

# SPLC REPORT

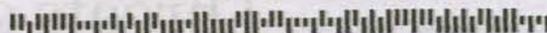
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## Radical-right movement explodes

### Hate groups number 1,018, antigovernment groups set record

The radical-right movement grew explosively in 2011 — a third consecutive year of dramatic growth that has swelled the ranks of hate groups and other extremists to record levels,

the SPLC found in its annual census released in March.

The expansion was fueled by fears generated by economic dislocation, a proliferation of demonizing conspiracy theories

and the changing racial make-up of America, symbolized by President Obama.

A list and interactive, state-by-state map of hate groups can be viewed at [www.splcenter.org](http://www.splcenter.org).

“The growth of the radical right in 2011 was truly extraordinary,” said

Mark Potok, senior fellow in the SPLC’s Intelligence Project and author of the report.

“For many extremists, President Obama is a lightning rod, a symbol of all that’s wrong with the country,” Potok said.

“He’s the ‘Kenyan’ president, the ‘secret Muslim’ who is causing our country’s decline. The election season’s overheated political rhetoric is adding fuel to the fire. The more polarized the political scene, the more people at the extremes.”

The number of hate groups counted by the SPLC last year reached 1,018, up from 1,002 the year before but continuing a trend of annual increases going back to 2000, when there were 602 hate groups.

The stunning growth came in the antigovernment “Patriot” movement — composed of armed militias and other conspiracy-minded groups that see

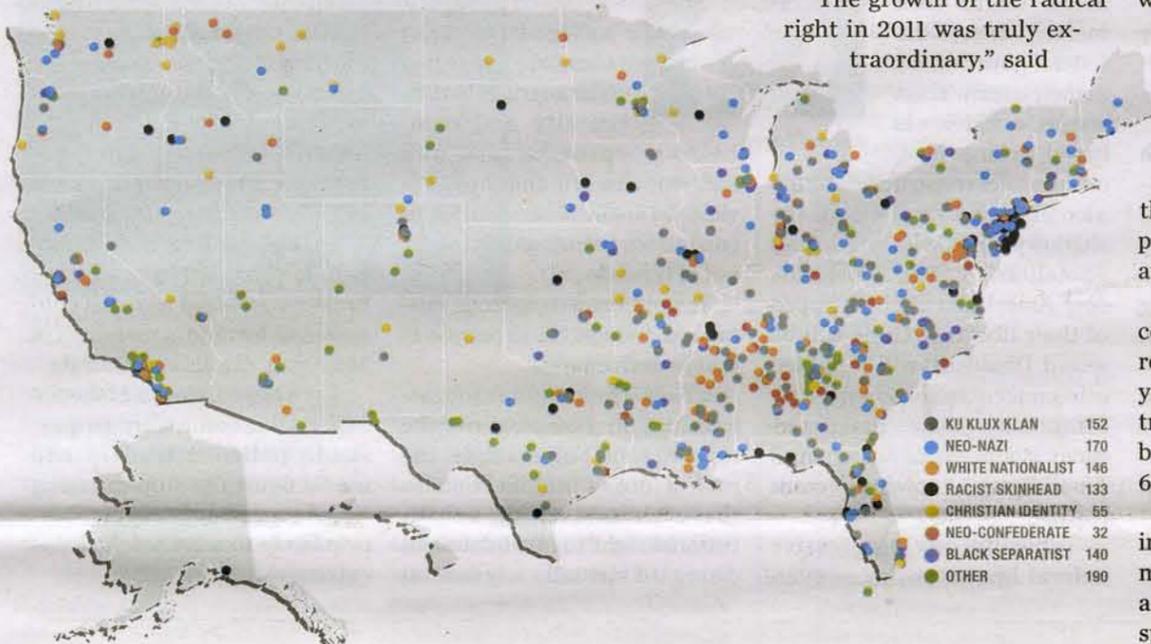
the federal government as their primary enemy. These groups saw their numbers increase by 55 percent — from 824 in 2010 to 1,274 groups last year.

The increase marks a 75 percent rise in Patriot groups during the first three years of the Obama administration. The number has now surpassed — by more than 400 groups — the previous all-time high set in 1996, when the first wave of the militia movement peaked.

#### ‘Sovereign citizens’ movement grows

The tough economy may offer the best explanation for the huge expansion in the so-called “sovereign citizens” movement, a subset of the larger antigovernment movement. Although the size of the sovereign movement is hard to gauge — sovereigns tend to operate as individuals rather

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## SPLC challenges constitutionality of federal anti-LGBT marriage laws

WASHINGTON, D.C. — Tracey Cooper-Harris served 12 years in the U.S. Army and received multiple commendations. But because she’s in a marriage with a person of the same sex, the federal government refuses to grant her the same disability benefits as heterosexual veterans.

On Feb. 1, the SPLC filed a federal lawsuit on the couple’s behalf, challenging the constitutionality of the Defense of Marriage Act (DOMA) as well as the law that governs the Department of Veterans Affairs (VA) policy.

#### Policy demeans military service

“The government’s refusal to grant these benefits is a slap in the face to the gay and lesbian service members who put their lives on the line to protect our nation and our freedoms,” said Christine P. Sun, deputy legal director for the SPLC. “Given the recent repeal of Don’t Ask Don’t Tell, it’s shocking that the federal government continues to demean Tracey’s years of service and the service of many others in this way.”

While in the Army, Cooper-Harris reached the rank of sergeant and served in Kyrgyzstan and Kuwait in support of Operation Enduring Freedom and Operation Iraqi Freedom. She received more than two dozen medals and commendations and was honorably discharged in 2003.

Five years later, she married her partner, Maggie, in Van Nuys, Calif. In 2010, Tracey was diagnosed with multiple sclerosis, which the VA has determined is connected to her military service. There is no known cure for multiple sclerosis, a disabling disease that attacks the brain and central nervous system.

Tracey received disability benefits, but the VA denied her application for additional compensation to which married veterans are entitled — benefits meant to help ensure financial stability for spouses — even though her marriage is legally recognized in California. The denial also means the couple will not be permitted to be buried

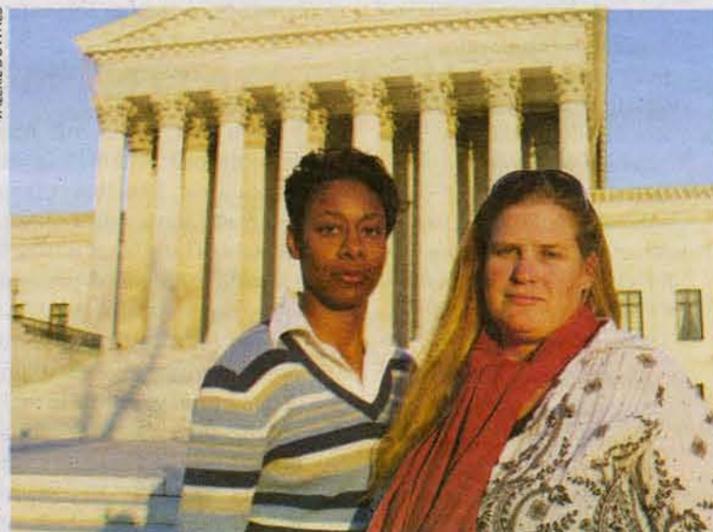
together in a national veterans cemetery.

The VA’s decision was based on its definition of a spouse, spelled out in federal law, as “a person of the opposite sex who is a wife or a husband.” Even if the department were to change its definition of spouse, DOMA would prevent the department

from approving the benefits because it defines marriage for all federal purposes as “a legal union between one man and one woman as husband and wife.”

“I dedicated 12 years of my life to serving the country I love,” Tracey said. “I’m asking

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Tracey Cooper-Harris (left) and her wife, Maggie, pictured in front of the U. S. Supreme Court in Washington, D.C., are suing the federal government for refusing to provide them benefits entitled to veterans’ families.

## 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 SPLC works toward the day when the ideals of equal justice and equal opportunity will be a reality. The SPLC also sponsors the Civil Rights Memorial, which honors the memory of individuals who died during the Civil Rights Movement.

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## A MESSAGE FROM SPLC PRESIDENT RICHARD COHEN

# Threats of violence illustrate extremist backlash

The leader of a hate group with chapters in 15 states last year urged supporters to start buying assault rifles, deadly hollow-point bullets and even tools to derail trains.

Why? Because “we are already at war,” said Michael Hill, president of the League of the South, a group that advocates for a second Southern secession to establish a theocratic state run by white people.

Elsewhere, the leader of a border vigilante group called Americans for Legal Immigration PAC said that “in order to save white America” from “dictator Barack Obama,” it might be necessary to engage in “extra political activities that I can’t really talk about because they’re all illegal and violent.”

### Broad changes provoke backlash

These threats of violence illustrate an extreme backlash to the broad changes we’re seeing in our society — not only to the global forces that are bringing foreign workers to our shores, but also to the mounting efforts to ensure equality and tolerance for LGBT people, Muslims and other minorities, and to what appear to be long-term, structural changes in our economy.

Unfortunately, the incendiary rhetoric of the presidential

election is fanning the flames. To those on the radical right, President Obama symbolizes the loss of power in “their” country.

As you can see in this issue of *SPLC Report* (see story, page 1), these factors fueled explosive growth in the radical right over the past year. The most troubling expansion came in the rabidly antigovernment “Patriot” movement, which has now grown by more than 750 percent over the three years that Obama has been in the White House.

Patriot groups are largely composed of paranoid reactionaries, white men mostly, who see the federal government as their enemy. Their warped worldview is based, in large part, on fairy tales constructed around a looming takeover of America by shadowy elites who will install a totalitarian “New World Order.” Americans will be stripped of their liberties. Guns will be seized. Dissidents will be herded into concentration camps now being built by the Federal Emergency Management Agency. And America, as we know it, will cease to exist.

Typically, any progressive federal law or policy — even

something as innocuous as new energy-efficient standards for light bulbs — is attacked as evidence of “tyranny” or Marxism on the march.

### Conspiracies spread like virus

In Obama, those on the far right see a president who embodies their worst fears. He’s a secret Muslim. He’s a Marxist bent on destroying our country. He’s an agent of the New World Order.



Richard Cohen

And, of course, he’s a constant reminder of the changing racial and ethnic demographics of our country.

Unfortunately, antigovernment ideas are spreading like a virus. Civility, comity and compromise are out. Extreme rhetoric and threats of violence are in. No accusation or conspiracy theory seems too far out of bounds.

It would be a dangerous mistake to dismiss these people as cranks and lunatics.

First, their undemocratic values are creeping into the mainstream. For example, the radical idea of “nullification” — that each state has the constitutional right to invalidate and disregard virtually any federal

law — is gaining popularity on the right, even though it flies in the face of more than two centuries of jurisprudence. The federal government, of course, is the primary entity that enforces civil rights and other standards that protect Americans from serious threats, like pollution or tainted food.

Second, the potential for violence is very real. Extremists who have a loose grip on reality and who believe their country and way of life are at risk can present a danger of politically motivated terrorism. Timothy McVeigh murdered 168 people when he bombed the federal building in Oklahoma City in 1995, at the height of the militia movement of that decade.

Today, the antigovernment movement has reached new heights, with 1,274 groups — surpassing the previous peak in 1996 by more than 400 groups.

In this latest wave of extremism, authorities have already broken up alleged terrorist conspiracies by militia members in Michigan, Alaska and Georgia.

Let’s hope it doesn’t take another Oklahoma City to persuade political leaders and media figures to stop engaging in the type of demonizing rhetoric likely to send a delusional extremist over the edge.

## MAILBOX

Thank you so very much for your latest edition of the *SPLC Report*, the special one on immigration. I live and work in Texas. The descriptions in your newsletter are appalling, and yet so very true.

Thank you for all you do. Know that you are admired and prayed for by many of us who forget to say so.

P.M.  
Denton, Texas

Thank you for taking on the very important work of LGBT rights. I hope my yearly membership can further this cause.

S. K.  
Vashon, Washington

I am a teacher in our high school, and recently in my Holocaust Studies classes my students and I viewed “Erasing Hate.” Our desire to view the movie was prompted by the article in the *SPLC Report* [Winter 2011] about Bryon Widner’s life-changing decision and your role in making this possible. In response to the film, the students wrote letters to either Bryon, his wife or your organization.

Of all the assignments that I give this semester, my

prediction is that viewing this film and writing the letters will be the most memorable experience that my students will have. For some, this is the first time they have expressed their opinions in writing to a real audience.

I want you to know how powerful the experience of learning about Bryon Widner’s redemption has been for my students. Thank you for providing this rich educational opportunity for these impressionable teenagers.

N.P.  
Tulsa, Oklahoma

We visited the Civil Rights Memorial Center this week and were overwhelmed with the message. You are doing such important work for all of us. Thank you and God bless!

V.N.  
Sterling Heights, Michigan

I just donated \$50 to you, my first donation to the SPLC, and I want to tell you what in particular brought me to donate this year.

The rise of anti-Muslim rhetoric and anti-Muslim politicking in America troubles my conscience more

than I can say. It’s hardly anything new, but the hearings by Rep. Peter King last summer shocked me into a new consciousness. I am not a religious person myself; maybe, because of that, I was slow to detect how bigoted and hateful the discourse had become.

Thank you for the work you do calling attention to that intolerance.

B.D.  
Brooklyn, New York

As trustee for my 92-year-old mother, who is one of your long-time supporters, I thank you for the very fine work you do and for accepting the terrible risks that come with it. Your many successes are victories for all of us.

J.M.  
Boston, Massachusetts

Thank you for all you do in the ongoing struggle against hatred and closed minds. Your Teaching Tolerance project has been a part of our curriculum for many years, and we cannot thank you enough for all the wonderful and helpful resources.

We found the information in the *SPLC Report* that more

than half of states fail at teaching the civil rights movement disheartening, but do believe there is hope, and that in spite of what our state standards require, there are teachers who firmly believe that the teaching of this time in our history is crucial and must not be brushed aside.

Regardless of the emphasis on math, reading and writing, we make sure that civil rights, including the racism, obstacles and resistance faced by those involved in the movement, is included in our history and language arts classes on a regular basis.

Thank you again, and know that up here in Vermont, there are many of us who know what needs to be done.

L.P., L.L., J.C.  
Poultney, Vermont

I just signed Stand Strong Against Hate [[www.splcenter.org](http://www.splcenter.org)]. I have been a supporter of SPLC for many years and know that you have made a huge difference in our society by staying on top of hate as much as you can. Thank you for being there for our country!

P.B.  
Fairfield, California

# Radical-right movement explodes

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than in organized groups — law enforcement officials around the country have reported increasing encounters. The SPLC has estimated that some 100,000 Americans are active in this movement and that another 200,000 may hold some sovereign beliefs.

## 'Sovereign' beliefs are bogus

Sovereign citizens, whose ideology first developed in white supremacist groups, generally do not believe they are obliged to pay federal taxes, follow most laws, or comply with requirements for driver's licenses and vehicle registrations. They also typically believe that filing certain documents can relieve them of debt or bankruptcy proceedings, or even bring them millions of dollars from secret government accounts. The claims are bogus, but they have attracted thousands into the movement at a time of real financial hardship.

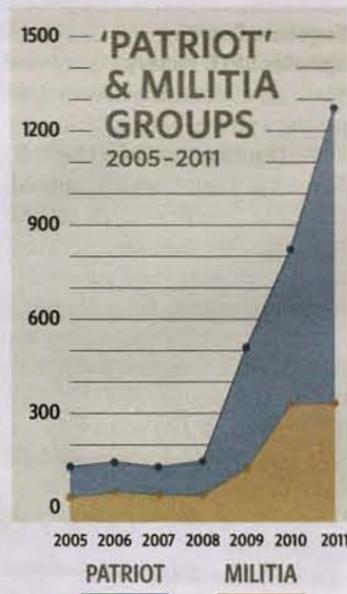
The FBI has taken notice as well. It issued a bulletin to law enforcement officials in September 2011 entitled "Sovereign Citizens: A Growing Domestic Threat to Law Enforcement" that describes the movement as "domestic terrorist." The bulletin notes that sovereigns have killed six law enforcement officers since 2000 and that Terry Nichols,

convicted in the Oklahoma City bombing, was a sovereign.

In February, the FBI said it has been flooded with calls from local government officials seeking assistance in dealing with these extremists.

"We started to notice a heightened potential for violence," said Stuart McArthur, deputy assistant director of the FBI's counterterrorism division.

He added: "The thing generally about sovereign citizen extremists is that because their



ideology just intrinsically deals with the rejection, complete rejection, of the constitutional authority of the United States or any other government for that matter ... that when you have an encounter with law

enforcement, we have seen that has a potential to go high and right very fast."

## Police officers murdered

That was seen most dramatically on May 20, 2010, when a father-son team of sovereigns murdered two West Memphis, Ark., officers during a routine traffic stop. In February, a sovereign accused of trying to shoot a police officer during a traffic stop in Hurst, Texas, was sentenced to 35 years in prison.

A third strand of the radical right — "nativist extremist" groups, organizations that go beyond normal political activism to harass individuals they suspect of being undocumented immigrants — shrank substantially in 2011.

After five years of sustained growth, these vigilante groups plummeted last year to 184 from 319 in 2010 — a one-year drop of 42 percent.

Last year, nativist leader Shawna Forde was sentenced to death for the home-invasion murders of a Latino man and his 9-year-old daughter in Arizona.

"The sharp decline of the nativist movement appears to be a product of negative media exposure, destructive infighting among movement leaders and the fact that many state legislatures are addressing nativist demands by passing draconian anti-immigrant laws," said Intelligence Project Director Heidi Beirich.

## SEEKING JUSTICE

# SPLC continues fight against Alabama's racist immigrant law

The SPLC took its fight against Alabama's racist anti-immigrant law to a federal appeals court as it sought to block more provisions of a law that is creating a civil rights crisis and threatening a fragile economy.

SPLC attorneys argued before the 11th Circuit Court of Appeals in Atlanta on March 1 in the latest step in a legal battle that has succeeded in temporarily blocking major provisions of HB 56.

## Devastating impact, report says

As the legal battle played out in the courts, the University of Alabama released an explosive report showing the law will have a devastating economic impact.

The study found that HB 56 could cost the state up to \$11 billion a year in economic output as it pushes people out of the state. The state and its communities also stand to lose as much as \$358 million annually in tax revenues, according to the report.

Many state officials are pushing hardliners in the legislature to modify the law, and the SPLC is working to build public pressure for a full repeal.

## Cruel law tramples rights

"The Southern Poverty Law Center is dedicated to defeating this cruel legislation," said SPLC Legal Director Mary Bauer. "The law tramples the rights of the state's residents and undermines our core American values of fairness and equality."

In February, the SPLC issued a report documenting the discrimination, harassment and confusion the state's Latino community is facing. Latinos have reported being cheated out of pay, denied medical treatment and having their water shut off for not having their "papers" in order.

The Alabama Coalition for Immigrant Justice, which includes the SPLC and its allies, organized a Valentine's Day rally against the law — dubbed "One

Heart One Alabama" — at the Alabama State House. The SPLC also released an Internet video urging lawmakers and residents in other states to remember the damaging effect of the law before they support similar legislation in their own states.

The SPLC and its allies also appealed to executives of foreign automakers in the state to support repeal. Several high-level employees of those automakers have been detained during traffic stops for not having proper papers.

HB 56 was modeled after Arizona's anti-immigrant law, which gave local police the authority to check the immigration status of individuals they stop. But Alabama's law included other harsh provisions — even requiring school officials to question newly enrolled students about their immigration status and that of their parents. It has been described as the harshest anti-immigrant law in the nation.

## INTELLIGENCE BRIEFS

### Hate group calls for destruction of SPLC

MONTGOMERY, Ala. — A hate group leader asked God to destroy the SPLC at a press conference organized by Americans for the Truth About Homosexuality (AF-TAH), which the SPLC lists as an anti-gay hate group. Also represented at the protest was Abiding Truth Ministries, another hate group.

In a written statement read at the Jan. 17 news conference, which was staged outside the SPLC office, Abiding Truth Ministries founder Scott Lively called on God to destroy the SPLC: "My prayer, as one who really does hate irrational prejudice, is that the Lord by His sovereign power will remove this dangerous, hate-spreading organization from our nation and cause its leaders and members to repent for their wickedness. ... I want to make clear that I am asking God himself to destroy their organization."

About a dozen African-American pastors joined the anti-gay extremists in condemning the SPLC for using its "hate group" label to describe faith-based organizations that demonize the LGBT community, characterizing it as part of an orchestrated liberal plot.

"Our listing of anti-gay hate groups is completely unrelated to religion, Christianity or the Bible," said Mark Potok, senior fellow at the SPLC. "These groups are listed because they repeatedly lie in an effort to defame LGBT people, an exercise they've been extraordinarily successful at."

### 'Sovereign citizen' convicted of assault

FORT WORTH, Texas — A self-described "sovereign citizen," who also called himself a "Moorish American," was convicted Jan. 30 of shooting at a police officer who tried to arrest him for traffic violations last summer. The jury sentenced James Michael Tesi to 35 years in prison.

Tesi, 49, an occupational therapist, was charged with aggravated assault on a public servant with a deadly weapon. The charge stems from a series of encounters he had with police for not wearing a seat belt, speeding, failing to show up in court and not producing a valid driver's license.

Like growing numbers of antigovernment extremists who call themselves sovereign citizens, Tesi apparently believed state and federal laws don't apply to him.

A recent FBI report labeled sovereign citizens the most significant domestic terrorism threat and a particularly dangerous one for law enforcement.

The SPLC has produced a training video designed to help keep officers safe when they encounter sovereigns, like the father-son team who murdered two Arkansas officers in 2010. More than 80,000 copies have been distributed, free of charge, to agencies across the country.

### Man with bombs arrested as anti-immigrant hearing opens

TOPEKA, Kan. — A man whose pickup truck contained explosives was arrested in a tunnel leading to the Kansas Capitol here on Feb. 15, the same day that demonstrators were gathering to protest controversial anti-immigrant legislation. The man, who police declined to identify, had a sticker on his truck that read, "Welcome to America. Now speak English."

A Capitol spokesman said the pickup was parked in a restricted lot for state workers a short distance from the Capitol. Its owner, he said, was arrested in a tunnel connecting the Capitol to an office building after officers spotted an empty holster and other suspicious objects in his truck.

The arrest came as a state House committee opened three days of hearings on controversial anti-immigrant legislation backed by Kansas Secretary of State Kris Kobach, the author of most of the punishing nativist laws being passed in states like Arizona and Alabama.

### New York area experiences anti-Semitic incidents

NEW YORK — An apparent wave of anti-Semitic assaults and vandalism in the New York City area has created concern, with the latest two incidents being investigated as hate crimes.

On Jan. 11, several Molotov cocktails and other explosive devices were thrown into a rabbi's residence at Congregation Beth El in Rutherford, N.J. Authorities said the incident is being investigated as attempted murder and bias-related arson.

Meanwhile, the Hate Crimes Task Force at the New York Police Department is investigating an incident in which swastikas were scrawled across four storefront windows in midtown Manhattan. The incidents follow at least 10 other anti-Semitic assaults and acts of vandalism since November.

# Landmark cases opened door for SPLC security official's law enforcement career

Glenda Deese was working at the Dallas County Courthouse in Alabama when she asked a state trooper how she could join the force. "He politely told me I shouldn't worry about it because I couldn't become a trooper anyway," she recalls.

The response wasn't unusual at the time. In the late 1970s and early 1980s, even after the gains of the civil rights movement, the Alabama State Troopers remained a bastion of white men and a symbol of official state resistance to equal rights. She was an African-American woman.

But she didn't give up.

She wasn't aware at the time, but two civil rights lawsuits filed by the SPLC in the 1970s would forever change the face of Alabama law enforcement, particularly the state troopers. One of those cases was decided 34 years ago in a U.S. Supreme Court decision that struck down weight and height requirements that effectively kept many women out of law enforcement jobs in Alabama. The other case required the state troopers to hire and promote qualified African-American candidates.

## Rose to high-ranking position

Because of these cases, Deese got an opportunity. She didn't waste it: She became the second-highest ranking official in the Alabama Department of Public Safety. Now, after retiring from law enforcement,

she's a top security official at the SPLC. Deese said that while she didn't know, at the time, of all the legal issues that allowed her to become Alabama's first black female trooper cadet in 1980, her goal was clear.



Glenda Deese joined the SPLC as deputy director of security in April 2011.

"I just focused on working hard and being the best I could be," she said of her 26-year career in law enforcement. "All I needed was an opportunity to prove myself."

The opportunity for minorities and women to pursue careers in law enforcement was at the heart of the two landmark SPLC cases. One of those, *Dothard v. Rawlinson*, was filed in 1976 after 22-year-old Dianne Kimberly Rawlinson applied to

become a counselor with the Alabama prison system. Her education credentials were impressive, but she weighed only 110 pounds — not enough to meet the minimum weight requirement of 120 pounds.

She filed a complaint with the U.S. Equal Employment Opportunity Commission alleging sex discrimination. Ultimately, the SPLC filed a lawsuit on behalf of Rawlinson and another woman, Brenda Mieth, who had been refused a position as a state trooper. Mieth did not meet the minimum height and weight requirements for a state trooper, which were 5-foot-9 and 160 pounds.

At trial, the SPLC argued that the height and weight requirements had no actual relationship to the job duties.

The trial court ruled in favor of Mieth and Rawlinson, but Rawlinson's part of the case was appealed. The U.S. Supreme Court upheld the ruling on June 27, 1977. The high court agreed that the height and weight requirements discriminated against women and bore no relationship to the job. It was a landmark decision for women with a

dream of pursuing a law enforcement career.

Even earlier, the SPLC sought to integrate the all-white Alabama State Troopers with the 1972 case *Paradise v. Allen*. Alabama was ordered to hire one qualified African-American trooper for every white trooper hired, until the force was 25 percent black.

## Supreme Court upholds SPLC victory

State officials resisted, even imposing a virtual ban on hiring. In 1987, the case reached the U.S. Supreme Court, which upheld the SPLC's affirmative action remedy. The case also created a promotion system based on merit rather than favoritism.

For Deese, the cases provided her with a career path that otherwise would have been off-limits. At 120 pounds and just over 5-foot-5, she wouldn't have come close to the old trooper requirements.

She proved the irrelevance of those old requirements throughout her distinguished career. In 1999, she became the first woman to achieve the rank of major. In 2003, she became the assistant director of the Department of Public Safety, the first woman to ever be appointed to the position by the Alabama governor. The position

placed her second in command over the state troopers.

Later, Deese developed the concept for the state's new police academy, which replaced a deteriorating former military base that had been used to train fledgling troopers. It was a project that allowed the woman who was once told she couldn't become a state trooper to influence the training of future law enforcement officers for decades.

She even made an unlikely friend — the trooper who told her to forget about joining the force. Early in her career, he was her highway patrol training officer. A friendship developed, and the two stayed in touch over the years.

Shortly after Deese joined the SPLC staff in April, she had the chance to meet someone who helped open the door to her law enforcement career. During the SPLC's 40th anniversary celebration in

April, she was part of a panel discussion about gender equality. Also on the panel was Pam Horowitz, the former SPLC attorney who worked on *Dothard v. Rawlinson*.

"I thanked her,"

Deese said. "I couldn't let the opportunity pass. That case gave me and many other women an opportunity we would have otherwise never had."



Deese as a state trooper

## SPLC challenges violations of student rights at school

The SPLC in January took its fight for LGBT rights to an Alabama high school that censored speech in support of gays and lesbians and barred a student from attending the prom with a same-sex date.

Elizabeth Garrett, a 10th-grade student at Brookwood High School, was recently forced to remove a sweatshirt that expressed acceptance of the LGBT community and was told she could not attend the prom with a female date.

"At Brookwood, like in too many Alabama schools, gay students and those perceived as gay face unfair treatment," said SPLC attorney Sam Wolfe. "Too often, gay students also face serious harassment at school. No student should be singled out for unfair treatment or be denied their basic rights at school."

In a letter to the school, the SPLC vowed to file suit in federal court if the school, part of

the Tuscaloosa County School System in west Alabama, does not change its discriminatory policies.

## Shirt supported LGBT rights

On Jan. 5, Garrett wore a sweatshirt with the words "Warning, This Individual Infected With 'The Gay,' Proceed With Caution." She wore it to express her support for LGBT rights and to communicate, in a humorous way, that there is nothing wrong with gay people.

"A gay person is just as normal as anyone else," said Garrett, who is often on the honor roll, attends mostly advanced placement courses, and is a member of the school's French club.

Although it was a cold morning and she had no other outer layer of clothing, a school official demanded that Garrett remove her sweatshirt, claiming that it

Continued on page 8

## SEEKING JUSTICE

# SPLC lawsuit wins \$1.5 million for exploited guestworkers

EL DORADO, Ark. — More than 1,500 guestworkers owed back wages by an Arkansas agricultural company will be paid a total of \$1.5 million in an agreement reached by the SPLC. It's one of the largest settlements ever against a single employer of foreign guestworkers.

The agreement resolves a federal lawsuit filed by the SPLC against Candy Brand, one of the Southeast's largest employers of guestworkers, four years ago.

## 'Guestworkers have rights'

"This settlement sends an important message that guestworkers have rights," said Jim Knoepp, the lead SPLC attorney on the case. "Companies treating guestworkers as disposable labor should take notice. They will be held accountable."

The guestworkers harvested and packed tomatoes for Candy Brand in Bradley County, Ark., from 2003 to 2007. The 2007 lawsuit alleged that the company failed to pay federally mandated minimum wages and failed to pay overtime wages for work in its packing sheds.

To cover travel expenses and applications for visas under

the federal H-2A guestworker program, Candy Brand's workers paid up to \$500 simply to work for the company during eight-week harvests. The SPLC lawsuit alleged the company refused to reimburse workers for the travel, visa and other fees they paid to obtain the jobs — a problem commonly faced by guestworkers.

## Company failed to pay overtime

The settlement came after a May 20 federal court order found the company's failure to pay overtime wages and reimburse expenses was a clear breach of the workers' contracts. The class action lawsuit, *Perez-Benites, et al. v. Candy Brand LLC*, was filed in the U.S. District Court for the Western District of Arkansas, El Dorado Division.



Guestworkers who picked and packed tomatoes in Arkansas were exploited.

## TEACHING TOLERANCE

# Teaching civil rights history project serves as model for nation's schools

WALLA WALLA, Wash. — When a college official here saw an SPLC study identifying his state as one of 35 that failed at teaching public school students about the civil rights movement, he wanted to do something about it.

The result was a project that could serve as a model for school districts across the country looking to boost civil rights education in the classroom.

And it's exactly the kind of thing the SPLC's Teaching Tolerance project hoped would

Teaching Tolerance Director Maureen Costello.

**SPLC study provided opportunity** Noah Leavitt, assistant dean for student engagement at Whitman College in Walla Walla, Wash., saw an opportunity to get college students involved in helping local schools. The result was Whitman Teaches the Movement, a project between the small liberal arts college, Teaching Tolerance and Walla Walla Public Schools.

Greensboro, N.C. Fifth-graders learned about Jackie Robinson breaking professional baseball's color barrier. Seventh-graders learned about the role of women in the civil rights movement, while 11th-graders studied the "Letter from Birmingham Jail" written by Dr. Martin Luther King Jr.

The effort received glowing reviews.

"I just wanted to thank you and to tell you that both Whitman students did an awesome job teaching the second-graders about segregation," Claudia Saldivar, a teacher at Sharpstein Elementary School, told project organizers. "The kids really enjoyed learning about this and were very respectful of the lesson."

### Efforts are needed

The SPLC study examined state standards and curriculum requirements related to the study of the modern civil rights movement for all 50 states and the District of Columbia. It compared the requirements in state standards to a body of knowledge that reflects what civil rights historians and educators consider core information about the civil rights movement.

"When students learn about the civil rights movement, they learn what it is like to be American," said Shuster. "It shows students it is possible to struggle against great injustices and emerge victorious."



Whitman College students learn how to teach civil rights history from SPLC's Kate Schuster (third from right).

happen when it released *Teaching the Movement: The State of Civil Rights Education 2011*, which examined the state of civil rights education in the United States.

"We wanted to start a conversation that could help communities improve how this important period of American history is taught in the classroom," said

Whitman students were trained by Kate Shuster, an education researcher for the SPLC and author of its *Teaching the Movement* report. After the training, the college students were dispatched to Walla Walla's 10 public schools in January to teach.

Second-graders learned about the lunch counter sit-ins in

## TEACHING TOLERANCE PROVIDES GUIDELINES TO HELP STATES TEACH CIVIL RIGHTS HISTORY

After finding that more than half of all states fail at teaching the civil rights movement to students, Teaching Tolerance is releasing a paper that can help states ensure one of the defining events of U.S. history receives the attention it deserves in the classroom.

*Teaching the Movement: The State Standards We Deserve* provides model learning standards to help states looking improve their existing standards or create expectations where none exist.

"We were dismayed last year to learn that for many students, civil rights education boils down to two people and four words: Rosa Parks, Martin Luther King Jr. and 'I have a dream,'" said Teaching Tolerance Director Maureen Costello. "This paper moves from diagnosis to treatment by providing states with clear standards for improving the teaching of this important period of U.S. history."

The standards reflect the complexity of the modern civil rights movement, the resistance it encountered and how the movement exemplifies citizens using their freedom of expression to bring social and political change.

The paper uses the teaching standards for Alabama, Florida and New York as a starting point. These states received the highest scores

in the Teaching Tolerance study, *Teaching the Movement: The State of Civil Rights Education 2011*. But despite their high marks, they failed to meet all of the criteria identified by Teaching Tolerance. The new paper offers standards that provide students with a body of knowledge that reflects what historians and educators consider core information about the civil rights movement.

### Paper also provides solutions

"We didn't want to criticize these states without providing solutions," Costello said. "Our goal is to provide an example of teaching standards that would have received a perfect score."

The paper also includes several "best practices" to provide additional guidance to educators as they revise their state standards. These practices include linking the movement to current events and having students study primary documents, such as the "Letter from Birmingham Jail" written by Martin Luther King Jr.

"With the passing of each year, the civil rights movement shifts from a lived cultural experience to a historical memory," Costello said. "That's why it is so important to ensure students receive a full and accurate picture of this pivotal period in U.S. history."

## SPLC lawsuit against DOMA

From page 1

only for the same benefits the brave men and women who served beside me enjoy. By refusing to recognize our marriage, the federal government has deprived Maggie and me of the peace of mind that such benefits are meant to provide to veterans and their families."

### DOMA unconstitutional

The lawsuit, filed in the U.S. District Court for the Central District of California, charges that DOMA is unconstitutional because it discriminates on the basis of gender and sexual orientation. It also challenges the VA's definition of "spouse" as discriminatory.

The Department of Justice has declined to defend Section 3 of DOMA, which denies the spousal benefits to the Cooper-Harris. In a recent letter to Congress, Attorney General Eric Holder said the department would not defend the federal statute, Title 38, which defines "spouse" as a person of the opposite sex. While the letter states that the Department of Justice will not defend Title 38, Congress could nonetheless seek to intervene to defend the statute as well as Section 3 of DOMA.

### New case mirrors early SPLC victory

The lawsuit is not the first time the SPLC has fought for equal benefits for military personnel.

In the early 1970s, the SPLC challenged the military's refusal to grant equal benefits to married servicewomen.

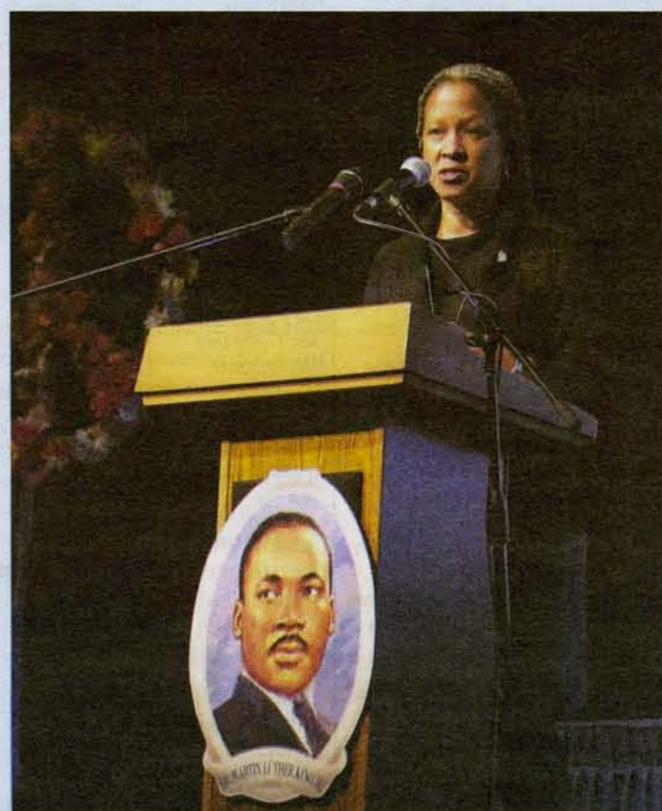
Joseph Levin, the SPLC's co-founder, argued the case, *Frontiero v. Richardson*, before



Tracey Cooper-Harris served in the U.S. Army for 12 years, including in the Middle East, before being honorably discharged in 2003.

the U.S. Supreme Court in 1973. The Court held that the military must provide married women in the armed forces with the same benefits as married men. It was the first successful sex discrimination lawsuit against the federal government.

"Sadly, we are once again forced to fight for the equal treatment of service members and their families," Levin said. "All service members and their families make the same commitment and sacrifices for their country. They all should receive the same benefits."



DEO FERRER/DAILY DEMOCRAT

### SPLC outreach director speaks at MLK events

Lecia Brooks, who directs SPLC outreach efforts, speaks to a filled Varsity Theater in Davis, Calif., on Jan. 16. It was one of four presentations she made — another at a college near Houston and two in Montgomery, Ala. — commemorating Dr. Martin Luther King's birthday in January.

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*Tribute Gifts continued on page 8*

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# Goldmans continue family legacy through SPLC support

Morris Goldman's strongest belief was that people must stand together for the common good. This passion for justice compelled him to support the SPLC. He died last June, but his legacy continues.

Goldman included the SPLC as a beneficiary of his living trust, which ultimately resulted in a \$100,000 bequest to the SPLC to continue its work. Goldman passed his commitment on to his family. Also supporters of the SPLC, his son and daughter-in-law, Barry and Debra Goldman-Hall, traveled to Montgomery

union leader in California, retiring as president of the Bay Area Typographical Union, Local 21. On both coasts, he championed organizations that protected the rights of others, spending a good part of his life in protests, picket lines and marches.

### Family joined rally

Appropriately, after touring the Civil Rights Memorial Center at the SPLC's Montgomery office, his family joined a rally on the Capitol steps to protest Alabama's racist and oppressive anti-immigrant law.



Barry and Debra Goldman-Hall (left) and their sons, Nicholas and Jason, at the Civil Rights Memorial

in December to present their father's gift to Morris Dees, the SPLC's co-founder and chief trial counsel. Their sons, Jason and Nicholas, also came to honor their grandfather's memory.

"My father found hope in his grandson's generation," Barry Goldman-Hall said. "He was particularly fond of the Teaching Tolerance work, as he felt it reached the children and adolescents."

Goldman's generous bequest represents a lifetime of hard work in the printing industry. He began his career in New York but spent the last three decades as a

generation of these discussions focused on diversity, heterosexism and the rights of LBGTQ teens and adults."

Both Barry and Debra Goldman-Hall are licensed clinical social workers. Their son Nicholas is an EMT and aquatics coordinator for his city's YMCA, where he teaches water survival skills to children. Son Jason and his wife, Cera, began their careers in journalism and are now high school teachers. The crucial battle for dignity and equal rights for all, fought by Morris Goldman throughout his lifetime, still impacts each of their fields.

"It just felt right," Barry Goldman-Hall said. "Growing up in my family involved dinner discussions of workers' rights, trade unionism, racism and the chasm between the rich and the working class. As we raised our boys, the next

## Scroll of Remembrance

The Southern Poverty Law Center pays tribute to the memory of deceased supporters who included the SPLC in their wills or other planned gifts. The SPLC gratefully acknowledges their bequests, received from January 1, 2011, through January 31, 2012.

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# Ruling in trafficking case sets new legal precedent

BATON ROUGE, La. — A federal judge set a historic legal precedent by granting class action status to a human trafficking lawsuit the SPLC brought on behalf of more than 350 Filipino teachers, a decision likely to benefit countless other trafficking victims in the future.

It was the first time a court has ruled that the legal protections in the federal Trafficking Victims Protection Act (TVPA) can be applied to a group of people on a class-wide basis, rather than just individual victims.

"This is a significant decision that offers great hope for the more than 350 Filipino teachers victimized by this abusive scheme," said Jim Knoepp, an SPLC attorney working on the case. "It also sets a powerful precedent that will help many more human trafficking victims receive justice."

Earlier, the SPLC case set another precedent when a court

allowed the TVPA to apply to the teachers. That judge recognized that Congress intended the law to extend to cases involving subtle forms of coercion and not just cases of physical force, restraint or direct threats.

The class action was brought on behalf of guestworkers who say they were lured to teach in

The teachers began arriving in the United States in 2007 as part of the H-1B guestworker program, which is administered by the Department of Labor and permits foreign nationals with special skills to work in the United States for a period of up to six years. Most teachers paid about \$16,000 — several times the average household income in the Philippines — in order to obtain their jobs.

Nearly all the teachers had to borrow money to pay the recruiting fees. The recruiters referred the teachers to private lenders who charged 3 to 5 percent interest per month. Teachers were forced to pay these exorbitant fees because they had already made substantial financial investments that would not be returned. The recruiters confiscated their passports and visas until they paid.

The lawsuit, *Nunag Tanedo v. East Baton Rouge Parish School Board*, was filed in August 2010.



Filipino teacher Mairi Nunag-Tanedo wipes a tear as she describes the exploitation she suffered by unscrupulous labor contractors.

Louisiana public schools only to be forced into exploitive contracts by labor contractors. The lawsuit accuses officials of two labor contractors of human trafficking and racketeering.

## SPLC challenges violations of student rights at school

From page 4

was "distracting." The administrator released Garrett to her class only after she placed it in her backpack.

On another occasion during this school year, the same administrator informed Garrett that same-sex couples are not permitted to attend the school prom together. She plans to attend the prom in May with another female student.

### Action taken to help others

Garrett says she is taking this action not only for herself "but for others like me who feel trampled over by the school and don't always have an opportunity to stand up for themselves."

Wolfe praised Garrett's courage.

"Brave students like Elizabeth who are willing to stand up for who they are — even when faced with school authorities who tell her she can't — help raise awareness and improve school climate for the entire school community," Wolfe said.

Statements supportive of LGBT people, as well as attending the prom with a same-sex date, are protected under the First and 14th amendments. The

SPLC letter cites federal precedents, such as *Gillman v. School Board for Holmes County*, in which a federal court ruled that a school board's ban on clothing expressing support for LGBT people was unconstitutional. In that case, the school had to pay \$325,000 to cover the students' legal fees.

The letter also cites *McMillen v. Itawamba County School District*, a case in which a female high school student asked to bring a same-sex date to the prom and wear a tuxedo. The school district canceled its prom after being informed that its action was unlawful. A federal court later ruled that a lesbian student bringing a same-sex date to the prom and wearing a tuxedo are "the type of speech that falls squarely within the purview of the First Amendment."

In a similar case, *Fricke v. Lynch*, a school district had to pay more than \$116,000 in damages and attorneys' fees for denying a student's right to bring a same-sex date to a school dance.

The SPLC letter says that if there are students who will act disruptively in reaction to Garrett, the school has a duty to counter the disruptive students, not prohibit Garrett's speech.

## TRIBUTE GIFTS

In memory of

- |                            |                         |                            |                        |                           |                           |                             |                         |                           |                          |
|----------------------------|-------------------------|----------------------------|------------------------|---------------------------|---------------------------|-----------------------------|-------------------------|---------------------------|--------------------------|
| Anne Acoca                 | Mary C. Butler          | Audrey Evarts              | Rita Goldstein         | Max Jackel                | John F. Landseadel        | William Minyard             | Chester Relyea          | Christine M. Sell         | Emmett Till              |
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| Sharon Brown               | Michael Brachfeld       | Jackson Golden             | Howard Goldman         | Bertha L. Kruthoff        | Leona S. Lakehomer        | John D. Raiford             | Robert A. Schaffler     | Elizabeth Tanner          | Joanne L. Wynn           |
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