

# SPLC REPORT



PUBLISHED BY THE SOUTHERN POVERTY LAW CENTER  
TEACHING TOLERANCE · INTELLIGENCE PROJECT · LITIGATION

DECEMBER 1998  
VOLUME 28, NUMBER 4

MARY BETH SCHULTZ



Because of Center's lawsuit, Danielle Brown can now communicate with her friends

## Center's help opens new world to child

BIRMINGHAM, Ala. — The opening of school this fall was also the opening of a new world for six-year old Danielle Brown. Last year, she suffered in silence and tears as her schoolmates taunted her with cries of "dumb tongue." She endured the embarrassed gazes of adults who could not understand her attempts to talk. Now — thanks to the efforts of the Center's legal staff — Danielle has a device that will enable her to converse with her peers and her teachers.

Born with a severe speech disorder, Danielle relied on her mother to translate her utterances into words that others could comprehend. When she started school, however, she learned how lonely it can be in a private world without words.

"Because she has a very hard time talking to people, she is often isolated and feels left out," her mother, Rebecca Brown, said in a sworn statement to a federal judge. She said Danielle was excited about school at first, but she developed an aversion to it

as a result of negative encounters with teachers and other children.

"She can understand what people are saying to her, but she lacks an ability to articulate what she wants to say in response," she said. "This is incredibly frustrating for her. Currently, Danielle has no effective way to show others that she is a real person with thoughts and feelings."

### Class action lawsuit filed

In June, the Southern Poverty Law Center and the Alabama Disabilities Advocacy Program filed a class action on behalf of Danielle and others with similar speaking disorders. The lawsuit asks a federal court to require the Alabama Medicaid Agency to provide them funding for a communication device, just as Medicaid already provides hearing aids and other medically necessary equipment to eligible recipients.

The communication aid is called an augmentative and alternative communication device (AAC) and allows speech disorder patients to press sym-

Please turn to p. 4 "Center's help..."

## Fear of computer bug fuels far-right hysteria

"Prepare for war. It's coming!" With those words, hard-line racist preacher James Wickstrom warned an August gathering of extremists in Pennsylvania of the end-times battle he expects in the year 2000 — a battle he believes will be set off by the so-called "Y2K" computer bug.

Across the extreme-right spectrum, such fears of a societal breakdown sparked by computer date-change problems have set activists afire. While Wickstrom's prophecies may be the most explosive, similar millennial fears are dominating the headlines of the radical press. The airwaves are reverberating with warnings to head for the hills and hunker down for possible riots and race war. The Internet is replete with similarly dire scenarios.

When the crash comes, Wickstrom enjoined some 30 followers, to "get out of the way for a while and then go hunting, O

Israel!" Like the biblical figure of David, godly whites must "fill our shoes with the blood of our enemies and walk in them." Wick-



strom lives, he said, "for the day I can walk down the road and see heads on the fence posts."

If the race war scenario such men envision is a fantasy, the computer problem they believe will set it off is not. Some observers believe that Y2K (short for "Year 2000") could lead to major social and economic snarls, even a depression.

The problem originated with early computer programmers who abbreviated date references to two digits — as in "98" for 1998 — in order to save then-

precious bytes of computer memory. At the turn of the century, experts say, many computers could crash or spew nonsensical data as they confuse "00" for 1900. While predictions vary greatly, there could be serious problems in banking, food supplies, power and other sectors.

Regardless of the actual result — and many experts see the Y2K story as a tempest in a teacup — there is no question that many extremists have pegged the year 2000 as a critical date. For some, it will be the time when Christian patriots must do battle with the satanic "forces of darkness." Others believe that "one-world" conspirators will attack patriotic Americans on that date.

### FBI to assess threat

This has not been lost on authorities. Early next year, the FBI will launch a national assessment of the threat of domestic terrorism on or around Jan. 1, 2000.

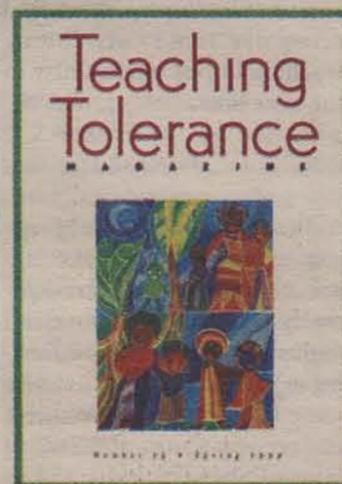
Please turn to p. 3 "Fear of computer bug..."

## Teaching Tolerance gets a fresh face

After seven years of publication, the Center's award-winning educational magazine, *Teaching Tolerance*, is getting a face-lift. First published in January 1992, the magazine has established itself as one of the most highly respected periodicals in the field of multicultural and diversity education.

Produced with the financial support of Center donors, *Teaching Tolerance* is sent free to 400,000 educators in the U.S. and in foreign countries twice a year. The 64-page advertisement-free magazine provides ideas and strategies to help K-12 teachers promote interracial and intercultural understanding in the classroom and beyond.

"We're proud that *Teaching Tolerance* has gained the respect of educators worldwide," said Teaching Tolerance project director Jim Carnes, "and, in keeping with the project's growth and our approach



Spring 1999 issue introduces new look

to a new century, we felt it was time to upgrade the appearance of the magazine."

Center design director Rodney Diaz developed a fresh and reader-friendly look for the January 1999 issue of *Teaching Tolerance*. "We wanted to present the same infor-

mation in a new and exciting format that improves readability and overall design of the magazine, while retaining a few elements from the old format," Diaz said. "With a new page size, new typography and reorganized departments and features, we feel that we've accomplished our goal."

The popular "Teaching Tools" section, which provides reviews of the latest and best multicultural resources available to teachers, moved to the back of the magazine to allow feature articles to occupy the main part of each issue. The "Readers Respond" and "Hear & Now" pages were combined into a new two-page spread of "news and views" from readers and other sources.

Since its creation, *Teaching Tolerance* has won 15 awards for editorial and graphic excellence, including the Golden Lamp

Please turn to p. 4 "New Design..."

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SOUTHERN POVERTY LAW CENTER  
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The Southern Poverty Law Center is a non-profit organization that combats hate, intolerance, and discrimination through education and litigation. Its programs include Teaching Tolerance and the Intelligence Project, which incorporates Klanwatch and the Militia Task Force. The Center also sponsors the Civil Rights Memorial, which celebrates the memory of 40 individuals who died during the Civil Rights Movement.

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## MAILBOX

### Center lawyers serve as advocates for 'the defenseless and disenfranchised'

The Center recently successfully represented a homeless child in her attempt to enroll in school (see story on page 4). Karen McConnell, director of Tennessee Valley Family Services, the shelter where the girl lived, wrote a letter of thanks to Center legal director Richard Cohen.

The board of directors and staff of Tennessee Valley Family Services commend you and your staff for your professionalism, expertise, perseverance and compassion. You have guaranteed one child her



Karen McConnell

right to an education. This is a young person who has experienced more than her share of loss and grief, but this time she feels like a winner. She has expressed her delight at being able to go to "regular" school, and even more, she has demonstrated remarkable growth in her confidence and self-esteem.

You have made it possible for children at Tennessee Val-

ley Family Services and children at other facilities to be assured of appropriate educational opportunities. Your greatest triumph is the speed with which you accomplished this. Litigation

between parties in a small community can be so damaging. By bringing the issues to swift resolution, you were able to mitigate damage and facilitate healing.

The Southern Poverty Law Center has made a difference for young people all over the state of Alabama. You are truly fulfilling your mission as advocates for the defenseless and disenfranchised. You have our respect and gratitude.

Recently, our son graduated from high school and our daughter graduated from middle school. Both children wanted to give "thank you gifts" to so many wonderful teachers, but they did not want to give out the traditional mugs, note paper or sweets. Our suggestion of making a contribution to *Teaching Tolerance* was enthusiastically accepted by both, since our whole family reads and appreciates the magazine.

Thanks for the exceptional and essential job you do in publishing *Teaching Tolerance* magazine. We are happy to make a contribution to your efforts and recognize some outstanding teachers in our community at the same time.

E. & S. L.  
Freeland, Maryland

We passed through Montgomery on a recent vacation trip and stopped by the Center especially to see it and the Civil Rights Memorial. It was a moving experience to see it and take some keepsake photos. We were concerned about the fading inscriptions of martyrs and so we are glad to make this contribution for its restoration.

T. and M. S.  
Winter Park, Florida

In researching hate groups, I am sickened by what I have found on the Internet. I had no idea the depth of hatred by these groups and the lengths to which they will go to promote

their platform. I thank God for you and the other organizations that are fighting the political and social platforms of these racial hate groups. Keep up the good work and know that my prayers and money are behind you.

D. T.  
Garner, North Carolina

A quick thanks! How I look forward to the arrival twice a year of *Teaching Tolerance*. It's been a wealth of resources and ideas for me. I'm a primary school counselor — with 760 students. I've shared the magazines, the posters and this year *Starting Small* with the teachers, principal and superintendent. All were impressed. What great news to read today in the *SPLC Report* that you're online. Thanks for all your great work! We intend to keep helping, too.

K. L.  
Portland, Maine

I teach a junior high social studies program and just received your *Teaching Tolerance* video, *A Time for Justice*. I would like to express my appreciation for the video and for all you do. I previewed the video this morning and will definitely use it in the classroom. It is an excellent introduction for those students who have no concept of the Civil Rights Movement. Thank you so much.

N. K.  
Huntington Beach, California



### Hitching posts unconstitutional

Alabama's practice of chaining convicts to an iron bar for refusing to work violates the U.S. Constitution's prohibition against cruel and unusual punishment, a federal judge recently ruled. The decision came in a class action lawsuit brought by the Center in 1995 challenging a range of unconstitutional prison practices. In an earlier Center victory, the state stopped its use of chain gangs. "As a form of corporal punishment, use of the hitching post violates contemporary standards of decency," the court ruled. A hearing was set for December 7 to give the state an opportunity to show whether there is any possible constitutional way to use the hitching post.

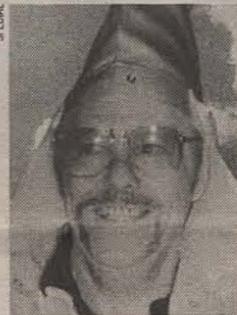
## Jury convicts Klansman in plot against Center

EAST ST. LOUIS — A sixth man in a plot to blow up the Southern Poverty Law Center and

armored cars and killed two people in preparation for a race war. The New Order planned to assassinate co-founder Morris Dees and blow up buildings, poison the water supplies of major cities, murder a federal judge and other people, and rob banks and armored cars. McGiffen and the others who pleaded guilty claimed that these plans, documented in hundreds of

hours of conversations secretly taped by an FBI informant, were nothing but drunken boasts.

Another member of the white supremacist group who pleaded guilty to weapons charges in May remained in jail after a federal judge on October 9 refused to release him. The attorney for Ralph Bock, 28, submitted a petition asking that Bock be released. Bock's crime is punishable by up to five years in prison. He has been in custody since his arrest February 23.



Wallace Scott Weicherding



### ADL leader visits Center

Howard Berkowitz (left), national chair of the Anti-Defamation League, traveled to Montgomery on September 16 to visit the Center and confer with its staff, including president Joe Levin (right).

## Fear of computer bug fuels far-right hysteria

Continued from page 1

Reaction to the Y2K problem on the extreme fringes of the right has varied widely. The most consistent theme has been a survivalist one, with ideologues warning people to prepare for the worst. And entrepreneurs around the country have leaped to take advantage of these fears, offering for sale everything from dried foods to bunkers.

At the Atlanta Preparedness Expo '98 last June, for instance, a dozen speakers offered bleak assessments of the coming crisis — while salesmen peddled all manner of survival products. In Idaho, so-called "Patriot" James "Bo" Gritz hawks remote lots of land that he describes as "an ark in the time of Noah," along with a huge range of survivalist products and training. In Montana, Militia of Montana leader John Trochmann has a catalog of holocaust-survival items. In states around the country, far-right "investment counselors" sell strategies to protect one's money as civilization collapses.

Other reactions on the extreme right run the gamut:

- *The New American*, an organ of the John Birch Society, says the Y2K bug could be America's Reichstag fire, a reference to the arson attack used by Hitler to enact police state laws. "[C]ould the Millennium Bug provide an

ambitious President with an opportunity to seize dictatorial powers?" the magazine asks. "Such a notion seems plausible..."

- Norm Olson, a Michigan militia leader, is busy doing "wolfpack" training for the apocalypse. "Survival is the key,"



says Olson, who believes constitutional rights probably will be suspended. "It will be the worst time for humanity since the Noahic flood."

- In his *AntiShyster* magazine, Patriot editor Alfred Adask speaks of entire cities running out of food and of the possibility of "millions of American fatalities." "If the Y2K information I've seen is accurate, we are facing a problem of Biblical proportions," he says. "Potentially, Y2K ... [is] a dagger pointed at the heart of Western Civilization."

- Writing in *The Jubilee*, the leading periodical of the anti-Semitic Christian Identity religion, correspondent Chris Temple says that "the net result of the Year 2000 problem as I have described it will be POSITIVE! Internationalism and capitalism will be dealt severe blows."

- In his *Patriot Report*, Identity proselytizer George Eaton concludes: "We need to act as if our lives depend upon our decisions, because they do. What can we do? Continue to work and save up money for survival items."

"These are people who are super-sensitive to anything that suggests the collapse of social institutions," Michael Barkun, a Syracuse University expert on millennialism, said of Y2K fear-mongers. "Since nuclear war really is no longer out there as a terribly likely way for civilization to end, they've got to find something else. Y2K is convenient."

Some experts believe all of this could pose a real danger. "It adds to apocalyptic fears," says Chip Berlet, who studies the far right for Cambridge-based Political Research Associates. "Therefore, it adds to the potential for violence."

James Wickstrom may best illustrate that potential.

At the meeting in Ulysses, Pa., he warned his audience that authorities would use the crisis to confiscate weapons, conduct forced marches of Americans into concentration camps and eliminate private medical facilities. Already, he warned, national food reserves have been deliberately reduced.

The enemy, said Wickstrom, must be "exterminated." He must be "shot." He must be "hanged." "The battle is upon us," he bellowed. "Battle!"



Denver lawyer Stephen Collins (left) used Teaching Tolerance grant funds to develop a program that combats hate violence in middle and high schools.

## Lawyers use grant funds to fight hate violence

DENVER — In October 1995, a Denver high school teacher opened her school mailbox and found a jar stuffed with a dead mouse and virulent anti-Semitic messages. This offensive incident prompted school officials to bring in a volunteer group of Denver attorneys called the Hate Violence Task Force to address issues of ethnic intimidation and hate crimes.

"It was after we heard [Center co-founder] Morris Dees speak to the Colorado Bar Association in April 1992 that some local attorneys decided to create the Hate Violence Task Force," said Stephen Collins, co-chairman of the group. Since that time, the Task Force has presented more than 75 mock trials to middle and high schools in the Denver area to illustrate the devastating impact of hate crimes committed because of a person's ethnicity, gender, religious faith or sexual orientation.

The message of the Task Force is sobering: There's a disease spreading across America; it's infecting thousands of people each year, and the numbers of victims are increasing at a rapid rate. Unlike most diseases, this one *does* discriminate — it's called hate violence. This disease is motivated by fear, and it has a momentum that is alarming and oftentimes deadly. The remedy isn't medicine; it's education.

### Task force creates video

Noticing the increase of hate violence in Colorado and nationwide, and considering the positive response the mock trials were receiving in the schools, the members of the Task Force felt they needed to reach a larger audience. In 1997, the group applied for a Teaching Tolerance grant to help them produce a video of a mock trial and an accompanying script that could be distributed to schools they might not be able to visit. While most grants are awarded to K-12 classroom teachers, several community organizations have received funding for tolerance-focused projects that promise direct and immediate student impact.

In a typical mock trial, volunteer lawyers play the roles of

judge, prosecuting attorney and defense attorney, while students act as jurors to decide the guilt or innocence of a fictional defendant, "Patrick Murphy." Murphy is accused of violating Colorado's ethnic intimidation statute for allegedly painting a swastika on a Jewish teacher's garage, writing a racial slur on a black student's locker, handing out racist fliers and physically attacking a Latino student.

### Students engage in candid discussion

After hearing both sides of the argument, the students break into groups and deliberate for 45 minutes. In most cases, after what is usually a candid and heated discussion, the "jurors" find "Patrick Murphy" guilty on the first two counts of ethnic intimidation for painting the swastika and defacing a locker with a slur containing the "N-word." The other charges prove to be more challenging for the students.

Was the defendant exercising his freedom of speech when he handed out fliers filled with slurs against blacks, Latinos and Jews and demanding the resignation of his math teacher, Daniel "Kike" Epstein? Did Murphy commit ethnic intimidation when he kicked a Hispanic student who threatened to "beat his face in" after reading one of the fliers?

The mixed and reactions to counts three and four demonstrate that the line between free speech and ethnic intimidation is not always obvious. But, mixed verdicts or not, responses from students and teachers to the Task Force presentations prove beyond a reasonable doubt that this program is bringing the reality of hate crimes to the forefront.

"This project is another demonstration of how, through our Teaching Tolerance grants program, the Center continues to educate our nation's youth about just how harmful prejudice and discrimination can be," said Dees.

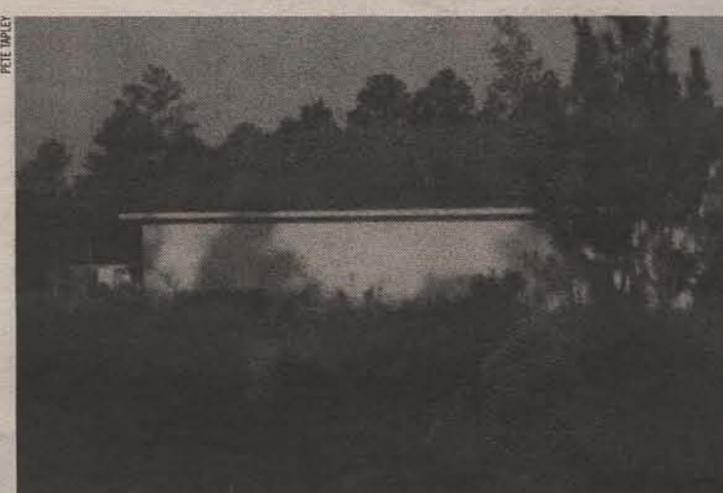
For more information about the Hate Violence Task Force program, contact Stephen Collins at 303 East 17th Ave., Suite 1000; Denver, CO 80203-1263.

## Center to seize Klan property

SUMTER, S.C. — A recent court ruling cleared the way for Center attorneys to begin seizing property belonging to Klansmen who were responsible for the arson of Macedonia Baptist Church. Clarendon County Circuit Court Judge Howard P. King denied a motion for a new trial by Horace King, the state leader of the Christian Knights of the Ku Klux Klan. The judge also reduced the jury's damage award against Klan defendants from \$37.5 million to \$21.5 million.

The Center brought a civil lawsuit on behalf of Macedonia Baptist Church against the Klan, its South Carolina leader Horace King and various Klan members after the Klan burned the church in June 1995. Four former Klansmen pleaded guilty in connection with the fire and are serving prison sentences. Though Horace King was not criminally charged, a jury found him liable for damages for his role in conspiring with other Klansmen to burn the church.

"We know that the Klan doesn't have millions of dollars," said Center legal director Richard Cohen. "But it's important that



Center lawyers plan to seize this Klan headquarters building in Pelion, S.C.

we collect everything that we can to make sure that the Christian Knights are never again in a position to terrorize a community.

### 'High price on Klan violence'

"The fact that the judge let the multimillion-dollar verdict stand — even at a reduced amount — signifies that he agreed with the jury's decision to put a high price on Klan violence," said Cohen.

The principal target of the Center's collection activities will be the South Carolina Klan's

headquarters building in Pelion. Macedonia Baptist Church will receive all funds garnered from seizure of Klan property.

The South Carolina verdict is the latest in a series of Center victories that stripped white supremacist groups of their assets. In the Michael Donald lynching case, the Center used a court judgment to seize the national headquarters of the United Klans of America. The proceeds in that case were used to buy a home for Michael Donald's mother.

## School enrolls homeless girl after Center files lawsuit

**G**UNTERSVILLE, Ala. — A homeless teenage African-American girl previously denied admission to school here enrolled October 30 at Guntersville High School — just two weeks after Center lawyers filed a lawsuit on her behalf. The girl, called Penny Doe to protect her privacy, was denied admission to one public school because of her homeless status and was steered away from another because of her race. As a result, she was sent to a vocational school that lacked the mainstream academic and social environment available at the other schools.

The Center's class action claims the denials violated her rights under the McKinney Act, a federal law designed to ensure homeless children equal access to public schools, as well as her rights under the 14th Amendment. Penny gained admission to Guntersville High School as a result of an interim settlement that was reached in her case. The Center will continue to pursue *Penny Doe v. Richardson* in an effort to ensure that homeless

children like Penny will be protected in the future.

"Penny is a child who has suffered a lot of loss and grief in her life," said Karen McConnell, director of Tennessee Valley Family Services, the shelter that provides temporary housing to Penny and other homeless children. "Getting into 'regular' school has brought change to her. It has positively affected her attitude about herself."

### Case prompts positive reactions

Publicity about the case provoked other positive developments. "I've had calls from people inquiring about taking care of children like Penny. It's provided an opportunity to educate them about foster care and the difficulty of placing adolescents," McConnell said. "And one large business — and some smaller ones — have come forward and made offers for Christmas and other projects."

McConnell expressed her appreciation for the Center's work in a letter to legal director Richard Cohen (see page 2).

Penny's lawsuit is part of a larger effort by the Southern Poverty Law Center to protect the rights of homeless children. In a survey completed last spring, the Center found widespread evidence of possible McKinney Act violations in Alabama, including schools' failure to waive records requirements that pose barriers to the enrollment of homeless children. "Homeless children are terribly disadvantaged through no fault of their own," said Center staff attorney Ellen Bowden. "We need to do everything we can to give them equal access to the education that other children regularly receive."

The problems are not limited to Alabama. The National Law Center on Homelessness & Poverty documented barriers to the education of homeless children across the country in a September 1995 study, "A Foot in the Schoolhouse Door." The report found that as many as 23 percent of the nation's 750,000 homeless school-age children do not attend school.



### New receptionist

Beverly Nettles took over the Center's telephone switchboard in early October. She brings to the Center 18 years of experience in a variety of jobs with the Montgomery, Alabama, chapter of the American Red Cross.

## Law fellow brings to Center judicial clerkship experience

**C**atherine Smith joined the Center's legal staff in August as its new law fellow. A 1996 graduate of the University of South Carolina School of Law, Smith came to the Center after a year's clerkship with Henry Politz, chief judge of the U.S. Court of Appeals for the 5th Circuit in Shreveport, La. In her first year after law school, she clerked for U.S. Magistrate William M. Catoe Jr. in Greenville, S.C.

ing with some of the most passionate lawyers in the country."

Smith earned an undergraduate degree in government and French from Wofford College in 1991 and a masters degree in public administration and from the University of South Carolina in 1993. While in law school, she was a member of the National Moot Court Team, the Black Law Students' Association and was a founding



Catherine Smith

Smith said she expects to "challenge and be challenged" during her fellowship year as she works with Center attorneys on various research and litigation projects. "You can't find a better place to start a civil rights career than here," Smith said.

"At the Center, I have the opportunity to challenge discrimination in its many forms," Smith said. "In the short time that I have been here, I have worked on issues dealing with disabilities, homeless children, race and national origin discrimination, and prisoner's rights. I am improving my legal writing and analysis while work-

member of the Lesbian and Gay Legal Society. As a research assistant to her law school mentor, professor Jane Aiken, Smith worked on social justice issues dealing with race, gender, sexual orientation and disabilities. She also helped establish and worked for City Year-Columbia, an innovative youth organization that views community service as a vehicle for social change. Smith is a member of the South Carolina Bar.

"Catherine is a great addition to the staff," said Center legal director Richard Cohen. "On both a personal and professional level, she's the kind of person you want on your team."

## Center's help opens new world to child

Continued from page 1  
bols and pictures or type words on a computer keyboard to communicate audible messages to others.

"With the technology available today, there is no reason why people with speech disabilities like Danielle should have to spend their lives unable to communicate with the rest of the world," former Center law fellow Mary Beth



Before getting her device, six-year-old Danielle pointed to pictures in order to communicate with Center law fellow Mary Beth Schultz

Schultz said. "AAC devices are analogous to hearing aids. Just as hearing aids enable those with hearing disabilities to hear, AAC devices enable those with speech disabilities to, in effect, speak."

Danielle received her AAC device in August and spent the last weeks of summer learning to use the symbols and pictures to express her thoughts and feel-

ings, her mother said. As the first grader learns to read and spell, she will progress from using pictures to using words to build sentences.

"Danielle was overjoyed when I told her it was here," Ms. Brown said, struggling to hold back tears as she recalled Danielle's reaction. "We are just very excited. This will open up a

door for her. She will now only be limited by her imagination."

Although the state provided an AAC device for Danielle, the Center's lawsuit is still pending on behalf of others who may be denied funding for the device. The lawsuit claims Medicaid's failure to provide AAC devices for speech disorder patients violates the Medicaid Act and federal laws designed to protect disabled Americans from discrimination.

Dr. Gary Edwards, executive director of United Cerebral Palsy of Birmingham, estimates that as many as 35 Alabama Medicaid recipients each year may need these devices to help them communicate with the people they encounter each day.

## New design gives *Teaching Tolerance* new look

Continued from page 1  
Award, the highest honor bestowed by the Educational Press Association of America.

But the highest praise comes from the magazine's readers. A language arts teacher in West Virginia wrote: "It never fails that, when I feel least optimistic

about teaching my students (and my own three children) about being open-minded, tolerant, and active in the struggle against hate and apathy, your magazine appears in my mailbox, and I have a new batch of hopeful articles and ideas. Thank you so much."

*Teaching Tolerance* is available free to educators. Subscription requests should be made on school letterhead to Order Department, Southern Poverty Law Center, 400 Washington Ave., Montgomery AL 36104 or by fax to (334) 264-7310.



### Donors on civil rights tour

Elinor and Thomas Hooker, Center donors since 1984, included the Civil Rights Memorial on their recent four-week tour of important civil rights movement sites. The New Hampshire couple wanted to see firsthand the changes in the South since Mr. Hooker left his native Georgia in 1951.

## Center settles lawsuit on behalf of teenager who died in prison

Center attorneys representing the family of an 18-year-old youth who died in isolation seven weeks after entering an Alabama prison recently settled a lawsuit against Correctional Medical Services (CMS), a Missouri-based company that is the nation's largest correctional health care firm. The settlement is confidential.

When Calvin Moore entered Kilby Correctional Center in January 1996 on a burglary conviction, he was healthy, able-bodied, and mentally and emotionally sound, alert and aware. Sentenced to two years, he had not previously been in prison. By the time he died less than two months later, he was emaciated, catatonic and incontinent. Wasted by starvation, dehydration and mental illness, he was unconscious and incapable of

requesting help. The lawsuit alleged that health care workers employed by CMS failed to provide basic medical services.

The Center has two other wrongful-death cases pending against CMS.

### CMS hires unfit doctors

CMS's practice of hiring unfit doctors — an issue that the Center has raised in its other cases — was examined in detail in the Oct. 28 issue of the *Journal of the American Medical Association*. The article, entitled "Prison Deaths Spotlight How Boards Handle Impaired, Disciplined Physicians," used information revealed in the Center's civil suits against CMS as examples of problematic medical licensing practices.

In 1994, CMS hired Gail R. Williams, M.D., to direct mental health services in Alabama pris-

ons, even though his license had been revoked in two other states in connection with sexual battery and harassment charges. In a Center-supported class action suit against the Alabama Dept. of Corrections, a federal magistrate ruled in April 1997 that the Alabama system that Williams supervised was "woefully inadequate" in meeting the constitutionally mandated medical needs of mentally ill inmates.

The severity of problems at prisons throughout the country which use for-profit medical services was exposed in a special investigative report entitled "Death, Neglect and the Bottom Line," published Sept. 27 by the *St. Louis Post-Dispatch*. That report, including a detailed account of the Calvin Moore case, can be found at <http://special.stlnet.com/prisoncare/> on the World Wide Web.

## Center aids woman imprisoned for refusing to take TB medicine

The Center recently came to the aid of a Korean woman incarcerated for eight months in an Alabama state prison after refusing to take prescribed treatments for tuberculosis.

Center attorneys protested the incarceration after learning that Chan Yehta\*, a Korean homemaker, was ordered confined to a prison even though she had not been convicted of a crime. State law allows public health officials to obtain a court order for the compulsory examination, treatment and quarantine of persons afflicted with TB, a communicable disease, when they refuse voluntary treatment. The law does not, however, designate a specific facility for confinement.

"We recognize that steps must be taken to protect the public health. But we felt that Yehta's incarceration at the prison rather than at a hospital was wrong and violated her constitutional rights," said Center senior staff attorney Rhonda Brownstein. "Fortunately, health officials were persuaded to petition the court to allow Yehta to be transferred to a hospital to receive treatment."

Yehta, who speaks little English and has a history of hospitalization for mental illness, endured eight months at the prison before the Center intervened and prodded state health officials to petition for her transfer. She was incarcerated in a tiny "segregation" cell in the prison infirmary, routinely handcuffed to her prison bed, denied access to the telephone and refused visi-

tation with her husband and daughter, according to Brownstein. Because of her inability to speak English, she was totally isolated. She had no radio, television or reading materials.

### Center launches investigation

Yehta's incarceration prompted the Center's legal department to launch an investigation of TB control practices throughout the nation. Its purpose is to learn how other states handle the difficult problem of protecting the public health without violating the constitutional rights of persons afflicted with the infectious disease, Brownstein said.

"Our investigation is not complete, but already we have learned that Alabama is not alone in its practice of confining TB patients to prison medical facilities," Brownstein said. "We find this practice disturbing and are looking to determine what we can do to help others in similar circumstances."

The Centers for Disease Control have published numerous recommendations to encourage uniform TB control practices, but laws continue to vary from state to state.

\*Chan Yehta is a pseudonym used to protect the client's privacy.



### Scholars visit Center

Scholars from the People's Republic of China visited the Center in early October as part of a two-week study tour prior to a one-month program at Harvard University. Ji Hong (from left), Dr. Zhu Shida and Pan Xiaosong were accompanied by Michael Rea, a program officer with The Asia Foundation, which sponsored the scholars' trip. The trio studied immigration, multiculturalism and civil rights during their stay in the U.S. Center staffer Ashley Alred (right) coordinated their visit in Montgomery.

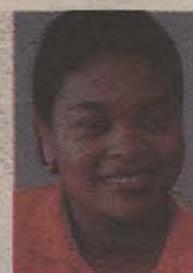


### Movement hero visits Center

Dr. Bernard Lafayette, one of the heroes of the Civil Rights Movement, came to the Center in October to pick up some Teaching Tolerance materials. Dr. Lafayette, who retires this month as president of the American Bible College in Nashville, led the voter-registration drive in Selma for the Student Nonviolent Coordinating Committee. On June 12, 1963 — the same night Medgar Evers was assassinated in Mississippi — Klansmen assaulted him as part of a conspiracy to kill Movement leaders. Dr. Lafayette was featured in David Halberstam's acclaimed book *The Children*, published last spring. He is pictured with Teaching Tolerance secretary Tamela Jones.

## New staffers join Intelligence Project

Two new staff members joined the Center's Intelligence Project in October. Tamara Cobb assumed the responsibilities of clerical and research assistant, and Trish O'Kane came on board as a writer.



Tamara Cobb

Cobb had worked as a temporary cashier in the Center's mail operations since last January. Her new duties include fulfilling requests for publications and other materials and copying newspaper clippings about hate and antigovernment activity for the Intelligence Project's files. A 1995 graduate of Montgomery's St. Jude High School, Cobb has completed her sophomore year at Alabama State University. She plans to continue her studies — biology education is her major — in January.

Compiling and reading hate-related news from across the nation opened Cobb's eyes. "I was aware it was going on, but I had no idea how widespread it was," she said. "It's really there, and a lot of people lose touch with that because they don't see it everyday like I do in these clippings."

A California native, O'Kane came to the Center after working

abroad for the past decade. She was a journalist in Nicaragua and Guatemala, and for a year she served as a human rights observer in Guatemala for the United Nations. Most recently, she earned a master's degree in development from the London School of Economics. O'Kane also holds a master's in international journalism from the University of Southern California, where she got an undergraduate degree in Spanish and Latin American studies.

All of O'Kane's journalism experience in Central America was directly related to human rights and social justice issues. "In Guatemala, since about 60 percent of

the population is Mayan Indian, the issue of human rights is very connected to the rights of ethnic groups," she said. "Racial discrimination is one of the most important issues in that country."

"It was my dream to come back to the United States and practice investigative journalism that leads to change and social justice," O'Kane said. "I consider it a privilege to work at a place like the Center."



Trish O'Kane

# *Memorial and Honorary Gifts*

## *Received by the Law Center from July to September 1998*

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## Center supporter receives prestigious publishing award

The Association of American Publishers (AAP) honored long-time Center supporter Charles R. Ellis in June by bestowing to him the prestigious Curtis Benjamin Award. This prize is given annually to a publishing professional whose creativity and leadership have made a lasting mark on the industry. Ellis donated the award's accompanying cash gift to the Center, where it will be used to further educational and legal work for tolerance and justice.

Ellis is the former chief executive officer of the New York-based publishing firm, John Wiley & Sons. During his decade-long tenure, the compa-

ny grew considerably, gaining an enviable global presence as a leader in educational publishing. Ellis' impact perhaps is best demonstrated by the eight-fold increase in stock value that the company experienced while under his leadership. "Charles Ellis is a treasure," said AAP president Pat Schroeder. "He's worked very hard for . . . John Wiley & Sons and for the AAP, understanding that the whole of publishing must be greater than the sum of its parts. The American publishing industry's effectiveness at home and abroad has been immeasurably strengthened because of his work."

Ellis stepped down from his executive position with John Wiley & Sons in May but remains with the publisher in a senior advisory role. He also continues as an active member of the AAP, having served on its board of directors for more than 15 years and as its chairman from 1992-1994.

"The Center truly is honored that Mr. Ellis selected us as the recipient of the Curtis Benjamin Award's cash prize. We thank him for his demonstrated commitment to philanthropy," said Center co-founder Morris Dees. "Supporters like Mr. Ellis, those who find creative ways to help support the Center's work, are the backbone of all we do."



### Donor meets Dees

Center donor Abel Valls (left) of San Jose, California, met Center co-founder and chief trial counsel Morris Dees (center) while visiting the Center on November 10. Valls and his friend, Amanda Goggins of Durham, North Carolina, were on a civil rights tour of the South.

## Class of '48 offers students a lesson in race relations

GASTONIA, N.C. — A first-ever interracial class reunion, prompted by an essay in the *SPLC Report*, continues to have positive impact. Richard Penegar and Carrie Washington, the two adults who brought the black and white high school classes of 1948 together here last May, recently shared with 250 eighth graders the lessons they learned about getting along. The students are participating in "Youth Voices/Youth Issues," an innovative conflict-resolution program implemented this fall in Grier Middle School here.

Penegar and Washington spearheaded the initiative and were joined by several other members of the Class of 1948. Each adult volunteer was assigned to a group of 15 to 18 students. The groups met for 30 minutes on Monday mornings

for six consecutive weeks. The first session, which began September 21, focused on race relations and how teens can cope with racial strife and peer pressure. Others addressed substance abuse and ways that young people can become more involved in civic affairs.

#### Program a success

Grier principal Page Carver declared the program a great success and said it will expand to other schools. "We wish it lasted more than six weeks," she said. "It was an opportunity for 8th graders to see responsible adults with experiences that spoke to children."

Spreading a message of racial harmony and understanding in the local schools is the latest spin-off from the joint high school reunion Penegar instigat-

ed earlier this year after reading Julian Bond's words about white skin privilege in the *March SPLC Report*. On September 19, he and Washington attended a Salisbury, North Carolina, reunion modeled after the Gastonia one. "It was a little different from ours and a little smaller but very successful, I think," said Penegar. "Carrie and I both made some new friends."

Salisbury, a town much like Gastonia, has two colleges — predominantly black Livingston and historically white Catawba. "The reunion was in the Livingston student center," Penegar said. "Several people from the white high school had never been on the Livingston campus before, so that in itself broke some new ground."

In July, Penegar received a letter written by President Bill Clinton after he read about the Gastonia reunion in *The Wall Street Journal*. "As you certainly learned growing up in Gastonia, there are real differences in the life experiences of Americans, but there is also a rich fabric of shared experiences — of common problems, common hopes and common fears," the President wrote. "It is a matter of the utmost importance for our nation that all Americans, regardless of race, expand this common group and focus more on what unites us than on what divides us."

"Your efforts to bring together students from Gastonia and Highland High Schools show what we can accomplish by working together, not simply to tolerate our differences but to overcome them," he said.

### Wanted: Stories of tolerance, unity from your community

The Gastonia Class of 1948 interracial reunion is a success story in the ongoing struggle to promote justice and ensure that our American democracy is open equally to all its citizens. Carrie Washington called the reunion "a small step" toward reducing prejudice and promoting intergroup understanding. But it was a significant and important step, reflecting the good will of individuals like Richard Penegar and Washington.

There are dozens of similar "success" stories throughout the country, and the Center wants to learn about them and highlight some in the *SPLC Report*. "We're looking for examples of the innovative ways Americans are addressing racism and responding to hate in their communities," said *SPLC Report* editor Penny Weaver.

Send your community's success story to her at *SPLC Report*, Southern Poverty Law Center, 400 Washington Ave., Montgomery, Alabama 36104.

## Bequests

The Southern Poverty Law Center pays tribute to the memory of its deceased supporters listed below and gratefully acknowledges their including the Center in their wills and other planned gifts. This list includes bequests received from October 1, 1997, through October 31, 1998.

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Mollie Klein	Hedwig H. Turkenkopf
Charles Kingsford	Ann Wheeler
Elizabeth S. Kinney	Bess Wigutuff
Helen S. Lapham	Angela B. Zent

Correction: The Bequest listing in the September 1998 issue of the *SPLC Report* contained bequests received by the Center from July 1, 1997, through July 31, 1998. The heading mistakenly read July 1, 1997, through July 31, 1997.

# Ethiopian youth enjoys his new life in the United States

A young Ethiopian boy left fatherless a decade ago when Mulugeta Seraw was brutally murdered by neo-Nazi skinheads in Portland is now a happy teenager living with a host family in the United States. A senior in high school, Henock Seraw plans to enter college next fall.

November 13 marked the 10-year anniversary of the slaying of Mulugeta Seraw, a 28-year-old Ethiopian student who had emigrated from Ethiopia to escape famine and civil war and to search for the American dream. The Center's civil suit on his family's behalf — claiming the skinheads' attack was the result of training and indoctrination by the White Aryan Resistance and its leaders

Tom and John Metzger — resulted in a landmark victory two years later. A Portland jury found the Metzgers and their white supremacist group liable for the murder and awarded

\$12.5 million to Seraw's family, including then-10-year-old Henock. Center chief trial counsel Morris Dees described the case in detail in his 1993 book, *Hate on Trial*.

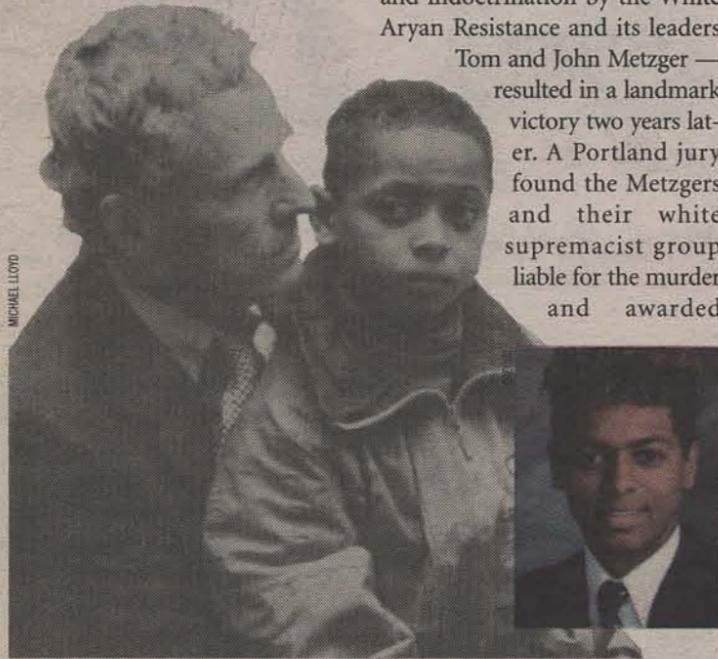
While the Metzgers did not have \$12.5 million, the Center has collected about \$150,000 for the Seraw family and continues to collect funds each month on the judgment.

After the trial, young Henock returned to Addis Ababa, where he lived with his remaining family in a one-room apartment with no indoor plumbing. After the U.S. Supreme Court upheld the jury's verdict against the Metzgers in 1994, Henock returned to this country in order to acquire a good education. Despite the frustration of learning a new language, he assimilated into his new American community quickly and became a very good student. An athletic young man, Henock continues to play soccer — a game he learned as a child in Ethiopia. He also enjoys other outdoor sports such as snowboarding.

Henock maintains contact with his mother, who remains in

Addis Ababa with other family members. He regularly writes letters and speaks with her on scheduled telephone calls — scheduled because she has no phone and must use a neighborhood facility.

"I came from a poor family," Henock says. "My dad wanted more for us, and that's why he came here. Now I am doing the things that my father wanted for himself and for me. I am living the life that my father could not."



Henock Seraw and Morris Dees at 1990 trial and Henock today



## Maya Lin considers Memorial repairs

Maya Lin discusses solutions to erosion problems on the Center's Civil Rights Memorial during a brief visit on October 14. The New York-based architect and artist spent a few hours in Montgomery consulting with Center officials about repairs to the Memorial. Lin designed the Memorial, which was dedicated in November 1989. One solution under consideration is the placement of a new surface on top of the original one, as simulated in the photo above by a two-inch layer of styrofoam.

## Partners for the Future

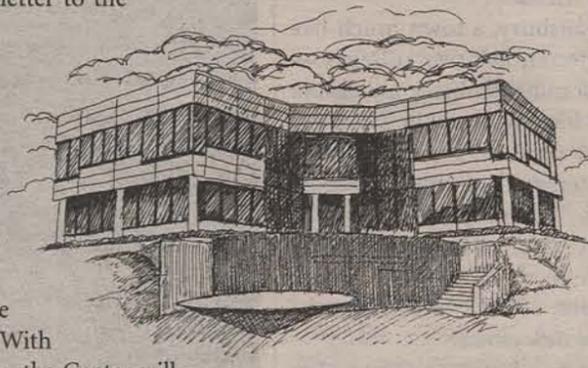
### A Way to Help More Than You Thought You Could

The Southern Poverty Law Center has established a planned giving program called Partners for the Future. By participating in Partners for the Future through wills and other special gifts, Center donors can extend their support for equality and justice beyond their lifetimes.

If you plan to or have already remembered the Center in your will or estate plans, please help the Center update its records by sending a letter to the address below.

With the goal of eventually freeing itself from the uncertainties of fundraising, the Center established a permanent endowment in 1974. The Center's goal is to have an endowment large enough to sustain its current level of activities, to fund new projects and lawsuits as the need arises, and to protect the Center from inflation. The Endowment now stands at \$94 million. With your help through Partners for the Future, the Center will reach its goal of self-sufficiency.

The Endowment Fund is a "pact with future generations" that will help ensure resources for the Center's work well into the 21st century.



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Address \_\_\_\_\_

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## IN MEMORIAM

### John B. Quick (1919-1998)

Longtime Center supporter the Rev. John B. Quick died in Cheraw, S.C., on August 4, 1998, at the age of 79.

After graduating from Brooklyn College in 1942, the Rev. Quick served in the Army Air Force during World War II as an Intelligence Officer with the 332nd Fighter Group, also known as the Tuskegee Airmen. After the War, he earned a master's of divinity degree from Union The-

ological Seminary and began his lifelong career in the ministry. Over the years, he led congregations in Washington, Ohio, Michigan and South Carolina. He also spent three years as a missionary in Ethiopia. Although the Rev. Quick officially retired in 1984, he continued to preach as an interim pastor in his native state of South Carolina.

From 1953 to 1961, the Rev. Quick served as president of the Columbus, Ohio, chapter of the NAACP. Later, while serving as a pastor in Detroit, he took a special interest in the lives of disadvantaged children and served as chairman of the board for two agencies devoted to serving youth.

The Rev. Quick's commitment to civil rights also was demonstrated by his dedication to the Southern Poverty Law Center. After viewing a television documentary about the Center's legal victories over white supremacist groups, the Rev. Quick read Morris Dees' autobiography, *A Season for Justice*. "Because of his concern over civil rights, injustice, and his high regard for the SPLC, my father became a member of your organization," said his son.

Friends and relatives chose to honor the Rev. Quick's dedication to a more just and tolerant America by making contributions to the Center in his memory. We join them in paying tribute to the Rev. Quick.

