SPLC REPORT

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FIGHTING HATE

SPLC exposes hate connections of anti-Obama author Jerome Corsi

Jerome Corsi, the author of the best-selling book *The Obama Nation,* found himself at the center of a media firestorm after a Southern Poverty Law Center investigation revealed he had been a guest on a white supremacist radio show and had accepted an invitation to appear on that show a second time.

As Corsi wrapped up a flurry of interviews in August on major television talk shows like CNN's "Larry King Live," the SPLC revealed that he had also been on the notorious "Political Cesspool" show in July and was planning another appearance in late August.

The aptly named "Cesspool" is an unabashedly racist and anti-Semitic weekly radio program hosted by Memphis white nationalist James Edwards, a protégé of ex-Klan leader David Duke. In addition to Corsi, "Cesspool" guests have included Duke, Christian Identity pastor Pete Peters and Holocaust denier Mark Weber.

After the SPLC broke the news about Corsi's "Cesspool" appearance, the story was picked up by numerous major political blogs and websites, including The Huffington Post, Salon, Slate and Daily Kos.

Blaming "travel plans that changed," Corsi then backed out of his second "Cesspool" interview minutes before he was supposed to go on the air. Edwards said that Corsi's canceling "just goes to show what incredible pressure everyone in public life is under to never have anything to do with anyone who speaks up for the interests of white people."

AP PHOTO

Jerome Corsi is picked up by Kenyan authorities on Oct. 7, shortly before he planned to hold a news conference to promote his book. The SPLC earlier revealed his ties with white supremacists.

Corsi also vilifed Kerry, McCain

Corsi first gained widespread attention as the co-author of the 2004 book *Unfit for Command,* which vilified then-Democratic presidential nominee John Kerry. But he is hardly a GOP partisan. Earlier this year he leveled a series of wild accusations at Republican presidential nominee John McCain, including an allegation that a group with Al Qaeda ties was financing his campaign.

The numerous inaccuracies and distortions in Corsi's book about Obama were quickly documented by several media watchdog organizations, most notably Media Matters.

TEACHING TOLERANCE

Obama, McCain call youth to action in *Teaching Tolerance*

Presidential candidates John McCain and Barack Obama called America's youth to action and appealed for more community service in exclusive essays written for the Fall 2008 issue of *Teaching Tolerance* magazine.

"[A]t this historic moment, we must ask our rising generation to serve their country. ... Because that's how real change has always come — from ordinary people coming together to do extraordinary things," Obama wrote in his essay, "Choices for a Rising Generation."

ILLUSTRATIONS BY JOSEPH ADOLPHE

Teaching Tolerance magazine illustrations

The essays were part of a special youth engagement issue offering tips for teachers looking to educate students about civic involvement. Both candidates examined the power of community service and the high cost of inaction. The magazine, released in September, was distributed free of charge to 400,000 educators nationwide.

In "A More Peaceful and Prosperous World," McCain explored the cost of missed opportunity. "After 9/11, leaders in Washington missed an opportunity to call young people to service," he wrote. "Young men and women, who are willing to give of themselves and

Continued on page 5

SEEKING JUSTICE

Klan trial raises security concerns

As chief trial counsel Morris Dees and his colleagues prepared for trial against the Imperial Klans of America (IKA), the SPLC's security chief was gearing up to ensure the safety of Dees and the legal team.

"This is a high-risk event — more so than any recent SPLC trial," said Tom Brinkman, the SPLC's security director.

The lawsuit, brought on behalf of Jordan Gruver, a teenager who was beaten by Klansmen at a county fair, is set for trial on Nov. 12 in Brandenburg, Ky.

Brinkman traveled to Kentucky in early October to sit down with law enforcement officials there and coordinate planning. Because of security concerns, SPLC supporters are urged to stay away from the trial, even though it is open to the public.

The IKA has a proven record of urging violence to promote its beliefs. The group calls for the death of racial and ethnic minorities, homosexuals and "race traitors." As host of the annual Nordic Fest at its Dawson Springs, Ky., compound, the group actively cultivates alliances with neo-Nazis and racist skinheads, long considered the most violent factions of the radical right. The IKA is the third-largest Klan group in America, with 16 chapters in 11 states.

"The possibility of one of these individuals acting out violently on these threats is high, given the group's track record," Brinkman said.

Defendant suspected in death plot

The head of the IKA and one of the defendants in the upcoming trial is Ron Edwards, a man who was suspected by an FBI informant of being involved in a plot to kill Dees in the late 1990s as the SPLC was preparing for trial against the Aryan Nations.

Threats against the SPLC surged after the lawsuit against the IKA was filed in July 2007. One letter threatened: "If you do not change your stance soon, you will face a wrath of fury that you will never be able to defend yourself against. We have the ability to reach out and touch someone."

Over 30 individuals, some known to Edwards, have served prison sentences in connection with plots to either assassinate Dees or blow up the SPLC headquarters.

Edwards is the major defendant in the case. In February, when Dees went to Kentucky to take his deposition, the Klan leader sported a freshly inked tattoo on the side of his shaved head that said, "F**K S.P.L.C."

IKA members Jarred Hensley and Andrew Watkins served time for assaulting Jordan Gruver. They are now free.

They attacked Gruver, then 16, because they thought he was Latino. Gruver is a U.S. citizen of Panamanian Indian descent, but to the Klansmen he was an "illegal spic." The youth, who stood 5-foot-3 and weighed just 150 pounds, was beaten to the ground and kicked by the Klansmen, one of whom is 6-foot-5 and 300 pounds. Gruver was left with cracked ribs, a broken left forearm, multiple cuts and bruises, and jaw injuries that required extensive surgery.

The attack on the teenager is symptomatic of a rising tide of hate and violence directed toward Latinos in the United States. The SPLC has documented a 48 percent rise in the number of hate groups operating in the United States since 2000 — an increase fueled by anti-immigration furor aimed largely at Latinos. And FBI statistics suggest a 35 percent increase in the number of hate crimes against Latinos between 2003 and 2006.

IN THIS ISSUE

* * * *

Teaching Tolerance grant at work
PAGE 4

* * * *

VIVA LA CAUSA

"Viva" premieres
PAGE 5

* * * *

Racial profiling in Alabama case
PAGE 8

SPLC REPORT

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The Southern Poverty Law Center is dedicated to fighting hate and bigotry and to seeking justice for the most vulnerable members of our society. Using litigation, education, and other forms of advocacy, the Center works toward the day when the ideals of equal justice and equal opportunity will be a reality. The Center also sponsors the Civil Rights Memorial, which celebrates the memory of individuals who died during the Civil Rights Movement, and the Civil Rights Memorial Center.

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A MESSAGE FROM CENTER PRESIDENT RICHARD COHEN

Racism rears ugly head in tough economic times

Repeatedly in our country's history, economic troubles have created conditions that are ripe for demagogues and hatemongers to whip up public anger against minorities and recent immigrants.

During the farm crisis of the 1980s, a militant, antigovernment movement in the Midwest arose and gained traction by falsely blaming Jews for the economic woes of farmers.

A century earlier, during widespread social unrest in the 1870s, Chinese immigrants bore the brunt of blame for economic calamity that ushered in a long, post-Civil War depression. The public anger led to the Chinese Exclusion Act of 1882, suspending Chinese immigration.

Decades earlier, in the 1830s, Irish Catholic immigrants endured violent public condemnation for the nation's financial woes.

Now, we're in the grip of the worst economic catastrophe since the Great Depression, and some commentators and politicians on the right are pinning the blame on poor minorities.

That's right. We're supposed to believe that impoverished blacks and Latinos across our country brought down the titans of Wall Street with their wild-eyed dreams of owning their own homes, taking out mortgages they couldn't afford. We're supposed to believe that's why stock markets are plummeting and the global banking system is collapsing like a house of cards.

Richard Cohen

Do Americans really buy this kind of nonsense?

Unfortunately, many do, especially when they hear the lie repeated over and over again by politicians and supposedly mainstream pundits like Fox News' Neil Cavuto.

Some look for scapegoats

People who are down and out, who are buffeted by global events beyond their control, want to understand what has happened to them. Some will look for scapegoats in all the wrong places. And some will be seduced by the rhetoric of hate.

These are the conditions relished by those who thrive by stoking fear and division in America, from the cross-burning Klansmen to the loudmouths of right-wing talk radio to the suit-wearing academics who cloak their bigotry in pseudo-scientific research.

Because of the rancorous immigration debate, we've already seen a surge in the number of hate groups operating in the United States. We're now tracking 888 hate groups, a rise of almost 50 percent since 2000. And hundreds more nativist groups have sprung up in recent years to harass immigrants. It's no surprise, then, that hate crimes against Latinos are growing, especially in places like California. It's against this combustible backdrop that the economic meltdown is occurring.

We do have reason for optimism about race relations in our country, however.

The pre-election polling data appear to indicate that the majority of Americans are willing to judge Barack Obama on factors other than his skin color. That's real progress. Regardless of who our next president is, this should give us all hope that we've turned a corner and that overt racism as a major force in our country will continue to fade into the dustbin of history.

We're not there yet, though, by any stretch. Despite Obama's broad acceptance, racist passions were clearly evident during the campaign. And it's clear that some in politics have no qualms about playing the race card if they think it will help them get elected. As long as that strategy works, it will be employed.

More importantly, the deep scars of racism – unequal opportunities, poverty, discrimination and more – will linger long after the bigotry that caused them has dissipated.

We're entering uncertain times, perhaps even a lengthy recession. If past is prologue, as Shakespeare wrote, we can expect more scapegoating of the least powerful among us.

Editor's note: This issue went to press prior to the Nov. 4 election. The Southern Poverty Law Center is a nonpartisan, charitable organization that does not take sides in political campaigns.

MAILBOX

My husband and I are already contributors to the SPLC, but I hadn't visited the website for a while. Reacquainting myself with the site and seeing the work you are doing, I am compelled to write and tell you how much we admire Morris Dees and your organization.

Thank you, take care. We will continue to support SPLC.

E. W.
San Mateo, California

Thanks for being a beacon of hope and an advocate for justice.

I have just received a complimentary copy of *Teaching Tolerance*. As a 6th grade social studies teacher in a large urban city with a vast poor and minority population, I know this will be a great resource. I would greatly appreciate receiving a subscription.

And I have not forgotten my yearly contribution!

Once again, thank you for defending so many who have been and continue to be the victims of hate and intolerance.

C. A. M.
Springfield, Massachusetts

I am so impressed to hear about your new Teaching Tolerance film about Cesar Chavez! Labor history is terribly neglected in our children's education, yet it is incredibly important that they learn the truth of how our country was built — not top down, but bottom up — and that the middle class is not a given, but something for which we have to struggle. It's so good to know that SOMEONE is taking the time and effort to reach young people with this amazing story.

L. S.
Bloomington, Minnesota

I just received a reminder that I have been a member since 1981. I have easily 100 envelopes on my desk asking for help. I am retired and on a fixed income, so I am having a hard time picking and choosing who I can help. Attached to the SPLC renewal statement was Morris Dees' letter about Signal Corp. and how they represented the "fairness" of the U.S. in dealing with workers from other countries who are hopeful of at least getting a green card. Exposing the slimeballs at Signal is a worthy cause. I am sending in my renewal today.

J. H. R.
Palm City, Florida

Thank you for all of your great work! I am a Muslim-American, and I am also a middle school teacher. In the past two years, I have been verbally assaulted and harassed because of my faith (I wear the "hijab" or religious scarf.) I have taken these experiences and used them as "teachable moments" with my students. Many were shocked and upset that someone would call me a "sand nigger" while I was walking down the street.

We talked about how to fight this kind of hate and bigotry. One of my students took the discussion to his church and Sunday school group; he said they had a really good discussion. Many Muslims don't like to share these experiences because they are afraid of more horrible comments. But I think we need to talk and educate. Thank you for what you do.

A.R.
Madison, Wisconsin

I just received my order of Teaching Tolerance materials, and I am very excited about using these in my social studies classes. I commend the Center for its work and for providing teachers with these materials. That they are free is remarkable — I am grateful, because I have already spent hundreds of my own dollars buying books and movies to prepare for this school year. I believe that practicing tolerance for others is so important in daily life. I am glad to have the opportunity to share your materials with my students. So thank you!

E. B.
Newburgh, New York

I love what the Center does! I am a special education teacher on the Navajo Reservation in Arizona, and I really applaud the lawsuits filed in Florida against the school districts [see story page 4]. I cannot describe how horrible it is to feel so helpless when watching students who have been diagnosed with disabilities (often related to or because of emotional problems) not get the treatment they deserve and, instead, get on the pipeline to prison. It's like watching a car wreck in slow motion and not being able to do anything about it. Keep up the good fight!

C. B.
Sanders, Arizona

My wife and I are proud to contribute to the SPLC and all its programs. We appreciate the sacrifices and danger the staff places themselves in. Bless you and stay safe. We will continue our support.

E. E. A.
Pickerington, Ohio

FIGHTING HATE

Some white supremacists 'upbeat' about Obama election

With the nomination of Barack Obama as the Democratic presidential candidate, large sections of the white supremacist movement are adopting a surprising attitude: Electing America's first black president could be a very good thing.

A growing number of white supremacists, and even some of those who pass for intellectual leaders of their movement, think that a black man in the Oval Office would shock white America, possibly drive millions to their cause and perhaps even set off a race war that, they hope, would ultimately end in "Aryan" victory.

David Duke, the neo-Nazi and former Klan boss who is the closest thing the movement has to a real intellectual these days, sees clear advantages in an Obama victory in the fall.

"Obama will be a signal, a clear signal for millions of our people," Duke wrote in an essay entitled "A Black Flag for White America" posted to his website this summer. "Obama is like that new big dark spot on your arm that finally sends you to the doctor for some real medicine. ... My bet is that whether Obama wins or loses in November, millions of European Americans will inevitably react with new awareness of their heritage and the need for them to defend and advance it."

Richard Barrett, head of the Nationalist Movement, a Learned, Miss.-based white supremacist organization, sounded a similar note, telling the BBC: "The uprising of the American people for majority-rule and real-democracy has been building, but, with Obama turning the White House into the Black House, the upheaval will be overpowering."

American Renaissance editor Jared Taylor had a slightly different take. He believes Obama will succeed as a kind of post-racial president: "I think he's got the right touch, absolutely the right touch.... He's an intelligent and serious man and he realizes that he cannot be a 'black' president." In Taylor's view, whites will vote for Obama because it will make them feel good about themselves.

"For many whites, voting for Mr. Obama will be an act of high patriotism. Electing him will prove America is not 'racist,' and many whites believe that rising above 'racism' is America's sacred calling. One must never underestimate the importance to whites of feeling virtuous," Taylor wrote in a July essay, "Why Obama Will Win."

Not all support Obama

Yet opinion on the radical right is far from unanimous on the topic of a potential Obama victory. Many traditional racist extremists believe it would destroy the country, and they oppose it mightily.

"Worse is not better. It has already hit rock bottom. The next step is to round up all the whites and put them in concentration camps," wrote "White Shogun" on the Caste Football hate forum.

Some of the most threatening anti-Obama talk appears on Internet sites that allow people to post messages anonymously — not on sites run by white supremacists, who seem highly worried about attention from the Secret Service. One such site, JD Underground, has carried a particularly venomous and long-running thread that started in January entitled "N***** President."

"I'm hoping someone will do his public duty of putting a bullet through Obama's head," wrote one poster on the site. Another poster suggested "bring[ing] back lynchings." Even the SPLC's blog, Hatewatch, has received such anonymous threats against Obama. In April, "unknown" posted this: "ATTENTION, IF OBAMA BECOMES PRESEDANT [sic] I WILL KILL HIM MYSELF MAKE NO MISTAKE ABOUT IT."

CONTRIBUTED

New documentary examines SPLC case

Noted journalist Ted Koppel interviews Morris Dees in Mobile, Ala., while filming "The Last Lynching," a new documentary that discusses race in America through the experiences of three people who have been affected by hate and racism. The film recounts the case of Michael Donald, the 19-year-old Mobile youth slain by the Klan because he was black. The SPLC bankrupted that Klan group with a lawsuit brought on behalf of Donald's mother. The tree where Donald was hung is behind Dees.

THEY SAID IT

"Down there in New Orleans, it was basically a parasite class totally dependent on government for their existence."

— **Neal Boortz** on the June 19 edition of Cox Radio Syndication's "The Neal Boortz Show," attacking mainly black victims of Hurricane Katrina as he compared them unfavorably to the mostly white victims of flooding in the upper Midwest this summer

"[I]t's probably the last football game we'll ever get to see before the United States gets blown up by the Islamists under Obama."

— **Hugh Hewitt**, host of a nationally syndicated Salem Radio Network show, discussing an uncoming college football game on June 25

"If the Hispanics and the blacks get together, ladies and gentlemen, we'll do what we're told. ...[D]on't come crying to me when you get your tails beat and have to say, 'Yessuh, Mr. Obama.'"

— Alabama state **Sen. Charles Bishop** (R-Jasper), speaking on June 21 to the white supremacist Council of Conservative Citizens Leadership Conference

"Do you want your children gunned down?"

— California Coalition for Immigration Reform leader **Barbara Coe**, attacking a Laguna Beach, Calif., plan to purchase a day labor center at a June 10 city council meeting

INTELLIGENCE BRIEFS

Neo-Nazi commander files for bankruptcy

ROANOKE, Va. — Neo-Nazi leader and real estate investor Bill White has filed for bankruptcy.

White, the founder and commander of the American National Socialist Workers Party, listed assets of $1.4 million and liabilities of $1.9 million in a bankruptcy petition filed in mid-June. This came roughly four years after he relocated to Roanoke and started buying up rental properties in black neighborhoods.

Since then, White published several inflammatory messages about his black tenants on neo-Nazi websites, suggesting that he would either evict them or threaten and harass them into moving out as part of a one-man "ghetto beautification project."

The Roanoke chapter of the National Association for the Advancement of Colored People filed a federal housing discrimination complaint against White in 2005, but it produced no charges.

White told *The Roanoke Times* that he had been planning to sell his rental properties for some time, and that his financial problems should have little effect on his role in the neo-Nazi movement.

Stormfront founder's son elected to GOP post

WEST PALM BEACH, Fla. — Derek Black, the 19-year-old son of white nationalist webmaster and former Ku Klux Klan Grand Wizard Donald Black, was elected in August to the post of Republican Party committeeman in Florida's District 29.

In 2001, when Derek Black was 12, *USA Today* published an article on a "children's page" he created for Stormfront, a racist website that was founded by his father in 1995. Stormfront has since become the largest online forum of its kind in the world. The younger Black's page featured lyrics to white supremacist rock songs and bedtime stories that demonized Dr. Martin Luther King Jr.

Interviewed by the *Palm Beach Post* the day after he was elected, Derek Black denied being a member of the Klan but said that he plans to represent the interests of white people in his district.

"I ran because I want to make an impact at the local level," he said. "Don't judge me by my family. Judge me by what I want to achieve. I want to sway my party to do something about the immigration invasion and the tax burden. Everyone in this country has the right to protect his group's interests. White people will soon be a minority."

White supremacist gang member sentenced to death

SANTA ANA, Calif. — A rank-and-file member of the white supremacist gang Public Enemy No. 1, or PEN1, was sentenced to death Aug. 22 for killing a gang co-founder who violated PEN1's code by talking about the gang's activities to a reporter.

Michael Lamb, 34, was convicted earlier this year of carrying out the execution-style slaying of PEN1 founding member Scott Miller in 2002.

Prosecutors said Miller was marked for death after he agreed to be interviewed for a television news segment about the gang's rise to power in southern California. Although Miller's face was blacked out during the broadcast and his voice was distorted, he was identified by his tattoos and the dog at his side.

Lamb and another PEN1 member were also convicted last year of trying to kill an undercover police officer who was following them after Miller was found dead in an Anaheim alley with a gunshot wound to the back of his head.

State senator attends hate group leadership conference

MONTGOMERY, Ala. — State Sen. Charles Bishop spoke to a leadership conference held by the white supremacist hate group Council of Conservative Citizens (CCC) on June 21 in Sheffield, Ala.

The CCC opposes "race-mixing" and describes blacks as "a retrograde species of humanity."

Bishop, a Republican who made international headlines in June 2007 when he was videotaped punching a fellow senator in the head during a dispute on the floor of the legislature, claimed that he didn't know anything about the group or its ideology before he accepted an invitation to speak at the gathering.

That invitation, Bishop said, came from one of his constituents, CCC Alabama leader Leonard Wilson, who is also the state commander of the neo-Confederate group Sons of Confederate Veterans.

The three-term senator's speech focused on his boisterous opposition to the official apology for slavery issued last summer by the Alabama Legislature. Bishop said that he opposed the symbolic gesture because it contained the word "atonement," which he fears could lead to reparations for descendants of slaves.

AMY NEWMAN/HERALD NEWS

A Teaching Tolerance grant enabled immigrant students at Clifton High School to tell their personal stories.

TEACHING TOLERANCE

Grant gives immigrant students a new voice

CLIFTON, N.J. — When Rosa Espinal left family and friends in the Dominican Republic to come to the United States, she hoped it would open the door to better opportunities.

But during her first year in America, she felt lonely and isolated as she navigated a new culture.

"My first year as an immigrant was a nightmare," the Clifton High School student wrote in an essay about her experience. "No one wanted to talk to me in school ... all I wanted was a friend or a little bit of attention. I felt really bad because I felt as if I was less than everyone else."

Espinal's experience isn't unusual. Many immigrant students arrive in the United States only to feel isolated and caught between cultures.

However, their stories are rarely told.

A Teaching Tolerance grant helped change that with a project that not only gave these students an opportunity to tell their stories but was part of a larger effort by the faculty to better understand the challenges these students face and make the school's atmosphere more welcoming for them.

The "Hear My Story" competition for immigrant students sought essays, poems and artwork that described their immigration experience. It provided a creative outlet for these students but also the building blocks for a better school as educators learned about the immigrant experience from their students' first-hand accounts.

"(The contest) gave educators a real-life story," said Ruth Campbell, program director of cultural adjustment and trauma services at the International Institute of New Jersey. "This gave it a face. I don't think they had that piece of it before."

The Institute, an immigrant assistance organization, helped the high school launch the competition during the 2007-2008 school year.

The high school has about 3,500 students but fewer than 200 are ESL (English as a second language) students, said Maria Gosnell, one of Clifton's ESL teachers. The essays and poems often describe heartbreaking isolation, such as that in Espinal's third-place essay.

"(The contest) was a way of recognizing that we're part of the community and part of the school," Gosnell said.

The contest entries also describe the challenge of understanding their new culture while honoring their native culture.

Contest winners awarded prizes

Contest winners were awarded prizes during a live broadcast on the school television station. Local newspapers also wrote articles about the competition that featured pictures of the winners. Many of the students learning English as a second language pointed out that they rarely see immigrant students on the school broadcasts, a comment that had educators discussing ways to incorporate more immigrant students into the broadcast.

The contest also fostered classroom discussions about the difficulties these students face, helping to bring better understanding from teachers and students. The top entries were published in booklets distributed to faculty, staff and students. Some students even said the entries made them cry when they realized what their classmates have endured.

As a new school year begins, educators are still taking the lessons learned from the contest to improve their school. For example, when the school year began in September, new immigrant students were paired with students familiar with the school to help ease the transition to a new school and culture, Campbell said.

There are plans to repeat the competition for the 2008-2009 year, providing another opportunity for the contest to serve as a barometer of the immigration experience at Clifton High School.

SEEKING JUSTICE

SPLC seeks to end neglect of Florida's disabled students

The Southern Poverty Law Center and an alliance of civil rights and disability rights groups have filed complaints against two of Florida's largest school districts, where students with disabilities endure a culture of neglect and harsh discipline that robs them of an education and pushes them along a path to incarceration.

The class action administrative complaints against the Hillsborough County and Palm Beach County school districts contend the school districts are failing to provide the counseling, social work and psychological services required by the Individuals with Disabilities Education Improvement Act (IDEA). The complaints were filed with the Florida Department of Education on Oct. 1.

"These school districts are violating the rights of their most vulnerable students — those with disabilities," said David Utter, director of the SPLC's Florida Initiatives. "Rather than providing these students with the educational services they need and are entitled to under federal law, they are pushing them out of school."

The goal of the complaints is to bring the districts into compliance with federal special education law and end practices that exclude or isolate children with disabilities. Palm Beach County is the fifth largest school district in Florida and the 11th largest in the United States. Hillsborough County is among the 10 largest school districts in the nation.

The complaints are part of a campaign by the SPLC and allied organizations to protect the rights of children who are being neglected by public schools in the South and to reform the disciplinary policies that are driving youths from school and into detention. The Advocacy Center for Persons with Disabilities, the NAACP, the Legal Aid Society of Palm Beach County and the Southern Legal Counsel are part of this alliance.

David Utter

By failing to meet the needs of disabled students, these school districts help feed Florida's "school-to-prison pipeline" — the term given to the plight of students pushed out of the classroom and into the juvenile justice system. Approximately 70 percent of youths in the state's juvenile justice system have at least one mental health disorder, according to the Florida Department of Juvenile Justice.

Across Florida, schools sent 23,000 students to the criminal justice system in 2006-2007. Black males are disproportionately represented, comprising 33 percent of all referrals even though they are only 23 percent of Florida students.

More than 80 percent of students with disabilities referred by Palm Beach County schools to the juvenile justice system were black males, according to information provided as part of discovery in a 1997 lawsuit.

"Children of color were already being ground down by this flawed system in Palm Beach County schools," said Florida State Conference NAACP President Adora Nweze, a retired special education administrator. "Now it appears the entire system has collapsed on top of them."

MELISSA LYTTLE/ST. PETERSBURG TIMES

SPLC attorney Brandi Davis (right), Pat Spencer (left) of the NAACP, and Marlene Sallo of the Advocacy Center for Persons with Disabilities discuss the complaint about Hillsborough's treatment of students with disabilities at an Oct. 1 news conference in Tampa.

Palm Beach students years behind

The Palm Beach complaint describes a school system where a significant portion of elementary students with emotional and behavioral disabilities with average intelligence are typically performing years behind their grade level by the time they reach middle school.

The complaint was filed on behalf of four students, from the 7th to 9th grades, who require special education services because of their emotional disturbances and mental disorders. They have been subjected to repeated disciplinary measures that remove them from class.

Children with disabilities graduate from Palm Beach schools at a rate of just 33 percent — compared to 67 percent for all students, according to the latest data, from the 2005-06 school year.

One of the four Palm Beach students is a 7th-grader eligible for services for emotional and behavioral disorders. When the student transferred from his elementary school to his middle school — which did not have the services needed — the school simply changed his paperwork to show that he didn't need those services. Without help to address this student's disorders, his behavior caused him to be removed from his regular classes for 33 school days during the 2007-2008 school year.

Hillsborough leads state in referrals

The Hillsborough complaint was filed on behalf of six students, from the 6th to 12th grades, who require special education services because of their emotional disturbances and mental disorders. They too have been subjected to repeated disciplinary measures that remove them from class.

Children with disabilities graduate from Hillsborough schools at a rate of just 39 percent — compared to 75 percent for all students, according to the latest data, from the 2005-06 school year.

Hillsborough County also leads the state in the number of students referred to the juvenile justice system — 1,881 in 2006-2007, representing 16 percent of all such referrals in the state. Most of these are for minor offenses.

One of the six Hillsborough students in the complaint is a 10th-grader with disabilities and behavioral problems who functions at a 1st-grade level in math and reading. Although this student was determined to be eligible for special education services in 1998, it was eight years before the school district included any social work, psychological or counseling services as part of her education.

Once anger management counseling was provided to this student, the school never increased the counseling despite repeated suspensions, behavioral incidents and even an arrest during a span of more than two years.

The SPLC's School-to-Prison Reform Project has filed similar actions against school districts in Mississippi and Louisiana. Those complaints have resulted in significant reforms.

SEEKING JUSTICE

Del Monte subsidiary tries to silence SPLC in lawsuit

In the wake of a court ruling favoring farmworkers, a subsidiary of the food giant Del Monte Fresh Produce is trying to silence the Southern Poverty Law Center by asking a federal court to order the organization to change its description of the case on its website.

The SPLC is representing hundreds of foreign guestworkers and domestic farmworkers who were cheated out of their wages while working for Del Monte Fresh Produce (Southeast) Inc.(DMSE) in south Georgia.

In March, a federal judge ruled that the company cannot hide behind a middleman labor contractor to avoid responsibility for the exploitation of farmworkers who plant, harvest and pack onions for the company.

As SPLC lawyers focused on moving forward with the case, DMSE's law firm filed a motion for a protective order that would severely limit the SPLC's ability to communicate about the case with its members, the media and the public. It accuses the SPLC of making "inaccurate, misleading, and defamatory" statements in its news articles, e-mails and a webcast that featured SPLC President Richard Cohen.

The SPLC is defending its comments and accuses the subsidiary of trying to distract the court from the real issue at hand — the plight of the farmworkers. After SPLC lawyers contended that the DMSE's claims were without merit, the company withdrew some of its arguments. The court has not ruled on the motion.

Company's effort is frivolous

"This is a frivolous attempt to distract us and the court from the issues at stake in this case," said Mary Bauer, director of the SPLC's Immigrant Justice Project. "All of the comments at issue here are protected by the First Amendment and are a matter of great public interest and concern — the exploitation and abuse of immigrant workers in the country."

The SPLC filed the lawsuit in April 2006. The March ruling means that DMSE, a joint employer of the workers, can be held legally liable for any wage violations that are proven in court. There has been no final ruling on whether the wage violations occurred. The case could eventually include approximately 500 migrant workers.

According to the lawsuit, hundreds of DMSE workers were consistently underpaid for their work. Many of the plaintiffs, who are indigent, left their homes and families and spent considerable sums of money to travel to Georgia for this work. Some of them are agricultural guestworkers who were brought into the United States from other countries on special H-2A visas that permit them to work only for the employer who requests them.

"Rather than paying its workers directly, Del Monte Southeast contracted with a grossly undercapitalized labor contractor to be the supposed boss of the workers while DMSE gave all the orders," said Kristi Graunke, an SPLC attorney handling the case. "This is a common tactic by corporations — leaving somebody without assets holding the bag for their wage violations."

Obama, McCain in *Teaching Tolerance*

Continued from page 1

sacrifice, want a leader who will ask something of them."

The candidates' essays and the latest issue of *Teaching Tolerance* can be read at www.teachingtolerance.org.

"Too many people in our country feel that their voices aren't being heard, that they can't change things," said Jennifer Holladay, director of the SPLC's Teaching Tolerance program. "These essays — and this issue of *Teaching Tolerance* — will serve as powerful reminders to students that they can truly make a difference by standing up for what they believe — and that all of us can and should give something back to our communities and our country."

The magazine also includes "You Can," a report on how encouragement from teachers and others helps students take action in their communities. Several young leaders reflect on how they were spurred to action. In addition, seven great moments in youth activism from 2007 are featured in the article "Power to the Pupils."

RON NEWKIRK

New SPLC film premieres in Los Angeles

SPLC founder Morris Dees and farmworker leader Dolores Huerta are surrounded by students and farmworkers following the premiere of Viva la Causa on Sept. 28 in Los Angeles. Distribution of the new Teaching Tolerance film, free to educators, begins this month. On Oct. 8, the Academy of Motion Picture Arts and Sciences announced the film was among eight under consideration for a 2009 Oscar for best short documentary.

SEEKING JUSTICE

With SPLC's help, deaf girl on track for school success

INDIANOLA, Miss. — Brycina McCoy hopes to follow in her mother's footsteps and become a nurse. She's off to a good start in her junior year at Gentry High School, with no complaints about any of her classes.

But that's quite a change from earlier years, when her school life was tumultuous and her future uncertain.

Brycina, who recently turned 18, was born deaf. She initially didn't get the technical services she needed to succeed in school. "I had to fight for help the whole time," said her mother, Patricia McCoy. "When she first started school, they put her in classes for developmentally delayed children. It was very frustrating for Brycina and me."

Over the years, Brycina's classmates taunted her, calling her names. "Little boys were hitting, kicking and spitting on her," Patricia McCoy said. One year, her teacher placed her desk in the hallway outside her classroom, further isolating Brycina.

Her school was required by the federal Individuals with Disabilities Education Improvement Act to provide services to her. But in junior high, the audio equipment the school supplied to help her hear stopped working.

"She couldn't hear for two years, and she would leave class as a result," said SPLC attorney Courtney Bowie, who took up Brycina's cause. "When she left class, she would be paddled. This happened about 20 times over a year before we filed our complaint."

SPLC's representation of the teen is part of its school-to-prison pipeline reform efforts.

Even after the SPLC filed a formal complaint on Brycina's behalf, the school system failed to fix her audio equipment for more than a month.

Because Brycina went years without adequate services, her reading level is dramatically lower than it should be.

"We're hoping that she's going to make it to a 6th-grade reading level by the time she leaves school," Bowie said. "The child's not mentally disabled, she's just hearing-impaired. It's outrageous. The Indianola school district strung Patricia McCoy along for 10 years. I feel so badly for Brycina."

In April, the school system agreed to a settlement that ensures that Brycina gets the curriculum and tutorial services she needs. She recently began three-hour, one-on-one tutorials focusing on science. She also gets a minimum of one-hour weekly sessions using the "Reading to Read" program, conducted by the district's teacher of the hearing-impaired.

In addition, the school system is to provide appropriate transition services to help Brycina meet her goal of living independently. These include help with earning a driver's license, job training and assistance in finding employment in a health-related career.

Additionally, Indianola must ensure that Brycina is given every opportunity afforded her non-disabled peers to participate in summer enrichment programs. The school district must have a school psychologist conduct a Functional Behavior Assessment and Behavior Intervention Plan for Brycina. Should the psychologist recommend counseling, social work or other related services, Indianola must provide these services from year to year until Brycina turns 21. Indianola cannot use punitive discipline measures such as corporal punishment, suspension or expulsion without first contacting Patricia McCoy by phone.

"If I hadn't have gotten in touch with Courtney Bowie, I don't know where we would be," said Patricia McCoy, who is also raising two sons. Born and reared in Indianola, she considered relocating to another community to get her daughter help.

"They labeled me as a bad parent because I wanted them to do right by my child," she said. "The school was letting kids mess with her, curse her and call her names. It's been hard. That's all I can say."

Brycina McCoy is making progress at Gentry High School after the SPLC got her the services she needs to succeed.

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Longtime SPLC supporter meets Dees

Diane McAllister, a longtime SPLC donor who is employed by Palomar College in California, watches SPLC founder Morris Dees sign her copy of his autobiography, *A Season for Justice*. She made a special trip to Montgomery, Ala., on Sept. 9 to visit the SPLC.

Partner extends support by naming SPLC in will

Herb Citrin could be described as a man who lived his life to the fullest, but he was also a man who helped better the lives of others.

Citrin was a lawyer, entrepreneur, World War II veteran and the founder of the East River Child Development Center in New York City's Lower East Side. An SPLC supporter since 1984, he was one of its Partners for the Future. Partners are special donors who include the SPLC in their wills or estate plans, thereby extending their support for the SPLC's work beyond their lifetimes.

"The SPLC was so dear to him," said Jane McGimsey, his wife.

Citrin died Nov. 12, 2007. He was 86.

CONTRIBUTED

Herb Citrin

He was impressed by the SPLC's work against violent Ku Klux Klan groups, McGimsey said. He especially liked the strategy of putting these groups out of business by winning multimillion-dollar jury verdicts against them.

Citrin's entrepreneurial spirit led him to several endeavors during his life. He was the owner of Gotham Graphics and High Spirits Liquor Store, but his proudest accomplishment was the development center.

Founded in the early 1970s, the center fulfilled a need in the community. It has helped educate countless children, first as a Montessori school and later as a preschool for children with disabilities.

It was one of only two to three schools in the city to provide bilingual services for Chinese preschool students with disabilities. The center provides an array of education and therapeutic services for young children.

Citrin served as the school's executive director until 2006, ending a 35-year tenure. During that time, he would learn of former students graduating from high school and attending college.

"The parents were very proud, and I think so was Herb," McGimsey said.

The savvy entrepreneur ultimately discovered his life's calling at the center, said Dr. Alan Citrin, his son.

"He ended up probably losing money [by founding the center]," he said. "He had a calling. He devoted the last third of his life to it. [The center] is a real legacy to him."

A native New Yorker, Citrin served in the South Pacific during World War II in the U.S. Army Air Corps. He earned a Purple Heart during his service. He also assisted with the resettlement of displaced persons in Germany.

"He was a man with a lot of energy," McGimsey said. "He was always able to pick himself up and keep going."

Scroll of Remembrance

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SEEKING JUSTICE

Jena Six youths working to put lives on track

A year after thousands of marchers descended on the small town of Jena, La., to protest the racially charged prosecution of six black youths, the young men are working to put their lives back on track.

Several of the students, who became known as the Jena Six, have left the town to begin new lives and attend new schools. Yet the legal battles stemming from the incident at the heart of the case — an attack on a white student two years ago — remain for five of these youths.

In early August, the Jena Six defense team won the recusal of the original judge in the case, who had demonstrated prejudgment of the defendants' guilt. The team is also seeking a change of venue in the remaining cases and the recusal of the district attorney, who is seeking to have the previous judge reinstated to the case.

Judicial system finally working

"The judicial system in Jena, with a new judge presiding, is finally working as it should," said David Utter, an SPLC attorney who represents the youngest defendant, Jesse Ray Beard, and coordinated the defense for the five youths who have yet to stand trial. "We are confident the public will give the Jena Six the presumption of innocence they deserve and look forward to resolving these cases and letting these young men, the victim and the Jena community, move on with their lives."

The attack on a white student came during a period of racial tension after nooses were hung from a tree on the Jena High School campus. The victim spent three hours in the hospital after the Dec. 4, 2006, attack. Five of the students were initially charged as adults with attempted second-degree murder and conspiracy; the sixth was charged as a juvenile.

The charges were later reduced to aggravated second-degree battery.

The case generated public outrage over the gross overcharging of the Jena Six, and more than 20,000 people marched on the small town on Sept. 20, 2007, to protest the treatment of the teens.

A year later, life has taken some positive turns for several of the youths.

"We are proud to see these young men engaged in positive activities such as education, athletics and jobs," Utter said. "By staying focused on positive things, these young men will be ready to make a positive contribution to our society once their court cases are over."

The youngest, Jesse Ray Beard, 16, is attending Canterbury School, a private boarding school in New Milford, Conn. Beard's share of the Jena Six defense fund and a scholarship are being used to pay for the tuition. Money is being raised for the rest of the cost. This past summer, Beard traveled to New York, where he lived with attorney Alan Howard and interned at his law firm.

Robert Bailey Jr. is attending Shaw High School in Columbus, Ga., and playing football.

"He participates in class, he's an A-B student, he's very respectful and just a genuinely nice young man," Shaw Principal Jim Arnold told a local television station after Bailey was granted permission by the Georgia High School Association to play football this season.

DAVE MARTIN

Jena Six defendant Jesse Beard (center) meets with his lawyer, Alan Howard (left), and SPLC President Richard Cohen while visiting the SPLC in August.

Mychal Bell, the only defendant who has been tried in the beating of Justin Barker, spent 10 months in jail and ultimately agreed to a plea settlement as a juvenile. His attorney is still wrangling with the court over the length of his probation.

Bell is beginning his senior year at Carroll High School in Monroe, La., where he made the honor roll last year. Despite impassioned pleas from his parents, attorneys and Carroll officials, he was denied an extra season of athletic eligibility by the Louisiana High School Athletic Association in late August.

Theo Shaw has received his high school diploma and has started a job outside of Jena, according to media reports. Shaw hopes to earn enough money to continue his education. Carwin Jones and Bryant R. Purvis helped present the Video of the Year award on Black Entertainment Television's Hip Hop Awards in October 2007. However, Jones, of Trout, La., and Purvis, who now lives in north Texas, have been charged in separate, unrelated fights. Both have attributed the incidents to harassment.

Jones has been reported as living with family and working at a hotel to save money for college.

Purvis graduated Hebron High School in Carrollton, Texas, where he played basketball. He's a freshman at Ranger College in Texas, a two-year college he's attending on a basketball scholarship.

Barker, the white student who was attacked, has earned his GED and is currently working, according to news reports. Barker and his family have filed a civil lawsuit against the Jena Six, another student, Jena High School and the LaSalle Parish School Board.

Utter said the progress made on the criminal cases in the year since the march is an important step for returning life to normal for the Jena Six.

"We've attempted to give our clients an opportunity to be young adults and grow up. We have gotten them out of Jena to attend school, work and learn to be responsible adults," he said of the criminal cases. "Now we are fighting for a fair trial."

SEEKING JUSTICE

Racial profiling at work in police confiscation of migrant farmworker's cash, SPLC tells court

Driving through Alabama with a lot of cash is not a crime. But for migrant worker Victor Marquez, it might as well have been.

Marquez was traveling to his hometown in Querétero, Mexico, when a police officer pulled over the truck in which he was riding and decided to confiscate almost $20,000, claiming it was drug money.

Citing racial profiling and violation of his constitutional rights, the Southern Poverty Law Center is representing Marquez as he tries to recover the money he accumulated while harvesting beans in South Florida for almost a decade.

"This is literally a case of highway robbery," said Mary Bauer, director of the SPLC's Immigrant Justice Project. "Our client is the victim of a campaign of racial profiling, in which the state has assumed without evidence that an individual of Mexican heritage possessing any significant sum of money must have obtained it illegally."

After a season of harvesting beans in Florida, Marquez, a legal permanent resident, was traveling on Interstate 10 to Mexico so he could start construction of a house on land he had earlier bought. He carried his legitimately earned wages and savings, along with that of a brother, who also worked in Florida.

JOSE LUIS CARDENAS

Victor Marquez

On May 5, a Loxley, Ala., police officer stopped the truck in which Marquez was a passenger "for failure to maintain a marked lane." The officer claimed there were reasons to suspect the cash was related to illegal drug activity. The money was confiscated, but Marquez was neither arrested nor charged with any crime. He was not even ticketed for a traffic violation.

On May 14, the district attorney's office for Baldwin County asked the circuit court to issue an order forfeiting the money to the state for law enforcement purposes.

"This is the worst thing that has happened to me in almost 20 years I have been here as a farmworker in the United States," Marquez said. "It's an insult that they say this is drug money. My brothers and I worked hard in the fields to earn it."

Marquez said he spent nine years saving the money to build a home in Querétero, where most of his family lives.

"It's a long time away before I could retire, but it has always been a dream of mine to have my own home in Querétero to go to when I am not working," he said.

The SPLC has filed a legal response that asserts the seizure was the result of an illegal search and the state cannot prove the money is connected to drug activity. It also contends that the confiscation is a violation of the United States and Alabama constitutions.

The case coincides with a recent National Public Radio investigation into the practice of asset confiscation by law enforcement. Since law enforcement agencies are allowed to keep a portion of the assets confiscated, critics have questioned if cash-strapped agencies have shifted their focus from seizing drugs to simply seizing money.

The NPR series noted that in the past four years, assets confiscated by law enforcement across the country have ballooned from $567 million to $1.6 billion. It also cited cases where law enforcement took money from individuals even though they were not charged with a drug crime.

"This case is important because the Latino community should not have to worry that their legitimately earned wages and dreams of building a home and better life can be taken away on a whim," Bauer said.

A specialist in forfeiture cases, attorney Jason Wollitz, of Blankenship, Harrelson and Wollitz, LLC in Birmingham, Ala., is working with the SPLC on the case.