

# SPLC REPORT

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## FIGHTING HATE

# Hate group numbers surge

*New SPLC report identifies 926 hate groups*

The number of hate groups active in the United States continued to grow in 2008 as racist extremists were fueled by immigration tensions, a faltering economy and the election of the first black president, an SPLC investigation has found.

The SPLC's annual hate group count identified 926 hate groups — a 54 percent increase

since 2000 and a 4 percent gain over 2007.

A complete list of hate groups, along with an interactive, state-by-state map, can be seen at [www.splcenter.org](http://www.splcenter.org).

Hate group activity in 2008 ranged from white power skinheads denouncing "President Obongo" at a hate rock festival in rural Missouri, to Ku Klux

Klansmen hurling racial slurs at Latinos from the steps of a courthouse in Tulsa, Okla., to a neo-Nazi, enraged by President Obama's victory, plotting to construct a radioactive "dirty bomb" in his basement in Belfast, Maine.

**Obama, recession create perfect storm**  
Obama may have smashed the ultimate political barrier to African Americans, but his presidency and the recession are cre-

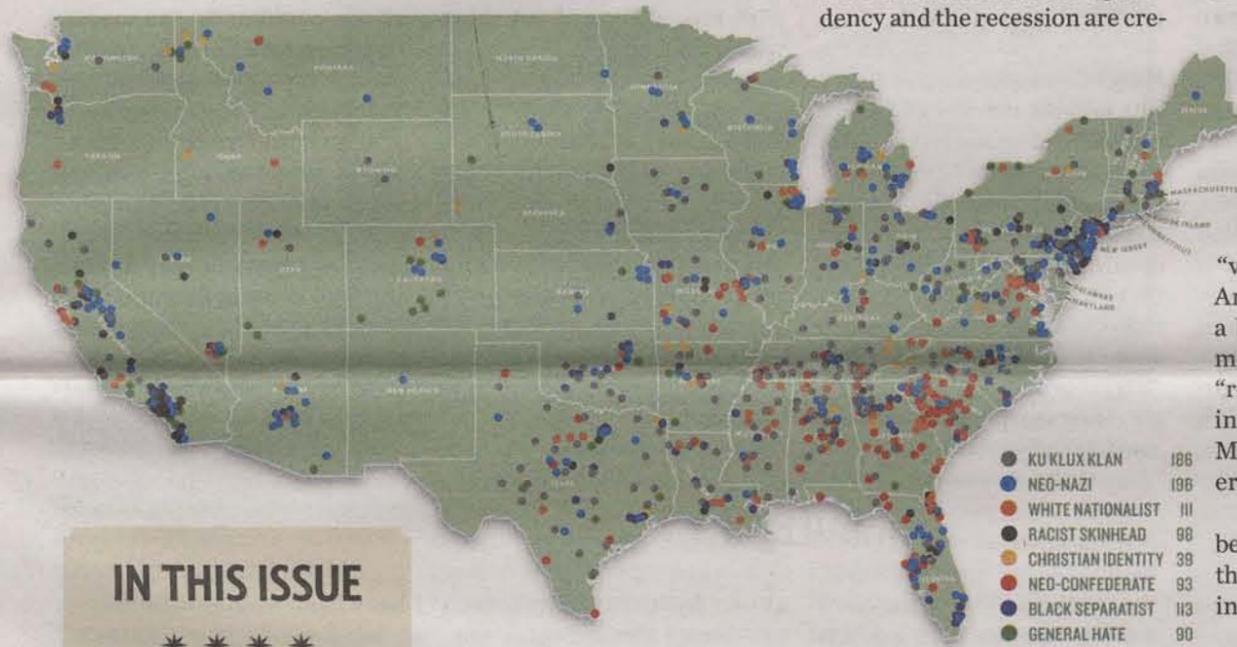
ating a perfect storm for white supremacists intent on swelling their ranks.

"Barack Obama's election has inflamed racist extremists who see it as another sign that their country is under siege by non-whites," said Mark Potok, director of the SPLC's Intelligence Project. "The idea of a black man in the White House, combined with the deepening economic crisis and continuing high levels of Latino immigration, has given white supremacists a real platform on which to recruit."

Neo-Nazi David Duke says Obama will be a "visual aid" for angry white Americans and will provoke a backlash among relatively mainstream whites that will "result in a dramatic increase in [the] ranks" of extremists. Many other hate group leaders agree.

Last November and December, Obama received more death threats than any president-elect in memory, according to the

*Continued on page 8*



## Election-Related Hate Incidents

*Scores of hate incidents were reported in the wake of the presidential election. The following is just a small sample.*

» **Police in Riverside County, Calif.**, said five attacks on minorities were likely related to the election and were believed to have been carried out by a local white supremacist gang.

» **In Shreveport, La.**, a black man wearing an Obama T-shirt was brutally beaten by a group of white men screaming "f--k Obama" and "n---r president." The attack left the man with a broken nose, broken eye socket and injured tear duct, requiring multiple surgeries.

» **In Springfield, Mass.**, a black church was burned hours after the election was called for Obama. Authorities later arrested three white men.

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## TEACHING TOLERANCE

# SPLC provides teachers strategies for economic crisis

As the country reels from the worst economic crisis since the Great Depression, the latest issue of *Teaching Tolerance* magazine offers teachers strategies for dealing with a world of layoffs, widespread foreclosures and students who are new to the pressures of poverty.

"Teachers have always dealt with student poverty and a lack of resources in the classroom," said Lecia Brooks, director of Teaching Tolerance. "The economic downturn has brought these problems to a breaking point — but it has also given us a teachable moment, a time to re-examine our assumptions about wealth and poverty."

The magazine, released in January, was distributed free of charge to more than 400,000 educators nationwide. It can be read online at [www.teachingtolerance.org](http://www.teachingtolerance.org).

The cover story, "Teaching in the Downturn," offers advice from psychologist Melanie Killen on how to help children when par-

ents are laid off and school budgets slashed. Social critic Meizhu Lui explains why people of color have been hardest hit by the crisis and discusses how the downturn is shaking middle-class stereotypes about poverty — by giving many professionals their first taste of life below the poverty line.

In a companion piece, "How School Taught Me I Was Poor," education professor Jeff Sapp recounts his own harsh experiences as a child in poverty in K-12 schools, where "I wasn't good enough, I didn't have enough, and what I had was the wrong thing."

Teachers, principals and others across the nation have written in to say how moved they were by Sapp's story — and how determined they were to share its lessons with their teaching colleagues.

"Thank you for speaking up for the children of poverty," wrote reader Judy Brandon, "As Jeff Sapp so poignantly illustrates, they have been part of our society all along."



## Members of Congress visit Civil Rights Memorial

A congressional delegation visited the Civil Rights Memorial on March 7 as part of a three-day tour of Southern sites important to the civil rights movement. See story and additional photo on page 4.

## 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

## Youths must be taught to reject 'us versus them'

This past November, my colleagues and I stood across the courtroom from unrepentant Klansmen, one of whom had the word "violence" tattooed on his knuckles and another who had an obscenity inked on his shaven head.

We won a great victory that day — a \$2.5 million verdict against the leaders of the Imperial Klans of America (IKA) for the brutal beating of our young client, Jordan Gruver.

But something else happened that month that served as a grim reminder that organized hate groups like the IKA are only part of the problem we're facing.

Marcelo Lucero, a 37-year-old Ecuadorean immigrant, was standing outside his friend's home in the Long Island, N.Y., community of Patchogue, just two doors down from his own apartment. His only crime that night was being Latino.

Nearby, a group of high school boys were drinking beer and hanging out. Seven of them decided to cruise Patchogue, to engage in what they called "beaner jumping." (Beaner is a derogatory term used to describe Mexicans or people of Mexican descent.)

Around midnight, they spotted Lucero. Taunting him with

ethnic slurs, they encircled him. One of the teens punched him hard, drawing blood. An athletic man, Lucero fought back, swinging his belt at the attackers and hitting one in the head. The teen lunged toward him with a knife and plunged it into his chest, delivering a fatal wound.

One of the attackers later told police that hunting and beating Latinos "was just for fun." Another said, "I don't go out doing this very often — maybe only once a week." In the days that followed Lucero's death, dozens of other Latinos reported attacks in the area.

## Murder is reminder

The horrific murder of Lucero reminds us that not all such hate crime is committed by the lunatic fringe — the robe-wearing Klansman or the brown-shirted neo-Nazi. In fact, studies show that 95 percent of hate crimes are committed by those who aren't members of hate groups.

Hate crimes against Latinos are rising sharply. FBI statistics

suggest a 40 percent increase between 2003 and 2007. The actual numbers reported by the FBI are probably just the tip of the iceberg. Many law enforcement agencies don't identify hate crimes, and many Latinos, fearing the police, don't report crimes at all.

Crimes like the Lucero murder are what happen when entire groups of people are continuously demonized and scapegoated by demagogues who command our society's megaphones, who inflame the discontented and the ignorant with propaganda about those who are different.

Our country's demographics are changing rapidly. By mid-century, whites will likely no longer be the majority, and I worry we will see even more vitriol from those who profit by dividing America into "us versus them." Even though we elected our first African-American president, we must acknowledge that such hate is not only surviving — but thriving.

Looking at the pictures of one of Lucero's attackers in court, I was struck by how pathetic he looked. It was obvious he had been crying and rubbing his eyes. Despite his role in the crime, I found myself feeling sorry for him for his having ruined his life in this way.

## Strong voices needed

I can't help but believe things would be different if someone had intervened in the lives of these youths, if someone in a position of authority had noticed their growing bigotry and taken them aside to talk some sense into them. And I can't help but wonder whether the outcome would have been different if there had been strong voices in the public sphere to counter the relentless vilification that's all too common in the media. Reaching kids like this is what we are trying to do with our Teaching Tolerance program.

We should view this murder — and the many, many other similar crimes occurring across the country — as a warning sign. Impressionable children today are surrounded by messages of hate, even in the mainstream media. Make sure the kids you know and love hear another side.



Richard Cohen

## MAILBOX

I was beside myself with excitement to discover your *Intelligence Report*. It is a treasure of knowledge about a crisis we as law enforcement face on a daily basis. I work in the jail, and nearly all the inmates are affiliated with some kind of gang or hate group. I have subscribed and will be thrilled to receive your publication.

S. C.  
Castle Hayne,  
North Carolina

Watching the inauguration activities on TV and the Internet today with my ESL students, I couldn't stop the tears from flowing like the fountain [Civil Rights Memorial] in front of the SPLC — but they were tears of joy.

I've used your Teaching Tolerance magazines in my classrooms for years, promoting understanding as well as healing. Thank you.

M. I.  
Bluffton, South Carolina

I commend you for your continuing work to identify and publicize the work of hate groups in our country. In Nashville, the efforts of the SPLC helped in the recent de-

feat at the polls of a proposed amendment entitled English First that would require the city to do business in only one language, English. The group backing this [amendment] refused to identify their financial backers until a week after the election, although your efforts had named Dr. John Tanton, a leader in the anti-immigration movement, as primary supporter of the English-only movement.

B. W.  
Nashville, Tennessee

I commend you for all the good work you all have done over the years. I frequently visit your website [www.splcenter.org] and am constantly amazed at the sheer ignorance and hatred that is still so much a part of our lives.

I'm a paralegal and can only dream of such a profound impact as all of you have. Thank you!

M. G.  
Nashville, Tennessee

Thank you for exposing the criminalization of children with learning disabilities by our schools. These children are subjected to neglect and

abuse by those entrusted to educate them. Seems the education system is allowed to do whatever it wants with impunity.

Will there ever come a time when the education system is held accountable for their discriminatory actions? How many more of our children need to be destroyed by them? We need action!

Thank you for caring!

C. W.  
Dingmans Ferry,  
Pennsylvania

It is thanks to the long-time work of the SPLC that President Obama was elected. Your work helped silence the hateful rhetoric that could have hurt the progress of his campaign.

Now, more than ever, the Center's work is incredibly important to the safety of President Obama. I hope you continue your hard work because I have read some really disturbing comments regarding President Obama, and I fear for his life.

Thank you. I am very proud to be a monthly donor.

H. F.  
San Diego, California

I have been a supporter and an admirer of the Center for many years. We all know that racism, intolerance and injustice are part of the human condition, and the battle against these demons will be ongoing. I am a lawyer and have spent 45 years in the fray. By giving what I can to the SPLC, I feel that I am truly leveraging my own efforts and joining forces in a small way with heroes and champions like you. May the SPLC flourish for generations to come.

N. S.  
Olivette, Missouri

I've been a monthly donor to the SPLC for the past couple of years. While our economy has been traumatized by recent events of which we are all too aware, I can think of no better investment in our nation's future than the work which you undertake on behalf of our most cherished fundamental freedoms.

Trust me when I say, you can be assured of my future financial support to the extent I am able. Kindest regards and keep up the excellent work!

C. K.  
Monroeville, Pennsylvania

## FIGHTING HATE

# SPLC exposes racist roots of leading anti-immigration groups

The three Washington, D.C., organizations most responsible for blocking comprehensive immigration reform in 2007 are part of a network of groups created by a man who has been at the heart of the white nationalist movement for decades, according to a recent report by the Southern Poverty Law Center.

*The Nativist Lobby: Three Faces of Intolerance* describes how the Federation for American Immigration Reform (FAIR), the Center for Immigration Studies (CIS) and NumbersUSA were founded and funded by John Tanton, a retired Michigan ophthalmologist who operates a racist publishing company and has written that to maintain American culture, "a European-American majority" is required.

"These groups have infiltrated the mainstream by presenting themselves as legitimate commentators when, in reality, they were all conceived by a man who is convinced that non-white immigrants threaten America," said Mark Potok, director of the SPLC's Intelligence Project. "They have never strayed far from their roots."

The report examines how Tanton, who still sits on FAIR's board of directors, founded the racist Social Contract Press and has corresponded with Holocaust deniers, white nationalist intellectuals and

Klan lawyers for decades — correspondence documented by his own writings stored at a University of Michigan library.

It also shows that FAIR has been aware of his views and activities for years.

FAIR, whose members have testified frequently before Congress, has hired as key officials men who also joined white supremacist groups. It has promoted racist conspiracy theo-

ry — began its life as a FAIR program and continues to produce dubious studies furthering FAIR's anti-immigration agenda. It's a vision described by Tanton in a 1985 letter in which he wrote that CIS would produce reports "for later passage to FAIR, the activist organization, to remedy."

Similarly, NumbersUSA, a group that has achieved dramatic policy successes, began



ries. And it has even accepted more than \$1 million from the Pioneer Fund, a racist foundation devoted to proving a connection between race and intelligence, the report found.

FAIR has been designated as a hate group by the SPLC.

The report also examines how the Center for Immigration Studies — which bills itself as a scholarly think

its life as a Tanton foundation program, the report found. NumbersUSA Executive Director Roy Beck has even been described by Tanton as his "heir apparent." He also edited *The Immigration Invasion*, a book by Tanton and a colleague that was so raw in its immigrant bashing that Canadian border authorities have banned it as hate literature.

## INTELLIGENCE BRIEFS

**White supremacist Marine allegedly plotted Obama assassination**  
JACKSONVILLE, N.C. — After Marine Lance Cpl. Kody Brittingham, stationed at Camp Lejeune, was arrested in mid-December for armed robbery, a search of his barracks turned up a journal containing white supremacist material and a plan to kill Obama. The Secret Service launched an investigation into the alleged plot.

The incident is the latest disturbing account that suggests extremists are infiltrating the military — even as officials deny there's a problem. In February, Southern Poverty Law Center President Richard Cohen wrote to the Pentagon expressing his disappointment that military officials have taken no action on evidence of white supremacist activity provided as early as 2006 by the SPLC.

The SPLC first brought the problem to the attention of Pentagon officials in 1995, when three neo-Nazi soldiers stationed at Fort Bragg murdered two black North Carolinians. Then-Defense Secretary William Perry responded forcefully, saying there was "no room for racist and extremist activities within the military." A major investigation and crackdown followed in 1996.

But a decade later, military recruiters, under intense pressure to meet quotas for the wars in Iraq and Afghanistan, began to unofficially lower entrance standards.

### Slain neo-Nazi possessed 'dirty bomb' components

BELFAST, Maine — James G. Cummings, a neo-Nazi who was shot to death by his wife last December, possessed a cache of radioactive materials suitable for building a "dirty bomb," according to a report obtained by the SPLC. A dirty bomb uses conventional explosives to disperse radioactive and other harmful materials over a large area.

During a search of the Belfast, Maine, house where Cummings lived with his wife, investigators reportedly discovered instructions for making a dirty bomb, along with four one-gallon containers filled with a mix of uranium and thorium, both of which are radioactive, and highly toxic beryllium powder. The containers also held a hydrogen peroxide-based solution needed for making peroxide-based explosives, along with lithium metal, thermite, magnesium ribbon, black iron oxide and other

substances that are used to amplify the effects of homemade explosives.

According to the FBI report, police found a National Socialist Movement membership application filled out by Cummings. The NSM currently is the largest neo-Nazi organization in the country, with 69 chapters in 30 states.

Amber Cummings reportedly told police that her husband was "very upset" over Barack Obama being elected president. Authorities say she claimed that she killed her husband after years of mental, physical and sexual abuse.

### White supremacist carries out murderous rampage

BROCKTON, Mass. — Inspired by white supremacist propaganda he had read on the Internet that exalted "lone wolf" domestic terrorists, 22-year-old Keith Luke embarked on a violent crime spree that he intended to cap off by shooting up a bingo night at a synagogue, according to law enforcement investigators.

On Jan. 22, two days after Barack Obama was inaugurated as America's first black president, Luke allegedly shot to death two black immigrants and sexually assaulted and attempted to murder a third. He reportedly told authorities he was "fighting for a dying race."

Police reported that Luke told investigators he had intended to continue his killing spree at a synagogue near his house, where it was bingo night, before turning his 9 mm pistol on himself.

### Klan leader indicted for initiation ceremony murder

BOGALUSA, La. — A Louisiana grand jury on Feb. 8 indicted a Ku Klux Klan imperial wizard for second-degree murder in the killing of a woman after a Klan initiation ceremony went awry. Raymond Charles "Chuck" Foster, 44, was charged in the Nov. 9 shooting death of Cynthia Lynch, 43, at a remote campsite.

Foster is the leader of the Sons of Dixie Knights of the Ku Klux Klan. Seven members of the Klan group were arrested with him last November and booked on obstruction of justice charges. The St. Tammany Parish grand jury, however, indicted only Shane Foster, 20, and Franky Lee Stafford, 21, on those charges. Shane Foster is Chuck Foster's son. Another defendant, Danielle Jones, 24, was charged with accessory after the fact.

## THEY SAID IT

"So you may as well start an Obama savings account right now so that welfare mom can have her new plasma TV as she pops kids out like a Pez dispenser."

— Substitute host Rick Roberts, explaining on the Dec. 8 broadcast of Talk Radio Network's "The Savage Nation" why people should forego giving to charities at Christmas

"What troubles me so deeply ... is that there is a real, unbroken line between the jihadist savagery in Mumbai and the hedonistic, irresponsible, blindly selfish goals and tactics of our homegrown sexual jihadists."

— Singer, actor and writer Pat Boone, in a Dec. 6 commentary on the right-wing WorldNetDaily website, comparing mass murderers to gay rights activists who are seeking to reverse California's Proposition 8, passed in November, outlawing same-sex marriage

"[T]here's gonna be a wholesale firing of competent white men in the United States government."

— Michael Savage, on the Nov. 18 edition of Talk Radio Network's "The Savage Nation," predicting what President Obama's election will bring

"Viva Viagra. Well — after all, who's gonna father the next generation of illegals to come swarming across the border in their effort to reconquer the Southwest?"

— Jim Quinn, on the Nov. 18 edition of his syndicated radio show "The War Room With Quinn & Rose," reacting to Mexico City's plan to distribute erectile-dysfunction drugs to elderly men

"I'm not comparing him to Adolf Hitler. What I'm saying is there is the potential."

— U.S. Rep. Paul Broun (R-Ga.), quoted by The Associated Press on Nov. 10 saying that he fears Obama will establish a Gestapo-like force to impose a Marxist or fascist dictatorship

## TEACHING TOLERANCE

## Hate group targets teacher for combating homophobia

Tiny Elkhorn, Wis., usually makes headlines only during the holidays.

Since the days of the newsreels, reporters have dubbed Elkhorn "the Christmas card town," converging on this city of 7,000 every year to cover its picture-perfect Christmas parade.

This year, Elkhorn found itself attracting an entirely different kind of attention when an anti-gay hate group launched a campaign against a local high school teacher. Her offense? Teaching students to treat gay people with respect.

### Teacher creates lesson plans

Sarah Arnold, an 11th-grade English teacher at Elkhorn High School, created a series of lesson plans on homophobia. Troubled by her students' use of phrases like "that's so gay" and eager to incorporate themes of diversity into the curriculum in this overwhelmingly white school district, Arnold wanted her students to take a critical look at the anti-gay messages they were receiving — and sending.

The result was "Exposing Hidden Homophobia," in which students analyzed the ways homosexuals are depicted in books and on television. Students didn't have to become advocates to get a passing grade, they just had to read the material and present their own critiques.

Through a grant, the SPLC's Teaching Tolerance program picked up the tab for the materials Arnold used.

Participation was voluntary. Many of Arnold's students reported, both before and after completing the lessons, that they saw homosexuality as "sinful" — but many said the class showed them why it's wrong to make anti-gay remarks.

Those details didn't matter to the Illinois Family Institute (IFI). Two days after a story about Arnold's project appeared in the pages of *Teaching Tolerance* magazine, the organization's website featured a

screed attacking Sarah Arnold as a "radical ideologue" and comparing her class to "Vietnam's re-education camps."

The story caught on like wildfire in the conservative blogosphere. Many individual bloggers and anti-gay groups repeated or magnified falsehoods in the original IFI story, reporting that students were "forced" to take Arnold's class and suggesting that the teacher broke the law by teaching sex education without district approval. Soon, the conservative Christian group Wisconsin Family Council was calling for Arnold's ouster on radio stations across the state.

Few Wisconsin radio listeners knew that the anti-Arnold backlash began with a hate group. Even before the Elkhorn debate erupted, SPLC had made the decision to add the Illinois Family Institute to its list of hate groups due to the group's history of promoting bogus anti-gay research.

### Few locals voice opposition

Despite the uproar outside Elkhorn, only a handful of locals showed up at the Elkhorn School Board meeting to express opposition to Arnold. The school board at first denied that the lesson plans were taught, then explained that the lessons had since been absorbed into a pop culture curriculum. Arnold kept her job.

A few weeks later, *Walworth County Sunday* columnist Dan Plutchak — one of the few Elkhorn locals to write about the controversy — looked back on the brouhaha with a cooler head than most outside observers.

"[W]hen disapproval turns to harassment, bullying or persecution, that's a problem that society rightly should correct," Plutchak wrote. "I have two teenage sons, and my wife and I think it's important to teach them the idea of respect by reinforcing the notion that you can be tolerant of people, even if you don't agree with them."



Rep. Roy Blunt (R-Mo.) (right) speaks at a ceremony honoring the martyrs of the civil rights movement. Standing with him are Rep. Steny Hoyer (D-Md.) (from left), Rep. John Lewis (D-Ga.) and SPLC President Richard Cohen.

## Delegation honors martyrs at Civil Rights Memorial

Nearly 30 members of Congress joined veterans of the civil rights movement, clergy and SPLC staffers at the Civil Rights Memorial in Montgomery on March 7 to honor the martyrs whose names are inscribed there. About 200 people took part in the ceremony.

"This is a special and sacred space," said U.S. Rep. John Lewis, D-Ga., leader of the delegation and a veteran of the civil rights movement who was beaten during the Selma-to-Montgomery march in 1965. "They gave their blood, and today we gather here to remember them."

The group placed a large wreath of flowers on the Memorial, and Lewis led everyone in prayer. The Civil Rights Memorial, dedicated in 1989, was built and is maintained by the Southern Poverty Law Center.

In greeting the visitors, SPLC President Richard Cohen

emphasized the importance of continuing the struggle for justice today. "The space in the Memorial's timeline reminds us that there is no end to this march, and your reflection in the waters flowing over it reminds you of your own role," he said.

Those taking part in the ninth Congressional Civil Rights Pilgrimage to Alabama spent three days exploring historic sites, starting in Birmingham and culminating with the annual ceremonial march across the Edmund Pettus Bridge in Selma to commemorate the 1965 voting rights marches.

### Pilgrimages bring people together

Nearly 150 members of the U.S. House and Senate have taken part in the civil rights pilgrimages since the Faith & Politics Institute began leading them in 1998. The pilgrimages bring people together across political, re-

ligious and racial lines, offering opportunities for engaged and reflective dialogue. Honorary co-leaders this year were U.S. Reps. Steny Hoyer, a Maryland Democrat, and Roy Blunt, a Missouri Republican.

Traveling with the group were civil rights leaders and historians such as Bernard Lafayette, Bob Zellner and Bettie Mae Fikes. A new portion of this year's program was its focus on the Jewish contribution to the civil rights movement.

"We explore civil rights sites not only in an effort to bring history alive, but more importantly to stress that the movement was a beginning point for a greater America rather than an end," said Caitlin Jacobs, a spokeswoman for the Faith & Politics Institute.

The delegation's visit to the Memorial ended with participants joining hands and singing "We Shall Overcome."

### SEEKING JUSTICE

## SPLC moves to collect verdict against IKA leader

After winning a jury verdict against the leader of the Imperial Klans of America (IKA) in November, the SPLC legal team has begun the legal proceedings required to collect the \$2.5 million judgment.

"We intend to collect every dime we can and do everything within our power to put the Imperial Klans out of business," said SPLC President Richard Cohen.

The SPLC sued the IKA after some of its members severely beat 16-year-old Jordan Gruver at the Meade County Fair in Kentucky. The Klansmen were on a recruiting mission when they saw Gruver, and they attacked him because they thought he was Latino. Gruver

is a U.S. citizen whose father is from Panama.

### Deposition is first step

In late February, SPLC chief trial counsel Morris Dees deposed IKA leader Ron Edwards in Louisville, a first step in determining his assets. Edwards resigned as IKA Imperial Wizard a week after the trial ended, claiming he needed to spend more time with his family, but he maintains an ownership interest in the IKA's 15-acre compound, site of the IKA's annual Nordic Fest — a gathering of Klansmen and violent neo-Nazis from around the country.

For years, Edwards lived off dues and donations made to the

IKA, but those funds have dried up. Edwards now collects food stamps, has a Medicaid card and is applying for SSI disability, claiming he has a bad back and high blood pressure, the deposition testimony revealed. It is an ironic twist in the case. Edwards, who has "death to ZOG [Zionist Occupied Government]" tattooed on his head, now depends on government resources.

Prior to the IKA trial, two individuals involved in the assault settled with the SPLC. Those funds have been disbursed to Gruver.

The lawsuit has had a devastating effect on the operations of the IKA. At its peak, the IKA had 16 chapters in eight states. Now there are six in five states.



### Newlyweds visit SPLC, meet Morris Dees

Longtime donor Emily Silverman visited on March 17 with her husband, Michael Milewski (left). The two, who wed on March 7, both work at the W. E. Du Bois Library on the UMass Amherst campus. The couple asked wedding guests to make a donation to the SPLC in lieu of gifts to them.

SEEKING JUSTICE

# SPLC's Palm Beach complaint helps vulnerable children

At 14, B.J. was a prime candidate to join the thousands of Florida schoolchildren who are pushed out of school and into the criminal justice system each year.

With a diagnosis of attention-deficit hyperactivity disorder and other learning disabilities, he's just the kind of student the federal Individuals with Disabilities Education Act (IDEA) was designed to help.

But like so many other children in his situation, the school district wasn't providing the special services he needed to succeed. He's now in the 7th grade, and he's far behind his classmates in reading, math and language skills.

Because he wasn't getting the attention he needed, he began getting into trouble. He was arrested three times at school in 2007. Once, he slapped a fellow student who called him a racial slur. Twice, he kicked a teacher, leading to a brief stint in juvenile detention.

In October, the African-American teen was named in a class action complaint filed against the Palm Beach County school system by the SPLC and several Florida civil rights groups.

**Schools violated federal law**

The complaint alleged that the school system was routinely violating IDEA by neglecting children with disabilities and

engaging in harsh disciplinary practices that pushed many out of school and into detention.

In February, the school system agreed to settle the complaint.

In one of the largest settlements ever under IDEA, school officials agreed to boost the special counseling and psychological services needed to help these students.

The school district also agreed to establish a district-wide behavior improvement program, known as Positive Behavioral Supports (PBS), which aims to significantly reduce suspensions and expulsions among all students.

**District is nation's 11th largest**

With more than 168,000 students, the school system is the 11th largest in the country.

"Too many children with behavioral problems and learning disabilities are being left behind by our public schools," said David Utter, director of the SPLC Florida Youth Initiative. "These are the children most at risk of dropping out and eventually entering adult prisons. Getting them the support they need early on will help break this cycle."

The complaint is part of the SPLC's School to Prison Reform Project, a campaign to keep vulnerable children in school and out of prison. A similar com-

plaint is pending against the Hillsborough County school system in Tampa.

Like many school districts across the country, Palm Beach County in recent years adopted harsh, "zero-tolerance" disciplinary practices, relying heavily on suspensions, expulsions and even arrests for minor offenses.

Many schools in Florida and elsewhere have, in effect, outsourced school discipline by having police arrest children who misbehave. In the 2006-2007 school year, Florida schools sent more than 23,000 students directly to the juvenile justice system, where they often languish in prison-like settings for days or months before they are adjudicated innocent or guilty.

These practices disproportionately affect black children with disabilities. Data from a lawsuit in 1997 showed that students with disabilities in Palm Beach County were more than five times as likely as others to be sent from school to the juvenile justice system. At the time, more than 80 percent of the students with disabilities sent to the juvenile system were black males.

The SPLC was joined in filing the complaint by the Legal Aid Society of Palm Beach County, the Southern Legal Counsel and the Florida State Conference of the NAACP.



Teaching Tolerance director Lecia Brooks (second from right) meets with staff members. The SPLC's endowment fund ensures that the project's work will continue for future generations of schoolchildren.

## Endowment supports SPLC's future work

The SPLC's work would not be possible without the financial and moral support of caring individuals across the nation. Because of their consistent generosity, the SPLC has enjoyed great success in fighting for justice in the courts, tracking hate groups and teaching tolerance in classrooms across America.

But the SPLC has long been convinced that the day will come when nonprofit groups will no longer be able to afford to garner support through the mail. That's why, in 1974, its board of directors began setting aside a certain amount each year to build an endowment. Today, the endowment stands at \$148 million.

The SPLC was one of the first social action organizations to recognize the importance of

saving for the future. Although colleges have long understood the wisdom behind building endowments, most organizations like the SPLC — groups that often touch many more lives than the typical college — have not. As a result, some groups have not been able to sustain themselves and continue their valuable work.

Today, many nonprofit organizations — including the ACLU, the Anti-Defamation League and the Sierra Club — have come to recognize the critical nature of building endowments. Like the SPLC, they understand that programming commitments they make today will create future financial obligations.

In this new century, America remains a nation of great

*Continued on page 8*

TEACHING TOLERANCE

# Teachers, students enthusiastic about new teaching kit

Immigrants have become the target of choice for many hate groups, and anti-immigrant rhetoric in the mainstream media isn't helping.

Thanks to the newest teaching kit from the SPLC's Teaching Tolerance program, an estimated 1.5 million high school students saw a more accurate portrayal of America's immigrant history in the 2008-09 school year.

**Kits in hands of 16,000 teachers**

More than 16,000 teachers have used "Viva La Causa," a teaching kit about Cesar Chavez, Dolores Huerta and the 1960s California farmworker strike and grape boycott.

Released in September 2008, the kit includes a 39-minute documentary, produced by the SPLC and featuring narration by George Lopez and music by Santos de Los Angeles.

The kit also includes a teaching guide with lesson plans to help students delve

deeply into the meaning of the strike. Students create charts to illustrate the growing wage gap between the rich and poor; they compare the non-violent strategies of Gandhi, Martin Luther King Jr. and Cesar Chavez; and they explore the impact of their own consumer decisions in an age of global commerce.

"We chose the story of the United Farm Workers because it spoke to a number of themes that are important in classrooms today," said Lecia Brooks, director of Teaching Tolerance. "No matter what their immigration status, students hear a great deal of rhetoric about immigration and jobs but often don't get to see the real people who bring food to our tables. And students are eager to learn more about where they fit in a global

economy that is sometimes hard to understand."

**Feedback overwhelmingly positive**

Feedback on the kit has been overwhelmingly positive. The documentary film made the short list for an Academy

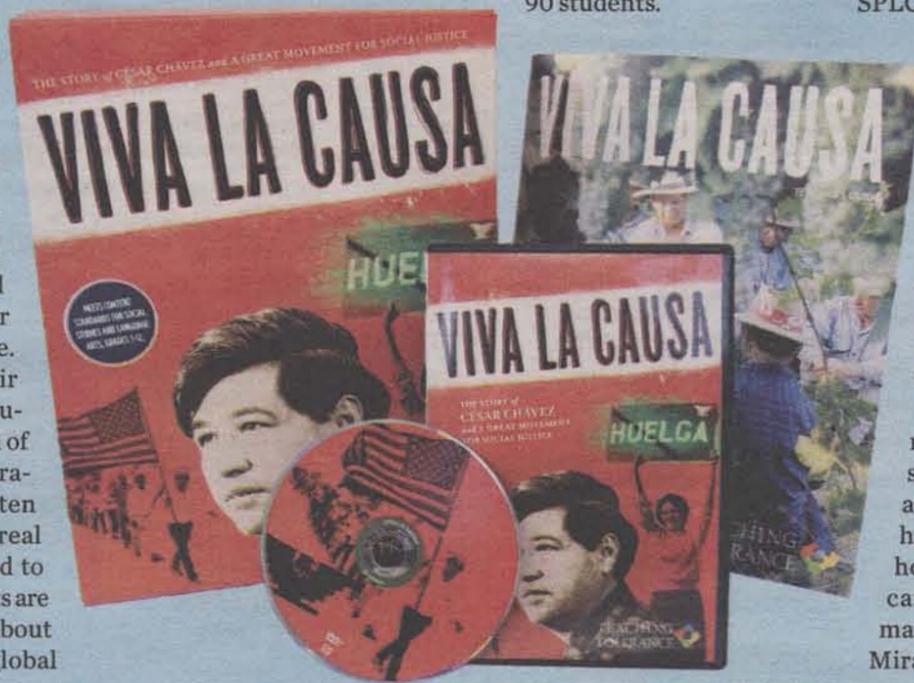
Award. Ninety-nine percent of teachers in a survey described the kit as "good" or "excellent" and said they would use it again. Eighty-seven percent reported sharing the kit with other teachers. On average, each teacher used the kit with 90 students.

Teachers reported significant shifts in their students' thinking. Ninety percent said the kit increased their students' empathy for low-wage workers.

**Film prompts classroom discussion**

Teachers wrote to thank SPLC, reporting that the film made their Latino students feel proud and opened the door to classroom discussion of Latino history. Many teachers said their students gained an understanding of the connections between the farmworker strike and other movements for social justice.

"Our affluent students now have a better understanding of poverty and appreciating what they have, as well as examining how material possessions can be valued over human rights," wrote Carolyn Miranda of Northville, Mich.



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Tribute Gifts continued on page 8

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MBJ0904SRTRB

# Couple raises funds for SPLC at wedding reception

Some women dream of a storybook wedding — all eyes on them, donned in white, gliding down an aisle. But when Cindy Moore sat down with her fiancé, Steven, to plan their big day, the focus was never on her, or him.

“We both have been extremely fortunate in life, with wonderful families and friends, with work that we love, and now with each other,” Cindy said. “So, part of our inspiration for [our wedding] reception was trying to find a way to say thank you to all those people we care about.”

Instead of a traditional affair, the Moores held a celebratory event to raise money for three of their favorite charities, one of which is the Southern Poverty Law Center. About 200 people gathered in West Hartford, Conn., on Nov. 29, with checkbooks in hand, to help Cindy and Steven celebrate the beginning of their life together.

“We got to share our wedding reception with good friends and family but also got to know we were doing something that mattered,” Steven said. “The reaction from our guests has been nothing short of miraculous. People not only donated, but requested more information about the charities so they could donate next year.”

The Moores were both supporters of SPLC before they met, and they see its media presence as critical to promoting tolerance.

“Perhaps most important to us are the public statements that

hate and intolerance are not acceptable,” Steven said. “Bigotry and violence often exist because the majority of people don’t stand up and oppose them. Most people don’t agree with the extremists, but it’s not enough to just oppose them quietly.”

In addition to financial gifts by their guests, the couple organized a wine tasting and a silent auction to generate donations. They also gave away materials from Teaching Tolerance, which were well received.

“We had several teachers who attended, and none of the educational materials were left over at the end,” Cindy said.

In all, the couple raised more than \$2,500 for the SPLC, an amount that was ultimately matched as part of an end-of-the-year challenge. They were able to spread the word about the fight against hate and intolerance, and the event brought the SPLC dozens of new donors.

Their advice to anyone planning a fundraising event: Dream big.

“We were tremendously gratified by the support and assistance from almost everyone we talked to — from the local wine store and wine distributors who helped organize the tastings for the guests, to the people who contributed items for the silent auctions, and of course, the charities that provided materials and information,” Steven said. “Everyone we talked to was enthusiastic and supportive. Anyone could host an event like this.”



Steven and Cindy Moore

CONTRIBUTED

## Scroll of Remembrance

The Southern Poverty Law Center pays tribute to the memory of deceased supporters who included the Center in their wills or other planned gifts. The Center gratefully acknowledges their bequests, received from February 1, 2008, through February 28, 2009.

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Civil Rights Memorial

# Report identifies 926 hate groups

Continued from page 1

Secret Service. Several white supremacists were arrested while allegedly plotting to kill Obama. They included two skinheads who met on the Internet and planned to attack Obama's motorcade after murdering 88 black people (88 is white supremacist code for "Heil Hitler," because H is the eighth letter of the alphabet).

In December, following his arrest for armed robbery, a Marine at Camp Lejeune in North Carolina was discovered with white supremacist material and a purported plan to kill Obama.

White supremacist groups boasted of a post-election surge of new members as well as overwhelming traffic to their websites. At least two hate groups — Stormfront and the Council of Conservative Citizens — said their websites crashed because of heavy traffic. Stormfront also claimed to have gained thousands of new members immediately after Obama was elected on Nov. 4. The League of the South, a neo-secessionist group, said it saw a surge in phone calls from potential members and that its web traffic increased sixfold.

## Racial incidents soar

Scores of racially charged incidents, such as beatings, effigy burnings, racist graffiti and violent threats, were reported across the country in the days leading up to the historic election and in the weeks that followed. [see incident list, page 1.]

For example, the FBI arrested three members of a self-described Staten Island, N.Y., "vigilante crew" who allegedly became so enraged when Obama was elected president they spent election night hunting for black people to beat up and yelling racist insults about the president-elect. Prosecutors said the men beat a teenage immigrant from Liberia with a metal pipe and a police baton, deliberately ran over a white man they mistakenly believed was black, leav-

## Election-Related Hate Incidents

Continued from page 1

» **In Staten Island, N.Y.**, three members of a self-described "vigilante crew" beat a black teen with a metal pipe and police baton on election night, yelled anti-Obama profanities at blacks celebrating the election, and ran over a white man they perceived as black.

» **At Camp Lejeune, N.C.**, military officials found white supremacist materials and evidence of a purported plot to kill Obama among a Marine's belongings after he was arrested for armed robbery.

» **In Rexburg, Idaho**, second- and third-graders on a school bus chanted, "Assassinate Obama."

» **In Torrance, Calif.**, swastikas and racial slurs were spray-painted on homes and cars of people who displayed Obama signs or bumper stickers.

» **In Milwaukee**, a poster of Obama with a bullet going through his head was discovered in a police station.

» **In Maine**, a sign at a convenience store invited customers to join a betting pool on when Obama would be assassinated. The sign said, "Let's hope we have a winner."

ing him in a coma, and yelled anti-Obama profanities at African Americans celebrating outside a hair salon.

Along with the election, hate groups were animated last year by the economic crisis, which they sought to exploit by spreading racist propaganda blaming minorities and immigrants for the subprime mortgage meltdown. Historically, hate group activity has sometimes flourished in tough economic times.

Neo-Nazi Jeff Schoep may have offered the clearest vision of how the economy can be exploited.

"Historically, when times get tough in our nation, that's how movements like ours gain a foothold," the leader of the National Socialist Movement told *USA Today*. "When the economy suffers, people are looking for answers. ... We are the answer for white people."

## Immigration debate exploited

The Obama era comes after years in which white supremacists and anti-immigrant extremists have successfully exploited the immigration debate — both providing racist propaganda that seeps into the popular culture and using the vilifi-

cation of Latino immigrants to recruit new members.

The number of "nativist extremist groups" operating in the United States also continued to rise last year, increasing from 144 in 2007 to 173 in 2008 — a 20 percent increase. Groups identified by the SPLC as nativist extremist are ones that target immigrants rather than immigration policy. They include Minutemen border vigilante outfits and hateful biker gangs that harass and threaten immigrants at day labor centers.

## Hate crimes against Latinos increase

This unrelenting rise in nativist extremist groups and hate groups corresponds with a 40 percent growth in hate crimes against Latinos between 2003 and 2007, according to FBI statistics.

Another key 2008 hate group trend was the increasing militancy of the extremist fringe of the Black Hebrew Israelite movement, whose adherents believe that Jews are creatures of the devil and that whites deserve death or slavery. These radical black supremacists call Obama a puppet of Israel and preach that evil Jews are solely responsible for the recession.

## TRIBUTE GIFTS

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## On the death of Millard Fuller: A message from Morris Dees

Millard Fuller, founder of the house-building nonprofit Habitat for Humanity, died Feb. 3 in Americus, Ga., after a sudden illness. He was 74. Fuller began his career in partnership with Morris Dees, who later founded the Southern Poverty Law Center. After finishing law school, Dees and Fuller established a law practice in Montgomery, Ala. They also created a successful publishing company before Fuller left to form what would become Habitat. Dees released this statement upon learning of his longtime friend's death:

I am terribly saddened over Millard's untimely death. We met at the University of Alabama over 50 years ago and went into business the next day. We thought so much alike that we would finish each other's sentences.

He was always in the corner fighting for those less fortunate, who had few champions. He was a brilliant trial lawyer with a deep passion for justice.

Habitat for Humanity is one of the most successful charities in this country's history and is one that gives everyone involved an opportunity to join hands for social and economic justice. Millard, with the help of his wife, Linda, accomplished a legacy that will live forever in the lives of those who obtained a decent, affordable home.

Millard, to quote an old blues song, "loved the life he lived and lived the life he loved."



## Endowment supports SPLC's future work

Continued from page 5

promise. In communities across the country, thousands of people are seeking to tear down racial, social and economic barriers that still sometimes divide us. But there are others who try to use those same divisions to sow seeds of hatred. And there are many more whose apathy in the face of intolerance allows hatred to grow.

As the nation's diversity increases in the coming years, so will the challenges of promoting tolerance and acceptance.

To help ensure that the SPLC is ready to meet those challenges, it has built an endowment.

The caring individuals who help the SPLC continue its crucial daily work are helping to establish the SPLC as an organization poised to carry on the struggle for tolerance and justice — for as long as it is needed. The SPLC's educational and legal efforts have affected the lives of millions of people. With the help of the SPLC's endowment, millions more will benefit in the future.



# SPLC REPORT

SPECIAL REPORT

Published by the Southern Poverty Law Center  
Fighting Hate • Teaching Tolerance • Seeking Justice

Spring 2009

## SPLC works to stop workplace, human rights abuse

In Tennessee, a young immigrant mother is arrested and jailed when she asks to be paid for her work in a cheese factory.

In Alabama, a migrant bean picker sees his life savings confiscated by police during a traffic stop, even though he is never charged with a crime.

Along the Gulf Coast, welders and pipefitters from India show up for work at shipyards only to discover they'll be confined to guarded labor camps.

This is not the America that most of us know. But it is the America that many of today's immigrants and migrant workers experience every day as they strive for opportunity in a country that welcomes their cheap labor but recoils at their presence.

In this unwelcoming America, immigrants are routinely cheated out of their pay and denied basic health and safety protections in the workplace. They are subjected to racial profiling and harassment by law enforcement. They are frequently forced to prove themselves innocent of immigration violations, regardless of their legal status. And they are, increasingly, targeted for violent hate crimes.

Politicians and popular news media figures encourage this treatment — fomenting resentment and outright hate by scapegoating immigrants for our nation's problems and spreading false propaganda about them.

This discrimination against immigrants — primarily those from Latin America — constitutes a civil rights crisis.

To combat this crisis, the Southern Poverty Law Center launched the Immigrant Justice Project in 2004. With this initiative, the SPLC is working to stop workplace exploitation and other human rights abuses — filing strategic lawsuits, educating the public and the media, and pressing the federal government to act.

The stories on the following pages provide an in-depth look at the SPLC's pursuit of justice for immigrants over the past five years.

The SPLC does not advocate open borders. But it recognizes that expelling 12 million undocumented immigrants from the country would be impossible without the creation of a virtual police state built on racial profiling, which could cost taxpayers billions and result in massive human rights violations. At the

same time, the exploitation of immigrants, regardless of their status, violates principles of equality and justice.

"We cannot stand idle while an entire group of people is abused and exploited with impunity," said Morris Dees, founder and chief trial counsel of the Southern Poverty Law Center. "Allowing this cycle of abuse to continue — to say there is an underclass of people without rights and invisible to justice — degrades the ideals upon which our country was founded."

### 'Close to Slavery'

One of the SPLC's major goals has been to reform the H-2 guestworker program, which results in the systematic abuse of foreign workers recruited to work in low-skill, temporary jobs in the United States.

The problem with the program is that employers hold all the cards. Their employees frequently pay exorbitant fees to obtain jobs, leaving them deeply in debt. They are prohibited from changing jobs if they are mistreated, putting them in a situation akin to indentured servitude as they try to work off their debt. Some employers and labor brokers also confiscate their visas and identity documents, holding them virtually captive. Meanwhile the govern-

**"We cannot stand idle while an entire group of people is abused and exploited with impunity." — Morris Dees**

ment has utterly failed to uphold their rights.

The SPLC has won justice for thousands of guestworkers and made substantial progress toward reforming this system by filing strategic class action lawsuits, particularly against forestry contractors operating in the South. It has also had a substantial deterrent effect on



DENNIE CODY

These migrant workers were among thousands who flocked to New Orleans to help restore the city after Hurricane Katrina. They worked long hours in dangerous conditions — only to be cheated out of the wages they earned. The SPLC won a settlement that paid the workers what they were owed and reformed the company's labor practices. See story, page 3.

employers who want to avoid litigation brought by the SPLC. Forestry contractors credit the SPLC's litigation as leverage to demand higher payments from

paper companies so they can raise worker wages.

The guestworker effort is part of a broader campaign to protect the rights of migrant workers, the poorest and most exploited workers in our society.

After Hurricane Katrina, the SPLC represented hundreds of workers, mostly Latinos, who flocked to New Orleans to help

rebuild the devastated city. Many of these workers toiled for long hours in dangerous conditions only to be cheated out of their wages by unscrupulous subcontractors working for larger companies.

Over the past five years, the SPLC has distributed nearly \$2 million in settlement money to workers in New Orleans and elsewhere.

But the campaign isn't limited to the courts. In 2007, the SPLC published *Close to Slavery*, a groundbreaking report that documented the widespread abuses in the guestworker program. It describes rampant wage violations, recruitment abuses and squalid living conditions.

The report helped propel the issues facing guestworkers to the national stage. *New York Times* columnist Bob Herbert, for example, described it as "stunning new report" and "a must-read for anyone who favors an expansion of guestworker programs in the U.S." The report is still widely cited as the definitive assessment of the program.

As a result, SPLC lawyers have testified before Congress on numerous migrant worker issues. The SPLC believes that, with a new administration in the White House, the guestworker program will be overhauled.

### Rights, wages eroded

The SPLC has succeeded in bringing these and other vital immigrant rights issues to light over the past five years. Through advocacy, litigation and education, policymakers and the public are becoming aware that many poverty-stricken immigrants are part of an invisible worker class that performs some of the hardest work in our economy for the least pay — yet is practically devoid of rights.

Further, the SPLC has shown how the fate of these workers is also intertwined with that of all workers.

"We should be concerned about the exploitation of immigrants and migrant labor because of our belief in fundamental fairness and justice," said Mary Bauer, director of the Immigrant Justice Project. "But there's a larger issue as well, and that is the question of how this mistreatment erodes the working conditions, wages and human rights of everyone."



LOWELL HANDLER

The exploitation of migrant workers undermines wages and working conditions for U.S. workers.

# Low-wage guestworkers are especially vulnerable

It sounded like the opportunity of a lifetime to Sabulal Vijayan, a chance to live the American Dream.

An advertisement in his native India described an American company offering jobs in Gulf Coast shipyards to immigrant workers. Vijayan was told workers would have the opportunity to obtain green cards for themselves and their families, allowing them to become permanent U.S. residents.

Reforming the program is a major priority for the SPLC's Immigrant Justice Project, which has filed numerous class-action lawsuits against companies abusing guestworkers. SPLC attorneys and SPLC clients have testified before Congress about these abuses.

## 'Pigs in a cage'

When the Signal guestworkers arrived in early 2007, they discovered they wouldn't receive the

lawsuit against Signal brought by the SPLC in 2008. It charges that the company and a network of recruiters and labor brokers engineered a scheme to defraud hundreds of workers and force them to work against their will in Signal facilities in Pascagoula and Orange, Texas.

"We spoke out to break this chain of human trafficking and protect future workers," Pazhambalakode said.

Guestworkers across the nation endure similar situations. Tens of thousands come to the United States every year to work in farming, forestry, seafood-processing and other in-

dustry workers who can be cheated, exploited and sent home," Bauer said. "The answer is to ensure that these workers have the same rights as U.S. workers and that those rights are fully enforced."

## Fighting the forestry industry

When the SPLC began investigating the guestworker system, it discovered that workers in the forestry industry faced systematic abuse. The industry recruited thousands of indigent workers from Latin America. They each paid up to \$2,000 to obtain jobs in which they earned less than minimum wage, and many were forced to leave the deed to their house with recruiters. They faced threats and retaliation if they complained about conditions.

Many of these workers were consistently underpaid. Even though their contracts specified an hourly wage — usually from \$6 to \$10 an hour — they were actually paid by the number of pine seedlings they planted. They rarely received overtime pay, despite working 60 to 70 hours per week. They frequently were required to purchase their own work tools, and they incurred other expenses and deductions, unlawfully cutting into their pay.

"Our pay would come out to approximately \$25 for a 12-hour

workday," said Escolastico De Leon-Granados, a Guatemalan who worked for Eller and Sons Trees Inc. "At the end of the season, I had only saved \$500 to send home to my family."

One forestry worker's pay stub described a day of work as "500 trees planted in zero hours."

The SPLC filed four class action suits — against Eller and Sons Trees, Alpha Services Inc., Express Forestry Inc. and Superior Forestry Service Inc.

These lawsuits spurred change in the industry. Express Forestry settled the suit, agreeing to pay \$220,000 in back wages to workers. Alpha Services also agreed to pay a confidential sum to workers. The two other cases are still pending.

The prospect of a lawsuit and the ensuing bad publicity has served as a deterrent for some companies. Some forestry contractors said they have used SPLC litigation as leverage to demand higher payments from giant paper companies so they can raise worker wages.

Along with securing payment for more than 500 workers, the settlement with Alpha included conditions that will protect future guestworkers.

"Our dreams and aspirations were frustrated," Alpha workers wrote to SPLC lawyers from Ecuador. "For this reason we want to emphasize that your help is uplifting for us who found ourselves without hope."



Mary Bauer, director of the SPLC's Immigrant Justice Project, greets Sen. Ted Kennedy during a Senate hearing in which she testified about the plight of migrant workers.

"I heard that in America everybody will get liberty and justice," Vijayan later told a congressional subcommittee about his experience. "So, I paid nearly \$20,000 [to recruiters] to get this chance."

Vijayan was hired as a pipefitter for Signal International LLC, a company that services offshore oil rigs in Mississippi and Texas. Hundreds of other Indian workers also took jobs with the company — giving up other employment, selling their homes, family farms, jewelry and other valuables to pay thousands of dollars in fees to labor recruiters, all for a chance at a better life.

They found that their dreams were largely an illusion.

There were no green cards. Instead, there was overwhelming debt, a crowded labor camp and harsh conditions that ultimately pushed one worker to attempt suicide.

"The ordeal these guestworkers endured at Signal demonstrates all that is wrong with the nation's H-2 guestworker program," said Mary Bauer, director of the SPLC's Immigrant Justice Project. "Tragically, their experience isn't unique. It happens across the country and across a variety of industries."

The H-2 guestworker program, which was used by Signal, allows businesses to hire low-skill foreign labor for temporary jobs. These workers cannot change jobs if they are mistreated. They either stay with the employer who imported them or return home.

Because of their vulnerability, guestworkers are routinely cheated out of wages, forced to pay thousands of dollars in fees to obtain temporary, low-wage jobs and held virtually captive by employers or labor brokers who seize their identity documents.

green cards as promised. Instead, they received H-2B guestworker visas — good for just 10 months.

They were forced to pay \$1,050 a month to live in crowded company housing in isolated, fenced labor camps where as many as 24 men shared a trailer with only two bathrooms.

"I had never lived in a room like this anywhere in my lifetime," Vijayan said. "We were like pigs in a cage."

When they tried to find their own housing, Signal officials told them they would still have the monthly rent for the labor camp deducted from their paychecks. Workers who complained were threatened with deportation.

"I have been a guestworker all my life in many parts of the world, and I never saw such conditions," said former Signal employee Rajan Pazhambalakode.

When the workers began to organize to protest the conditions, the employer staged a pre-dawn raid by armed guards on the labor camp in Pascagoula, Miss. Three of the organizers were rounded up and locked in a room for hours. When an armed guard and camp manager came for Vijayan, he panicked.

Feeling cornered and facing financial ruin and shame, he slit his wrist.

"I was losing my control, afraid that [the] company was going to harm me and deport me to India," he said. "I was afraid to [go] back home ... empty-handed in front of my poor family and the society."

Vijayan was hospitalized, but he survived.

He and his fellow co-workers are now plaintiffs in a class action

**"Worker protections are in danger of unraveling if U.S. businesses can simply bring in foreign workers who can be cheated, exploited and sent home."** — Mary Bauer

industries. Many find themselves in the hands of unscrupulous employers who use the program as a source of cheap, disposable labor that can be exploited. The federal government, which regulates the program, has done little to protect their rights.

The failure of the H-2 guestworker program isn't a problem confined to foreign workers. It's an issue that affects all workers.

"Worker protections are in danger of unraveling if U.S. businesses can simply bring in for-



The SPLC filed suit on behalf of hundreds of Indian guestworkers who were lured to the U.S. with false promises of permanent residency. The workers each paid up to \$20,000 to obtain temporary jobs at Gulf Coast shipyards only to be forced into overcrowded, guarded labor camps.



(Above) The SPLC is working to stop abuses in the H-2A guestworker program, which allows agricultural companies to "import" thousands of workers to plant and harvest crops. (Right) The SPLC is pursuing justice for migrant forestry workers who were cheated out of wages.



AP/WIDE WORLD PHOTO



## Contractors cheat workers in post-Katrina cleanup

When the waters receded, the migrant workers began to arrive. By the thousands, they came to help restore New Orleans after Hurricane Katrina and its levee-busting floodwaters laid waste to the city.

Hector was among those who answered the call.

He worked in schools filled with three to four feet of mud, removing toxic contamination, rotted walls and foul-smelling muck. The days began at 5 a.m. and sometimes ended at 8 p.m. Sometimes, he worked the whole day without eating, relying only on water to get by. Even a meal at night wasn't guaranteed.

"Since we weren't being paid for our work, we didn't have any money to feed ourselves," he said. "We ate only in the evenings when the hotel helped us."

Unfortunately, Hector's experience was shared by many other migrant workers who found they couldn't count on getting paid for their work, even though many employers were working under government contracts worth millions. The Bush administration did little to protect the workers from abuse.

To help these workers, the SPLC filed several lawsuits against some of the biggest

contractors working in the city. Many workers were left without food or shelter in an unfamiliar city sitting in ruin. Some showed up for jobs to discover they would be sleeping in a parking area on mattresses and bathing in the Mississippi River.

"Poor people come here to work, to better the city, to do the clean-up and to help out," said Hector, whose name has been changed to protect his identity. "These contractors, all they want is to hoard money. They don't care whether you eat or not. They just want to get the money and run away with it, as many companies have done."

Others reported working conditions akin to forced labor.

"When our bosses talked to us, it was like they were talking to animals," said César, whose name has also been changed.

"They abused us just to make themselves richer. At times, I was afraid even to ask to go to the bathroom."

Among the SPLC's cases was a lawsuit against Belfor USA group, one of the largest disaster reconstruction companies in the nation. The company, hired to restore key public services to the city, launched an investigation that determined some of its subcontractors had not been paying overtime wages earned by the workers. The case was settled in 2006 when Belfor agreed to pay the withheld wages and change its practices to better protect workers in the future.

The SPLC also filed and settled a case against LVI Environmental Services of New Orleans Inc. and its subcontractor, D&L Environmental Inc., on behalf of its workers in 2006. These workers weren't paid for their recovery work, which included cleaning toxic mud and mold from St. Bernard Parish schools.

### 'Shut up and continue working'

The SPLC also recovered pay for immigrant workers who came to

**"When our bosses talked to us, it was like they were talking to animals."**

— Worker in New Orleans

New Orleans to repair an apartment complex. They were promised \$500 a week and an apartment at the Audubon Pointe apartment complex they were repairing.

The promises didn't match the reality.

The workers would return after work to apartments with holes in the walls, broken windows, smelly carpets and cockroaches. One worker shared a two-bedroom apartment with seven other workers.

"They said that we did not have rights in this country and that we had to shut up and continue working if we did not want problems," said Reyes Aguilar-Garcia, an Audubon Pointe worker, in an affidavit that was part of the SPLC lawsuit.

### 'Looking for indentured servants'

Even for migrant workers not in-

involved in the cleanup, there was no guarantee of better treatment.

When Humberto Jimenez learned a major New Orleans hotel owner was looking to fill jobs left empty by Katrina, he saw a great opportunity for his family. Labor recruiters promised 40 hours of work each week and plenty of overtime.

He mortgaged his house in Peru to pay \$4,000 in fees to a recruiter who helped him secure the job with Decatur Hotels through the H-2B guestworker program. But many of the workers found themselves working no more than 25 hours a week. Jimenez couldn't make ends meet.

"I came here to make enough money to see my child through college," Jimenez said. "If I had known the truth I would never have come."

The SPLC filed a federal lawsuit on behalf of these workers in 2006 and won a decision that would have forced Decatur Hotels to reimburse the guestworkers for the thousands they paid to obtain their jobs. That decision, however, was overturned on appeal. The SPLC has cited the decision as an example of the reform needed to protect guestworkers.

"This court's ruling supports employers like Decatur Hotels who are looking for indentured servants," said Daniel Castellanos-Contreras, one of the plaintiffs.

The SPLC is continuing its efforts to reform this program and secure justice for migrant workers who are still suffering from their experiences in New Orleans.

Hector, who worked in the schools, said he suffers from stomach problems and nose bleeds he believes are the result of working amid the filth and putrid smells.

Hector simply wants justice and protection for other migrant workers.

"Latinos have given a lot of support to New Orleans," he said. "We didn't come here to harm anyone — we're here doing our best. We're seeking only the rights that everyone deserves."

## Migrant farmworkers get SPLC's help

They toiled for long hours in the scorching heat of south Georgia's onion fields, performing the hard labor that helps put food on America's tables but barely eking out a living for themselves.

The fields were controlled by Fresh Del Monte Produce Southeast — a subsidiary of Fresh Del Monte Produce, one of America's best-known food brands.

The farmworkers lived in labor camps operated by Del Monte. They used Del Monte equipment. They were supervised by Del Monte employees.

But when payday rolled around, their pay stubs frequently reflected fewer hours than they worked and sometimes showed the wrong hourly rate, the workers claimed. When they protested that they were cheated out of their rightful wages, the company said it wasn't responsible. Instead, it was the responsibility of the "independent" labor contractor who hired them.

It's a common response to migrant farmworkers who dare to stand up for their rights: The company blames the middleman — often a peniless crew leader or contractor — to escape the obligation to treat workers fairly.

### Common Tactic

"This is a tactic used time and again by companies looking to reap all the benefits of migrant labor without taking any responsibility," said Kristi Graunke, an SPLC attorney who is handling a lawsuit filed on behalf of the Del Monte workers. "Someone without any assets is left holding the bag for a wealthy corporation's wage violations."

The practice is rooted in the South's agrarian history. Growers have long relied on racial and ethnic minorities to work the fields, and labor contractors are often charged with the responsibility to supervise and pay them. Even today, this system continues to allow migrant farmworkers to be abused and systematically cheated out of pay.

The SPLC brought a federal lawsuit in 2006 to seek back wages for the workers. A key ruling in the case established that the labor contractor and the workers were actually employees of the Del Monte subsidiary and that the company was indeed responsible for any wage abuses that could be proven. SPLC lawyers now must document Del Monte's wage violations.

Despite a recent appellate court ruling that stripped the case of its class-action status — a status that would help up to 500 workers who worked for the company from 2003 to 2006 — the case still has the potential to benefit many farmworkers.

### Candy Brand

As part of the SPLC's legal campaign to ensure the fair treatment of farmworkers, it has also sued one of the Southeast's largest employers of foreign guestworkers, Candy Brand LLC.

The lawsuit was filed in 2007 on behalf of about 2,700 Mexican migrant workers who harvested and packed tomatoes and performed other agricultural work in Bradley County, Ark., over a period of five years. It alleges that Candy Brand failed to pay federally mandated overtime wages for work in its packing sheds and



LOWELL HANDLER

the prevailing wage for work in the fields. The company also refused to reimburse workers for the exorbitant travel, visa and other hiring fees they paid to obtain these jobs.

Some of these workers paid as much as \$3,500 for their jobs and were left in debt after the eight-week harvest season.

Candy Brand's refusal to reimburse its guestworkers in their first week of work violates the federal Fair Labor Standards Act (FLSA), resulting in workers earning substantially less than the minimum wage, according to the lawsuit.

"This is a classic example of how companies manipulate the guestworker program to reap all the benefits while their workers incur all the debt," said Mary Bauer, director of the SPLC's Immigrant Justice Project. "The workers end up virtually in a state of indentured servitude — unable to pay off their debts and unable to stand up for their rights in the face of abusive labor practices."

The SPLC's litigation on behalf of these and other migrant workers has propelled it into the forefront of the effort to reform the federal guestworker program and other laws affecting migrant workers. SPLC attorneys have testified several times before Congress and have helped draft reform legislation.

## Special project focuses on protecting immigrant women

The factory worker thought she was going to die. Despite reporting a manager's repeated sexual harassment, on Dec. 29, 2007, she found herself trapped in an office, fending off an attack by him.

He pulled her across the floor by her hair. When she tried to squeeze through a cracked door to escape, he pressed the door against her body, crushing her.

Battered and bruised, she escaped the office into the yarn factory and collapsed. She left work in an ambulance.

This brutal attack on a Mexican woman who spoke little English demonstrates the dangers that many immigrant women, especially farmworkers, face in the workplace. Like this woman, many speak little English and know little or nothing about their rights. If they are undocumented workers, they are particularly vulnerable to attacks.

The SPLC's Immigrant Justice Project has focused on combating sexual harassment through its program, Esperanza: The Immigrant Women's Legal Initiative. The program, whose name is the Spanish word for "hope," seeks to give these women a voice and raise awareness.

"For a long time, women were afraid to come forward," said Mónica Ramírez, director of Esperanza. "No legal services program was focusing on this issue, and few organizations had expertise or resources to dedicate to it."

In the case of the factory worker who was attacked, the SPLC in March filed a federal lawsuit against her employer, Tuscarora Yarns Inc. of Oakboro, N.C.

The complaint alleges that the company failed to protect the woman after she told superiors about unwelcome sexual advances, comments and physical contact by the plant manager.

### Lawsuit brings justice

An earlier lawsuit filed by Ramírez has already brought change to one of Florida's largest fruit and vegetable wholesalers. Gargiulo Inc. agreed in 2007 to pay \$215,000 to settle allegations of sexual harassment.

The lawsuit alleged that in 2003 and 2004, five Haitian women endured repeated requests for sex, offensive remarks and physical contact. The women said they rejected the advances and suf-

fered retaliation, including suspension without pay and firing. Despite their complaints, the company took no action.

Although the company denied responsibility for any wrongdoing, Naples-based Gargiulo agreed to adopt a written policy against sexual harassment and retaliation. Gargiulo also agreed to train employees about the policy.

"While they were being harassed these women did not know that laws existed to protect them," Ramírez said. "This settlement sends a message to other women in their situation that they can speak up and find justice."

### Raising awareness

The SPLC also has launched a public education campaign to raise awareness about the widespread exploitation of these vulnerable women on the job.

It published *Voices for Justice*, a handbook to educate immigrant women about their rights. It includes the stories of farmworker women who stood up for their rights. This spring, the SPLC is distributing a short video to further educate women about how to combat harassment.

The SPLC also brought the issue to the attention of Congress during an April 2008 hearing.

"The problem has received little public attention but is well-known to farmworker women, many of whom remain silent about sexual

exploitation on the job," Mary Bauer, director of the SPLC's Immigrant Justice Project, told the Senate Committee on Health, Education, Labor and Pensions.

In April 2008, the SPLC kicked off the "Bandana Project," an awareness campaign coordinated with community groups, universities and other organizations across the country. Last year, the SPLC and partners in more than 50 cities invited members of farmworker communities and others to decorate bandanas as a gesture to raise awareness of the problem. More than 1,000 bandanas were decorated and displayed across the country and Mexico.

The bandana was adopted as a symbol of solidarity because many farmworker women use bandanas to cover themselves in an attempt to ward off unwanted sexual attention.



Mónica Ramírez

VALERIE DOWNES



Justeen Mancha speaks at a news conference as Morris Dees looks on.

## Immigrants susceptible to racial profiling

Victor Marquez picked beans in South Florida for nine years to save money to build a home in Mexico. But his savings — almost \$20,000 — vanished in the blink of an eye. A police officer in Alabama confiscated the cash during a routine traffic stop, claiming it was drug money, even though there was no evidence of a crime.

Justeen Mancha was home alone getting ready for school one morning when she heard a loud commotion in her living room. There she encountered armed men shouting, "Police. Illegals." They had no search warrant.

Marquez and Mancha share one thing in common: their brown skin.

Marquez is a Mexican migrant worker who has legal status. Mancha, a teenager who lives in southeast Georgia, is Mexican-American and a second-generation U.S. citizen.

Both are victims of racial profiling by law enforcement agencies — an increasingly common problem in the South, a region with the nation's fastest growing Latino population.

"Racial profiling is wrong and it's unconstitutional," said Mary Bauer, director of the SPLC's Immigrant Justice Project. "But it goes on every day in the South, and there are few safeguards in place to prevent it."

The SPLC is representing Marquez in his attempt to recover his savings and Mancha in a larger lawsuit that includes others whose rights were violated during a series of immigration raids in 2006.

### 'Highway robbery'

Marquez's nightmare began in May 2008 when he was traveling from Florida to his hometown in Querétaro, Mexico. As he drove through Loxley, Ala., a police officer stopped the truck in which he was riding. Under a state law that allows law enforcement agencies to keep a portion of seized assets for their own purposes, the officer took Marquez's cash. The officer said the money was linked to the drug trade, but Marquez was not charged.

"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."

In legal documents filed to recover the money, the SPLC asserts the seizure was the result of an illegal search and that the confiscation is a violation of the United States and Alabama constitutions.

"This is literally a case of highway robbery," Bauer said. "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."

### ICE raid chills a community

Mancha was 15 when the immigration agents came to her house.

On Sept. 1, 2006, the U.S. Immigration and Customs Enforcement agency launched a series of raids to locate undocumented immigrants who worked at a poultry plant in Stillmore, a town of about 1,000 people. But rather than conduct a raid only at the plant, dozens of agents fanned out across residential areas in three counties — stopping motorists, breaking into homes without warrants and threatening people with tear gas and guns. Hundreds were terrorized.

Mancha was in her bedroom. "I started to hear the words, 'Police! Illegals!' It seems as if those words still ring in my head today, giving me that fear of them busting into my home. I walked around the corner from the hallway and saw a tall man reach toward his gun and look straight at me."

The SPLC lawsuit charges that ICE agents illegally detained, searched and harassed Latinos solely because of their appearance — a violation of their Fourth and Fifth Amendment rights.

In 2008, Mancha told her story to the House Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law. "I was so scared. I still am. I carry that fear with me every day — wondering when they'll come back."

The agents left after she answered their questions about her. The trauma has had a lasting effect.

"At times, I didn't want to be Mexican because of what we go through and how people look at us different and treat us and assume we're all illegal."

## Latino cheese workers jailed after demanding pay

The factory workers had simply had enough.

On Oct. 22, 2007, after repeatedly being underpaid for their work and having their paychecks delayed for weeks, about a dozen Latino workers at Durrett Cheese Sales of Manchester, Tenn., decided to take a stand. They refused to leave the company's break room until they were paid.

A supervisor fired them, but they still wouldn't leave. Company officials decided to call the sheriff.

"I was so happy when I heard that the police were on their way," said Teresa, one of the factory workers. "I thought to myself that they would help us get the checks we were owed."

The sheriff's deputies weren't there to help the workers, how-

ever. Instead, they arrested and jailed them.

"I couldn't believe it, because we hadn't done anything wrong," Teresa said. "We were just asking for our paychecks for work we had already completed."

The workers were charged with trespassing. The local prosecutor dropped the charges the next day, but the workers remained behind bars. The company had suggested they were undocumented immigrants. Federal agents took the workers to a detention center in Nashville, where they were interrogated. Some of the women had young children who were disabled or very ill. The women feared they would be deported without saying goodbye or arranging for their children's care.

An SPLC attorney eventually secured their release, and in October 2008, the SPLC filed a federal lawsuit charging that the company and the Coffee County Sheriff's Department subjected the workers to illegal retaliation and discrimination.

The Durrett work stoppage illustrates a plight all too familiar to Latino immigrants. They frequently encounter employers who see them as a disposable workers to be exploited — people who can be underpaid or otherwise abused with little risk of a lawsuit.

Workers sometimes went for more than a month without pay. "I had never been so badly treated at work, said Juana, another factory worker.