

SPLC REPORT



PUBLISHED BY THE SOUTHERN POVERTY LAW CENTER
TEACHING TOLERANCE • FIGHTING HATE • SEEKING JUSTICE

FALL 2007
VOLUME 37, NUMBER 3

SPLC seeks justice for Louisiana's 'Jena 6'

The oak tree where nooses were hung at the Jena High School campus last year no longer stands. It was chopped down, in part, to soothe racial tension in the small Louisiana town of Jena.

The school's main academic building is also gone, destroyed by an arson that has raised questions about a possible link to the racial discord.

What remains in the predominately white, rural town are legal battles involving black students who have become known internationally as the "Jena Six."

They are accused of beating a white student at the climax of a period of racial tension sparked by the noose hanging. Five of the students were initially charged as adults with attempted second-degree murder and conspiracy; the sixth was charged as a juvenile. The victim spent three hours in the hospital.

During the same period, white students involved in criminal conduct were given slaps on the wrist.

Responding to a groundswell of public outrage over the severity of the charges and the apparent racial double standard, the Southern Poverty Law Center (SPLC) has retained one of the state's top defense attorneys, Jim Boren of Baton Rouge, as a cooperating SPLC attorney to defend one of the accused and to help coordinate the overall defense strategy. Boren, a former president of the Louisiana Association of Criminal Defense Lawyers, is representing Robert Bailey Jr.

"These prosecutions are a symbol of a justice system gone terribly wrong," said SPLC President Richard Cohen. "It's a



Thousands march in the streets of Jena, La., on Sept. 20 to protest the harsh prosecution of black students charged with felonies in the beating of a white student.

tragic reminder of Jim Crow and the two-tiered justice system that existed in the South for many decades."

Boren said he is glad the SPLC contacted him.

"Being involved in this kind of

case is why I went to law school," he said. "I am extremely impressed with Richard Cohen and his tenacity in finding lawyers (for the Jena Six)."

The SPLC is working with advocacy groups, including

Friends of Justice, the Juvenile Justice Project of Louisiana, ColorofChange.org, the NAACP and the ACLU. The Southern University Law Center and a number of private law firms have also shown support for the accused teens.

Racial tensions boil over

The tangled saga of the Jena Six began about a year ago in this central Louisiana town of about 3,000 people. During an assembly, a black student asked the vice principal if he could sit under a tree in the school's courtyard that was traditionally the province of white students.

He was told he could sit anywhere he chose.

A day after black students gathered under its boughs, nooses were found hanging from the tree.

The principal recommended expelling the white students who hung the nooses, but his decision was (continued on page 5)

Notorious Klan group hit with new SPLC lawsuit

The Meade County Fair in Brandenburg, Ky., is promoted as a weeklong social event for the community — an old-fashioned celebration of livestock, gospel music, tractor pulls and pageants.

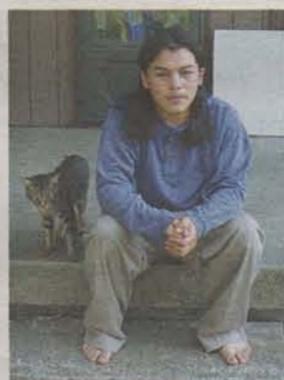
The last thing 16-year-old Jordan Gruver expected while attending the fair with his brother and some friends was that he would be attacked by vicious white supremacists twice his size.

But for no other reason than the color of his skin, Gruver, who is a U.S. citizen of Panamanian descent, was singled out by Ku Klux Klansmen who were on a recruiting mission. They threw whiskey in his face and called him a "spic." The



Youths at the Klan's annual Nordic Fest perform the "seig heil" salute.

Klansmen beat him to the ground, kicking him mercilessly with their trademark red-laced black boots. Gruver not only suffered extensive physical injuries, he was severely traumatized by the beating.



Jordan Gruver

The Southern Poverty Law Center is now suing the Imperial Klans of America (IKA) and five of its members on Gruver's behalf.

The suit contends that the leadership of the IKA, the nation's second-

largest Klan group, should have known that their members, given their intense hatred of racial and ethnic minorities, would likely provoke a violent confrontation at the fair — as they did on July 30, 2006.

"The defendants are members and high-ranking officials of one of the most violent white supremacist groups in America," said SPLC President Richard Cohen. "They promote violence and intimidation and call for the death of racial and ethnic minorities, homosexuals and so-

called 'race traitors.' They targeted and viciously beat our client solely because he has brown skin."

Klansmen on recruiting mission

The lawsuit, filed July 25, alleges the IKA leadership organized the recruiting drive during which several members handed out business cards and flyers advertising a "white only" IKA event.

Gruver, who stands 5-foot-3 and weighs just 150 pounds, was surrounded, beaten to the ground and kicked by the Klansmen, one of whom is 6-foot-5 and 300 pounds. He was left with two cracked ribs, a broken left forearm, multiple cuts (continued on page 8)

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New lawsuit incites threats

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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

Justice is blind, but Jena shows prosecutors are not

To Reed Walters, the prosecutor in the Jena Six case, his job is a simple one. As he explained in a recent New York Times op-ed piece, "For 16 years, it has been my job as the district attorney to review each criminal case brought to me by the police department or the sheriff, match the facts to any applicable laws and seek justice for those who have been harmed." Just the facts, ma'am.

But Walters ignores the tremendous latitude prosecutors have to raise, lower, or dismiss charges as they see fit, under the doctrine of prosecutorial discretion. The injustice in Jena is not that any criminal charges were brought in the assault on Justin Barker. Rather, the injustice is that black perpetrators in Jena receive a completely different brand of prosecutorial discretion than white perpetrators.

Let's start with the white students who hung nooses from the so-called "white" tree after black students sat under it.

Walters states that the United States attorney "found no federal law against what was done." In actuality, the federal prosecutor told CNN that "the FBI believed that [the case had] the elements of a hate crime." But because of the boys' ages and backgrounds, he declined to bring charges that could have put them away for 10 years. This is prosecutorial discretion in action.

Walters also had discretion to prosecute the noose-hangers in state court. He claims that the noose incident "broke no law. I searched the Louisiana criminal code for a crime that I could prosecute. There is none." But, it just ain't so.

Louisiana Revised Statute 14:107.2 creates a hate crime for any institutional vandalism or criminal trespass motivated by race. Walters was creative enough to turn a schoolyard assault into an attempted murder case; he surely could have figured out how to make nooses into hate crimes.

Thoughtful response missing

But — and this is a crucial point — Walters and the Justice Department were right not to prosecute the noose-hangers. Prison terms for them would not have served Jena as well as a thoughtful, measured response that addressed the deep community concerns triggered by the nooses.

Unfortunately, that never happened. Instead, Walters and the school system tried to stifle debate. Black parents were ignored at school board meetings. After black students staged a sit-in under the contested



Richard Cohen

tree, Walters came to the school and, according to numerous witnesses, ominously told the student body that if they did not settle down, "With a stroke of my pen, I can make your lives disappear."

Reed Walters knows prosecutorial discretion.

Things did settle down somewhat, until an arsonist burned down much of Jena High on November 30, 2006. What happened the next day perfectly illustrates the racial disparity in Walters' decision making.

On December 1, a black student, Robert Bailey, was attacked by a group of whites, beaten to the ground, and apparently hit with a beer bottle. He suffered a gash to his head.

Walters could have prosecuted the group of whites with felony charges that might have put them away for years, just as he is now prosecuting the Jena Six. Instead, Walters charged one white with a misdemeanor; that person served no prison time. The others walked.

Three days later, the assault on Barker occurred. Bailey and five other black teens were arrested and charged by the police with aggravated second-degree battery, a very harsh charge under the

circumstances. But Walters, in an apparent effort to show what he could do with a stroke of his pen, went even further and used his discretion to increase the charges to attempted murder.

DA's decisions raise questions

Since then, Walters' decisions have continued to raise serious questions. In April, the Supreme Court of Louisiana removed him from an unrelated case — an unusual and drastic step — after Walters told the defendant that he was "in the cross hairs," not because of the severity of the alleged crime, but because the defendant had spread rumors about Walters.

In the Jena Six cases, Walters decided to prosecute 16-year-old Mychal Bell in adult court even after dropping the ill-conceived attempted murder charges. An appeals court later ruled that Walters' decision was improper. He's still pursuing aggravated assault charges on the theory that the boys' tennis shoes were dangerous weapons.

Justice should be blind. But prosecutors are not. They see color. And, unfortunately, it often has an impact on how they exercise their prosecutorial discretion. In Reed Walters' case, it's as clear as black and white.

Richard Cohen's commentary was written with John Tye, a former SPLC writer who is now a civil rights attorney in New Orleans.

MAILBOX

Please know that we stand with you in the incredible work that you do. At least annually, we will continue to give what we can. I just wanted to express how proud we are to be at least a small part of what you do. Our children have gained immensely from knowing that they, too, are a part of all you stand for. We hope to visit the Center in the next year or so to say thank you in person.

B. W.
Homewood, Illinois

Congratulations on the Billy Ray Johnson case. A couple days ago, I received a call and promised that I would send in a donation when my "bill" arrived in the mail. Just to let you know, when I read the verdict in today's paper, I went online immediately and donated. No need to wait. Thank goodness there is an organization like yours.

S. W.
Silver Spring, Maryland

I cannot tell you how impressed I am with the materials that I just received from your group. They were both high quality and at or above grade level. They did not preach to kids but seem to allow the lesson to teach instead. Thank you so much for these wonderful materials.

C. F.
Vancouver, Washington

As a high school teacher, I once again thank you and your entire staff for the magnificent, tireless work you continuously do. Your Intel-

ligence Report and Teaching Tolerance kits, newsletters and magazines are always with me in the classroom. I actively use them and pass them around (with introductions) to both students and teachers. The "eye rolling" students who choose not to read my daily newspapers always grab your *Intelligence Reports*. I insist on questions and discussion afterwards. Last term I taught 10 weeks of U.S. government and history. Your material was timely EVERY DAY. Thank you again.

D. S.
Santa Rosa, California

Thank you for the legal work you do! As a civil society, we are governed by laws, and your center makes those laws just, fair and work effectively to protect people and essential human rights. Thank God for you and everyone associated with your awesome organization. You have my undying appreciation.

M. L. G.
Asheville, North Carolina

Once again, I am proud to hear of your latest suit against the Imperial Klans for beating the Panamanian boy. I grieve for him and I hope the suit results in the forfeiture of the property you described in your latest email. Reading your [*Intelligence Report*] magazine is always a downer, but I remain grateful that you are doing what you are doing — standing up for the abused and oppressed with a clear, strong voice.

M. L. D.
Scandia, Minnesota

I stand with you, Richard Cohen, Mark Potok and the Center in your critique of Lou Dobbs re: illegal immigrants. For all his good reporting, he, for whatever reason, has a real blind spot on this issue, a thing that white supremacists relish and use to spread their hate and bias. He has said many helpful things to his large audience, but on the immigration issue, he often marches to a wrong and dangerous drummer. It is small wonder that you receive much hate mail. Stick to your guns.

A. G.
Tracy, California

Although I am able to contribute just a small amount each year, I am proud to say I am a supporter of the SPLC when I see a story such as the one about the abuses at Mississippi youth detention centers. I know this would never come to the attention of the nation were it not for your work.

R. T.
Abilene, Texas

I teach at a predominantly white middle school in upstate South Carolina. I showed the Teaching Tolerance film *A Time for Justice* in my classroom for emphasis during the civil rights section in our book. I watched the expressions on my students' faces, and many were appalled by the events taking place in this film. This documentary really helped my kids get an understanding of just how bad the segregation in the U.S. became. Thank you!

A. M.
Williamston, South Carolina

Hate-spouting radio host is rising star

The young host of a hate-filled radio show is carefully positioning himself to become the next David Duke, according to the SPLC's Intelligence Project. James Edwards, 27, is the co-founder of "The Political Cesspool," a shamelessly white nationalist talk show that is broadcast for two hours every weeknight from a studio near Memphis, Tenn., where Edwards grew up and still lives.

"The Political Cesspool" in the past two years has become the primary radio nexus of hate in America. Its sponsors include the Council of Conservative Citizens (CCC), a white supremacist hate group, and the Institute for Historical Review, a leading Holocaust denial organization. The show's guest roster for 2007 reads like a "Who's Who" of the radical racist right. Former Klan leader and neo-Nazi David Duke, the show's most frequent celebrity racist guest, has logged three appearances.

"I have known Dr. Duke for a number of years and have found him to be a Christian man above reproach," Edwards states on the "Cesspool" website. "Time and again, he has gone out of his way to help me, asking for nothing in return."

Haters' golden boy

When the CCC held its annual national conference earlier this year in Greenville, S.C., James Edwards was the golden boy of the hate group's proceedings. He sat with his wife at a table near the back of the conference hall, engaging in conversation with a nearly constant stream of admirers. They congratulated him not only on the success of "Political Cesspool," but also his recent triumphs in smoothly injecting white nationalist ideology into national mainstream media discussions of race relations and crime in America.

Edwards arrived at the hate group's June conference just three days after his third primetime appearance on CNN in the previous two months. "Crime and violence follow African-Americans wherever they go," he said in his April 4 CNN debut, a panel debate on "self-segregation" hosted by Paula Zahn.

Zahn, who initially identified Edwards to CNN viewers as merely a "radio talk show host" from Memphis, invited him back on May 21.

"Why not celebrate the diversity?" Zahn asked him in one exchange.

"My primary interest is to protect and safeguard my family," Edwards replied. "Whites are in for the fight of their lives. ... We are being robbed of having a future in the very nation our ancestors carved from the wilderness."

A favorite of David Duke

David Duke, who calls Edwards his "favorite radio patriot," gave the "Cesspool" host's CNN appearances a glowing online review: "He delivered a powerful performance, stuck to his guns and didn't back down as he articulated an unapologetically conservative viewpoint regarding race relations."

Edwards clearly idolizes Duke. At the CCC conference, he repeatedly quoted "Dr. Duke" in conversation. But as much as he admires Duke, Edwards has also learned from his mentor's early mistakes. He does not appear at any hate group events where he knows swastikas and other white supremacist symbols will be photographed or filmed.

Well-educated, articulate and charming, Edwards is a rising star of the white nationalist movement who is equally at ease in a television studio, behind a radio microphone or standing in front

of a crowd. While he allies himself with hate group leaders who routinely use crude racial epithets, Edwards speaks in the more or less polished code of a suit-and-tie racist, calling blacks "heathen savages," "subhumans" and "black animals," exclusively in the

context of discussing violent black-on-white crime.

When the *Mid-South Patriot* asked Edwards in February about the accusations that he's a racist, he replied: "The horrible defamations we must endure are little compared to the physical battles of blood and bone that so many of our ancestors had to endure so that we could be here now."

Edwards works hard to maintain a professional appearance and demeanor. He wears suits, not Klan robes. But he's doing more than anyone else in the white nationalist movement at this point to promote the views of neo-Nazis, Klan sympathizers, Holocaust deniers, academic racists and anti-Semites.

His stated mission is "[f]ighting to advance a nationalist agenda based upon the Christian world view" and turning back the clock in America to the pre-civil rights era, "back when America had a strong moral compass," as he put it during his May 17 show. "You had cultural and racial integrity in those days. ... What's been taken away from us, we can take back."



James Edwards



SPLC attorney tells Congress about post-Katrina abuses

JJ Rosenbaum (center), an attorney with the SPLC's Immigrant Justice Project, is sworn in on June 26 before the House Subcommittee on Domestic Policy. She testified about the U.S. Dept. of Labor's "shockingly inadequate" response to abuses in post-Katrina New Orleans and other devastated Gulf Coast areas. The SPLC has filed three major lawsuits to help hundreds of foreign and domestic workers recover unpaid wages. The complete text of Rosenbaum's testimony can be found at <http://www.splcenter.org/news/item.jsp?sid=102>.

Intelligence Briefs

tracking extremist activity

Anti-Semitic prof's teaching curtailed

LONG BEACH, CALIF. — Kevin MacDonald, the California psychology professor who wrote an anti-Semitic trilogy explaining why he thinks Jews are bad for white societies, has been removed from teaching certain classes.

Gerry Riposa, dean of the College of Liberal Arts at California State University, Long Beach, said that MacDonald would no longer be teaching lower-level courses, including a required course for psych majors specializing in child development.

University sources say complaints about MacDonald's anti-Semitism and racism following the April publication of the *Intelligence Report's* exposé, "Promoting Hate," spurred the change.

But Riposa insisted that MacDonald's lower-level classes have had "really low enrollments," which is unacceptable given the rapid growth in Long Beach's student body. Riposa said he has ordered MacDonald to come up with "some other courses" than the three or four he has taught for years because he "needs to do something else."

Anti-Semitic leader rebuked by Catholic bishop

HARRISBURG, PA. — A man who for 14 years has run a virulently anti-Semitic "radical traditionalist Catholic" group, a movement whose precepts are rejected by the Vatican, has been told to clean up his act by church officials. A letter the *Intelligence Report* sent to Robert Sungenis' bishop here, detailing his anti-Semitic activities, prompted the move.

Sungenis, who runs Catholic Apologetics International (CAI), is one of the hardest-line figures of the radical traditionalist Catholic movement, which generally has rejected the Vatican's efforts to reconcile with Jews and other faiths. Among other things, Sungenis in 2002 wrote a 33,000-word

screed attacking the Jews that led to his being thrown off Eternal Word Television Network, a Catholic cable station. Elsewhere, he has written that "Jews, Judaism and Israel" are conspiring to make Satan the ruler of the earth.

Navy extremist disciplined

NORFOLK, VA. — The Navy has declared a "finding of misconduct" and issued a formal letter of reprimand to Lt. Comdr. John Sharpe Jr., according to his parents. But Sharpe reportedly was disciplined only for criticizing President Bush and the Iraq war—not for his extensive anti-Semitic activities.

Sharpe was suspended from his job as spokesman for the aircraft carrier USS Carl Vinson last spring, following an exposé by the SPLC's *Intelligence Report* detailing his anti-Semitic activities. Sharpe blames Jews for the 9/11 attacks, for instance, writing that a "conspiracy" organized by the "Zionist New World Order ... plan[ned] to push the entire world into World War III for the glory of Israel." He has attended a white supremacist conference, been on the board of a neofascist British group, and still runs two groups listed as hate groups by the SPLC.

Duke supporter elected to GOP

METARIE, LA. — David Duke, a former KKK imperial wizard, notorious neo-Nazi and convicted tax cheat, no longer spends much time in Louisiana. But his old allies are still active in state politics.

In early June, one of Duke's allies, longtime Louisiana right-wing radio talk show host Keith Rush, 75, was elected to the Louisiana Republican State Central Committee, the governing body of the Louisiana state GOP.

When Duke ran for governor in 1991 (winning, shockingly, nearly 700,000 votes), he backed Rush's candidacy for the Jefferson Parish Council, telling his supporters that Rush "thinks like we do."

They said it ...

"I want every Muslim immigrant to America ... to be required by law to wear a GPS tracking bracelet at all times."

— "Gunny" BOB NEWMAN on the May 8 broadcast of "The Gunny Bob Show" on Denver's Newsradio 850 KOA

"Islam is not a religion. It is a worldwide political movement meant [sic] on domination of the world."

— Host PAT ROBERTSON on the June 12 edition of the Christian Broadcasting Network's "The 700 Club"

"Give 'em all a little nuclear waste and let 'em take it on down to Mexico. ... Tell 'em it's a tortilla warmer."

— Host NEAL BOORTZ, on the June 21 edition of Cox Radio Syndication's "The Neal Boortz Show," describing what he'd like to do with undocumented Mexican workers

SPLC-sponsored case wins damages for victim

A black man who was beaten and slashed across his back by racist skinheads in California was recently awarded a \$1.2 million judgment in a lawsuit sponsored by the Southern Poverty Law Center and inspired by its earlier legal victories against hate groups.

In August, a federal jury in Los Angeles found that a recruiter for a white supremacist group and five relatives of two of the attackers were co-conspirators in the 1999 slashing of Randy Wordell Bowen. An earlier ruling in the case awarded \$4.8 million in damages against six men convicted in the case and three others who were involved but not criminally charged.

Attorney Andy Roth of Riverside, Calif., brought the suit following what prosecutors described as one of the worst racially motivated crimes in Riverside County history.

SPLC victories inspiration for case

"The SPLC's use of civil lawsuits to battle hate groups was my inspiration for taking on this case," Roth said. "I followed the Metzger case in 1990. He lives just a few miles from where my client was attacked. He even showed up a few times at the criminal trials of the attackers."

In 1990, the SPLC won a \$12.5 million judgment against John Metzger and his White Aryan Resistance for their role in the killing of an Ethiopian student by skinheads in Portland.

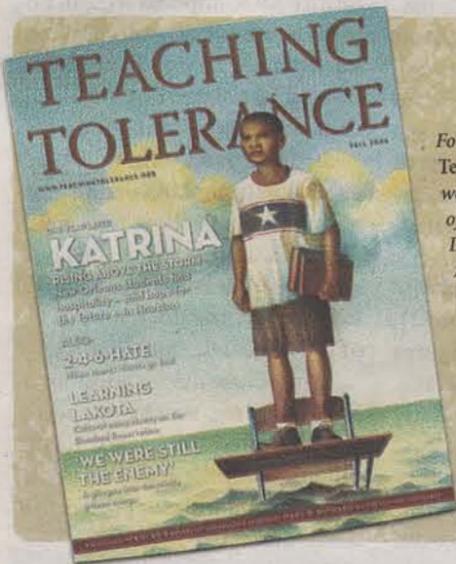
The attack on Bowen, who now works as an instructional aide for special needs children, happened on St. Patrick's Day in 1999. Then 23, Bowen had gone with friends to a bonfire that drew about 150 people. During the party, he was struck on the head with a bottle. He fled and was chased by a group of people, many of whom shouted racial slurs and Nazi slogans. He escaped his attackers and ran through dark fields to a farmhouse, where the residents called authorities.

Skinheads in prison for attack

In March 2002, two of Bowen's attackers were found guilty and received sentences of 20 and 14 years in prison. Authorities said they were admitted members of a skinhead group called the Western Hammerskins, a regional branch of the Hammerskin Nation. In addition, four other men pleaded guilty in connection with the crime; three were sentenced to four years in prison, and one was sentenced to 10 years.

Roth filed suit on Bowen's behalf in 2000. The SPLC provided jury instructions used in its own hate group cases to help Roth with his case. Litigation grants from the SPLC enabled him to do the "huge amount" of investigation and discovery necessary to succeed in the case, he said.

After an eight-day trial, the jury deliberated for less than three hours before reaching its verdict.



For the second consecutive year, Teaching Tolerance magazine won the prestigious Association of Educational Publishers' Distinguished Achievement Award for Periodical of the Year. The magazine also received three other awards — for design, illustration and photography. The winning Fall 2006 issue is shown here.



Connecticut students display a multicultural quilt they made during a yearlong, school-wide campaign to implement a Tolerance Action Plan. The program was funded by one of SPLC's Teaching Tolerance grants.

Grant helps high school fight hate

ANSONIA, CONN. — A fight that included a threatened lynching, an accusation of sustained bullying and another incident involving ethnic slurs written in a classroom exercise pushed Emmett O'Brien Technical High School into a major reassessment of its racial atmosphere. It also opened the way for teacher Mary Parady to use a \$2,000 Teaching Tolerance grant to initiate a campaign for tolerance and diversity that would resonate throughout the predominantly white lower Naugatuck Valley.

Simmering tensions at the school boiled over in March 2006 when two female students were involved in an ugly confrontation that included a taunt from the white student that the black student "better watch her back or she'd be hanging in a tree." The student was charged with a hate crime. Not long after that, another student at the school used a class writing exercise to make hateful, derogatory comments. Soon, the community was caught up in a public

round of controversy and legal proceedings.

Parady, an ELL (English Language Learner) teacher, met with her principal to help the school deal with the causes of the bigotry and divisiveness. Her idea was to implement a Tolerance Action Plan (TAP), also dubbed "To Accept People," to create awareness of diversity and education among the school's predominantly white student body on issues of tolerance, name-calling, bullying and multiculturalism.

Grant integral to program's success

Parady used a Teaching Tolerance grant to put TAP into action. The financial assistance enabled her to purchase materials that supported relationship-building events and projects throughout the year, including a multicultural awareness celebration, a diversity puppet jamboree and creation of a multicultural quilt reflecting shared values.

Parady said the puppets, which were used in the language arts lab, were used to ad-

dress conflict resolution. "Even though these are high school kids," she said, "they really enjoyed it." The quilting project was also both popular and effective for TAP. "We used the grant money to put together a unity quilt," Parady said. "Each student made a square that represented their heritage."

The yearlong effort drew plaudits from within the school and in the city of Ansonia, as well as coverage from media. Local NAACP president Greg Johnson visited the school to talk to the students. "This project has helped the students get to know each other, and it's definitely cut down on the bullying," Parady said. "The nice thing about TAP is it gave us the opportunity to provide students with the tools to respond to some of the situations they face."

Since 1997, Teaching Tolerance has awarded more than \$1 million in grants to help K-12 educators implement anti-bias projects. For information, visit www.teachingtolerance.org and click "Grants."

Class action seeks unpaid wages for tomato harvest guestworkers

As part of an ongoing campaign to stop the exploitation of migrant workers, the Southern Poverty Law Center (SPLC) has filed a class action lawsuit against one of the Southeast's largest employers of foreign guestworkers.

The suit, *Rosalino Perez-Benites et al. v. Candy Brand LLC et al.*, was brought on behalf of about 2,700 Mexican migrant workers who harvested and packed tomatoes and performed other agricultural work in Bradley County, Ark., over the past five years.

The federal lawsuit, filed on

June 1 in El Dorado, Ark., alleges that Candy Brand failed to pay federally mandated overtime wages for work in its packing sheds and 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.

After paying, in some instances, as much as \$3,500, many workers were left in debt, even after completing the eight-week harvest season.

"The farmworkers harvesting the vegetables that feed this

country deserve to be treated with dignity and respect," said JJ Rosenbaum, an attorney with the SPLC's Immigrant Justice Project who is representing the workers. "Instead, Candy Brand and its business associates are using the H-2A guestworker program to exploit workers by grossly underpaying them and forcing them to work under conditions akin to indentured servitude."

Company violated federal law

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.

Workers came to U.S. on legal visas

The plaintiffs are migrant farmworkers who came to the United States on temporary H-2A visas. The lawsuit seeks restitution of unpaid wages, an award of money damages and a court order requiring the defendants to comply with federal regulations governing the H-2A program.

The SPLC has also brought

class actions seeking unpaid wages and reimbursement of expenses for guestworkers against several forestry companies doing business in the Southeast, a hotel chain in New Orleans and the food giant Del Monte. Earlier this year, the SPLC released a groundbreaking report — *Close to Slavery* — documenting the widespread, systematic exploitation of guestworkers.

Assisting SPLC attorneys in the Candy Brand case are local counsel Martin W. Bowen of Little Rock and co-counsel Edward Tuddenham of New York.

Justice sought for Louisiana's 'Jena 6' youths

(continued from page 1) overruled by an expulsion hearing committee that issued suspensions instead. That decision, along with the school superintendent's characterization of the noose-hanging as a "prank," outraged many blacks. None of the white students were charged with criminal intimidation charges.

Then tempers flared even more when District Attorney Reed Walters appeared at a school assembly and said: "With a stroke of my pen, I can make your lives disappear." Black students say Walters looked at them when he made the threat.

Racial tensions boiled over in December, and a white student, 18-year-old Justin Barker, was beaten up by a group of black students. He reportedly suffered a concussion, a swollen eye and some cuts and bruises.

Juvenile tried as adult

Mychal Bell, who was 16 at the time of the incident, was tried as an adult in June and convicted of aggravated second-degree battery and conspiracy in the attack. A judge has since thrown out the conspiracy charge, and a state appeals court threw out the battery conviction, saying Bell should not have been tried as an adult. Bell was released from custody in late September but is still awaiting trial as a juvenile.

Bailey, along with Bryant Purvis, Carwin Jones, Theo Shaw and a juvenile, also await trial.

The situation has generated media coverage across the United States and in countries around the globe. In September,

tens of thousands of marchers descended on Jena to protest the prosecutions.

"In so many places throughout the country, the scales of justice are weighted against defendants who are poor and of color," Cohen said. "By bringing in a

reduced the attempted second-degree murder charges against Jones, Shaw and Bailey to battery and conspiracy charges. Purvis, who still faced an attempted second-degree murder charge, had not been arraigned when the *SPLC Report* went to press.

The juvenile's charges have not been disclosed.

Civil rights activists across the country have raised alarm about the apparent overzealous prosecution of black teens.

"This case certainly reflects a gross overcharging of six African American teens in a small Louisiana town, a town where black kids know they cannot travel to the other side of town — the white side — at night without risking arrest," Utter said. "With adequate resources and a quality legal team, we will ensure that there is justice for these young men."

SPLC reforming system

The SPLC also is working more broadly to reform the juvenile justice system throughout the South, a system that incarcerates many children for minor, nonviolent offenses. The goals are to ensure that juveniles receive proper legal counsel, that incarcerated children are protected from abusive conditions and that they have meaningful opportunities for treatment and rehabilitation.

The SPLC recently launched its School-to-Prison Reform Project to address the neglect of troubled children in schools and the overly harsh disciplinary measures that criminalize misbehavior — factors that combine to push children out of school and into the justice system.



Carwin Jones (left) and Bryant Purvis, two of the defendants in the Jena Six case, clasp hands in unity during the Sept. 20 demonstration.

great lawyer like Jim Boren, we hope to balance the scales."

That appears to be happening with SPLC's involvement in the case, said David Utter, a lawyer with the Juvenile Justice Project of Louisiana. The group, founded 10 years ago with SPLC support, is representing the unidentified juvenile charged in the altercation.

"The SPLC's involvement has significantly changed the tenor of the case," Utter said. "Bringing in Jim Boren and helping to recruit other lawyers into the case has made a real difference."

In September, prosecutors

Jena events spark new SPLC initiatives

The Southern Poverty Law Center's legal, education and investigative units all are playing significant roles in the Jena 6 controversy.

The SPLC not only is assisting in the legal defense of the Jena Six (see story, page 1), it helped expose a white supremacist backlash to the historic march in Jena and is helping educators deal with racially charged situations in their own schools.

SPLC offers strategies

The Teaching Tolerance program released a set of strategies educators can use to address bias incidents at school and defuse tensions before they erupt into violence.

Six Lessons from Jena, which is available online, helps educators evaluate the climate of their school, spot warning signs, identify bias incidents and use them as teaching moments to bring together the school and community.

"Educators play a pivotal role when a bias incident occurs," said Jennifer Holladay, director of Teaching Tolerance. "The noose-hanging, the name-calling and the violence in Jena might all have been avoided if school officials had paid attention to the warning signs and acted decisively to address the underlying issues."

Educators respond with praise

Within 24 hours of offering *Six Lessons from Jena* on Teaching Tolerance's website, www.tolerance.org, educators and advocates across the country responded with praise and action.

The Maine attorney general's office is reproducing the plan for 220 schools across that state.

"Six Lessons from Jena is the roadmap to follow for any school struggling to effectively address bias incidents among its student body," said Amy M. Homans, with the Maine Civil Rights Team Project, an effort by the Maine attorney general's office to reduce school bias incidents. "Once again, Teaching Tolerance steps up to the plate to provide school officials with the tools they need to confront this difficult issue with confidence and conviction."

School boards in Elmont, N.Y., and Miamisburg, Ohio, have required their school principals to read it. Education colleges and departments at Central Arizona College, Occi-

dental College in Los Angeles, the University of Michigan and Clovis Community College in New Mexico said they have already incorporated it into their programs. Community organizations also adopted it.

White supremacist backlash

Following the Sept. 20 march, when tens of thousands of demonstrators descended on Jena, the SPLC exposed the fact that neo-Nazi leader Bill White had posted online the addresses and phone numbers of five of the six black youths charged in the case.

White, the leader of the American National Socialist Workers Party, suggested in his online post that his readers "get in touch and let them know justice is coming."

Another White posting was even more direct: "Lynch the Jena 6."

CNN and other news outlets reported on the address postings, and afterward Louisiana Gov. Kathleen Blanco ordered state police to protect the Jena Six families. Police patrols were also increased in the town, and the FBI is investigating the threats.

Home addresses posted online

White previously posted the home addresses of SPLC President Richard Cohen and James Boren, an SPLC cooperating attorney representing one of the youths.

SPLC investigators also warned authorities of a possible counter-demonstration, an idea proposed on several white supremacist websites.

Before the protest, Baton Rouge neo-Nazi leader Robert Moore wrote online about police security arrangements in Jena and whether weapons would be allowed in certain areas.

"Remember, Louisiana is an open-carry state, and your vehicle is an extension [sic] of your home," he wrote on Stormfront.org. "We also have the right to defend ourselves if attacked."

The counterdemonstration never materialized, but a pickup truck with two nooses tied to the back was stopped by authorities in Alexandria, La., resulting in charges of inciting to riot and driving while intoxicated against the 18-year-old driver. A minor, who told police he and his family were Ku Klux Klan members, was charged with underage drinking and probation violation.



Conference kicks off national effort to end sexual harassment

Dolores Huerta, co-founder with Cesar Chavez of the United Farm Workers and a major figure in the American civil rights movement, displays the Esperanza Award. Applauding are SPLC President Richard Cohen and Mónica Ramirez Guerrero, SPLC's Immigrant Justice Project attorney who directs a new immigrant women's legal initiative. The award was presented at the first national conference to end sexual harassment against farmworker women, held June 4-5 in Atlanta. The event drew advocates and farmworker women from across the country and kicked off the nationwide initiative. The Esperanza Award was created to honor an individual who has exemplified strength and leadership in the fight to end sexual harassment and discrimination in the workplace against low-wage immigrant women. Also pictured is last year's recipient, Olivia Tamayo of California. Esperanza means hope in Spanish.

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Partner extends support by naming SPLC in will

Charles Mumford Sr. says he began life simply as a barefoot country boy in North Carolina.

But he grew up to have a life marked by more than 50 years of helping others through his work as a police officer, teacher, coach and even a program manager for President Carter.

"People accuse me of doing a lot of things they are impressed with — but that doesn't matter to me," said Mumford, 83. "I have really been blessed and still am really blessed. The more I give the more God gives back to me."

His dedication to improving the world around him includes becoming one of the SPLC's 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.

"I just felt that anybody who had the guts, the intestinal fortitude, to take on the KKK and other entities dedicated to defeating the principles of decency and dignity for all people certainly deserves my support," he said.

He learned about the SPLC through the Civil Rights Memorial and after hearing several people he respected speak highly of its work.

"The Southern Poverty Law Center is nearer and dearer to me than I can describe," he said. "I feel I'm a member of the SPLC family."

Mumford's work includes

serving as a program manager in the Carter administration. His work focused on community improvement projects.

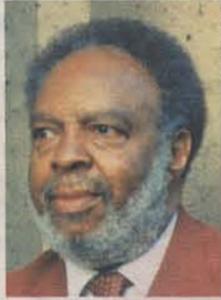
"It was very positive," he said. "It also gave me the opportunity to participate in programs to improve communities across the country."

During his 26 years in Washington, D.C., Mumford also served as an auditor in the Department of Health and Human Services' Office of Community Services, where he helped manage an \$8 billion annual budget. He served in the Community Services Administration as a project officer and senior economic development specialist.

His other work has included service as a Washington, D.C., police officer, a high school teacher in his home state of North Carolina, a coach and scoutmaster. He is president of The Mumford Associates, a consulting firm specializing in community, economic and organization development.

Mumford graduated from Fayetteville State University with honors, earning a bachelor of science degree. He earned a master's degree in community development from the University of North Carolina. He also studied at Duke, Temple and George Washington universities.

Mumford said he has guided his life by a simple motto: "May my concern for the well-being of others always exceed that which I have for myself."



Charles Mumford Sr.

Scroll of Remembrance

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For information about the many planned giving opportunities available at the Center — with no obligation — please contact our planned giving department by calling toll-free 1-888-414-7752 or by mailing the form below. You can also visit us online at www.SPLCenter.org/donate or e-mail us at

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If you have already included the Center in your will or estate plan, please

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Civil Rights Memorial

Fighting hate in the courts

The Southern Poverty Law Center has crippled some of the nation's largest and most violent white supremacist organizations by helping victims of racial violence sue for monetary damages. While the groups usually do not have much money, large monetary awards effectively put them out of business.

These courtroom victories are funded entirely by our supporters. The SPLC accepts no legal fees from its clients, nor does it ask them to underwrite any expenses incurred during the litigation. The SPLC also has sued on behalf of victims of hate crimes whose attackers were not affiliated with hate groups.

Currently, the SPLC is pursuing legal action against the Imperial Klans of America — the nation's second-largest Klan organization — and five of its members for the savage, unprovoked beating of a 16-year-old boy of Latino descent at a county fair in Kentucky in July 2006.

Here is a timeline of the SPLC's most notable victories:

2007 — Winning justice for Billy Ray Johnson

A jury awarded \$9 million to a black man with mental disabilities who suffered permanent brain damage after a racially motivated beating by four young white men in Linden, Texas.

2000 — Closing the Aryan Nations compound in Idaho

A \$6.3 million jury verdict forced Aryan Nations leader

Richard Butler to give up the organization's 20-acre compound.

1998 — Making the Klan pay in South Carolina

A \$37.8 million verdict against the Christian Knights of the Ku Klux Klan (later reduced to \$21.5 million) was the largest ever against a hate group.

1995 — The Harold Mansfield case

A \$1 million judgment held the Church of the Creator accountable for the murder of a black Gulf War veteran.

1990 — Taking on the White Aryan Resistance

A jury ordered the White Aryan Resistance to pay \$12.5 for the brutal murder of Ethiopian student Mulgeta Seraw by Portland skinheads.

1990 — The Decatur case

A settlement resolved the SPLC's suit against members of the Invisible Empire Klan who attacked peaceful civil rights marchers with bats, ax handles and guns in Decatur, Ala., in 1979.

1988 — Shutting down the Invisible Empire

A jury assessed nearly \$1 million in damages against two Klan organizations and 11 followers responsible for attacking black marchers in all-white Forsyth County, Ga. The Invisible Empire

was eventually forced to disband.

1987 — The Michael Donald lynching

An historic \$7 million verdict in Mobile, Ala., marked the end of the United Klans, the same group that had beaten Freedom Riders, blown up the Sixteenth Street Baptist Church and murdered Viola Liuzzo in the 1960s.

Mid-1980s — Shutting down the White Patriot Party militia

An SPLC lawsuit forced the South's most militant Klan group, with more than 1,000 armed members, to disband. Several members were later convicted of plotting to blow up the SPLC.

1981 — Protecting Vietnamese fishermen

An SPLC lawsuit halted a campaign of terror mounted by the Knights of the KKK against Vietnamese fishermen and shut down a terror training camp.



Young Henok Seraw, son of a slain Ethiopian student, sits in SPLC chief trial counsel Morris Dees' lap during the 1990 trial of the SPLC's lawsuit against neo-Nazis responsible for his father's death.

SPLC sues Klan

(continued from page 1) and bruises and jaw injuries requiring extensive dental repair. Gruver has endured physical and mental pain and suffering from the attack. The SPLC is seeking compensatory and punitive damages.

The attack on Gruver is symptomatic of a rising tide of hate and violence directed toward Latinos in the United States. The SPLC has documented a 40 percent rise in the number of hate groups since 2000 — an increase fueled by anti-immigration furor aimed largely at Latinos.

Klansmen serving time for assault

Two IKA members at the time of the beating — Jarred R. Hen-

sley and Andrew R. Watkins.

The center earlier sued Hensley and Watkins for their actions, but this filing adds the IKA and three other individuals.

The suit names Ron Edwards, the IKA's founder and highest-ranking member; J. Edward, who as an Exalted Cyclops had "authority over and responsibility for the operations and activities of the IKA in Kentucky"; and Joshua Cowles, another member participating in the recruiting drive.

The IKA's compound in Dawson Springs, Ky., is situated on 28 acres owned by Edwards. It is the site of Nordic Fest, a music festival that brings together Klans-

men, skinheads and members of other violent hate groups each year in May.

Over the past 25 years, the SPLC has crippled some of the nation's largest and most violent hate groups by helping victims of racial violence sue for monetary damages. Its victories include a \$7 million verdict against the United Klans in 1987 for the lynching of Michael Donald in Mobile, Ala.; a \$12.4 million verdict against



Jarred Hensley poses in his Klan garb in a website photo.

sley, 24, of Cincinnati and Andrew R. Watkins, 26, of Louisville — each are serving three-year prison terms for the beating after pleading guilty to second-degree assault. Hensley was the IKA's Grand Titan in Ohio. Watkins

the White Aryan Resistance in 1990 for the brutal murder of an Ethiopian student in Portland; and a \$6.3 million verdict against the Aryan Nations in 2000 that forced the organization to give up its 20-acre compound in Idaho.

New lawsuit incites threats against SPLC

The Southern Poverty Law Center has received numerous threats since it filed a lawsuit against the Imperial Klans of America (IKA), the nation's second-largest Klan group.

The police have been notified about the threats, and security has been increased at the SPLC office in downtown Montgomery, Ala. SPLC policy prevents the release of details about the heightened security measures.

"The latest case against the IKA promises to be as dangerous as anything we've faced," said SPLC co-founder Morris Dees. "We won't back down from these threats, but we'll have to increase our security to ensure the safety of our staff."

A letter dated July 29, four days after the IKA lawsuit was filed, warned: "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."

The letter claims to be from Hal Turner, a white supremacist talk show host. The letterhead bears his name and e-mail address.

Turner, who was a speaker at a 2003 protest in front of the SPLC office building, denied writing the letter in a response faxed to the director of the SPLC's security team.

A posting on Turner's Web site encouraged visitors to contribute money to a legal defense fund aiming to raise \$25,000 for the IKA.



Montgomery police guard the SPLC's office and the Civil Rights Memorial during a 2003 demonstration by white supremacists from throughout the country.

"It is time to confront the SPLC by any means necessary to defeat them, permanently," the posting said.

Visitors to the site posted several comments, including threats to the SPLC.

An anonymous posting suggested someone should "blow up

their buildings" while another included addresses it said were the homes of SPLC staff members.

Still, another warns that angry whites "will be paying all of you mamzer dogs a visit in time."

The SPLC has over the past 25 years crippled some of the nation's largest and most violent

white supremacist organizations by helping victims of racial violence sue for monetary damages.

It's a fact noted in the IKA fund-raising posting.

"The SPLC destroyed the United Klans of America and not one of their members did anything about it," it said. "The SPLC then de-

stroyed Aryan Nations — and not one of their members did anything about it. Now the SPLC is going after IKA. We all know the proper response; it is time to make it!"

The SPLC's aggressive work against hate groups has long made it a target of violence, most notably when Klansmen burned the SPLC's office in 1983.

Major threats, plots and protests against the SPLC include: 2005 — Neo-Nazi activist Paul Cobb fled after security guards spotted him near the home of Morris Dees. His car had phony plates. 2003 — White supremacists from across the country protested the SPLC's work in front of its office building. 2000 — After the SPLC won a lawsuit against the Aryan Nations, the leader of the California Aryan Nations threatened: "Morris Dees, you're going to die."

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1999 — Klansman Wallace Weicherding and New Order leader Dennis McGiffen went to prison for conspiracy in connection with a plot to kill Dees by bombing the SPLC office. That same year, SPLC surveillance cameras caught neo-

Nazi Chris Scott Gilliam checking out the building's security features. He was later sentenced to 10 years in federal prison after buying 10 hand grenades and saying someone needed to kill Dees.

1996 — Willie Ray Lampley and other members of the Oklahoma Constitutional Militia were sentenced to prison in connection with a plot to destroy the SPLC.

1995 — An Oklahoma militia member and three others were charged with producing explosives with the intent to bomb the SPLC and other targets.

1994 — Former Georgia Klansman Gregory Boyd received a nine-month prison sentence for sending a threatening letter to Dees.

1985 — White Patriot Party members were arrested in the process of robbing a restaurant with the intention of buying stolen military missiles to strike the SPLC.

1984 — Dees' name was at the top of a hit list compiled by The Order, a terrorist group whose members were convicted of racketeering and murdering Alan Berg, a Jewish radio personality in Denver.