

UNBURN

A SUMMARY REPORT

MAY 1988

*Bigotry
and
Violence
in
Illinois*

*Illinois Advisory Committee
To The U.S. Commission On
Civil Rights*

This summary report of the Illinois Advisory Committee to the U.S. Commission on Civil Rights was prepared for the information and considera-

tion of the Commission. Statements and viewpoints in the report should not be attributed to the Commission or to the Advisory Committee, but

only to individual participants in the community forum where the information was gathered.

THE UNITED STATES COMMISSION ON CIVIL RIGHTS

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the Civil Rights Commission Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the act, as amended, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, handicap, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study of legal developments with respect to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; and investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

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An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 6(c) of the Civil Rights Commission Act of 1983. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference which the Commission may hold within the State.

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LETTER OF TRANSMITTAL

Illinois Advisory Committee to the
U.S. Commission on Civil Rights
July 1988

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Dear Commissioners:

On February 16, 1986, the Illinois Advisory Committee to the Commission held a forum on governmental responses to bigotry and violence.

The Advisory Committee heard about a wide range of groups that espouse bigotry and violence and are active in Illinois. It received information about a range of incidents in which bigotry seemed to be the proximate cause of violence.

Federal, State and local law enforcement officials reported a range of responses by their staffs to actual or threatened incidents of bigotry and violence. Many noted obstacles to law enforcement efforts intended to combat bigotry and violence posed by the need to safeguard First Amendment rights.

By a vote of 5 to 0, the Advisory Committee approved submission of the report to the Commissioners. There are no written dissenting comments.

State and local educational officials also reported activities directed at combating bigotry and violence through teacher training and instruction of students. Most activities directed at students appeared to be within the context of the existing curriculum.

The Advisory Committee hopes this report will assist you in your continuing monitoring of bigotry and violence.

Respectfully,

HUGH SCHWARTZBERG, Chairperson
Illinois Advisory Committee

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ACKNOWLEDGMENTS

This report was the chief assignment of Melvin L. Jenkins, Director of the Central Regional Division of the U.S. Commission on Civil Rights. Support services were provided by Jo Ann Daniels.

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1. INTRODUCTION

On February 16, 1986, the Illinois Advisory Committee to the U.S. Commission on Civil Rights held a community forum regarding the extent of bigotry and violence in Illinois. The Committee heard from a wide range of experts on this topic, including representatives of civil rights groups, Federal, State, and local law enforcement officials; and educators. This report summarizes the principal points made at the forum.

The report is divided into three parts. In chapter 2, the Advisory Committee summarizes the information it received on the level of bigotry and violence in Illinois and identifies some of the organizations involved in perpetrating it. In chapter 3, the Advisory Committee describes the responses that law enforcement agencies reported they made to bigotry and violence. In chapter 4, the Advisory Committee describes the efforts of educators to thwart the rise of bigotry and violence. Finally, chapter 5 summarizes the report.

2. THE EXTENT OF BIGOTRY AND VIOLENCE IN ILLINOIS

In this chapter, the Advisory Committee describes the range of organizations espousing bigotry and violence in Illinois and chronicles recent such episodes for which these groups have been responsible. The sources for this information are the Chicago office of the Anti-Defamation League of the B'nai B'rith (ADL) and Midwest Research, Chicago, a group that monitors right-wing activities.

Groups Espousing Bigotry and Violence¹

There are four principal categories of groups in the State that espouse bigotry and violence: the Ku Klux Klan, neo-Nazis, the Christian Identity Movement and other church related organizations, and more moderate groups with racist ideologies.

The Ku Klux Klan has many factions in the Nation, some of which are represented in Illinois. Programmatic differences are not among the reasons for factions in the Klan. The ideology of the various factions is virtually indistinguishable; the language of the rituals and the printed materials are often identical. The differences revolve, rather, about issues of personality, finances, tactics, and power. There are approximately six Klaverns (local chapters) in the State, but only two have known affiliations. One Klavern in Chicago is associated with the Tuscumbia, Alabama, faction, Knights of the Ku Klux Klan. It is believed to have about 100 members and publishes a periodical called "Klan Kourage." Some of its members reportedly have been involved in nationwide KKK activity such as rallies at Stone Mountain, Georgia. Another group, known as the Lake County Triple KKK [sic] Club, based in Winthrop Harbor, Illinois, is an affiliate of the Invisible Empire, Knights of the Ku Klux Klan. This group reportedly sought to recruit students at Zion-Benton High School in north suburban Chicago during 1985 and later sent a questionnaire

to candidates for public office in Lake County seeking their views on racial matters.

A variety of groups espouse Nazi-like views that resemble those of Adolph Hitler and other "Aryan" propagandists of the period from World War I to 1945. The similarity, as well as their occasional, frank self-identification with Hitler or German National Socialists, has led to their being called "Neo-Nazis." The best known of these is the American Nazi Party, which was responsible for a 1977 proposed march of neo-Nazis in Skokie, a Chicago suburb. That event has been thoroughly chronicled on television and in the press. An offshoot of the American Nazi Party is the America First Committee, which publishes a periodical called "The American Lancer." A third group, attracted to neo-Nazi "romantic violence," is made up of "punk rockers" who combine a love of "punk rock" music with racist diatribe. The latter have become a source of increasing concern to human rights experts in the period since the Advisory Committee held its public meeting. In its report on the "Skinheads," ADL noted that the Chicago group first surfaced in 1984. The group offers tapes of racist music and circulates flyers promoting its views.²

The "identity" church movement has spawned a variety of groups that espouse bigotry and violence. The Christian Patriots Defense League has headquarters in Flora, Illinois. It has branches elsewhere in the Nation and provides publications espousing bigotry and violence as well as paramilitary training. There reportedly are Posse Comitatus groups in the State, but their number and size were not reported to the Advisory Committee. The name Posse Comitatus is Latin for "power of the county"; for Posse members, all government power is rooted at the county government level. Members of the Posse do not recognize a State's authority to issue

driver's licenses or the Federal Government's authority to issue social security cards. Posse members implement their philosophy through various forms of intimidation, including the open flaunting of weapons and legal harassment in the form of liens and lawsuits against public officials who have challenged the Posse.

Finally, a group in Illinois called the "Populist Party" has sought to use the electoral forum to espouse bigotry and obtain the election of candidates hostile to particular groups. This group apparently sought to gain a place on the Illinois ballot in 1984, without success. The group also held a supposed "national" convention in Chicago in 1985. If this group affected local politics at all, it was not reported to the Advisory Committee.³

Incidents Related to Bigotry and Violence in Chicago⁴

Although there reportedly were only 70 hard core "racist" activists in the Chicago area during 1986, the 1980's were marked by disturbing incidents of violence perpetrated against persons by reason of their membership in a minority group. In 1984 there was a cross burning on the north side of Chicago, reportedly organized by a local street gang associated with a KKK group. Also in that year there was violence in an area near the Chicago-Cicero border, "The Island," reportedly inspired by the America First Committee as a response to blacks moving into a previously all-white neighborhood.

Various groups espousing bigotry and violence combined to counterpicket at events sponsored by groups urging an end to racism. Among the events at which this occurred were: Pickets at the South African consulate in Chicago in September 1985, a Holocaust Commemoration in Lakeview in September 1985, an Aetna Plaza rally in Chicago against racism

in September 1985, a Southwest Community Congress meeting in Chicago in January 1986, and an antiracism meeting in Lakeview in February 1986. Groups also protested the black history month exhibition at Chicago's Museum of Science and Industry in February 1986.

On at least three occasions, groups espousing bigotry and violence held joint meetings in Illinois. In 1982 a wide range of such groups gathered at Grayslake. In 1984 the KKK sponsored a meeting of like-minded groups at a motel near Midway Airport. In 1985, as noted earlier, the Populist Party held a convention in Chicago in association with the Liberty Lobby.

The Bias Crimes Unit of the Chicago Police Department reported that in 1986 there were 233 racially motivated incidents, an increase of 11.5 percent from 1985 and 38 percent from 1984. For calendar year 1987, until December 31, 1987, the unit counted 229 such incidents, a slight decline from 1986 although still up over earlier years.⁵

The Chicago Commission on Human Relations reported 221 incidents in 1986. For 1987 it reported 237 up to December 14, 1987. Three types of events provoked most of the episodes: movement of minorities into a neighborhood; accidental presence of minorities in a neighborhood; and unknown, irrational action.⁶

Notes

1. Information for this section was provided by Michael Kotzin and Michael Liberman of the Anti-Defamation League of B'nai B'rith (ADL), Chicago Office, in statements to the Illinois Advisory Committee on Feb. 16, 1986, hereafter referred to as Kotzin and Liberman Statement.
2. ADL, Special Report, "Shaved for Battle: Skinheads Target America's Youth" (November 1987), pp. 2-3.
3. Kotzin and Liberman Statement.
4. Information for this section was provided by Chip Berlet of Midwest Research, a Chicago-based organization, to the Illinois Advisory Committee at its Feb. 16, 1986, meeting.
5. Interview with an officer in the office of Lorenzo Chew, director, Bias Crimes Unit, Chicago Police Department, Dec. 21, 1987.
6. Letter from Kelly Sander, Chicago Human Relations Commission, to CRD Staff, Dec. 14, 1987.

3. THE ROLE OF LAW ENFORCEMENT IN COMBATING BIGOTRY AND VIOLENCE¹

The Advisory Committee received information about the efforts of Federal, State, and local law enforcement agencies to prevent incidents of bigotry and violence. Four issues were discussed: what jurisdictions the agencies possessed, what constraints affected investigative or enforcement efforts, what enforcement efforts had been made, and what improvements might be made in enforcement. Statements were made by representatives of the U.S. Bureau of Alcohol, Tobacco and Firearms; the Federal Bureau of Investigation; the office of the U.S. Attorney in Chicago; the Solicitor General of the State of Illinois; the Illinois Department of Human Relations; the Illinois Department of State Police and the Carbondale Police Department.

Jurisdiction

The Federal Bureau of Alcohol, Tobacco and Firearms (BATF) has become the primary vehicle for the Federal response to bigotry and violence because Federal firearms laws are the primary legal tool in the Federal effort.² The Federal Bureau of Investigation (FBI) is also involved due to its duty to enforce the protections afforded by the 14th amendment to the U.S. Constitution.³ The U.S. Attorney, as prosecutorial arm of the Federal Government, is responsible for the prosecution of persons against whom either BATF or the FBI file criminal charges.⁴ There are two legal bases for State involvement: Illinois State law prohibiting some paramilitary training and the Illinois State civil rights statute. The former is handled by the State police; the latter is the responsibility of the Illinois Human Relations Department.⁵ Local enforcement efforts are directed to incidents of violence as they arise.⁶

Constraints on Investigations or Prevention of Bigotry and Violence

The primary constraint on government efforts to thwart bigotry and violence is the protection of rights to free speech under both Federal and Illinois law. Thus, the Assistant U.S. Attorney in Chicago commented:

We will not pay attention to people merely because their views are odious, hateful, and damaging to our country. But until they cross the line and either prepare or actually commit violent activity, they are not worthy of any more than passing notice in our system by us....

He noted that although Federal protections afforded under the first amendment limit the power of investigation, the tendency of such groups to turn not only to terrorist acts but also to common criminal activities provides a means by which Federal authorities could be involved.⁸ The FBI representative noted that internal security guidelines issued by the Attorney General have a limiting effect. Under these, the FBI cannot investigate a group unless the FBI has evidence of violent acts or attempted violence. But the FBI did not believe that this had hindered civil rights work.⁹

Like Federal authorities, State officials noted a legal problem in dealing with groups espousing bigotry and violence because some of the groups were entitled to first amendment protections. A State Police official noted that such groups sometimes commit robbery, which provided an entry for investigation and prosecution.¹⁰ A representative of one local police department noted that his agency, and he thought most local forces, had no specific policies for hate groups. Agreeing with State officials, he believed such groups could be handled under existing antiviolenace laws.¹¹

What Law Enforcement is Doing to Thwart Bigotry and Violence

BATF reported that in 1985 it had served in Illinois 26 warrants based on unlawful weapons charges.¹² It believed that prosecution for illegal possession or use of a firearm was an important enforcement tool.

The FBI spokesperson stated that, nationwide, it conducted 9,400 civil rights investigations during FY 1984, resulting in 39 felony and 35 misdemeanor convictions. In FY 1985 the number of such investigations had dropped to 6,700, but this was partially due to redefinition of civil rights violations.¹³ The FBI continues to give high priority to incidents involving violence.¹⁴

The spokesperson for the U.S. Attorney's office stated that its prosecutions prevented people from causing further damage. He believed prosecution was a deterrent because potential violators saw that the courts would "put them in prison should they attempt to cross the line between the first amendment and violence..."¹⁵ The spokesperson noted that his office had a record of close cooperation with the various law enforcement agencies. He was particularly pleased that these agencies did not grab for instant headlines on such cases but instead cooperated and brought the best possible case to trial.¹⁶

The State of Illinois enacted the Ethnic Intimidation¹⁷ and Institutional Vandalism¹⁸ laws (see Appendix I). The laws are essentially similar to the ADL model legislation.¹⁹ The Ethnic Intimidation Code makes committing assault or criminal trespass because of the race, color, creed, religion, or national origin of another individual or group a class A misdemeanor, punishable by a prison term of less than one year and/or a fine up to \$1,000. Institutional vandalism is committed when, by reason of race, color, creed, religion, or national origin, a person knowingly and

without consent inflicts damage to any church, synagogue, cemetery, school or the like, with the damage accounting to at least \$300. Both laws noted above allow independent civil action for damages, injunction, or other relief, including emotional distress, punitive damages, attorney's fees, and cost.²⁰

In addition, under the provision of S.B. 1155, Ill.Leg., 85th G.A., (1987) which takes effect July 1, 1988 (see Appendix II) the State police are to promulgate rules by which all law enforcement agencies report monthly on incidents of criminal offenses motivated by race, color, religion or national origin. The Illinois Local Governmental Law Enforcement Officer's Training Board is also to develop training materials to be used by local law enforcement officers so they can make proper reports.

The State police reported that it "spends a good deal of time and effort on questions of hate groups."²¹ Its spokesperson noted that it carefully watched groups that espouse bigotry and violence, applied standard investigative techniques, maintained surveillances, and developed informers, sometimes also infiltrating the groups with undercover agents. It was training all State police to recognize "hate groups' methodologies, means and symbols, so that the average officer on patrol...will recognize it and will report back."²² The spokesperson reported there were few incidents of racially inspired violence. Common criminals sometimes offer bigotry as an explanation for their purely criminal behavior. The spokesperson explained that the State police were particularly interested in radical hate groups, whether of the left or the right, because these very often targeted law enforcement officials.²³

The spokesperson for the Carbondale police department reported threats against area enforcement officials and that some persons were storing weapons and other survival items.²⁴ He stated, "We have rumors of people checking out certain rural areas...for potential paramilitary bases."²⁵ He noted that "hate groups are going to be there." He asserted that "we cannot suppress that hate. We can, however, attempt to minimize the potential of that hate becoming violent acts" by effective interagency intelligence.²⁶ He mentioned that he was in daily contact with the Illinois Department of Law Enforcement analyst who dealt with radical groups--sometimes providing information, sometimes receiving it. The local police department also had provided training to its officers on how to deal with such things as the Posse Comitatus "traveler's ID card," a "document" that its adherents offer in lieu of driver's licenses.²⁷ When presented with such a card, trained law enforcement officers can sense there is something unusual, that the person presenting the card does not recognize the officer's authority to ask to see a driver's license. (see Appendix III.) Further, officers will suspect that they may be in physical danger and will call for backup support before proceeding with the matter.²⁸

The Illinois Human Relations Department noted that most incidents of bigotry and violence that come to its attention involve movement of blacks into previously segregated neighborhoods.²⁹ Where the agency found a violation of the statutory prohibition of conspiracy to deny someone their civil rights, the agency used the "full panoply of relief available through our agency and through our sister agency, the Human Rights Commission...."³⁰

Possible Improvement In Law Enforcement

BATF was primarily concerned about the need to reach not merely users or possessors of illegal weapons but the suppliers. To do so it wanted to be able to trace the sources better than now is possible. Although it believed that current registration laws were adequate, it was not happy with the level of compliance with them.³¹

The Chicago U.S. Attorney's office noted that it could obtain authorization for wiretaps when it had reason to believe a crime was going to be committed. It believed its ability to do so gave it an advantage in dealing with radical groups.³²

The State police noted the ability of U.S. law enforcement agencies to get authorization for electronic surveillance of individuals about to plan or commit a crime.³³ Both State and local police also believed that additional training for officers would be helpful.³⁴

The State police spokesperson suggested that excessive media coverage gave aid and comfort to acts of bigotry and hate groups.³⁵

Notes

1. Information for this chapter was obtained from statements given at the Illinois Advisory Committee meeting of Feb. 16, 1986. The relevant participants were: James R. Reeves, Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms (hereafter cited as BATF Statement); Joseph Lewis, Supervisory Special Agent, Federal Bureau of Investigation (hereafter cited as FBI Statement); James B. Zagel, Director, Illinois Department of State Police (hereinafter cited as State Police Statement); Thomas McNamara, Carbondale Police Department (hereafter cited as Carbondale Police Statement); Shelvin Hall, Legal Counsel, Illinois Department of Human Rights (hereafter cited as DHR Statement); Roma Stewart, Solicitor General, State of Illinois (hereafter cited as Solicitor General Statement); and Daniel Reidy, First Assistant U.S. Attorney, Northern District of Illinois (hereafter cited as U.S. Attorney Statement).

2. BATF Statement.
3. FBI Statement.
4. U.S. Attorney Statement.
5. State Police Statement and HRD Statement.
6. Carbondale Police Statement.
7. U.S. Attorney Statement.
8. Id.
9. FBI Statement
10. State Police Statement.
11. Carbondale Police Statement.
12. BATF Statement.

13. FBI Statement.
14. Id.
15. U.S. Attorney Statement.
16. Id.
17. ILL. REV. STAT. Ch. 38, para. 12-7.1 (1987 Supp.).
18. ILL. REV. STAT. Ch. 38, para. 21-1.2 (1987 Supp.).
19. ADL, ADL Law Report, Legislation: 1985; ADL Model Statute: **Ethnics** Vandalism and Intimidation (n.d.), p. 19.
20. ADL Report, p. 19.
21. State Police Statement.
22. Id.
23. Id.
24. Carbondale Police Statement.
25. Id.
26. Id.
27. Id.
28. Thomas McNamara, Illinois State Police, telephone interview with CRD staff, Apr. 7, 1988.
29. HRD Statement.
30. Id.
31. BATF Statement.
32. U.S. Attorney Statement.
33. State Police Statement.
34. State Police Statement and Carbondale Police Statement.
35. State Police Statement.

4. EFFORTS TO EDUCATE SCHOOLCHILDREN ABOUT BIGOTRY AND VIOLENCE¹

The Advisory Committee heard from three persons who discussed efforts to educate school-aged children about bigotry and violence. These presenters described what the State board of education and the Chicago public schools were doing. Together, these presenters gave an overview of where efforts to combat bigotry and violence fit into the activities of the public education system.

Dr. Manford Byrd, General Services Superintendent of Schools for the Chicago Public Schools, stated "violence has no place in effective schools, neither do messages of hate and prejudice."² Joseph Frattari of the Illinois Board of Education stated: "schools should mediate any misunderstanding between students so that incidents of bigotry and extremism do not interfere within the classrooms."³ But beyond these general assertions, there was little about what the districts were actually doing.

In Chicago it was stated that the schools made use of shared ethnic festivals and curricula that made students aware of the pluralistic nature of society. But one presenter noted that the available texts were inadequate in their discussion of the contributions of various groups to American life.⁴ A curriculum specialist for the Chicago schools stated that the best way to deal with bigotry and violence was in the context of history and politics rather than as a separate topic. She noted that the matter was addressed in curricula dealing with these topics. But she also noted that a lack of funds made it impossible to revise curricula or buy new materials.⁵

Both the Illinois Board of Education and the Chicago Public Schools presenters did mention a variety of efforts to improve teacher sensitivity to minorities and to issues that might lead to bigotry and violence.

Thus, a 1980 statement of goals by the State recognized the individual worth and dignity of persons and called for respecting individual differences. The State board required multiethnic training as a condition for teacher certification, beginning in 1981.⁶ The City of Chicago reported it had given cultural and sensitivity training to its teachers as a way to avoid racial conflicts.⁷ The State presenter reported that it had provided technical assistance to school districts in dealing with multicultural and bigotry issues.⁸

Perhaps the need to address the issue of bigotry and violence more directly was lessened by the apparent infrequency of incidents in the schools that came to the attention of the presenters.⁹

Notes

1. The information for this is contained in statements to the Committee by Dr. Manford Byrd, General Services Superintendent of Schools, Chicago Public Schools, Feb. 16, 1986 (hereafter cited as Byrd Statement); Joseph Frattari, staff of the Illinois Board of Education, Feb. 16, 1986 (hereafter cited as Frattari Statement); and Dr. Alice Jurica, curriculum specialist, Chicago Public Schools, Feb. 16, 1986 (hereafter cited as Jurica Statement).

2. Byrd Statement.

3. Frattari Statement.

4. Byrd Statement.

5. Jurica Statement.

6. Frattari Statement.

7. Byrd Statement.

8. Frattari Statement.

9. Frattari and Byrd Statements.

5. SUMMARY

This report summarizes the proceedings of a forum on governmental responses to bigotry and violence held on February 16, 1986, by the Illinois Advisory Committee to the U.S. Commission on Civil Rights. The Advisory Committee heard about groups, active in Illinois, that espouse bigotry and violence. It received information about a number of incidents in which bigotry was either a companion to or a proximate cause of violence.

Federal, State and local law enforcement agencies reported their responses to actual or threatened incidents combining bigotry and violence. Several noted that law enforcement efforts directed to bigotry and violence sometimes conflicted with the need to safeguard first amendment rights.

Educational agencies at the State and local level reported activities to stem bigotry and violence through teacher training and instruction of students. Activities directed at students fell within the context of the existing curriculum.