

# LAW REPORT

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

March 1990

## Ex-Skinhead Ties Metzgers to Killing

*Former national president of W.A.R. Skins says Metzgers encouraged violence against blacks and Jews*

SAN BERNARDINO COUNTY, Calif. — White supremacists Tom Metzger, his son John, and White Aryan Resistance (W.A.R.), the organization they run, have been tied to the 1988 murder of an Ethiopian student who was beaten to death with a baseball bat in Portland, Oregon.

In a sworn affidavit, ex-Skinhead leader Michael Barrett says he and Dave Mazella, acting as agents for the Metzgers, went to Portland to organize a Skinhead group called the East Side White Pride (ESWP). While in Portland, Barrett claims he and Mazella kept in almost daily contact with the Metzgers. He also says that both Tom and John Metzger encouraged him and other Skinheads to use violence against blacks and Jews.

### The night of the murder

On the night that Mulugeta Seraw, the Ethiopian student, was murdered, Barrett says he and Mazella met with ESWP members and "got them all fired up on W.A.R. and the Metzgers' hate filled beliefs." Barrett later learned that Skinheads attending the ESWP gathering had beaten a black man to death that night just a few blocks from the meeting place.

When Dave Mazella telephoned the Metzgers about the murder, according to Barrett's statement, "Tom [Metzger] told us to keep our mouths shut and not to talk to police."

### Center lawsuit seeks damages for murdered man's family

The Law Center has filed a civil suit against the Metzgers, W.A.R.,

and two Skinheads who murdered Mulugeta Seraw. Filed on behalf of the Seraw family, the suit seeks substantial money damages against the defendants. If a jury holds the Metzgers liable for the murder, it could break W.A.R., the most active, influential and dangerous white supremacist organization operating in America today.

Barrett's affidavit is the most damaging evidence found so far that links the Metzgers with the Seraw murder. As the former president of W.A.R. Skins, a group set up by Tom and John Metzger, Barrett's job was to recruit Skinheads into

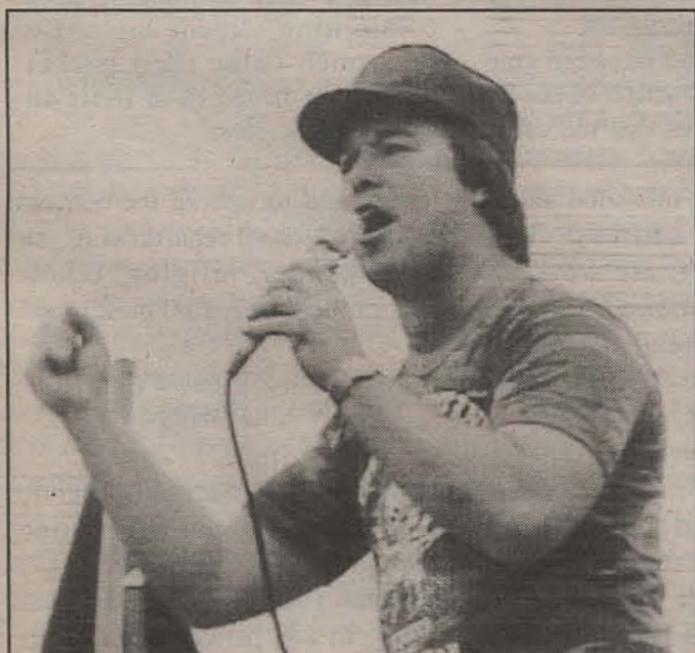
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Photo by Brian Smale/Sharps Hooter Studios

### Tom Metzger

The Center has accused White Aryan Resistance (W.A.R.) leader Tom Metzger and his son John with sending agents to encourage Skinhead violence against blacks and Jews in Portland, Oregon.



### Dave Holland

Klan leader Dave Holland (seen here in 1987 urging a racist mob to stop a civil rights march in all-white Forsyth County, Ga.) has been charged by a federal court with lying about his assets to avoid paying restitution to the civil rights marchers.

## Leader of Forsyth County Attack Indicted for Lying Under Oath

ATLANTA — The United States District Court for the Northern District of Georgia has indicted the top individual Klan defendant in the Law Center's landmark Forsyth County lawsuit. The indictment charges him with lying under oath to conceal his assets and obstruction of justice.

Eighteen months ago the court ordered Dave Holland, head of the Southern White Knights, to pay civil rights marchers \$50,000 in damages. This was his penalty for leading a Klan attack against the civil rights marchers in all-white Forsyth County, Georgia.

Of the nearly \$1 million in damages awarded to the marchers, Holland's was by far the largest penalty assessed against any of the individual Klan defendants.

While appealing the verdict against him, Holland filed an affidavit in which he said he had received no income of any sort for the past twelve months. The indictment charges that this statement was false and that Holland knowingly lied.

The indictment also says that Holland made a false statement when he declared that he did not own any automobiles "or anything else that is of any value," and that he lied about selling a boat and a car to a friend.

The obstruction of justice charge against Holland says he tried to force a witness in a federal grand jury investigation to give false testimony about a \$3,500 check he allegedly gave the witness.

The indictment against Holland adds to

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When I first became a member in 1983, we had never heard of Skinheads and the Klan was losing favor nationwide. Who could imagine the emergence of a new insidious youth movement that would infect so many young people with the deplorable attitude of hate-mongering prevalent now in their elders? Klanwatch, that's who! Please keep fighting against those who would incite the ignorant and bigoted to violence.

— C. Coogle,  
Virginia

I send you my congratulations and deep appreciation for the important victories you have won over the enemies of civil rights. I hope you have equal success in your suit against Tom Metzger and his W.A.R. group.

— E. Hangen  
California

When I saw the news coverage of the [Civil Rights Memorial] dedication ceremony, I was so proud to have been a part of your organization. But then again, SPLC often makes me feel proud. Such as when Mrs. Donald was named a Ms. woman of the year. I've been a Ms. subscriber for years and there's never been a more deserving recipient than Mrs. Donald.

— S. Owen  
Massachusetts

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Southern Poverty Law Center

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I can't express to you how grateful I am for your work. I find it difficult to believe that the ignorance and cruelty of racism is still present in this day and age. This issue is especially close to me; my brother-in-law is a Haitian student in Philadelphia, and I have been very concerned for his welfare with the increase in Skinhead and white supremacist violence. I pray that he and my sister will never be terrorized by such acts. Thank you again for your work.

— E. Schaffer  
Colorado

Sixty-five years ago, when I was five years old, I had my first experience with the KKK. The fear and horror of that night has never left me. When I asked what and who the white "ghosts" were, I was told that they were good decent folks that were going to put the fear of the Lord into the "niggers" and "drunks."

My father was a poor white illiterate alcoholic, who eked out a bare living by working the coal mines of Tennessee-Kentucky. My best friend was "Biggun," a black man, who plowed the gardens and hauled away the trash. Please accept my thanks and prayers, may God bless you in this work you are doing.

— M. Potter  
New Jersey

It's tragic that the Center has to exist in 1990, but I am glad to support you with the small means available to me. On a personal note, Montgomery is where I learned what racism is. I am not black, neither am I poor. But, in the early 1960s, I lived in Montgomery for one year as my father, a career Air Force officer, was stationed there. I went to department stores and saw water fountains labeled "white" and "colored." Imagine a very naive 9-year-old's surprise when the "colored" water turned out not to be red or blue, merely lukewarm and nasty to taste. So, yes, I'm glad to support your organization. Good luck in the upcoming Portland trial.

— L. Brunder  
Illinois

As a young person growing up in Central Canada, where my immigrant Jewish parents were driven to, out of their homeland in central Europe by the Nazi Germans, I myself was subjected during the World War to physical and mental persecution by Nazi sympathizers in Canada.

## Volunteer Attorneys Help Center in Lawsuit Against Metzgers and Skinheads

As the legal battle against the Metzgers and the Skinheads heats up, top-notch attorneys from California, Oregon, and New York assist Center attorneys in their efforts to obtain justice for the Seraw family.

Joining the Center as co-counsel in the suit against the Metzgers is Richard Shevitz and Steven Freeman of the AntiDefamation League of B'nai B'rith. Shevitz, a graduate of Ohio State University Law School, is the Assistant Director of ADL's Legal Affairs Department. He handles a variety of legal matters from terrorism-related issues to First Amendment litigation. Freeman, a graduate of Stanford Law

School, is the Director of ADL's Department of Legal Affairs. He oversees the agency's legal work in such areas as bias crimes, church-state relations, and international human rights.

Elden Rosenthal of Rosenthal & Greene, is the Center's local Oregon counsel. Rosenthal, a graduate of Stanford Law School, was recommended to the Center as one of the finest lawyers in Oregon. He specializes in personal injury and wrongful death cases.

Also providing legal assistance on the Oregon front is Steve Walters. Walters, a graduate of Stanford

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## Ties to Killing

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the white supremacist movement.

While he was in Portland, Barrett says he told the ESWP Skinheads that "blacks and Jews were the enemy of the 'White Aryan Race'...and to be sure to beat the hell out of the enemy." Barrett says he took five baseball bats with him to Portland. He described the bats as "the weapons

of choice of the Skinheads."

According to a *Los Angeles Times* story, Metzger scoffed at the idea that he supplied Barrett with the baseball bats. "I guess he must be a real fan of baseball," Metzger is quoted as saying in the *Times* story.

Tom Metzger claims that neither he, his son John, nor White Aryan Resistance had anything to do with the murder of Mulugeta Seraw and bear no responsibility for it.

## Klan Leader Indicted

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suspicious that Holland will go to any lengths to avoid paying the judgment against him in the Forsyth County case. The house where Holland lives is in his mother's name, and she also has title to all the vehicles he uses and his work tools and supplies. Since the Forsyth County verdict, Holland has increasingly begun to conduct his transactions on a cash basis, and this makes it very difficult to trace his assets.

So far the Center has been able to collect only a fraction of the \$1 million in damages that the court

awarded to the Forsyth County civil rights marchers. The two Klan groups involved in the attack are unlikely ever to be able to pay the \$400,000 judgment against them, but the fines against individual Klansmen like Dave Holland have a very real chance of being collected. The Center's unceasing efforts to collect the individual fines for the marchers has made the outcome of the Forsyth County case a very strong deterrent to other Klansmen who may be thinking about committing violent acts. Most Klansmen value their pocketbooks far more than their so-called "principles."

As a result, I am inhibited about revealing my address. You people, however, are working effectively to make such inhibitions, in the future, a thing of the past.

— S.K.  
Maryland

spread and to uphold the concept of justice for all regardless of our race, gender, religion, ethnic background, or sexual preference.

— V. Combs  
Florida

My daughter (age 10) recently brought home your publication "Free At Last" from school. I must tell you how pleased I was to see it. In this period of apathy, if not antipathy, to the cause of civil rights, your organization is indeed a "point of light."

— E. Salomon  
Illinois

## Volunteer Attorneys

(Continued from page 2)

Law School, is a partner in the firm of Stoel, Rives, Boley, Jones & Grey in Portland. Steve is a former law clerk to the Honorable Warren E. Burger, then Chief Justice of the United States Supreme Court.

In a transparent effort to interfere with the Center's case on behalf of the Seraw family, Tom Metzger has filed a malicious prosecution suit against SPLC Executive Director Morris Dees and Engedaw Berhanu, the executor of Seraw's estate, for \$10 million in a California state court. Defending Dees in the suit are James McElroy and Harris Steinberg. McElroy, a graduate of the University of San Diego Law School, practices in San Diego. Steinberg, a graduate of the American College of Law and a partner in the firm of Levine, Steinberg & DePasquale, also practices San Diego.

In an effort to escape the effect of any judgment that may be obtained against him, John Metzger filed a petition for bankruptcy under a special provision of the bankruptcy law. To help ensure that Metzger will pay for the consequences of his wrongful acts, Herb Katz and Eve Jaffe of Gendel, Raskoff, Shapiro & Quittner monitored the case until a court order dismissing the bankruptcy petition was obtained. Katz, a graduate of the University of San Diego Law School, was a United States Bankruptcy Judge for the Southern District of California from 1972-1983. His colleague, Eve Jaffe, has worked with Gendel, Raskoff in the Bankruptcy Department since graduating from the University of Southern California Law School in 1989.

# Racist Skinhead Violence Rises

Neo-Nazi Skinheads grew more menacing during 1989. These shaven-headed youths increased from about 2,000 in 1988 to an estimated 3,000 last year. Fueled by hatred, Skinheads attacked blacks, Jews, and gays, robbed children and destroyed communities. White supremacist leaders who touted Skinheads as their front-line warriors encouraged much of this violence.

To aging white supremacists, racist Skinheads represent hope for a movement plagued by factional disputes and a dwindling membership. To law enforcement officers now confronted by these young racists, Skinheads are a serious threat.

Skinhead weapons include brass knuckles, baseball bats, and steel-toed boots called Doc Martens. Usually they attack in gangs.

Skinheads were linked to three murders in 1989, and Skinhead assaults increased:

- A 14-year-old black youth in Minneapolis, Minn., playing basketball with his friends, was attacked by six to eight Skinheads who yelled "We're going to get you niggers." The youth was struck with a wooden stick wrapped in barbed wire.

- Skinheads in La Verne, Calif., yelled ethnic insults at a couple loading groceries into their car. The youths

thought they were Jewish. The man was kicked in the chest, knocked to the ground, and the woman beaten as she tried to keep them from harming her baby. Ironically, the couple was not Jewish at all, but Iranian.

- An 18-year-old Pacific Island man, mistaken for black by three San Diego Skinhead attackers, was kicked

cluding robberies, threats, harassment, weapons possession, and vandalism.

### Ties to White Supremacists

White supremacist leaders, including Church of the Creator leader Ben Klassen and Nationalist Movement leader Richard Barrett, continued to recruit Skinheads in 1989. Skinheads were represented in large numbers at two major Klan rallies in Georgia. In Summerville, Ga., about 40 Skinheads joined about 100 Klansmen, and in Gainesville, Ga. a march sponsored by the Knights of the Invisible Empire was attended by 315 white supremacists — almost 100 of which were Skinheads.

Generally, it is the most militant leaders who receive the greatest Skinhead support. White Aryan Resistance (W.A.R.) leader Tom Metzger has actively recruited Skinheads to join a white supremacist group called W.A.R. Skins.

At a 1989 Skinhead gathering called "Aryan Fest," Tom Metzger is quoted in his own newspaper as saying, "Do you know why the Jews



Photo by Milton Adams/Fl. Worth Star Telegram  
Daniel Wood (left) and Jon Lance Jordan (center) were among two of five Dallas Skinheads convicted in March 1990 of vandalizing Jewish institutions and assaulting minorities in a park.

are worried about the Skinheads? Cause the Skinheads kick ass."

are worried about the Skinheads? Cause the Skinheads kick ass."

The Law Center is now suing Metzger, his son John, and W.A.R. on behalf of the family of a black man murdered by members of a Skinhead gang in Portland, Ore-

# New Executive Assistant Appointed

MONTGOMERY, Ala. — When Linda Stringer began working at the Law Center thirteen years ago, she never expected she would one day occupy a key position in the organization. That is exactly what has happened with her recent promotion to Executive Assistant to the Director.

Ms. Stringer started at the Law Center as a legal secretary in December of 1976. Her duties included drafting legal documents, maintaining case files, answering legal calls and correspondence, and handling all the associated responsibilities of managing several major cases at once.

Throughout her years at the Center, Ms. Stringer has not only fulfilled her demanding position, but has cultivated her skills and educa-

tion as well. In 1981, she was one of the first to complete the Legal Assistant Program at Huntingdon College in Montgomery. Linda returned to Huntingdon to earn her Bachelor's degree in Business Administration, and graduated cum laude in 1983. In addition, after teaching herself computer information systems, she established a computer network that is a vital part of every department at the Center.

Ms. Stringer's new position as Executive Assistant to Morris Dees will be even more demanding. Her primary job will be to relieve Morris of many day-to-day tasks so that he will have more time to deal with pressing legal and management issues. "Working at the Law Center," says Ms. Stringer, "is like having several different jobs in one. The

main goals always remain the same, but special projects, like the Klanwatch Project and the Civil Rights Memorial, are always developing. It's exciting to imagine what will happen next, and what my role will be."

Ms. Stringer's job at the Law Center keeps her constantly busy, but she thrives in the work-intensive atmosphere. "When you can look at what you're doing and see that you're making a difference, it gives you a great feeling of satisfaction."



Photo by JoAnn Chancellor  
Center Executive Director Morris Dees has appointed Linda Stringer as his Executive Assistant. Ms. Stringer began work at the Center as a legal secretary in 1976.

## Top Law Students Join Center's Externship Program

MONTGOMERY, Ala. — Johanna Ginsberg and Dan Martz have recently joined the legal staff of the Southern Poverty Law Center as part of the Center's ex-



Photo by JoAnn Chancellor

Center externs Johanna Ginsberg and Dan Martz.

ternship program for law students. Ms. Ginsberg, who is from Brooklyn, New York, is a second year student at the University of Michigan Law School. She also did her undergraduate work at Michigan, majoring in Honors English Literature.

Tired of the traditional educational experience students receive in law school, Ms. Ginsberg sought a clerkship with the Law Center so she could study the law from a public interest perspective. "Growing up Jewish, I understood the KKK and other white supremacists as a threat to my culture and religious identity. I went to law school with the hope of becoming equipped to deal with the problem not only on a personal level but also to help other persons who might face similar threats. In trying to find an organi-

zation that pursues such work, the Law Center was the logical choice."

Ms. Ginsberg has worked on a variety of Law Center cases. These include the case challenging the conditions of confinement in the Kilby segregation unit and the judicial voting rights suit. Ms. Ginsberg's major project has been work on a manual involving the rights of incarcerated parents.

Dan Martz is a second year student from the University of Wisconsin Law School. He received his undergraduate degree from the University of Nebraska-Lincoln, with a major in English and minors in Chemistry and Political Science.

Mr. Martz first heard about the Law Center from Ken Wittenberg, who was an extern at the Center in the fall of 1989. "I was excited to come down to the Law Center because I wanted to learn and observe law in action instead of merely reading about it. I think my work here will always allow me to see the law from a special perspective."

Mr. Martz has devoted the largest portion of his time to work on the Law Center's suit against the Metzgers and the Skinheads in Portland, Oregon (*see story on page 1*). "I'm excited to be working on a case that has such a vast potential to advance civil rights and to educate the public," he said.

## Docket Update

### TEXAS v. LADNER, HYDEN, AND HORTON

TYLER, Tex. — The trial of former Hemphill Police Chief Thomas Ladner, former Sabine County Sheriff's deputies Bill R. Horton, and James M. "Bo" Hyden for the murder of Loyal Garner Jr. is scheduled to begin on April 16 in Tyler, Texas. It is likely that much of the key evidence to be used in the murder trial will be information gathered by Law Center investigators during the Center's civil suit brought on behalf of the Garner family.

Loyal Garner Jr., a black man from a small Louisiana town, was arrested with two friends on Christmas day in 1987. The three white East Texas lawmen fatally injured Mr. Garner after he was thrown in jail on a traffic charge. Although he was obviously bleeding from head wounds, no one took him to a hospital until the next morning. By that time it was too late. Garner died the following day, never regaining consciousness. He left behind his wife of fourteen years, six young children, and a mother and father.

To Center attorneys, Garner's death was a grim reminder of the brand of justice black people all too often receive in small Southern towns. Determined to set an example for law enforcement officers throughout the South, the Center agreed to represent the Garner family in a civil action. The case was filed in federal court on January 19, 1988 and was ultimately settled on July 13, 1989. Although the federal court ordered the precise terms of the settlement to be kept confidential, the settlement was a fair and just one for the Garner family.

The three Texas lawmen have been tried for state felony charges of violating Mr. Garner's civil rights. All three were acquitted in a trial held in their small hometown where the odds were clearly stacked in their favor. Now they will have to face murder charges in Tyler, where the jurors will not know them.

### CARR v. MONTGOMERY COUNTY SCHOOL BOARD

MONTGOMERY, Ala. — Federal District Judge Truman Hobbs has approved a consent decree negotiated by Law Center attorneys in the quarter cen-

tury old desegregation suit involving the Montgomery County school system. Although the suit was originally filed in 1964, Law Center attorneys did not become involved until 1988. At that time, the parties had negotiated a consent decree that many members of the community felt was vague and did not provide adequate relief for the County's black children.

At the request of several local groups including the NAACP, the Law Center entered the suit. Legal Director Richard Cohen, working with noted civil rights attorney Solomon Seay, Jr., was eventually successful in obtaining over \$1 million in additional funds for the predominantly black schools in the system as well as a number of special programs. Court supervision of the school system will continue for another three years.

### BUTLER v. HUNT

MONTGOMERY, Ala. — At the request of the Federal Court, Law Center attorneys have filed a class action suit on behalf of inmates at Kilby Correctional Center in Mt. Meigs, Alabama challenging the unconstitutional conditions of confinement in the institution's segregation unit.

Kilby inmates placed in segregation are confined to their cells for at least 23 hours each day. When the weather permits, they are allowed outside into a small bare yard for 45 minutes. During this "exercise period," the inmates are handcuffed behind their backs and are sometimes kept in leg shackles.

The cells, measuring 5 by 8 feet, are cramped and infested with rats, mice, roaches, and ants. The vermin often swarm over food trays delivered to the cell blocks. The unsanitary conditions are compounded by an inadequate heating system and inadequate ventilation.

Studies have shown that confinement to such cramped and unsanitary quarters, even for short periods of time, causes physical and mental deterioration of inmates. Incidents of violence and self-mutilation increase.

The Center's suit seeks to improve the physical conditions in the segregation unit by requiring state officials to construct new facilities or to renovate the current facilities.

## The Law Center Fund

*A way to help more than you thought you could*

If you ever wished you could do even more to advance the Center's work, but didn't think you had the means, there is something you should consider. You can do it by remembering the Center in your will.

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

A long-term supporter from New Jersey, who recently passed away, left the Center nearly \$200,000 in his will, but philanthropy need not be limited to the well-to-do. Bequests of \$1,000, \$2,000 or \$5,000 are extremely important to the Center's future ability to fight for the ideals we all share.

A bequest to the Center through a will can help to reduce an estate for federal tax purposes and it can also provide the satisfaction of knowing that you are not only benefiting the victims of injustice but all Americans by making our country a better place to live.

Through your will, you can help pass on the torch of equal justice to future generations. If you have not already done so, we hope you will consider the lasting good you can do by participating in the Law Center Fund.

If you would like to know more, please write:

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