

Law Report

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

October 1988

Law Center to Build Civil Rights Memorial

MONTGOMERY, Ala. — The Southern Poverty Law Center has announced plans to build a civil rights memorial in front of its Montgomery, Ala., headquarters. The memorial's location will be near the First White House of the Confederacy, Alabama's Capitol, where the Confederate flags still flies, and the Dexter Avenue King Memorial Baptist Church, the location where many believe the civil rights movement began.

Construction for the memorial will begin later this year, with completion scheduled for May 1989. None of the expense will be paid with money that was donated by Center supporters, and no funds will be raised to build the memorial. "The Center recently made enough profit on the sale of property adjacent to its building to completely pay for the memorial," said Center Chief Trial Counsel and Executive Director Morris Dees.

The memorial will chronicle the key events of the civil rights movement and list the names of each person killed during the struggle. "The

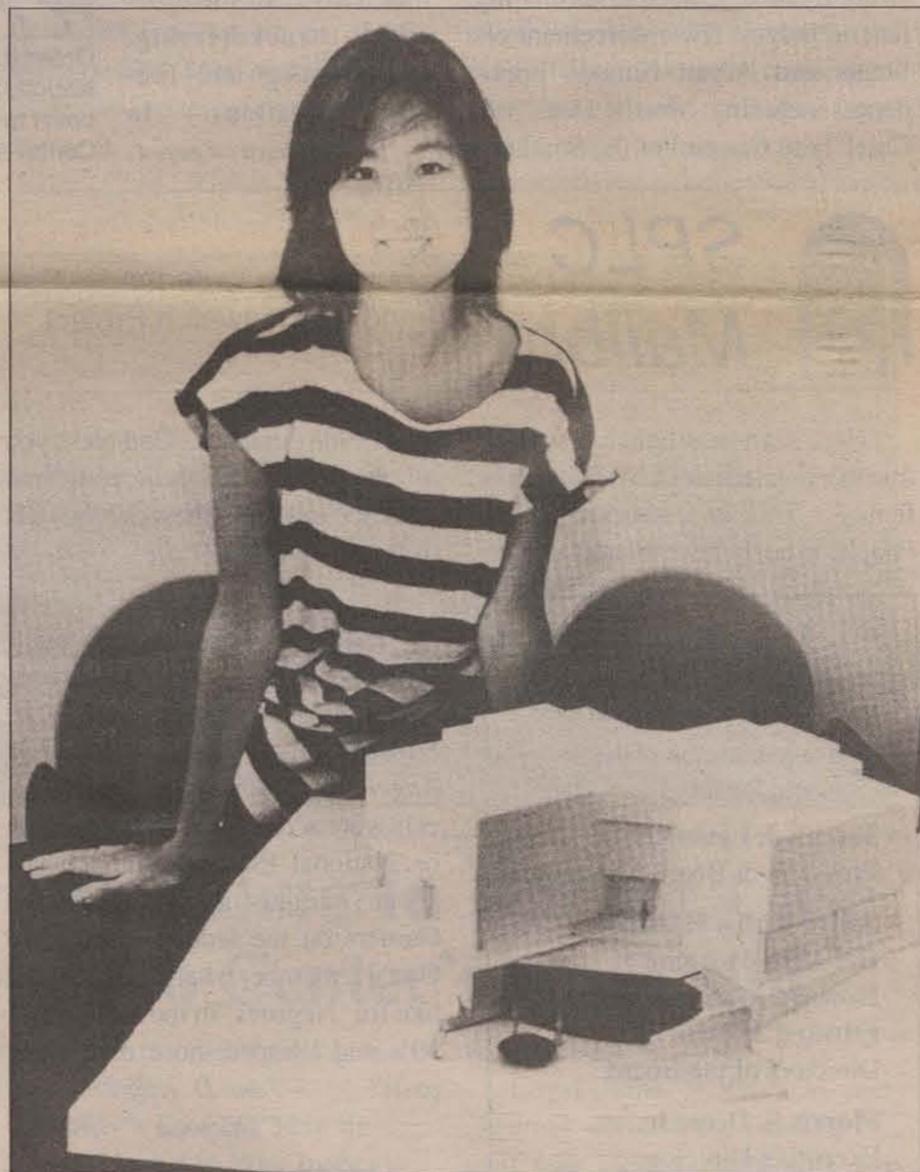
"Nowhere in the United States is there a monument to honor those who died for the cause of civil rights."

— Morris Dees

civil rights movement had its beginning in Montgomery," said Dees, "and it is important that future generations not forget the sacrifice of those who gave their lives on the battlefield of human rights."

Origin of the Idea For a Civil Rights Memorial

The idea for the memorial grew out of a speech Morris Dees gave last



WIDE WORLD PHOTOS

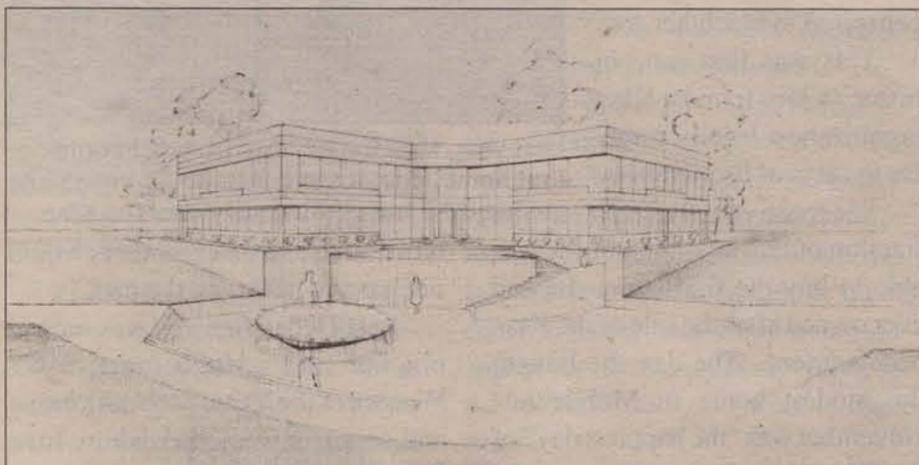
Maya Lin, who designed the Vietnam War Memorial in Washington, with her design for the civil rights memorial to stand in front of the Southern Poverty Law Center's building in Montgomery, Ala.

fall to the state NAACP convention in Mobile, Ala., after receiving the NAACP Award for Courageous Service to Mankind. The Center had won a \$7 million judgment against the Ku Klux Klan for the 1981 lynching of Michael Donald, whose

mother, Mrs. Beulah Mae Donald, was also at the convention to receive an award (see story about Mrs. Donald on page 2).

"I began to jot down the names of people who were killed as part of

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An artist's rendering shows the completed memorial, which will feature a 12-foot stone table where the names of those killed during the civil rights movement will be engraved.

White Supremacists Plead Guilty to Bombings

BOISE, Id. — On September 7, the night before they were scheduled to go on trial, four white supremacists pleaded guilty to a series of crimes committed in 1986 to advance the cause of a violent white revolution. The four Aryan Nations members — Edward and Olive Hawley, and David and Deborah Dorr — founded the Order II so they could carry on the work of the Order, a violent white supremacist gang whose members were convicted of racketeering crimes in 1985.

FBI Uncovers Order II Assassination Plots

At an earlier preliminary hearing, an FBI agent testified that the Order II had discussed assassinating federal judges, law enforcement officials and Aryan Nations opponents, including Morris Dees, the Chief Trial Counsel of the Southern

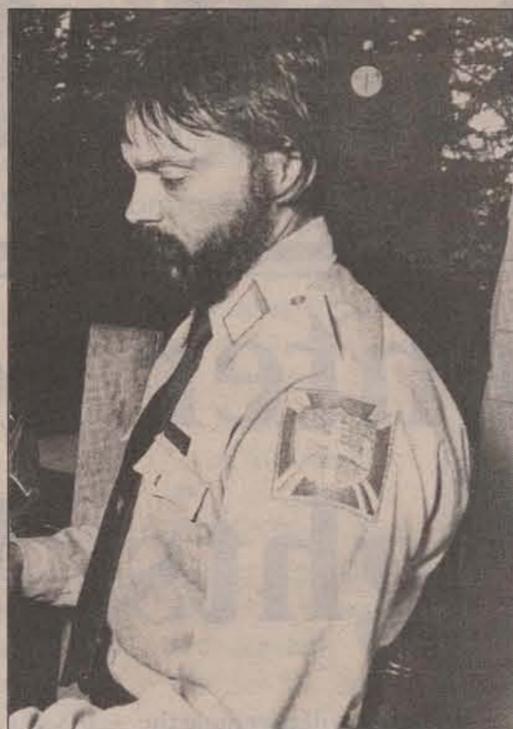
Poverty Law Center.

Members of the original Order were implicated in the assassination of Denver Jewish talk-show host Alan Berg. They, too, considered Attorney Dees among the top enemies of white supremacy, and they reportedly placed Dees next in line on their "hit list" after the murder of Berg.

Federal Indictment of Order II Members Is Catalog of Violence

The 16-count federal indictment charged the four Order II members with racketeering, counterfeiting and firearms violations. In

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Order II members David Dorr (left, wearing the Storm-Trooper like uniform of the Aryan Nations), his wife Deborah Dorr (right), Edward and Olive Hawley pleaded guilty in federal court to an array of crimes committed in the name of white supremacy. Morris Dees, the Center's Chief Trial Counsel, was a foe they had targeted for assassination.



SPLC Mailbox

Supporters write the Center and its Klanwatch Project

"Here's an additional contribution to win justice for Loyal Garner's family. This is a shocking case. People do not believe that this can go

on in 1988 America. God bless you all there for your dedication and patience in seeing these wrongs addressed. — Jane Wylie Hawaii

"Thanks to your Center's mailings, I was made aware of the incredible killing of Loyal Garner Jr. Subsequently I noted in the *Los Angeles Times* that the 3 Texas officers were acquitted! And then today on National Public Radio I heard about your pursuit of justice for the Garners on the federal level. My God, I remember what the South was like for 'Negroes' in the 1940's and 50's and I hoped those days were past!" — John D. Kay California

"I have the photo of Mrs. Garner and her six children sent me by the Center posted above my desk to remind me daily of how far we have to go to achieve the society 'with liberty and justice for all' that I've heard about all my life, but never seen. Thank you for pursuing this case and for hanging in there with your difficult and necessary work."

— Ken Radeloff Pennsylvania

"Woman who beat the Klan" Passes Away

MOBILE, Ala. — On September 17, Mrs. Beulah Mae Donald, who came to be known as "the woman who beat the Klan," passed away at the age of 67.

Mrs. Donald's son Michael was lynched in 1981 by members of the United Klans of America. The Center filed a lawsuit on her behalf, and on February 12, 1987, an all-white jury in Mobile awarded her a \$7 million judgment against the United Klans of America and those who conspired to lynch her son.

This was first time in history a jury found a Klan organization legally liable for the acts of its members.

She received only a tiny fraction of that amount, but she was able to buy the first home she had ever owned after the sale of the Klan headquarters. The day she bought the modest home in Mobile last November was "the happiest day" of her life since she lost her son Michael. But even before the trial, she said money was not the important thing. The important thing was to



Last year, Mrs. Beulah Mae Donald bought her first home, one of the few material things she gained from her court victory over the Klan.

win the case so other mothers would not have to suffer as she had.

Last December, she was named one of *Ms. Magazine's* 1987 Women of the Year. She was a brave and courageous mother whose love for her son ensured that he did not die in vain. She will forever have an honored place in the history of the struggle against racial violence.

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Civil Rights Memorial

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the civil rights movement," Dees said. "I was looking at a predominantly black and mostly young audience at the convention, and I thought that many of these young people



The names of murdered civil rights workers (from left to right) Andrew Goodman, James Earl Chaney and Michael Schwerner, killed by the Klan in 1964 in Philadelphia, Miss., are three that will be inscribed on the new civil rights memorial.

don't know even the names I can list."

He decided then that the names of people such as Emmett Till, Andrew Goodman, James Chaney, Michael Schwerner, Medgar Evers, Viola Liuzzo and Dr. Martin Luther King Jr. should be carved on a memorial. "Nowhere in the United States is there a monument to honor those who died for the cause of civil rights," Dees said. "I saw the need for such a shrine as a way to make future generations aware of the importance of the movement."

Maya Lin, the renowned designer of the Vietnam Veterans' Memorial in Washington, D.C., has been chosen to design the civil rights memorial.

Design Inspired

By Dr. King's Dream

The memorial will consist of an upper plaza and a pool from which water will flow over a 40-foot-wide,

9-foot-high black granite wall, engraved with the biblical phrase Martin Luther King used in his "I Have A Dream" speech: "We will not be satisfied until justice rolls down like waters and righteousness like a mighty stream."

The lower plaza will be an asymmetrical stone table, 12 feet in diameter with water flowing from its center, inscribed with the names of those killed during the civil rights movement, why they died and the effect of their deaths on the movement.

According to Maya Lin, "The ability to see and touch the names glistening in the water — and simultaneously to see one's own reflection — will add to the sacredness of

the site. The memorial plaza will be a contemplative area — a place to remember the civil rights movement, to honor those killed during the struggle, to appreciate how far the country has come in its quest for equality, and to consider how far it has to go."

Selection of Names

A list is in the process of being made that will include those who died in the civil rights era between August 29, 1955 (the date of Emmett Till's death in Mississippi) and April 4, 1968 (the assassination of Dr. Martin Luther King). Individuals qualifying for a place on the memorial will be: Those killed while engaged in some activity seeking to advance civil rights, those killed because of their leadership in the effort, those killed by racist groups and/or individuals who opposed the civil rights movement or those whose deaths triggered national outrage and became symbolic of the movement.

The Civil Rights Memorial

Advisory Committee has been formed of leaders in the movement such as Rosa Parks and Ethel Kennedy, and family members of some of those who were killed during the struggle. Dr. Murray Branch, pastor of the Dexter Avenue King Memorial Baptist Church in Montgomery, Ala., will chair the committee, which will select the names to be placed on the memorial.

Educational Book

Also to Be Published

Arlie Schardt, noted expert on the civil rights movement, has been selected to research and write a short book in conjunction with the memorial. Schardt was chief of *Time Magazine's* Atlanta bureau during the movement, and was a consultant for the television miniseries *Eyes On The Prize*. The book will concentrate on the people included on the memorial and will chronicle the events of the civil rights movement. Churches, schools and other interested groups will receive copies of the book to use as educational tools.

Center Seeks Names For Civil Rights Memorial

Following is a preliminary list of individuals killed during the civil rights movement to be included on the new memorial. Center supporters who would like to submit names and brief histories of

others killed during the civil rights movement may write: Sara Bullard, Research Director, Southern Poverty Law Center, 400 Washington Avenue, Montgomery, AL 36195.

Lewis Allen	Medgar Evers	Viola Liuzzo	Carol Robertson
Willie Brewster	Andrew Goodman	Denise McNair	Michael Schwerner
Benjamin Brown	Paul Guihard	Delano Middleton	Henry Smith
James Chaney	Samuel Hammond	Charles E. Moore	Lamar Smith
Addie Mae Collins	Jimmy Lee Jackson	O'Neal Moore	Emmett Till
Vernon Dahmer	Wharrest Jackson Sr.	William Moore	Clarence Triggs
Jonathan Daniels	Dr. Martin Luther King Jr.	Mack Parker	Virgil Ware
Henry Hezekiah Dee	Rev. Bruce Klunder	Lt. Col. Lemuel Penn	Cynthia Wesley
Roman Duckworth	Rev. George W. Lee	Rev. James Reeb	Ben Chester White
Willie Edwards Jr.	Herbert Lee	John Earl Reese	Samuel Younge



Loyal Garner Jr.'s widow, Corrine, and their six children.

TYLER, Texas — The 12th District Court of Appeals in Texas has ruled that trying three East Texas lawmen for the murder of Loyal Garner Jr. would constitute "double jeopardy" — the legal term for trying a person twice for the same crime.

The lawmen — Hemphill Police Chief Thomas Ladner, and Sabine

"Double Jeopardy" Ruling In Garner Case Adds New Urgency to Center's Civil Suit

County, Texas, Sheriff's deputies Bill R. Horton and James M. "Bo" Hyden — had been tried in Hemphill for violating Mr. Garner's civil rights and had been found not guilty last July 15. Jack Skeen, the District Attorney of Smith County, where the lawmen had been indicted for murder in this case, stated that he would appeal the double jeopardy ruling to the Texas Court of Criminal Appeals.

Christian Bryan, assistant district attorney for Smith County, was quoted in a Shreveport, La., *Times* news story as saying "I feel like these

guys stand a chance of getting away with murder."

Center's Lawsuit May Be Last Chance to Win Justice

The Center's civil lawsuit against the three lawmen, which was brought on behalf of Mr. Garner's family, is not affected by either the outcome of the Hemphill trial or the recent double jeopardy ruling.

Unless the U.S. Justice Department files federal charges against the lawmen, or the double jeopardy ruling is eventually overturned, the Center's suit may be the last remaining chance the Garner family has to

win justice.

Loyal Garner Jr. was a 34-year-old truck driver from Florien, La., who was arrested along with two friends last Christmas and charged with driving while intoxicated. He died on Dec. 27 in the Tyler, Texas, Medical Center Hospital from extensive head injuries which he sustained while in the Hemphill jail. The Center's lawsuit, which was brought to win money damages for the Garner family, alleges that Mr. Garner received these wounds when the three lawmen beat him in the jail.

White Supremacists Plead Guilty

(continued from page 2)



Edward Hawley



Olive Hawley

In addition, David Dorr was charged with murdering Kenneth Shray, a resident of Bonner County, Id. Dorr was also accused of involvement in a series of bombing incidents, including mailing a bomb to an auto shop in Hayden, Id.; bombing the Coeur d'Alene, Id., home of the Rev. Bill Wassmuth, a white supremacist opponent of Dorr's; and setting off bombs at the Federal Building and at businesses in downtown Coeur d'Alene.

Order II member Edward Hawley also faced charges in the Coeur d'Alene bombings, and he was indicted along with Dorr for at-

tempted robberies of two banks and a National Guard armory.

At one point, the indictment charges, the Order II members were armed with fully auto-

matic rifles and had as much as \$27,540 in counterfeit money.

Guilty Pleas Entered

David Dorr pleaded guilty to racketeering, unlawful possession of firearms, and making a pipe bomb and firearms. Deborah Dorr, David Dorr's wife, pleaded guilty to racketeering and counterfeiting. Edward Hawley pleaded guilty to racketeering, planting a pipe bomb and unlawful possession of firearms. Olive Hawley pleaded guilty to racketeering and possessing or concealing counterfeit money.

David Dorr and Edward Hawley also pleaded guilty to state charges

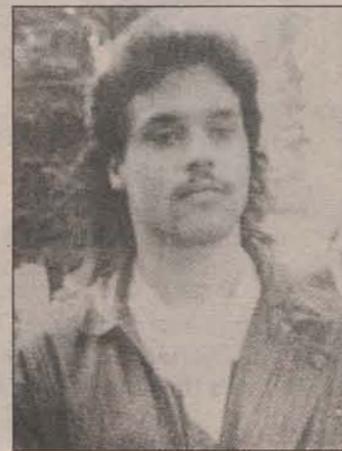
that they set off bombs in Coeur d'Alene, Id.

The guilty pleas came after lawyers had selected a jury of nine women and three men out of a pool of 130 potential jurors for a trial that was expected to last several months and include hundreds of witnesses. The trial was to take place in the same Federal Building that was the target of Order II bombings.

Fifth Order II Member Ready To Testify Against Associates

A fifth member of the Order II, Robert Pires, had earlier pleaded guilty to murder and bombing and was set to testify against the Hawleys and Dorrs.

Pires' testimony showed that the Order II's crimes followed the pattern of violence and sabotage described in the racist revolutionary manual *The Turner Diaries*. The



Robert Pires

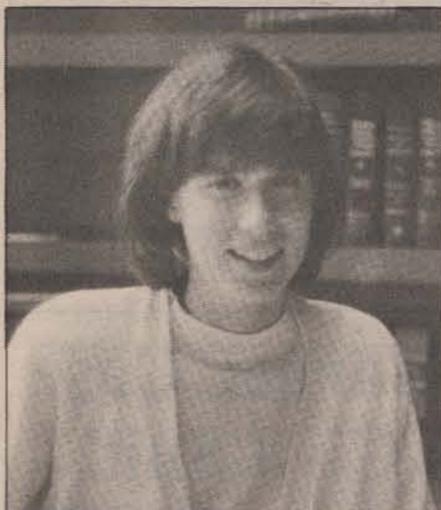
book, written by national Alliance leader William Pierce under the pseudonym Andrew Macdonald, also served as a blueprint for the Order crimes in the early 1980s. Pires testified in September 1987 at a preliminary hearing on the state charges that David Dorr gave him a copy of the book and told him it was "what the group was about."

Order II Members Now Face Prison Terms of Up To 25 Years

According to their plea agreements, David Dorr will be sentenced to no more than 20 years in prison, and Deborah Dorr to no more than eight years. Edward Hawley will be sentenced to no more than 12 years, and Olive Hawley to no more than a suspended six-year term. Hawley and Dorr

will receive credit for the nearly two years they spent in prison while awaiting trial. Robert Pires has been sentenced to 25 years.

Center's Staff Enhanced By Two New Additions



Amy Gagliardi

Amy Gagliardi has recently joined the legal staff of the Southern Poverty Law Center as a research assistant. Ms. Gagliardi, who is from St. Louis, graduated in May with High Honors from the University of Michigan at Ann Arbor. She majored in political science and psychology and spent her junior year of college as an exchange student at the University of St. Andrews at St. Andrews, Scotland.

She came to work at the Center because she is sympathetic to the goals of the SPLC. "I first learned

about the work of the Center through a college psychology course in which we saw the SPLC-sponsored film *The Klan: A Legacy of Hate in America*," she says. "I'd like to gain exposure to the field of public-interest law because the issues have always interested me."

Ms. Gagliardi is working closely with Center attorneys Richard Cohen and Elizabeth Johnson. This includes research using the resources of the Center's legal library, the Alabama Department of Archives and History, and the Alabama Supreme Court library located at the State Judicial Department.

Kathy Porter joined the Center in August as the new Director of Special Gifts Development, and she will be working with the many people who make larger contributions to the Center.

She is a native of Montgomery, Ala., where she lives with her husband, Craig. A Cum Laude graduate of Huntingdon College, she was attracted to the Center because of her interest in its struggle against racial



Kathy Porter

violence, and because she felt she could help further that cause through her work at the Center.

Before coming to the Center, Mrs. Porter was an Associate Editor of *BASSMASTER Magazine*, the official publication of the 550,000 members of the Bass Anglers Sportsman Society. Her hobbies include photography and, not surprisingly, fishing.

Part of Mrs. Porter's responsibilities are developing systems to follow up on SPLC supporters' need for information about cases. She is also working on a videotaped educational film that will show how the staff of the Center and its Klanwatch Project work on a day-to-day basis in their efforts against racial violence.

Longtime Center Supporter Leaves Generous Bequest

This past year one of the Southern Poverty Law Center's most faithful supporters left a large portion of her estate to the Center.

"For several years she had been making regular contributions to the Center," says JoAnn Chancellor, Center Administrator. "She was not a wealthy woman. She lived very modestly, but she left 90 percent of her estate to the SPLC."

The estate, worth over \$100,000, was a bequest of a longtime supporter from Texas, Mrs. Chancellor says. "A gift this large is very unusual, since most of our supporters are not able to make donations of this size. We are fortunate to have received such a bequest."

"Although not many of the Center's sustainers have large estates, we have quite a few very dedicated friends who remember the Center in their wills," Mrs. Chancellor continues. "They seem to feel that leaving a bequest, no matter how small, is a way they can make their feelings about the Center known. It's their way of ensuring that our work can continue."