatch investigators have put together a compelling case. Evidence they have gathered demonstrates the UKA and Anglo-Saxon commingle funds; use the same



The UKA's main asset is a 7200-square-foot national headquarters building located north of Tuscaloosa, Ala. Its value may be \$250,000.

country have employed in order to conduct their affairs away from public scrutiny.

But proving that fact in a court of law won't be an easy matter: in legal terms, SPLC attorneys must "pierce the corporate veil" of the Anglo-Saxon Club to show it for the

post office box; and share the same slate of executive officers (headed by Shelton). The "club" holds no meetings and conducts no business.

In addition, the building is used almost exclusively for UKA business and is billed in Klan literature as having been constructed through

contributions and donated services of Klansmen from across the country. According to Dees, the title to the property may have been given to Anglo-Saxon to assist the UKA in dodging just such legal problems as now confront it.

A hearing on the matter will be held in Mobile later this Spring.

Prior to that time, Center attorneys will explore other avenues for recovering the award. At least two of the six individual Klan defendants who were found liable are known to own their own homes and a few acres of land. Another option under serious consideration is to garnish the wages of the individual Klan defendants. Four of the six have many productive working years ahead of them, during which they could make regular payments to Mrs. Donald to satisfy the jury's damages award.

Punitive damages such as the \$7 million awarded in this case are designed to punish defendants for wrongdoing, and Center attorneys are intent on making the most of this opportunity to punish both the UKA organization and those Klan members liable for Michael Donald's murder. By doing so, they hope to send a message to all Klansmen: the cost of doing Klan business just went up.

Jury Holds UKA Liable

(Continued from Page 1)

pretense of asking directions. Then Knowles pulled a gun and forced Michael into the car.

Michael's body was found the next morning, hanging in a small tree across the street from Henry Hays' house. He had been brutally beaten and strangled with a hangman's noose and his throat had been cut. His size 14 3/4-inch neck was constricted to 12 inches.

Investigators for the Mobile Police Department and the F.B.I. immediately launched investigations, but the case went unsolved until June 1983, when Knowles pleaded guilty. Hays was arrested based on information provided by Knowles and was later convicted and sentenced to death.

Center lawyers filed the civil suit on behalf of Mrs. Donald in 1984, convinced that other Klansmen had participated in the conspiracy to kill her son. In addition, the attorneys believed the UKA itself — a tax-paying, dues-collecting corporation — shared in the legal liability for Donald's death.

During the trial last month, SPLC attorney Dees argued to the jury that just as a commercial corporation can be held liable for the actions of its employees when they do wrong while acting on behalf of the corporation, so the corporate Klan should be held liable for its members' actions. Through testimony and documentary evidence, Dees proved that the corporate UKA condones violence against blacks as a practice and policy.

The courtroom took on the air of a Southern history class as former Klansmen took the stand to expose

the violent history of the UKA. Gary Thomas Rowe, one of the F.B.I.'s key informants during the 1960's, testified that Imperial Wizard Robert Shelton had personally approved attacks on blacks and had even led an assault by scores of UKA members on the Freedom Riders in Birmingham in 1961.

Far from being an isolated incident, the murder of Michael Donald was shown to be only the latest in a long line of UKA atrocities, which also included the murder of civil rights worker Viola Liuzzo of Detroit near Selma, Ala., in 1965 and the shooting death of Lt. Col. Lemuel Penn on a deserted highway outside Athens, Ga., in 1964. Like Michael Donald, both Penn, who was black, and Liuzzo, who was white, were killed at random.

The testimony of a young ex-Klanman from Alabama, Randy Charles Ward, indicated that the UKA's policy toward violence had not changed in the 20 years since those earlier attacks. As exalted cyclops or leader of Unit 1015 in Childersburg, Ala., Ward and about a dozen other UKA members were prosecuted by federal authorities in 1979 for shooting into the homes of blacks, including an attack on the residence of the state NAACP president. Ward testified the Klansmen were acting with the sanction of state UKA leaders and said Shelton once had attended a Unit 1015 meeting and bragged about leading the Freedom Riders attack.

The trial ended on a dramatic and emotional note, as Tiger Knowles



The six individual UKA members found liable: (top L-R) Henry Hays, Tiger Knowles, Bennie Hays; (bottom) Frank Cox, Thaddeus Betancourt, William O'Connor.

implored the jury to return a verdict against all of the defendants, including the corporate Klan, in the hope it would send a message to Klansmen around the nation.

"I've ruined my life," said Knowles, who is only now 23. Then, bursting into tears, he turned toward Mrs. Donald, sitting only a few feet away. "I can't bring your son back," he told her in front of a courtroom crowd of 75 spectators. "I'm sorry for what I've done. God knows if I could change places I would."

After powerful closing arguments by Dees and State Sen. Michael Figures, Mrs. Donald's personal attorney, the jury began deliberations. Four hours later the precedent-setting verdict was returned.

In addition to the UKA organization, six individual UKA members

were found liable.

As of this writing, the Klan had not filed an appeal.

In the wake of the verdict, Center attorneys have launched an investigation to determine the defendants' assets and are preparing to start collection procedures. The UKA's chief asset is its national headquarters building, worth perhaps \$250,000, and located north of Tuscaloosa.

While each defendant is liable for the entire \$7 million award, in reality only the UKA has any assets worth seizing. A hearing later this Spring will determine what, if anything, Mrs. Donald is to receive.

Center attorneys are also hopeful that the trial will lead to the indictments of one or more of the defendants on murder charges.

Donald Killing Has Lesson For Society

By BILL STANTON

In the whole sorry history of the Ku Klux Klan, it is unlikely there has ever been a chapter filled with more misfits, n'er-do-wells and down-and-outs than Unit 900 of the United Klans of America. Central casting couldn't have assembled a more convincing bunch of losers.

With 35 members at most, only half of them active, Unit 900 was widely viewed in Mobile as a collection of oddballs. No one took them seriously.



STANTON

They mainly hailed from lower class or lower-middle class backgrounds. A few held steady jobs, but most bounced from one job to another.

Nor were their home lives any more stable: moving from address to address, they were a process-server's nightmare.

Despite rabid homophobia, two members were rumored to be gay. Despite lip-service to the ideals of honor and chivalry, a high-ranking leader tried to force himself sexually on his daughter-in-law. His son was caught making sexually obscene phone calls at random to women in the Mobile area.

Physically, several of Unit 900's members resembled Hollywood caricatures of poor Southern whites.

But what led such unexceptional men to conspire to commit one of the worst atrocities in the KKK's bloody history — and how did they get away with it for more than two years?

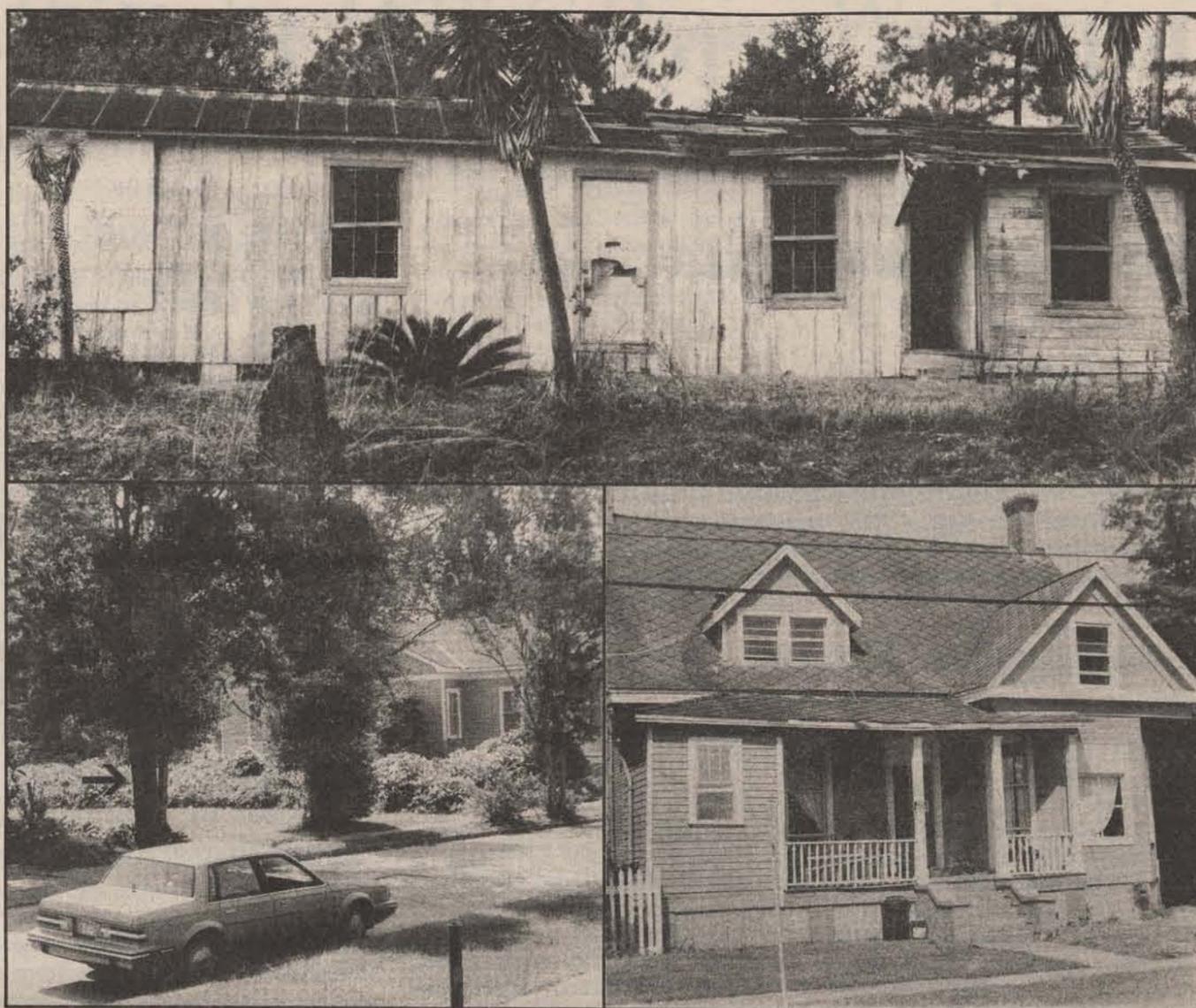
These, after all, were not the paramilitary soldiers of the modern white supremacist movement: rather, they were the remnant of an old, once-powerful Klan in decline.

The answer to the question lies in the nature of the Ku Klux Klan and in certain assumptions made about it in the 1980's. Throughout its history the Klan has made brave men of cowards. Egged on by manipulative leaders, very ordinary men have been led to commit heinous acts which they would have lacked the courage to do alone. Henry Hays and Tigers Knowles are not the real villains of this case — Knowles was just 17 in 1981. The evidence suggests it was Henry's father, Bennie Jack Hays, the highest-ranking UKA leader in south Alabama.

According to testimony, the elder Hays declared at a Unit 900 meeting just two days before the murder that if a predominantly black jury then hearing testimony in the case of a black man accused of killing a white police officer should let the black defendant go, "then a white ought to be able to get away with killing a [black]."

The evidence also shows that Hays' remarks prompted a chorus of

(Continued on Page 5)



Trial Photos: Unit 900 headquarters in rural Mobile County, where the murder plot was conceived, has fallen into disrepair (top). Henry Hays and Tiger Knowles hanged Michael Donald's body from a tree (left) across the street from Hays' house (right).

Justice Dept. Cracked Conspiracy of Silence

On March 20, 1981, Michael Donald went down the street for a pack of cigarettes and never returned. More than two years would pass before his killers were caught.

Finally, on June 16, 1983, James Llewellyn "Tiger" Knowles appeared in a Mobile federal court to plead guilty to a civil rights violation in the 19-year-old technical student's death. Knowles' cooperation led to co-killer Henry Hays' arrest the same day.

In large part, credit for breaking the case should go to the U.S. Justice Department's Civil Rights Division, headed by William Bradford Reynolds. Reynolds assigned Department attorneys Barry Kowalski and Albert Glenn to head up the federal government's investigation of the grisly murder and to assist the Mobile office of the F.B.I. and the U.S. Attorney's Office in bringing the killers to justice.

Suspicion naturally focused on the Klan from the start, not only because of the nature of the murder — a lynch-style killing — but also because Donald's body was hanged in a tree across the street from where several known Klansmen lived at the time.

But the KKK operates under a rigid code of secrecy enforced by threat of death, and law enforcement authorities found themselves unable to penetrate it. Then Kowalski and Assistant U.S. Attorney Thomas Figures empaneled a grand jury and began to call Klan witnesses before it, putting them under oath.

Between February and June 1983 Klansmen Knowles and Hays and

their associates made numerous appearances before the grand jury, lying repeatedly about their knowledge of the murder and the events surrounding it.

But the hard work and tenacity of the federal prosecutors paid off: Knowles eventually broke down and confessed, cracking one of the most brutal murder cases in the KKK's bloody history.

Had it not been for SPLC attorney Morris Dees, the story might have

ended there. But Dees wanted to strike a blow at the Klan organization itself, whose leaders so often promote violence but rarely are called to account for their actions. The problem seemed formidable, but Dees conceived a novel solution that was as creative as it was simple: the theory of agency.

Readers familiar with the law know that in the workaday world corporations are frequently sued for the actions of their employees — known in legal terms as agents. Under the law, corporations are liable for their agents' actions when the agents commit legal wrongs while carrying out official corporate policy.

Following that line of reasoning, Dees contended that Hays and Knowles were merely acting as the United Klan's agents in carrying out the Klan corporation's goal of maintaining white supremacy through terror and violence.

Under the agency theory, it was not necessary to prove that UKA Imperial Wizard Robert Shelton was aware of the murder plot or that he approved it — only that violence against blacks is the UKA's official corporate policy.

As proof of that, SPLC attorneys called to the stand several former Klansmen who testified that Shelton and other high-ranking UKA leaders personally approved of violent attacks on black citizens. Documentary evidence from the UKA's own publications supplemented the testimony (see box), and on that basis the Mobile jury held the corporate Klan liable in Michael Donald's death.

Key Evidence Came From ADL

A key piece of evidence in the Donald trial came from the files of the Anti-Defamation League, an arm of the Jewish service organization, B'nai B'rith. The evidence was a "cartoon" which depicted the lynching of a black man, accompanied by the words "Give blacks what they deserve." It ran in a 1979 issue of the *Fiery Cross*, the official newsletter of the UKA, and served as dramatic physical proof that violence against blacks is UKA corporate policy. SPLC attorney Morris Dees used it to support the plaintiff's contention that the corporate Klan should be held liable for Donald's death. Tiger Knowles' testimony demonstrated why: he testified that he recalled seeing the grisly drawing when it was published and interpreted it to mean that the Klan approved lynching black people. Tragically, Knowles and co-killer Henry Hays followed the model to a "t". Using the classic hangman's noose of 13 loops, they cinched the knot tightly on the left side of Donald's neck, precisely as shown in the drawing.

Editors Across U.S. Hail Verdict

Few SPLC cases have generated the outpouring of public support that the verdict in the Michael Donald case has produced. Reproduced below is just a sampling of excerpts from editorials and news stories dealing with the Donald case.

The New York Times

February 19, 1987

Civil Remedy

It's not unusual for corporations to correct dangerous practices because they fear civil damage suits. What is unusual is for such a judgment to be rendered against a corporation called the United Klans of America — and for it to come from an all-white jury in Alabama...

This is the first time a Klan organization has been held financially liable because it was so linked to violence committed by its members. The Alabama verdict gives a new meaning to the old slogan: those who sanction brutal crimes must pay.

Los Angeles Times

February 18, 1987

Hitting the Klan Where It Hurts

The assets of the United Klans of America and other defendants in the case probably amount to only a tiny fraction of these [\$7 million] damages. The likelihood is that the judgment will effectively put the 2,500-member organization out of business. That was precisely the purpose of the suit. Morris Dees, an attorney for the plaintiffs, said his aim was to establish that all Klan chapters can be held civilly liable along with their members for criminal actions. "They may get away with killing and maiming here, there and yonder," Dees said after the verdict was returned, "but they're going to have to know that their houses are at stake, that their jobs are at stake and their property is at stake when they hurt somebody."

TIME

February 23, 1987

Opponents of the Ku Klux Klan have long tried to stop its racist activities. Last week an all-white jury in Mobile may have finally done it...Anti-Klan experts say the huge fine could dismantle the complex financial network of the UKA, the oldest, largest (2,500 members) and most secretive of the various Klan groups.

Newsweek

February 23, 1987

Going After the Klan

A \$7 million verdict imperils a hate group

Last week an all-white jury in Alabama brought in a \$7 million award for damages in the death [of Michael Donald]. If that verdict survives an appeal, a court-ordered white sale will force the United Klans to sell off its assets, down to the last hooded sheet.

The Philadelphia Inquirer

February 15, 1987

Ku Klux Klan in Alabama keep sheets — loses shirt

At a time when racial incidents are again crowding into the news, the decision of an all-white jury in an Alabama federal courtroom Thursday offers a salutary counterpoint...That these six white Alabamans voted to stick it to the Klan is reaffirmation that while echoes of the South's segregationist past can still be heard, the decent majority wants no part of it.

Birmingham Post-Herald

February 17, 1987

Message for the Klan

One can lament the fact that the judgment by an all-white jury in U.S. District court in Mobile comes a century — and too many victims — too late. But one can rejoice, because this jury's verdict may well put one Ku Klux Klan group out of business as an agency of violence and brutality.

The Miami Herald

February 16, 1987

Racists on Notice

By hitting the bigots in their incorporated pockets, they have given the parent Klan incentive to curtail members' violence. "If we get the head of the octopus, then we may still the tentacles," said the attorney for Mr. Donald's mother.

The \$7-million verdict and convictions in Mobile...ought to send a message throughout these United States that those propelled by racial hatred to kill will pay with their lives, their freedom, and their cold, hard cash."

THE ATLANTA CONSTITUTION

February 17, 1987

Message to Hate Groups

The lawyer for the victim's mother said the financial award could put the United Klans out of business. Let's hope so. Maybe financial bankruptcy will prove more lethal to the Klan than its moral bankruptcy.

The Dallas Morning News

February 14, 1987

Verdict against Ku Klux Klan is reassuring

The immediate effect of the verdict is that it may put the nation's largest Klan group out of business, since the organization may be forced to sell its assets. Beyond that, the victims of Klan violence have been given a precedent to seek damages from the group. But most importantly, the finding has helped to set the record straight on changing racial attitudes. No one realistically could have expected such a decision in Alabama twenty years ago.

The Kansas City Times

February 14, 1987

The Reach of Justice

The monetary award is a sweet victory for America, soured only by the death which inspired it. Donald's mother wants back a son she cannot hold. There is really no amount of money which can fill that void, but if the Klan is to pay somehow for its violence, this is one way that could cause members to think twice before they whip themselves into a hate-filled frenzy and act out their fantasies of racial superiority.

The Fresno Bee

February 19, 1987

The Klan in Mobile

Most of the attention concerning race relations in America has gone to incidents in Forsyth County, Ga., and Howard Beach, N.Y. But probably the most revealing recent news — and certainly the most satisfying — has come from Mobile, Ala., where an all-white federal jury last week hit the United Klans of America and six of its members with a landmark \$7 million damage award in the fatal 1981 beating and strangling of a black teen-ager named Michael Donald.

It's impossible not to cheer the decision.

THE COLUMBUS LEDGER

February 16, 1987, Columbus, Ga.

Klan Loses Big in Mobile Suit

Klansmen will undoubtedly continue to strut and pose and spout their venom, but the Mobile jury has served warning that violence could cost them and their organizations dearly...We're proud of the Mobile jury, and to others who would follow its lead.

The Tuscaloosa News

February 15, 1987

People of goodwill everywhere can hope State Sen. Michael Figures, an attorney who represented the Donald family, was right in his assessment of the civil verdict. He called it a "landmark ruling that would make sure Donald's death was the last Klan lynching."

Society Must Learn From Murder

(Continued from Page 3)

agreement.

One only has to use his imagination a little to visualize the psychological process at work here: the crime is suggested by the group's autocratic leader, approved by a suggestible band of followers eaten up with frustration and failure, and carried out by two brash young members acting on behalf of the group and seeking its approval.

Only such intense group dynamics can explain the bravado that would lead Henry Hays and Tiger Knowles to murder Michael Donald and hang his corpse from a tree across the street from Hays' house.

Only those dynamics would lead two murderers to believe their co-conspirators in the Klan could withstand the onslaught of what they had to know would be a massive law enforcement investigation into the crime.

The glue that holds the Klan together is a code of secrecy punishable by death. Although tested severely, it held for twenty-seven months in the Donald case before coming unstuck.

• • •

Michael Donald is dead: the latest KKK victim in a history of violence and vigilantism that now stretches back more than 120 years. Whether his death was in vain depends upon what the rest of us do to see that nothing like it happens again. That was Mrs. Donald's message when she told reporters at a news conference that she brought the lawsuit not for the money but to keep another mother from having to suffer what she had.

Certainly if deterrence works at all, this verdict should deter. It may not halt the spontaneous, drunken nightriding attacks for which the KKK is infamous, but it should prove to make rank-and-file Klansmen reluctant to enter into deliberate conspiracies like the murder of Michael Donald, while at the same time forcing Klan leaders to change their method of operation.

But the burden of Michael Donald's death rests not just on the Klan but on all people of goodwill. It is critical for the public, and for law enforcement in particular, to learn the lessons Unit 900 illustrates so well: that the strength of the contemporary KKK is not to be judged in its numbers, nor in the seeming ineptitude of some of its members.

The fact is that Klan membership numbers only a few thousand in the entire country, and many in its ranks are as unsophisticated as their Mobile counterparts — but are as equally full of hatred and prone to violence. The Klan is, always was and will continue to be a criminal group which cannot be ignored. This is the moral of Michael Donald's murder.

Bill Stanton is Director of the Klanwatch Project

Friends of SPLC Praise Work Of Center in Donald Case

"Congratulations on the Donald case. In my opinion this kind of good legal work will have the same effect on the Klan and their racist friends as did the IRS judgments of the 20's."

Raymond C. Givens,
Attorney At Law,
Coeur D'Alene, Idaho

"Obviously we are glorying in the latest news about you. Someone ought to nominate you for the Medal of Freedom. What can I say about what you have done for all of us. I am glad you are my friend."

Leon Uris
Author of Exodus

"It seems you have chosen a thorny path for yourself in confronting the lawless abuse of some of our citizens by others of our citizenry. Let us hope that the ideas in the Constitution somehow reach all the corners of this land in their full significance so that as a people we can rally together against whatever other forms of ignorance remain to be combatted with faith and education."

Jeanette Ertel,
Chicago, Illinois

"I think that the \$7 million judgment was a landmark victory against the KKK. Knowing some of these people, I doubt that your client will get much money, but...you have sent a message to the KKK in America. We all owe a tremendous debt to you for your courageous leadership in opposition to the Klan."

Thomas Lane Butts,
D.D.,
Pastor, Trinity United
Methodist Church
Fort Walton Beach,
Florida

"Heartiest congratulations to you on your big verdict against the Ku Klux Klan. That should be a tremendous blow against them and, hopefully, will virtually put them out of business."

Millard Fuller,
Habitat for Humanity
Americus, Georgia

"Congratulations on an historic victory. I am not aware of anyone having taken on the Klan in this fashion before now, much less having won. I greatly respect and admire the work you and your staff have done in this field."

M. Wayne Sabel,
Attorney At Law
Montgomery, Alabama

"Congratulations on your latest victory over the Klan. With a few more similar victories, you are likely to put white bedsheets back where they belong."

Kenneth S. Canfield
Attorney At Law
Atlanta, Georgia

"Congratulations on a good job. You have struck what may be the hardest single blow ever against the oldest terrorist organization in the new world, and one of the oldest on the planet."

John A. Yung IV,
Alabama State Bar
Disciplinary
Commission

Comments of Civil Rights Leaders

"Probably the most significant verdict in history toward the Klan organization."

Rev. Joseph Lowery,
President, SCLC

"I am heartened and encouraged that an all-white jury in Mobile, Ala., had the courage and decency to take a strong stand against racist violence. Let this decision serve notice that Klan terrorism will no longer be tolerated in America."

Coretta Scott King

"...the strongest thing in modern times...for an all-white jury in Alabama to send such a message."

John Lewis,
U.S. Rep., D-Ga.
A Leading participant in
1965 Selma-Montgomery
March

"When they wake up this morning and see the size of this award, it will cool down the racist ardor of most Klansmen, wherever they are. It will, no doubt, be a very serious blow to the United Klans of America."

Irwin Suall,
Director, Fact Finding
Dept., Anti-Def-
amation League of
B'nai Brith

"You just can't imagine how blacks feel when they see the white robe. It's the most horrible feeling that one can get. [The decision] tells us that some way, somehow, we as a group of black people are going to make it in this country."

Thomas Reed,
State Representative
Pres., Ala. NAACP

More Feedback from the Press...

(Continued from page 4)

TULSA WORLD

February 15, 1987

Just Desserts

The Michael Donald lynching — right here in the 1980s — is a horrifying reminder that the Klan is what it always has been, an outlaw terrorist band of thugs hiding behind robes and masks. If the huge award given his family helps blot out the Klan as a formal organization, the entire country will be better off.

ST. PAUL PIONEER PRESS DISPATCH

February 15, 1987

Ripping off the Klan's financial sheets

Last week an all-white federal jury made a statement on behalf of decency...If it stands, that would serve as a death penalty for the United Klans of America. We hope it stands, because all groups that fatten themselves on hate and intimidation deserve such fate.

St. Petersburg Times

February 15, 1987

Some good work was done by a jury in Mobile, Alabama, when it awarded \$7 million in damages against the United Klans of America...If racist activists who join organizations like the Klan know they will be prosecuted and held financially responsible for their deeds, they will be far less likely to act on their ugly hatreds.

SYRACUSE HERALD-JOURNAL

February 16, 1987

The United Klans, largest of the Klan organizations, could be bankrupted by the jury's award...

Space does not permit inclusion of excerpts from all the many newspapers and magazines which commented about the Donald verdict. Among those which did are papers from the following communities: Houghton, Mich., Saratoga Springs, N.Y., Troy, Ohio, Sacramento and Fairfield Calif., Ft. Worth, Tex., Elk City, Okla., Quincy, Mass., Cedar Rapids, Iowa, Binghamton, N.Y., Bridgewater, N.J., Charleston, S.C., Middletown, N.Y.

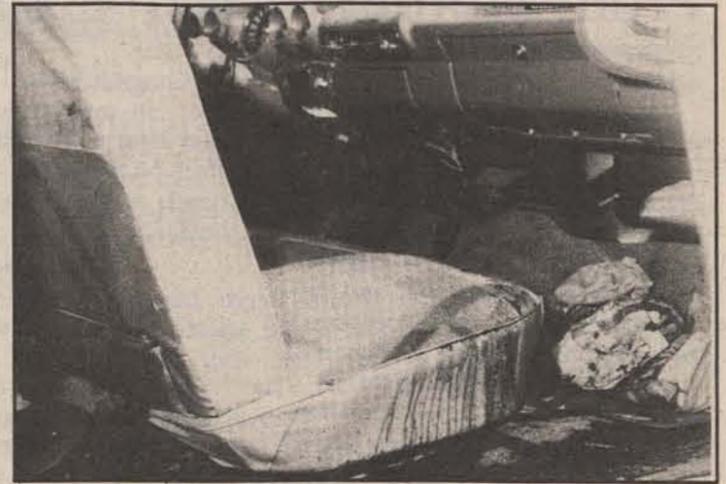
A Brief History of the UKA in Pictures



In 1961, Imperial Wizard Robert Shelton directed the UKA in an attack on the Freedom Riders at a Birmingham bus station (above). Two years later, Robert Chambless and other UKA members bombed Birmingham's 16th Street Baptist Church, killing four black girls attending Sunday School (below).



SHELTON



Three UKA members were convicted in the killing of black Army reservist Lemuel Penn, who was shot to death in his car (above) near Athens, Ga., in July 1964. Viola Liuzzo was murdered in the same kind of attack during the Voting Rights March near Selma, Ala., in March 1965 (below).



UKA Case Is SPLC's 4th Win Over Major Klans

The United Klans of America has become the fourth major Klan group successfully prosecuted by the Southern Poverty Law Center's Klanwatch Project since the Project was formed in 1980 to combat KKK violence.

Among the SPLC's other court victories:

• *Vietnamese Fishermen's Association v. Knights of the Ku Klux Klan*. Filed in April 1981, the suit sought to end KKK violence and harassment against Vietnamese fishermen at Galveston, Tex. The attacks on the refugees grew out of a dispute with white American fishermen over fishing rights and practices, with the whites accusing the Vietnamese of unfair competition. Under the leadership of Texas Grand Dragon Louis Beam, the Klan intervened on the side of the white fishermen and waged an intimidation campaign to drive the Vietnamese out of business and out of the Galveston Bay area. The suit resulted in a federal injunction against the Klan, and the attacks ceased. In a second phase of the case, a federal judge ordered the

Texas Klan's paramilitary operation shut down.

• *Southern Christian Leadership Conference v. Invisible Empire, Knights of the KKK*. Filed in November 1980 over a Klan attack on black marchers the year before, this lawsuit has yet to go to trial. Yet SPLC attorneys consider it one of their greatest victories, since evidence obtained in the suit led directly to the indictments of ten top Alabama Invisible Empire KKK leaders on federal civil rights charges in 1984. The Kluxers were charged with conspiring to disrupt a march by 60 blacks on May 26, 1979, in Decatur, Ala. About 100 armed and robed Klansmen actually participated in the attack. Although the F.B.I. investigated, it found no prosecutable evidence that federal crimes were committed. The SPLC subsequently filed suit and took sworn statements from more than 100 Klansmen, and after SPLC attorneys turned over the new evidence to the Justice Department, federal prosecutors re-opened their case and the Klansmen were indicted. Two of the ten have

pleaded guilty, and the others await trial. Trial of the civil suit is on hold until the criminal prosecution runs its course.

• *Person v. Carolina Knights of the KKK*. This suit was originally filed by the SPLC on behalf of a black prison guard who was harassed and threatened by CKKKK members in 1983-84. A federal judge enjoined the Klansmen from further such activity. As happened in the Texas suit, the court also ordered the Klan to shut down its paramilitary operation. But when the CKKKK (by then called the White Patriot Party) flaunted the order, SPLC attorneys took its two top leaders back to court last summer on criminal contempt of court charges. Both men — Glenn and Steve Miller — were convicted and the once-powerful WPP subsequently disbanded.

In each of these cases, the impact of the lawsuit carried far beyond the specific circumstances which gave rise to it. Not only were Klansmen accused of certain acts called to account, but the suits had the additional effect of deci-

matting the defendant Klan groups and stemming the tide of KKK activity in general. The Texas case, for example, forced Grand Dragon Beam to quit and left the Knights in shambles, from which it has never recovered. The Carolina Knights/White Patriot Party met a similar fate in North Carolina. Former IEKKKK leader Bill Wilkinson accused the Alabama lawsuit of driving his Klan into financial ruin.

The SPLC is proud of its record against the Klan and grateful to our supporters, whose generous giving makes it possible for our attorneys to conduct this difficult and costly litigation. In turn, SPLC supporters can be proud to have played a role in halting KKK terror and in bringing violent racists to justice.

Klanwatch's success in court marks the first time since the KKK was founded after the Civil War that private litigation has been employed as a strategy to deter KKK violence. As these and other Klanwatch cases have demonstrated, it is a strategy that has served its purpose well.

Reprinted from *The New York Times*

Victim's Mother Tells of Klan Fight

By Robin Toner

Special to The New York Times

MOBILE, Ala., March 5 — Beulah Mae Donald's youngest child went out for cigarettes one night in 1981 and did not come back. The badly beaten body of her son, Michael Donald, 19 years old, was found the next morning, hanging from a camphor tree along a street in Mobile.

He was a broad-shouldered young man who loved basketball and music and was studying brick masonry at a technical college. His mother can hardly remember identifying his body, so great was her grief.

Mrs. Donald was determined that this child of hers, so brutally slain, would not become "just another colored man, as they say, gone on and forgotten." And so it was that Beulah Mae Donald, a quiet woman whose life was bound by work and church and children, took on the Ku Klux Klan.

Last month, as a result of a lawsuit brought on Mrs. Donald's behalf, an all-white jury in Mobile returned a \$7 million verdict against the United Klans of America, considered the largest Klan organization in the country and headquartered in Tuscaloosa, Ala. Two Klansmen had already been convicted of criminal charges in the slaying, one for murder and the other for violating the victim's civil rights. But Mrs. Donald's civil suit went after the organization itself.

An Unlikely Combatant

Her lawyers said the verdict marked the first time that a Klan group had been held financially liable for acts committed by its members. Experts said the verdict sent a powerful signal to similar extremist groups.

The case attracted widespread notice in civil rights, legal and law-enforcement circles, but at its heart was the retiring figure of Mrs. Donald, 67 years old, who seemed an unlikely combatant as she talked this week in the tiny living room of her apartment, while neighborhood children played outside in the late afternoon sun. Her voice was weary and ineffably sad. She rose from time to time to tend to her cooking, in

preparation for a family gathering. On the television was an afternoon soap opera to which she paid no attention.

She seemed almost frail and clearly leery of the limelight. Yet one of her lawyers said it was quiet women like Mrs. Donald who were the backbone of the civil rights movement.

Mrs. Donald said her aspirations for the case were simple. "I just hope it helps someone else with children," she said. "It could have been somebody else's child, just like it was mine." She did not seek vengeance, she added, leaving that to God. As for the money,

his investigators are still trying to determine the Klan's assets.

Chief among those assets, Mr. Dees asserts, is an office building near Tuscaloosa. Such issues will ultimately be settled in Federal court. "Realistically, if she gets \$300,000, she'll be lucky," said Mr. Dees, chief trial counsel for the Southern Poverty Law Center in Montgomery, Ala.

The lawyer for the Klan, who argued at the trial that the Donald killing was a "horrible atrocity" but that the organization was not responsible for it, has repeatedly declined comment since the ver-

later said that he had been randomly abducted and killed in response to a mistrial in the case of a black man accused of killing a white policeman.

Youngest of Seven Children

"That boy wasn't harming anybody," said Mrs. Donald, still with an edge of disbelief. "He was going to the store to get a pack of cigarettes."

Michael was the youngest of her seven children, the one still living at home. He was working part-time in the mail room of the local newspaper and going to Carver State Technical College. He was a good son, Mrs. Donald said. When he did not return that night, she knew that something had happened.

"She's a pretty strong lady, to endure what she has endured," said Michael Figures, a state senator who was the Mobile lawyer representing Mrs. Donald and has advised her for years. He said he had worried about the strain the civil suit might put on her, but when he finally raised the idea, she quietly and firmly agreed to it.

Mrs. Donald, who is divorced, said that some of her children had asked her if she was not ready to leave Alabama and move north. "I said no. I was raised in Alabama, and I'll stay right here." Over the years, she said, "A lot of good people, black and white, have called me and said, 'Have strength in the Lord.'" That, she said, is where she finds it.

The rest of her children are grown now. She rattles off their accomplishments with pride: from the daughter who is a financial secretary to the son who works for Chrysler. She has more than 20 grandchildren and says, "The more I have, the more I want."

In the course of an hour's conversation this week, Mrs. Donald brightened only once. Asked how she thought her son Michael would react to her six-year struggle, she paused a moment and then replied with a slight smile, "He would say, 'That's my mom.'"

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Beulah Mae Donald, center, arriving at the funeral of her son, Michael, March 28, 1981, in Mobile, Ala. Her escorts were not identified. She has since won a \$7 million suit against the Ku Klux Klan.

she said, she really had not thought much about it.

\$7 Million Judgment

Morris Dees, who represented Mrs. Donald, said it was impossible to know how much she would collect from the \$7 million judgment, which was returned against the Klan and six past or present members. Lawyers for the Klan have not yet indicated whether they will appeal the verdict, Mr. Dees said, and

dict was returned.

Mrs. Donald sometimes wept at the trial, but she stayed with it, as she has stayed with her son's case for the last six years. It followed an often tortuous route. The criminal investigation was stalled for two years before the case was finally broken by Federal investigators. At the start, some officials discounted the possibility that Mr. Donald's death was racially motivated. The authorities

Five Ex-WPP Leaders Indicted in Plot to Murder SPLC Official; Two Plead Guilty, Three Await Trial

RALEIGH, N.C. — Two former members of the White Patriot Party have pleaded guilty to federal charges of conspiring to steal military weapons and explosives in a plot that included the murder of SPLC Executive Director Morris Dees.

Wendell Lane, a unit leader, and Simeon Davis, an intelligence officer, entered guilty pleas to the charges in January. They are two of five members of the now-defunct WPP indicted on January 9. The remaining defendants, including former second-in-command Stephen Miller, are scheduled to go to trial March 30.

Miller and former WPP leader Glenn Miller (no relation) were convicted last summer on criminal contempt of court charges for violating a federal court order prohibiting paramilitary activity. The case grew out of an SPLC lawsuit and was prosecuted by Center lawyers Dees and

Richard Cohen and U.S. Attorney Sam Currin of Raleigh.

The plot alleged in the indictment is believed to be in retaliation for the contempt prosecution and for a request by the Law Center in April 1986 for a federal investigation into the association of active-duty military personnel with the WPP.

The five were charged with conspiring to obtain missiles, rockets, plastic explosives and M-16 automatic rifles from the Wadesboro, N.C., National Guard Armory. According to the indictment, they were prepared to do so "by whatever means necessary, including robbery and murder, in order to maintain, train and equip a paramilitary armed force and to further the goals of the white supremacist movement."

An Army soldier, Stephen Howard Burns, was named as an unindicted co-conspirator.

The federal indictments grew out of a conspiracy uncovered by Fayetteville, N.C., police last September. Three WPP members were arrested by a squad of heavily armed police Sept. 27 as they allegedly prepared to rob a pizza restaurant in Fayetteville to buy explosives to blow up the Southern Poverty Law Center.

After the arrests, federal authorities — working in cooperation with the Fayetteville police — began to unravel the conspiracy, which eventually led all the way to White Patriot Party chaplain and paramilitary training officer Stephen Miller. Indicted along with the others were Robert Eugene Jackson and Anthony Todd Wydra, WPP security officers.

All five face penalties of at least five years in prison and a \$10,000 fine. Lane and Davis have yet to be sentenced.

Law Report

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a publication of the
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U.S. Supreme Court Rules In Favor of SPLC in Suit

WASHINGTON, D. C. — For 38 years, the only involvement many black Alabamians had with the Alabama State Troopers was on the receiving end of a billy club or a racial slur.

From its founding in 1935 until 1973, the state's chief law enforcement agency was as white as the four-story alabaster building in which it is headquartered — located, ironically, across the street from Dr. King's old church in downtown Montgomery. The Southern Poverty Law Center is only a block away.

In 1973, thanks to an SPLC lawsuit, the ugly era of segregation in the Alabama Department of Public Safety (DPS) came to an end, as U. S. District Judge Frank M. Johnson, Jr., ordered the 600-man, all-white Trooper force integrated. Johnson's order required the Department to hire blacks on a one-for-one basis with whites until the racial composition of the force reflected the make-up of the state at large, which is about one-quarter black.

Today, nearly fifteen years later, the Department of Public Safety has yet to achieve compliance with the order. In fact, Department officials have shown an almost fiendish ingenuity for

subverting, dodging and otherwise managing to avoid complying with the will of the court. A hiring freeze and a hire-to-fire policy toward black recruits are just two of the means DPS has employed.

In recent years a new pattern of conduct has emerged: the refusal of supervisory personnel to promote qualified blacks up through the ranks to positions of authority.

While recent statistics indicate that more than 20 per cent of the Troopers now patrolling Alabama highways are black, there still are no blacks above the rank of corporal, the next step above patrolman. In other words, there are no blacks among the 130 sergeants, lieutenants, captains and majors in DPS, and only four among its 66 corporals. The other black troopers are all patrol officers, despite the fact that many have the qualifications and the seniority to hold supervisory positions.

Last November the case worked its way to the U. S. Supreme Court. On Feb. 25 the Court finally cracked down, ordering DPS officials to implement a promotion plan that would ensure integration of the Trooper force from top to bottom. Like the 1973 order, the ruling calls for the promotion of blacks on a one-



The all-white Alabama State Troopers attack blacks marching for the right to vote at Selma in 1965 (top). In 1973, an SPLC suit forced the troopers to integrate (bottom). Since that time, SPLC attorneys have been forced to return to court numerous times because of the Troopers' failure to comply with the federal court order.

KLANWATCH Issues Report On "Move-In" Violence

SPLC Executive Director Morris Dees has called on Attorney General Edwin Meese to form a special unit in the Department of Justice to monitor and prosecute the alarming number of cases of racist violence against minorities who move into all-white neighborhoods.

The request was made to Meese Feb. 5 in a letter reporting the findings of a study conducted by the Center's Klanwatch division which indicates that so-called "move-in" violence is increasing against minorities who locate in all-white areas. The report is titled "Move-In Violence: White Resistance to Neighborhood Integration in the 1980's."

The phenomenon, given its name by law enforcement officials and social workers, has apparently worsened as middle-class blacks and other minorities have sought housing in previously all-white suburbs or neighborhoods.

In the 1985-86 period covered in the study, there were 45 known arson and cross burning attempts at the homes of minorities who had recently moved into mostly white areas, Dees said, as well as hundreds of acts of vandalism, intimidation and other incidents.

In each case racist whites attacked their victims out of a desire to preserve racial segregation in their communities. Dees pointed out that many incidents go virtually unnoticed.

"Minority families are at risk in many communities across the country from hard-core racists who see their all-white neighborhoods as

the last bastions of segregation," Dees said.

Metropolitan areas of the North and Midwest recorded a majority of the most violent attacks. Since 1985 serious move-in violence has been reported in or around Chicago, Cleveland, Baltimore, Philadelphia, Boston and Atlanta. One death was reported in a racially motivated firebombing in Cleveland in 1985.

• BULLETIN •

As this newsletter was going to press, SPLC attorneys had just filed suit against two KKK groups and a white citizens organization responsible for an attack against civil rights marchers in Forsyth Co., Ga., Jan. 17. A group of about 75 marchers — most black — were pelted with rocks, bottles and racial epithets by a mob of 300 whites as the marchers entered the county to protest housing and employment discrimination. Forsyth Co. is an all-white enclave less than an hour north of Atlanta. Blacks were driven from the county over a racial incident in 1912. The named plaintiff in the lawsuit, Hosea Williams, is a long-time civil rights activist and an organizer of the January 17 march. [More on the suit in the next *Law Report*.]

for-one basis with whites until blacks fill a proportional number of the supervisory slots.

"The Supreme Court took the position that the Department's record of discrimination against blacks was so blatant, so pervasive and so longstanding that an extraordinary remedy was required to set its house in order," said SPLC Legal Director Richard Cohen, who argued the case for the Center.

A brief look back at the history of the Troopers suggests why.

The story of racism in the Alabama Department of Public Safety is more than a problem of employment discrimination. Historically the Troopers have been used by Alabama governors to perpetuate segregation and the status quo. George Wallace, for instance, used the Troopers in his effort to prevent black students from entering the University of Alabama during his famous "stand in the schoolhouse door" in 1963.

But by far the most infamous event in the Department's history has to be the unprovoked attack on the Voting Rights March in Selma in 1965. On March 7, scores of blacks set out on a march to Montgomery for the right to vote. As they crossed the Edmund Pettus Bridge, they were met by dozens of club-wielding white Troopers who tear-gassed and beat them unmercifully.

Two weeks later, however, thousands of Americans from all over the U. S. descended on Selma and completed the march, leading to the passage of the 1965 Voting Rights Act.

But the same racist mentality that marked the attack at the bridge still permeated the Department when the Law Center brought suit against the agency in 1972. Ordered to open up its ranks to

blacks on an equal basis with whites, DPS officials instead constructed a policy designed specifically to undercut the court order.

As a result of the bad faith shown by DPS, SPLC attorneys "reopened" the lawsuit in 1975 and again in 1978 to put evidence of the Department's noncompliance before the Court. Once again DPS officials pledged their cooperation, but none was forthcoming.

Rather than accept the integration of the force, the Department at one point imposed an across-the-board hiring freeze which prevented the hiring of blacks and whites alike. As a result, trooper strength declined through attrition to dangerously low levels by 1977. At that time the number of troopers on the road was actually less than it had been five years before.

But the end of the hiring freeze brought little relief. More blacks were hired, but they continued to be subjected to stricter discipline, more rigid performance standards and special harassment spared their white counterparts. Those who endured these working conditions found the road to advancement blocked by the Department's racist promotion practices.

Against this backdrop of obstruction and delay, the SPLC once again took the Department back to court in 1983, resulting in the promotion plan recently upheld here by the Supreme Court.

It is too soon to tell whether the Department at last intends to comply with the law. The highest Court in the land has now spoken. Whatever DPS officials decide, however, Law Center attorneys stand ready to monitor the Department's performance as long as it takes for blacks to win the same opportunities as whites.