

CER
3
Meet.
212

UNITED STATES COMMISSION ON CIVIL RIGHTS
RHODE ISLAND STATE ADVISORY COMMITTEE
COMMUNITY FORUM

LIBRARY
U.S. COMMISSION ON CIVIL RIGHTS

Monday
May 8, 1989

State House
Smith Street
Room 313
Providence, Rhode Island

The above-entitled matter came on for hearing,
pursuant to notice, at 1:00 p.m.

PARTICIPANTS:

Members of the Rhode Island State Advisory
Committee:

- MR. SHOLES, CHAIR
- MR. LESTER HILTON
- DR. RHETT JONES
- MS. SARAH MURPHY
- MS. DOROTHY ZIMMERING
- MS. OLGA ESCOBAR
- DR. KI-TAEK CHUN
- MR. NORMAN TILLES
- MR. JOHN THOMPSON

Participants in the Forum:

Jack McDevitt
Assistant Director
The Center for Applied Social Research
Northeastern University, Boston MA

Heritage Reporting Corporation
(202) 628-4888

APPEARANCES: (CONTINUED)

Participants in the Forum:

Captin John T. Leydon, Jr.
Rhode Island State Police

Sergeant Brian Flynn
Boston Police Department

Lieutenant Clark

Joseph T. Fowlkes, Jr., President
NAACP Providence Branch

Stephanie Gurwitz
Director of Community Relations
Jewish Federation

Carlos Gonzalez

Reverend Moise Mercedes
Immigration Steering Committee and Star of Jacob
Christian Church

Sovan Sip
Socio-Economic Development Center for Southeast
Asians

B. Jae Clanton
Executive Director
Urban League of Rhode Island

Grace Osediacz

Richard Tamborini

Ed Lavelle

Roland D. Grant, Patrolman
East Providence Police Department

Richard Delion

P R O C E E D I N G S

1
2 MR. SHOLES: I want to welcome everybody. We are
3 a community forum sponsored by the State Advisory Committee
4 to the United States Commission on Civil Rights. This is
5 the second community forum that the SAC, the State Advisory
6 Committee, has run in this state. The first one was last
7 year, July of 1988, when we did an in depth study on the
8 Immigration Reform and Control Act. Based upon that
9 community forum, we prepared a report which is now available
10 for publication and will be shortly distributed to
11 interested parties within the near future.

12 Today's forum is a forum dealing with violence
13 motivated by hatred and bigotry. Before we get into the
14 purpose of the forum, I would just like to inform my
15 listening audience of what the role of the State Advisory
16 Committee is.

17 The U.S. Commission on Civil Rights, created under
18 the Civil Rights Act of 1957 as an independent bi-partisan
19 fact finding agency, the primary mission to protect and
20 promote the civil rights afforded to people under the
21 Constitution and by acts of Congress. Among its duties is
22 to investigate complaints of civil rights violations and to
23 apprise the laws and policies of federal government with
24 respect to federal laws related to anti-discrimination. The
25 Commission is mandated to submit its recommendations to

1 Congress and to the President.

2 The State Advisory Committees were established in
3 each state to advise the Commission on matters relating to
4 discrimination or denials of equal protection of the laws
5 because of race, color, religion, sex, national origin, age,
6 handicap or in the administration of justice. The SACS, or
7 the State Advisory Committees, are the eyes and ears of the
8 Commission and are designed to bring to the attention of the
9 Commission the civil rights issues facing each state. There
10 is a SAC in each of the 50 states plus Puerto Rico, explore
11 issues of common concern and make findings and
12 recommendations on how best to rectify existing or potential
13 problems.

14 Rhode Island is a diverse melting pot of many
15 nationalities, races and religions. Over the years we have
16 learned to live together and use our diverse backgrounds as
17 a source of economic, political and social strength. Yet,
18 we are witnessing rising incidents of violence and bigotry
19 against various groups in our population. Our society is
20 not served by condoning or ignoring these problems. The
21 harassment and criminal conduct often associated with such
22 incidents breeds fear, mistrust and isolation.
23 Discrimination is a byproduct of violence motivated by
24 hatred and bigotry.

25 The newspapers and radio and TV waves are full of

1 such incidents. These are not nice incidences. They are
2 ugly and devastating to the victims. They leave deep and
3 enduring scars not only on the immediate victims, but on
4 society itself.

5 The outbreak of hate, violence and the rising
6 trend of hate incidents in Rhode Island were brought to the
7 attention of Rhode Island's SAC. The outbreaks are
8 troubling to the community. Members of some minority
9 communities do not or are afraid to report continuing
10 occurrences.

11 Some are disillusioned with the ability of the
12 police to solve crimes motivated by hate and bigotry. We
13 need answers to questions such as, what causes a person to
14 commit violence motivated by hate and bigotry to a member of
15 another ethnic, religious or racial group? What is the
16 public perception of such incidents? Are such incidents
17 isolated or part of a pattern? Are such incidents a blatant
18 disregard of the victim's civil rights or a part of a
19 subtle, low-key and methodical means of denying the victims
20 their civil rights? What are the developments of
21 significance of such outbreaks?

22 The purpose of today's forum is three-fold.
23 First, to examine and to evaluate the dimension of violence
24 motivated by hatred and bigotry in our society. Two, to
25 examine the civil rights issues which are inherent in such

1 acts of violence. And three, to determine what can be done
2 to address the problem.

3 At this community forum the SAC will take
4 testimony from representatives of various community groups
5 concerning their experience and assessment of violence and
6 bigotry in the community. After the completion of the
7 testimony the SAC should be in a position to evaluate the
8 nature and role of such anti-social behavior in our
9 community and to make recommendations: what can be done to
10 alleviate and hopefully to eliminate this scourge.

11 The forum is divided into four panels. Each panel
12 will consist of presenters who will discuss the problem from
13 a different point of view. Chairing each panel will be a
14 moderator.

15 Just to give you a brief overview of what each
16 panel will do. Panel one will explore the trends and causes
17 of incidents of bigotry and violence. Panel two will
18 discuss collecting information on incidents of bigotry and
19 violence in Rhode Island. The third panel will look at the
20 incidents of bigotry and violence from a victim's point of
21 view. And the fourth and last panel will look at the
22 incidents of violence and bigotry from the law enforcement
23 perspective.

24 We have a very ambitious program and a interesting
25 program. It is a issue which many people do not wish to

1 tackle. But it's an issue that we feel should be brought to
2 the attention of the public.

3 Now, before we go on I would like to introduce the
4 members of the State Advisory Committee. Off to my left,
5 which will be your right, we have Dr. Ki-Taek Chun, who is
6 the Deputy-Director of the United States Commission on Civil
7 Rights and who is the advisor to the State Advisory
8 Committee. He flew in from Washington to be with us today.
9 Seated next to Dr. Chung is Olga Escobar. Seated next to
10 Mrs. Escobar is Dorothy Zimmering. Seated next to Mrs.
11 Zimmering is Sarah Murphy. Seated to my right is John
12 Thompson. Seated to Mr. Thompson's right is Norman Tilles.
13 Seated to his right is Dr. Rhett Jones. And seated to his
14 right is Lester Hilton.

15 We could not put together this program without
16 really some hard work by the Subcommittee of the State
17 Advisory Committee. This time I would like to publicly
18 thank the Subcommittee who did such a great job. The
19 Subcommittee was chaired by Sarah Murphy. Sitting on our
20 Subcommittee were Dorothy Zimmering, Dr. Rhett Jones and
21 John Thompson.

22 Now, before we introduce the moderator who will
23 introduce the first panel, I would just like to present some
24 opening remarks about violence and bigotry in our society.
25 If one examines the history of America, it is a history of

1 violence. Brutality has become a part of American life
2 since the first settlers arrived. Violence was used for one
3 purpose or another without qualms or conscience. It has
4 always been with us.

5 Today it is more noticeable because of the focus
6 of instantaneous communication. If we learned anything from
7 history, it is that violence breeds violence and leads to
8 deep and lasting hatreds. However, this constant menu and
9 the daily grind of TV shows depicting violent crimes
10 desensitizes its audience to the role of violence. In
11 practically every newspaper issued there is a news story
12 dealing with violent crime. And TV news broadcasts find
13 violent crimes a regular staple.

14 Violence is part of the underside or the
15 underfabric of American life. Whenever there is a pull on
16 the fabric the seaming thread of violence is exposed.
17 Violence toward minority members of our community is often
18 associated with hatred and bigotry. Perpetrators act under
19 the cover of darkness and anonymity. Hate groups in America
20 openly advocate and engage in acts of violence and the
21 spreading of the venom of hate and bigotry. Their acts
22 cannot be left unanswered.

23 As we examine this topic we should bear in mind
24 the meaning of the terms of violence, hatred and bigotry.
25 These are not nice terms. We are not talking about hurt

1 feelings or jealousy or suspicion or doubt or dislike. We
2 are talking about wicked concepts. They connote conflict,
3 disorder, fear, intolerant attitudes and repugnant behavior.

4 Violence has been defined as behavior designed to
5 inflict physical injury to people or damage to property.
6 Hatred is defined as a strong dislike or ill-will for. It
7 applies to a feeling of aversion towards persons, ideas or
8 things and connotes the bearing of malice. Bigotry has been
9 defined as the behavior, attitude or beliefs that a person
10 holds blindly, narrow-mindedly and intolerantly to a
11 particular opinion. It connotes malicious prejudice.

12 In our enlightened age violence within our
13 community cannot be condoned. Violence motivated by hatred
14 and bigotry is anathema to the promise of our Constitution
15 and the concept of our country. To give meaning to the
16 inalienable rights of freedom, opportunity and happiness
17 embodied in the Constitutional tapestry which has been
18 patiently crafted over the past 200 years, it is the duty of
19 society to stamp out hatred and bigotry of one group toward
20 another.

21 We look to law to correct the injustices of
22 discrimination. We once again look to the law to bring to
23 justice those persons who commit violence motivated by
24 hatred and bigotry. The source of hatred and bigotry waxes
25 and wanes in every age. We must be ever vigilant to find

1 those sores, prevent them from spreading and apply public
2 pressure to cause them to heal. Even though we are a nation
3 of laws, in the final analysis it is the acceptance and the
4 consideration of the feelings in the worth of one's
5 neighbors, whether next door or in the next state, which
6 will expose and punish those who commit violence motivated
7 by hatred and bigotry.

8 The topic is large and multi-faceted. There are
9 many hate groups in our country. There are people who hate
10 people because they are different, because they come from a
11 different group or practice a different religion. Today's
12 forum will explore the dimensions of the problem and what
13 can be done to address the problem so that we can live, work
14 and enjoy our lives in peace and decency.

15 Now the first panel will be moderated by Sarah
16 Murphy. Without further ado, I would like to introduce
17 Sarah Murphy.

18 MS. MURPHY: Thank you.

19 I would just like to make sure everybody
20 understands the technicalities of testimony as well. In
21 making presentations, if you are not at a microphone, the
22 seat over there at the end of the raised podium has a
23 microphone that will accommodate your testimony.

24 Our first panel is entitled "Trends and causes of
25 incidents of bigotry and violence." This panel is intended

1 to provide all of us with a framework and background
2 perspective, which hopefully will be useful in understanding
3 the issues of bigotry and violence in Rhode Island.

4 We are privileged to have Professor Jack McDevitt
5 of Northeastern University with us this afternoon, who has
6 just finished a five year research project on the
7 implementation of the Massachusetts Civil Rights Act. He
8 will give us a brief summary of what his team has found out
9 regarding the characteristics of civil rights crime as it
10 relates to understanding the trends and causes of bigotry
11 and bias related incidents.

12 We are also grateful to the Providence Journal and
13 Executive Director James Wyman for conducting specifically
14 for this forum a computer search of the Journal's coverage
15 of bigotry and bias related incidents in the past five
16 years. I have been asked to present a summary of that
17 computer search. I will do that after we hear from
18 Professor McDevitt.

19 MR. McDEVITT: Good afternoon. I would like to
20 thank the Committee for asking me here. I think that this
21 is an extremely important issue and I appreciate the
22 opportunity to talk to you about the work we are doing in
23 Boston.

24 First of all, to try to address the reason for the
25 first panel, trends and causes. You have a picked a

1 wonderful starting point because those are two of the most
2 difficult things to get a handle on. We don't have all the
3 crimes reported to public authorities, so in order to get a
4 trend it's very difficult. In terms of causes, as you know
5 causes for any human behavior are incredibly difficult to
6 pin down. But we can talk a little bit about what we have
7 learned.

8 First of all to give you a little perspective.
9 The academic community has come to this issue rather late.
10 As academics, we haven't spent the time that we have on some
11 other issues dealing with hate crime or bias crime. So,
12 most of what we know is from three sources. First of all,
13 the press, the media. The media is a source of information.
14 They present us to the broadest audience the information.
15 It's very important that that information get out to the
16 media. But it also has a down side. The media can't
17 present it in a perspective of how does this crime relate to
18 other crimes? Is it something that is increasing,
19 decreasing, we don't know?

20 The example that springs to mind is the incident
21 in New York City in Central Park, where all of a sudden we
22 have communities all over the United States looking for
23 groups of youths chasing after individuals. We just don't
24 know from the press -- we haven't done enough research to
25 know whether this really is a phenomenon or whether it is a

1 single incident or a particular incident dealing with New
2 York City.

3 The second area where we get our information from
4 are groups that represent victims. For example, the Anti-
5 defamation League keeps track of these incidents, anti-
6 semitic incidents, across the country and publishes a
7 newsletter. Some other groups that do that: The National
8 Lawyers Committee for Civil Rights Under the Law, The
9 Southern Party Alliance Center, which publishes a monthly
10 publication called "Clan Watch" that looks at organized
11 activities of hate groups, and The National Institute
12 Against Prejudice and Violence, who have taken this year
13 looking at prejudice in the workplace is there forum. Two
14 years ago they were looking more at the issue you are
15 dealing with, violence.

16 So those are clearly groups that have provided us
17 with the bulk of the information that we have on these
18 incidents. But again, we are in the situation where these
19 groups are only telling us about incidents that happened to
20 generally their members, only incidents that were reported
21 to them. And again we are only getting a piece of the
22 picture. We're not getting the full picture.

23 A third group that has provided some interesting
24 information are the police. The police themselves have been
25 collecting numbers of these crimes. They started to look at

1 those issues in different departments. Departments like
2 Boston, which represented Brian Flynn today, the New York
3 City Police Department. And on a national level, The
4 National Organization of Black Law Enforcement Executives
5 has done a study of police departments handling of these
6 cases. This is more systematic, it's more concrete. But
7 again, it has some drawbacks.

8 The drawbacks to these studies are that they are
9 usually impressions of police officers. They are not
10 specifically looking at cases. What they are saying is
11 asking a Police Chief, what do you think happens in your
12 area, what do you think happens in your district? What are
13 they like? What is the most common one? Again, you are
14 dealing with a police officer's perceptions which are
15 filtered through his own biases and his own experiences and
16 they are not systematic. So it's closer, but again, we
17 really don't have a lot of systematic data on these
18 incidents.

19 What we tried to do in Boston was to do a study to
20 start us on the road that way. Certainly what we have done
21 is not definitive, but it begins to give us an idea of what
22 these incidents are like. That's what I want to tell you a
23 little bit about today.

24 First of all, one of the major questions we wanted
25 to answer was -- we hear about a lot of these different

1 types of incidents. We hear about somebody who might paint
2 a swastika on a synagogue, or someone who will throw a rock
3 through an Asian family's window as they move into a white
4 neighborhood. Then on the other hand we hear about things
5 like Howard Beach, where a black man is killed by being
6 chased on to a highway.

7 What we didn't know was, are the Howard Beach
8 incidents one in a thousand? Are they one in a hundred?
9 Are they one in five? How frequent are they? How frequent
10 are these violent incidents compared to the property
11 incidents? One of the questions we wanted to answer among
12 the variety of others.

13 So what we did was we went to the Boston Police
14 Department and we asked them for permission to use their
15 records. We looked through the incidents that were
16 investigated by the Community Service Unit of the Boston
17 Police Department and found to be hate crime or bias crime
18 or however you want to refer to this incident, but motivated
19 by hate. We coded out 452 incidents, put them into the
20 computer and ran some analysis on them just to answer some
21 of those questions that I just posed to you, to find a
22 little bit more about these incidents in a systematic way.

23 Now, to summarize the findings. You have a copy
24 of the executive summary. I would be more than happy to
25 provide copies of the full report to anyone who would like

1 them. First of all, in terms of severity. The crimes were
2 very severe. More severe than we had anticipated. The
3 example is one out two crimes were assaults.

4 So if you want to take my original question of how
5 often does it happen that a Howard Beach type of assault
6 versus a rock through the window. In Boston, in our data,
7 those cases that were reported to the Boston Police
8 Department, one out of two were assaults of some kind:
9 assault and battery, assault and battery with a dangerous
10 weapon. Of those assaults, 30 percent required some
11 hospital treatment.* So they weren't slaps, they were
12 physical attacks that injured the victim. Generally what we
13 found the average was four offenders on a single victim.

14 An example was a case of a young black girl
15 walking to school in the morning. She was 12 years old.
16 She was starting to go a different way to go to a
17 convenience store to pick up something on the way to school.
18 She took that detour. A car drove by. He said, hey, what
19 are doing in our area? She ignored him, as all women are
20 taught to do. The car drove around the block again, it came
21 back. He said, we told you to get out of our area. She
22 ignored him. They got out of the car, they knocked her
23 down, they kicked her and they broke her rib. The men in
24 that car were 22, 20 and 21 years old, four of them, and the
25 girl was 12. So we are talking about serious incidents, not

1 somebody riding by and calling a name at a bus stop.

2 What else we found were that victims came from all
3 classes in the Boston population. We have white victims and
4 black victims, those were the largest numbers. In numbers,
5 the Asian victims in a rape by their community size was the
6 largest. The single most victimized group in our study was
7 the Vietnamese.

8 We found that the victims cut across the whole age
9 barrier. It wasn't all kids being victimized. A third of
10 our sample were over 30 years old of victims. We found that
11 25 percent were female. In terms of offenders, we found
12 that they were mostly young: 90 percent were under 25 years
13 old. So it was mostly a young phenomenon.

14 The other, in terms of the race of the offenders,
15 we found that mostly they were white or black: 96 percent
16 of the offenders that we studied were either white or black.
17 Two-thirds were white, one-third was black. Very very few,
18 only a handful were either Hispanic or Asian. The black
19 offenders in our study tended to attack whites and the
20 whites tended to attack everybody.

21 We also found that from the perspective of looking
22 at records, you have to also look at cases where it may not
23 be apparent from the start that it could be hatred
24 motivated. The third largest group is white on white racial
25 attacks. We said to ourselves, how can this be? How can it

1 be a white on white racial attack? It doesn't make any
2 sense.

3 But when you looked into it, one of them was
4 because a white man was dating a black woman and his friends
5 beat him up for it. Another one was for a white man who
6 brought his black friend into a local bar and his friends in
7 the bar beat him up because of it. So, you have to look
8 past just common stereotypes.

9 Some of the problems we uncovered were that
10 victims were incredibly reluctant to report these crimes.
11 They go through an elaborate procedure of trying to deny
12 it's a crime. They will deny to police that it was racially
13 motivated. The reason for that is a couple of reasons. One
14 is pretty clear, it's fear of retaliation. The offender or
15 the offender's friends can go back and get me if I testify
16 or if I go to the police.

17 But the second one that is interesting is that the
18 victims felt incredibly vulnerable. For example, if I get
19 robbed on the way out of my ATM machine. I get money and I
20 get robbed. I can say to myself, look, next time I'm not
21 going to go to that ATM machine. Or, I'm going to do my
22 banking inside the bank. Or, I'm not going to use that
23 bank. Or, I'll walk on another street. But I can make
24 myself believe I can do things to change the likelihood I
25 will be robbed again. But if I get robbed because I am

1 Vietnamese or because I am black, what am I going to do to
2 change that? Every time I go outside I'm still going to be
3 vulnerable. The victims talk about this feeling of
4 vulnerability and a feeling that they didn't want to admit
5 that this was racially motivated.

6 Another problem is that it is very difficult for
7 police officers to make arrests. These are 85 percent
8 stranger crimes. As I said, victims frequently don't want
9 to participate. And as you know from law enforcement
10 research, the number one way to solve a stranger crime is to
11 have the victim help you along. In Boston they have
12 initiated things like ride alongs, things like stakeouts
13 where the victim is there, ways for the victim to
14 participate. But you need that victim's help for the police
15 to make these cases because there isn't a long history in
16 some of them. Even if there is, the victim can't help you
17 make the determination.

18 Finally, in terms of recommendations from the
19 report, we found two things to be effective in Boston and we
20 are looking into this research further. One was, you will
21 hear some more about this in a minute, the best way to
22 identify these incidents it appears is to have a specialized
23 unit or officer assigned to evaluate them. It doesn't seem
24 to work if we train the officers for the department on a one
25 day, two day, eight hour session and say, okay, from now on

1 you are going to be able to tell what a civil rights crime
2 is. That doesn't seem to work. Even well-intentioned
3 officers miss it. It's not that common an occurrence and it
4 just doesn't seem to happen.

5 What happens in Boston is all inter-racial
6 assaults go this unit. They are evaluated by the Commanders
7 of this unit as to whether they might be racial or
8 ethnically motivated. They then in turn conduct a separate
9 investigation. So, the most effective way to identify it
10 seems to be to have a specialized unit that has expertise in
11 this area.

12 The final point that we found effective was
13 Massachusetts is the only state in the nation that has an
14 injunctive relief law for these types of incidents. What
15 that provides is that if you find that there is a victim and
16 the victim -- you have an offender that can be identified.
17 You can go to the State Attorney-General's Office and get an
18 injunction against those offenders.

19 When we talked to people who were either the
20 offenders or the victims, that injunction seemed to be worth
21 a lot. There are parallels in the present domestic violence
22 situations. But basically, the victims would feel that they
23 are empowered now. They have a sense of power. If someone
24 shows up at their house, the police officer can arrest him.

25 In Massachusetts the way it works is that if you

1 have an injunction against you and if you break that
2 injunction, it's a criminal penalty punishable with a \$1,000
3 fine or one year in jail, or ten years in jail and a \$10,000
4 fine if there is a physical injury. So the police can -- if
5 they enjoin an individual, for example, from going on to a
6 person's property, all they have to do is just show up, the
7 person is on the property and they can arrest him. So
8 that's seems to empower the victim.

9 It also seems to send a message out to the local
10 community that we are not as a system going to tolerate
11 this. The police have come to someone's house, they have
12 given him a piece of paper that says they are not going to
13 allow them to bother these people, to be on their property,
14 to bother their kids at the bus stop, to interfere with
15 their life in any way. If they do, they are going to come
16 and make an arrest. On the limited evidence we had in
17 Boston, that seemed to stop some of the future violence.

18 Thank you.

19 MS. MURPHY: Thank you.

20 After I give the summary on the Providence Journal
21 computerized report of articles, at that point we can have
22 questions and answers for a brief time on Professor's
23 McDevitt's report and possibly on the Journal report.

24 As I mentioned before, James Wyman, who is the
25 Executive Editor of the Providence Journal, has provided

1 this State Advisory Committee a computerized listing of all
2 articles published by the paper concerning incidents of
3 bigotry and violence in the last five years.

4 Observations on this listing have been prepared by
5 myself. I will give you a brief summary. The total number
6 of articles was 123, with the following yearly breakdown.
7 In 1984, there were 44 articles. In 1985, there were 30.
8 In 1986, there were 10. In 1987, there were 5. In 1988,
9 there were 34. We don't have a number for '89, of course,
10 because we are barely into the second quarter.

11 Origin of articles is as follows. National or
12 International Press Service, 13. Local origination, there
13 were 110 articles with local bylines. There was one
14 editorial in 1985 on the 100th anniversary of Mark Twain and
15 Huck Finn, discussing the controversy on whether or not the
16 novel was racist as well as the attitude of the author.

17 Categories of incidents, occurrences, lawsuits,
18 judicial decisions are delineated by global, national,
19 regional and local relevance within the year reported and
20 the type of incident listed below.

21 I do have copies of this summary for those of you
22 who would like to have copies. We also have copies of
23 Professor McDevitt's -- executive summaries of his report as
24 well.

25 Published articles of incidents of violence

1 against persons and/or property total 7 in this five year
2 period out of the 123.

3 At Brown University there were two incidents
4 against black persons and one incident against property.
5 That was this year, the most recent occurrences that we're
6 most aware of.

7 At the University of Rhode Island in the Kingston
8 Campus there was an incident against property, which was
9 directed against a Jewish fraternity.

10 And at Providence College, there was an incident
11 of a white person attacking a black female student and
12 numerous threats received by black females.

13 There was also an incident of local ministers who
14 were black suing Fall River and the Massachusetts State
15 Police for violation of civil rights during arrest
16 procedure.

17 In employment, in 1984 there were three employment
18 suits settled in favor of complainant individuals, which
19 were: a Brown University security guard, a black Muslim
20 seeking employment at the Rhode Island State Prison and a
21 black Vietnam veteran shipyard welder in a ten year case
22 which was decided by the Rhode Island Supreme Court.

23 The City of Providence was reprimanded by local
24 organizations for not meeting its affirmative action goals.

25 In 1985, state agencies were cited by the NAACP

1 and other organizations on their staffing and minority
2 hiring policies.

3 Governor Diprete's office was mentioned by the
4 NAACP on its staffing.

5 And the state agencies were cited on their
6 construction and hiring of minority firms.

7 In 1985 in employment there were also issues of
8 the training and hiring of State Police brought to the
9 public by the NAACP. A federal court hearing opened the
10 training school, but did call for an investigation. The
11 State Police did request a Justice Department investigation,
12 but the Governor, who was then Diprete, said it was not
13 needed.

14 Two large non-profits were also sued by employees
15 for discrimination. Rhode Island Hospital was sued by a
16 filipino doctor. The University of Rhode Island by its
17 minority and female employees.

18 A reverse discrimination case against Rhode Island
19 College was lost by the individual pursuing the suit.

20 The Martin Luther Kind Day speech by Newport's
21 first black mayor cited lack of progress on the civil rights
22 front.

23 On the national focus in employment. In 1985, the
24 Journal published an article of the U.S. Department of
25 Justice suing the Washington D.C. municipality for reverse

'1 discrimination on hiring procedures.

2 In 1986 and 1987, there were no published articles
3 on bigotry and violence in employment or racism or
4 discrimination.

5 In 1988, Newport sought to overturn a Human Rights
6 Commission ruling of discrimination in city police
7 discipline policy.

8 The Providence Relations Commission held a hearing
9 on charges against AT&T by a former clerk on bias in
10 dismissal.

11 In 1988 also, on a regional level, an Attleboro,
12 Massachusetts teacher charged the school system with bias
13 resulting from a supervisor's knowledge of her bi-racial
14 son. The Massachusetts Commission on Civil Rights ruled in
15 the teacher's favor.

16 Also, Fall River and Bristol County Community
17 College were sued by the NAACP and a black librarian on job
18 bias.

19 In 1989 in employment, an East Providence black
20 policewoman sues for racial discrimination in personnel
21 policies and also charged the Police Chief with racial
22 prejudice statements. The East Providence Police Department
23 did grant the required leave of absence to the policewoman,
24 but she has continued her discrimination suit.

25 In terms of education briefly. In '84, there were

1 no articles in the report that we received.

2 In '85 on the local level, the NCCJ, which is the
3 National Conference of Christians and Jews, had a forum on
4 prejudice in the schools.

5 In 1986, was the occasion of the URI Jewish
6 fraternity being the target of racial and religious
7 vandalism.

8 In 1987, Taughton High School on a regional level
9 investigated a racial slur published in a yearbook.

10 A suspended University of Massachusetts student
11 who was suspended in a discipline measure over a campus
12 racial incident sued for reverse discrimination.

13 In 1988 on a local level, Providence College women
14 charged campus harassment and threats.

15 The South County Coalition Against Bigotry
16 sponsored racism workshops in the South Kingston Junior High
17 School.

18 In 1988 in education, continuing on a regional
19 level, on the second anniversary of the Amherst University
20 of Mass. Campus racial brawl, there were 2,000 students who
21 rallied in support of integration on the campus.

22 Also locally, the Pawtucket School System was
23 cited last year for non-compliance of state desegregation
24 laws and standards when they refused to merge with the
25 Central Falls School System. The Pawtucket citizens also

1 defeated a merger with the Central Falls School System over
2 fear of busing.

3 This year on a regional level, the New England
4 Board of Higher Education released results of a two year
5 study documenting limited access of black and Hispanic
6 students to post-secondary education in New England's 264
7 public and private colleges.

8 In housing, there are a total of between '84 and
9 '88, one, two, three, four local articles and one regional
10 article.

11 In '84, the Rhode Island Coalition Against Bigotry
12 launched a Hispanic program.

13 In '85, the Silver Lake community was involved in
14 a Providence Human Relations Commission discrimination
15 complaint on housing bias.

16 The Providence Housing tenants filed suit against
17 the City of Providence, the Providence Housing Authority and
18 HUD for racial segregation in placement.

19 In 1988, the Rhode Island Commission on Human
20 Rights found discrimination in two home buying incidents:
21 in Cranston and East Providence.

22 In '88 also, the Boston Housing Authority and the
23 Mayor developed a fair housing plan in answer to tenant's
24 racial segregation complaints.

25 In business in '85 locally, a Block Island moped

1 dealer received a favorable U.S. District Court ruling on a
2 business permit which had previously been denied him from
3 the local municipality. In the following year in '86, a
4 jury awarded him \$46,000 in a discrimination suit. It was
5 appealed and a federal Judge supported the jury verdict.

6 In '87 and '88 in terms of business, there were no
7 articles.

8 In 1989, this year, the NAACP in Newport is
9 investigating charges of public access discrimination in
10 Newport nightclubs.

11 On a regional level, Senator Carey of
12 Massachusetts is holding hearings on the impact of the U.S.
13 Supreme Court ruling against minority set-aside purchase
14 rules for state and government construction and also
15 business operation.

16 In terms of racial policy incidents from '84 to
17 '89, the summary divides them in national, regional and
18 local relevance.

19 Lawrence, Massachusetts was the site of
20 Hispanic/Anglo riots.

21 On the local side, the Rhode Island Coalition
22 Against Bigotry sponsored a state-wide town meeting for
23 Hispanics to air issues in a sincere effort to avoid
24 something along the lines that happened in Lawrence.

25 The Dexter Foundation also disposed of Dow

1 Chemical stock because of the company's racial policies.

2 In 1985, Brown University was the site of one,
3 two, three, four articles. Black students charged the
4 administration with no protection against racism. There was
5 a white student rally in support of black students. The
6 administration of Brown University met with all students and
7 Brown held a Hispanic immigration conference.

8 In 1986, the Episcopal Diocese's annual conference
9 set a limited divestiture policy for investigating in South
10 African companies.

11 In 1987, the City Council and the City of
12 Providence were sued for gerrymandering in changing district
13 boundaries. New elections resulted from that.

14 The NAACP and the Black Media Coalition demanded
15 the firing of a radio personality for air time racial slurs.

16 In 1988, an East Providence bus aid was
17 disciplined for distributing racial supremacist literature.
18 The North Kingston Republican Chief defended his white
19 supremacist article. The Rhode Island Coalition Against
20 Bigotry and state political chiefs condemned the statements
21 of that official and he did resign.

22 Also, Roger Williams College had a guest speaker
23 who documented the discrimination against the American
24 Indians.

25 In 1989 so far, the Supreme Court ruling that was

1 issued on minority contracts and the 10 percent or so set-
2 aside rules across the country has really cast out on that
3 ruling. It was discovered that Rhode Island has a
4 "recommendation" as opposed to a law for a 10 percent set-
5 aside. So there is further investigation on that.

6 And also at Roger Williams College, at the
7 President's annual forum U.S. Civil Rights Commissioner Mary
8 Francis Berry spoke at that forum and took the Reagan
9 administration to task on civil rights issues.

10 Also, as you know, recently Brown University and
11 the new President there, in response to the racist graffiti,
12 fliers, etcetera, has made a formal statement that any
13 racist discovered would be expelled.

14 That's the end of the summary. As I say, I do
15 have copies after the forum, if you would like to have
16 copies.

17 If there are any questions of Professor McDevitt
18 on his five year research with the Boston Police Department
19 from the panel.

20 MR. SHOLES: Any members of the panel wish to ask
21 Professor McDevitt -- Professor, perhaps you could resume
22 your seat.

23 MS. MURPHY: Mr. Tilles?

24 MR. TILLES: Professor McDevitt, one of the things
25 that I have tried to understand in your report and one of

1 the things that always bothers me is how do we assign a
2 racial bias to an incident? Those incidents that are
3 blatantly racial, Sarah mentioned some of them, the
4 publication of anti-racial literature, a swastika on a
5 building, some of the pejorative language that we know of, I
6 think Sarah mentioned either a white male raping a black
7 woman or vice versa, I don't remember what. When do we call
8 that purely a violent crime for crime's sake and how do we
9 assign that a racial connotation?

10 MR. McDEVITT: I think that's a great question. I
11 think it is important. What we can't do as a criminal
12 justice system is begin to label all inter-racial crimes as
13 racially motivated. That would be wrong. But when the
14 definition is used in Boston, in New York, Philadelphia, for
15 example, is when a primary motivation for the crime is
16 racial or ethnic bias, then that crime becomes something
17 that we are interested in in the study of our racial crime.

18 Remember, if it is a racial crime it's meant to be
19 against all the members of that group, all of the members of
20 the victim's group. In other words, if you are throwing a
21 rock and vandalizing someone's apartment because they have
22 moved into your building and you don't like their color, you
23 don't want anyone else of their color in there. You want to
24 send a message to all members of their group.

25 MR. TILLES: So, how do you determine that?

1 MR. McDEVITT: I think you determine that through
2 a careful investigation by the police department and the
3 local prosecutor's office. You have to question the
4 offenders, know what their motivation was. We can't jump to
5 the conclusion that because it's inter-racial it's racially
6 motivated. It's not.

7 In Boston it's a small number. There are 5,000
8 assaults in the City of Boston a year and there are 150 to
9 200 racially motivated. So we're not saying that every
10 inter-racial assault is racially or ethnically motivated.

11 MR. TILLES: I have another question. On the last
12 page of your report you indicated that "it is interesting to
13 note that the actual jail or prison time was the punishment
14 in only 5 cases out of the 452 racial incidents reported to
15 the police and reviewed in this study." How does that
16 compare with other violent crime? Is there a higher
17 percentage of prison time or is that the pattern?

18 MR. McDEVITT: Again, it would be fairly similar
19 if we are talking about assault. If we are talking about
20 vandalism, it would be fairly similar. If we are talking
21 about assault, it would be a little low. But, unless we had
22 been able to look at assaults in Boston and follow them
23 through a similar pattern we can't really tell you. So I
24 can't tell you exactly. Most people who have looked at the
25 report think that that incarceration rate is what one might

1 expect.

2 MS. MURPHY: Dr. Jones?

3 DR. JONES: First of all I would like to
4 compliment you on the report, which I read. I think it is
5 remarkable that you have been able to put together a summary
6 that -- given the amount of data, the kinds of processes you
7 had to go through to get this and still make all this in
8 intelligible English I think is a fantastic achievement.

9 I wondered, having read the whole report, if you
10 could make some additional comments on a couple of things
11 that you weren't able to bring out in your brief testimony.
12 One, I was very interested in the discussion of the reasons,
13 given the victims, for these attacks. I wondered if you
14 could say a little bit about that so that some of us here in
15 Rhode Island might be able to put that in perspective with
16 what goes on here?

17 MR. McDEVITT: Sure. The data in Boston is quite
18 extraordinary. What they do is every time a police officer
19 makes a contact in a case, that police officer has to write
20 a memo and put it in the file. As I said, Brian can talk
21 about that a little bit more later.

22 What we did was we looked at the description of
23 the incident as originally filed by the responding officer
24 and then the description of the incident during the and
25 after the investigation by the police.

1 What we did was the victims were asked numerous
2 times why, to get at the first question you asked, why do
3 you think that this was racially motivated? Why would this
4 happen to you? The most common reason we found in our study
5 was that the victim was either walking through or driving
6 through an area of Boston where they didn't "belong."
7 People were attacked, as this example I gave you with the
8 little girl, what are you doing in my area?

9 Now certainly there are no private areas of the
10 City of Boston. These are all taking place on public
11 thoroughfares and we have rights of public access. So, it
12 was disconcerting for us as researchers to see that, because
13 it does say that there are parts of our cities, and I don't
14 think that this is particularly an issue in Boston and not
15 elsewhere, parts of our cities that people have taken as
16 their own turf. They feel empowered to attack people if
17 they go into their own turf.

18 Of the four major reasons cited by offenders, one
19 was passing through the neighborhood. Another one was
20 driving through a neighborhood, moving into a neighborhood
21 and finally working in a neighborhood, which was an
22 interesting one. We didn't know why that was so big. What
23 it turned was it happened mostly to blacks and it happened
24 that black men would go into an area on a construction crew,
25 they would decide on occasion to stay and have supper or a

1 drink after work and then be going home alone. Then they
2 were attacked. So, turf was a major cause, if you will, at
3 least of the incident. Not necessarily the cause of the
4 whole phenomenon, of course. But why it happened, the
5 victim was told that they were in an area where they didn't
6 belong.

7 MS. MURPHY: We have time for two more questions.

8 DR. CHUN: I was impressed by the report. I think
9 it is one of the first efforts across the nation that we see
10 something of a systematic effort into this area. So I am
11 very happy to have access to the reports.

12 Among other things there is one thing I would like
13 you to comment on if you could. That is, if I understand
14 right, an instant of the report of the police department
15 goes to CDU. The head of the CDU in turn rules on it. That
16 is, whether it is racially or ethnically motivated. Now
17 given that I think that is the first indication that we have
18 a good handle on the proportion of incidents which are of
19 interest to us, is there any possibility that CDU ruling
20 might be underestimating possibly? That is to say, did you
21 do anything like those cases which are ruled by CDU as non-
22 racially motivated, an independent panel, independent Judge
23 goes over the same file and then sees what happens?

24 MR. McDEVITT: We didn't do that. But, you are
25 absolutely right in your assumption. To give you a couple

1 of indications of that, basically what we had wanted to do
2 where we didn't have the resources was to look at a similar
3 sized group of assaults, inter-racial assaults, and see if
4 other people, as you say, an independent group might rule
5 that these were with the information available.

6 But, just to give you an idea, in Boston this unit
7 was formed in 1979. In 1978, there were 30 some odd racial
8 incidents in the City of Boston. They formed the unit and
9 there were 620. Now, there wasn't a giant increase in hate
10 crime in Boston in 1979. What there was was a police
11 department that was looking for it all of a sudden, and they
12 are there.

13 In departments like Boston or New York where they
14 are looking for them, maybe they do a better job of
15 identifying them. But, in the vast majority of police
16 departments across our country, then you would have to look
17 at the assaults and the vandalisms that are in their records
18 to find what is there. But, I feel very secure that if we
19 were to look even in Boston, we would find more there.
20 Certainly in other departments with our unit we find an
21 awful lot more there.

22 MS. MURPHY: Do we have time for one more
23 question?

24 MS. ESCOBAR: In your study you said that almost
25 half of the incidents of racial violence involving Hispanic

1 victims and when the victim decided not to go forward with
2 the prosecution, can you tell us why they don't pursue?

3 MR. McDEVITT: The Hispanic community in Boston is
4 a very tightly organized community. Frequently what would
5 happen is a community leader, generally a church leader,
6 would step in and try to mediate with the victim. That way
7 they would get out of the formal criminal justice processing
8 system. It's something that the Boston Police Department
9 and the Boston Human Rights Commission is working with the
10 Hispanic community to make them feel that the system will
11 try to go forward and prosecute for them. But the Hispanic
12 community has traditionally been unlikely to involve the
13 formal criminal justice process in Boston. So I think it's
14 a traditional lack of faith in the system that is causing
15 this.

16 MS. MURPHY: We have time for just one quick
17 question from the table. Does anybody have a question?

18 (No response.)

19 Okay, fine. Do any of the Committee members have
20 any more questions?

21 DR. JONES: Maybe you could say something too
22 about the difference in the background and the histories of
23 crimes against persons as opposed to crimes against
24 property. I was very struck by the different patterns.

25 MR. McDEVITT: We found that in our study there

1 really were two different kinds of these kind of assaults,
2 the attacks. One was attacks against property, generally
3 around issues of housing. The other were these random
4 attacks, assaults on the street.

5 The assaults on the street, fortunately we didn't
6 find that there was roving packs of offenders out there.
7 Although if that were true, maybe we could get a better
8 handle on making arrests on them. There weren't victims
9 that were victimized over and over again from attacks,
10 assaults.

11 On the other hand, for the housing, the property
12 crimes, we found that they had a long history of unreported
13 violence. By the time they would report it, it would be,
14 you know, that it has finally escalated to a point where I
15 can't take it anymore. They are bothering my kids at the
16 bus stop every day. For the past 12 nights rocks through my
17 window. I can't stand it any more.

18 What we would find is that is one of the reasons I
19 think that there is a real undercount of these, is that many
20 times there would be seven, eight prior incidents in these
21 housing disputes before they involved the police. So, what
22 we have here as a number is an undercount. How much of an
23 undercount we don't know. But it is an undercount and it's
24 an undercount in one of the best police departments in the
25 country for looking for it. So I think it has implications

1 for other police departments.

2 MS. MURPHY: Thank you.

3 MR. SHOLES: Thank you very much.

4 That brings to a close panel 1. I want to thank
5 very much Dr. McDevitt for attending and making a great
6 presentation.

7 Also, thank you, Sarah, for doing an able job on
8 reporting. I should say the reporting of news stories
9 relating to these crimes in the Providence Journal.

10 I would like to direct our attention to panel 2,
11 which is relating to the collecting of information on
12 incidents of bigotry and violence in Rhode Island. There
13 will be three presenters in this panel. The moderator of
14 this panel is attorney John Thompson.

15 MR. THOMPSON: The theme of this second panel is
16 collecting information on incidents of bigotry and violence
17 through the police force or through the incident reporting
18 process that the police force uses. The state statute,
19 which is 422846, mandates that in the course of making the
20 filing and preparing the police reports, the system be
21 established of monitoring incidents of bigotry and violence.

22 The statute very specifically reads as follows:
23 "the state police shall by January 1, 1989 develop a system
24 of monitoring the occurrence of crimes committed in the
25 state with racial, religious or ethnic bigotry or bias." It

1 then goes on and it specifies in detail what the form of the
2 report should be.

3 We have four panelists our panelists will be
4 presenting. The topics that they will discuss, on the
5 status of developing a data collection system as mandated by
6 the law, which is what we were just talking about in reading
7 a portion of the law, what obstacles hindered or delayed the
8 development of this system.

9 The second, the implementation of the law at the
10 local police department level. What are the major obstacles
11 in implementing the law? Basically a recitation of what we
12 just went over. But it is more specified. How can these
13 obstacles be removed or overcome? Do we need better laws,
14 more budgetary resources, better training on the part of the
15 policemen or their officers or better public education?

16 The fourth topic that should be kept in mind: the
17 experience of the Boston Police Department. Is there
18 anything in the Boston experience that might be of interest
19 to us here in Rhode Island?

20 We have three distinguished guests who are going
21 to give their opinion. The first is Captain John Leydon
22 from the State Police Office. The Rhode Island State Police
23 Office I might add, after talking about Massachusetts. Dave
24 Sholes, Senator Dave Sholes, of the Rhode Island Senate.
25 Also, Mr. Flynn from Boston, the Boston Police Department,

1 is going to speak to us also.

2 If we could proceed and begin the presentations of
3 this panel with Mr. Leydon, I would appreciate that.

4 MR. LEYDON: I would like to thank the Committee
5 for inviting me here this afternoon. I have with me
6 Lieutenant Lewis Clark, who oversees the day-to-day
7 operations of the reporting. It gives me a great feeling to
8 come forward today for a community forum on bigotry and
9 violence in Rhode Island.

10 Title 42, chapter 28, section 46 of the General
11 Laws of Rhode Island mandated the Rhode State Police to show
12 by January 1, 1989 to develop a system monitoring the
13 occurrence of crimes committed in the state with the
14 evidence of offenses demonstrated to be motivated by racial,
15 religious or ethnic bigotry or bias.

16 In December of 1988, Colonel Walt T. Stone,
17 Superintendent of the State Police, mailed a letter to every
18 law enforcement agency in the state explaining the new law
19 and notified each police department. A form was designed
20 for the police departments to complete, give the pertinent
21 information about each crime motivated by bigotry and bias
22 and these forms were distributed to each police department.
23 The police departments are required to attach a copy of
24 their department complaint to this report form and mail
25 these reports to the State Police at the end of each month.

1 During the month of January, 1989, reports were
2 received from all departments indicating that there were not
3 any crimes motivated by bigotry or bias reported to their
4 department. During the month of February, 1989, two
5 incidents were reported. Thus far, there have been six
6 incidents reported for March.

7 A breakdown of the incidents reported are as
8 follows. As I stated, there were eight of them. A swastika
9 was spray painted on a front of a home in Newport.

10 Racial symbols and satanic symbols were spray
11 painted on a school in North Providence.

12 A swastika was painted on a hood of a vehicle in
13 Jamestown.

14 Black teenagers damaged a windshield of a truck of
15 a white man who was moving into a neighborhood in Central
16 Falls.

17 The disruption of church service in Woonsocket by
18 four or five teenagers. After mass, parishioners found 8" X
19 14" sacrilegious posters on the windshield of their
20 vehicles.

21 The spray painting of crosses and words on the
22 doors of the cathedral in Providence. A culprit was
23 arrested and charged.

24 The remains of rodents were cut-up and their blood
25 spread about.

1 Benches were stuck through the rodent's remains in
2 a state park in Jamestown.

3 The spray painting of an animal skull with a
4 number 666 between the horns in a state park in Bristol.

5 Some of Rhode Island's General Laws applicable to
6 crimes motivated by bigotry and bias are as follows: ethnic
7 or religious intimidation, desecration of places of public
8 assemblage, threat by terror, threats to immigrants.

9 The police must be knowledgeable of a law before
10 they can properly enforce the law. It appears, like any new
11 law or reporting system, it is necessary to educate both the
12 police who are enforcing the law and reporting the crime,
13 and the public concerning what the law prohibits and what
14 the penalties are for violating these laws.

15 One aspect of 422846 posing some difficulties for
16 the Rhode Island State Police in fulfilling its
17 responsibilities is how to obtain adequate information on
18 all the crimes motivated by bigotry and bias committed in
19 the state are actually being reported to the State Police.
20 Each police department should reinforce the statute by
21 constant reminders to tell-tale signs of such action as
22 necessity and adequately reporting these crimes to their
23 departments. This calls for a complete understanding of the
24 law and its implications.

25 Thank you.

1 MR. THOMPSON: Thank you very much, Chief.

2 If we may proceed from this section. I think we
3 will proceed with questions after the presentations of the
4 panel.

5 The next presentation is from Brian Flynn of the
6 Boston Police Department.

7 MR. FLYNN: Good afternoon. I would like to share
8 my appreciation for being invited to testify.

9 Ladies and gentleman, I will give a brief
10 introduction. My name is Brian Flynn. I am a Sergeant with
11 the Boston Police Department Community Disorder Unit. I
12 have been a police officer for the past 15 years, 8 of which
13 I have served in the Community Disorder Unit. I am
14 presently the Night Commander of that unit.

15 I am not here to pat myself on the back or to toot
16 the horn for the Community Disorder Unit. But, I must give
17 a brief history of some of the racial problems and the
18 effect that the CDU has and has had in the solution of those
19 problems in the City of Boston.

20 In September of 1974, what is commonly called
21 forced busing became the law in my fair city. This brought
22 about many problems of a violent nature to many of our
23 schools, which moved to certain neighborhoods after school
24 hours.

25 The majority of those individuals who are opposed

1 to the busing were against it not for racial reasons, but
2 because for 21 years the political leaders in the City of
3 Boston hindered any efforts towards following the Supreme
4 Court decision. The second reason was they just resented
5 the fact that big brother was telling them where to send
6 their kids to school. But there were some in the City of
7 Boston who harbored very negative racial views. The busing
8 issue allowed these views to surface.

9 During the same period of time there was also
10 experiences going on in Boston and other cities in other
11 parts of the country. Things like affirmative action, where
12 people of color were finally becoming more upwardly mobile
13 and were able to bust out of the confines of ghettos and
14 ethnic neighborhoods. At the same decaying housing in the
15 core city was causing families of color to move out into
16 what was predominantly white or all white neighborhoods.
17 This brought about situations of threats, damage to homes
18 and cars, assaults and even fire bombings.

19 Four years later, on April 7, 1978, the Boston
20 Police Department created the Community Disorder Unit to
21 address this problem. I would like to report that this was
22 the sole reason for the beginnings of the unit. However, it
23 was not. The Boston Police Department was sued for a
24 substantial amount of money by a minority family, charging
25 failure to adequately protect them. This was the actual

1 reason why the unit was created. Whatever the reasons, the
2 CDU has responded to the problem and in my estimation has
3 been very successful.

4 Many factors contributed to the success of that
5 unit, such as the improvement in proven investigative
6 techniques, steady increases in the size of the unit,
7 training of department personnel to be more sensitive to
8 civil rights and outreach to various segments of the
9 community. But the single most important reason for the
10 success of the unit was the passage of the Massachusetts
11 Civil Rights Law in February of 1980. This law added a
12 second penalty if a crime was committed for the reasons of
13 violating a person's civil rights.

14 You will notice I said violating a person's civil
15 rights rather than for racial or religious reasons. This is
16 because the law was first applied to such situations as
17 racial or religious. But now we use the same law to apply
18 in situations where the rights of those -- sexual
19 persuasion, handicapped persons, tenant/landlord situations
20 and other situations that fit the profile in all of those
21 situations where someone's constitutional rights were
22 denied.

23 The criminal penalties of this law are stiff.
24 It's broken down into two sections under the criminal
25 portion: a misdemeanor section and a felony section. Under

1 the misdemeanor section, you are going to have a years
2 confinement and a \$1,000 fine. Or if there is physical
3 injury involved, you are going to have a ten year
4 confinement and a \$10,000 fine. So the penalties are stiff.

5 But the most useful tool in this law is the civil
6 portion of it. The civil portion of the law allows us to
7 get restraining orders or injunctions against perpetrators
8 of civil rights violations. For police departments who are
9 not usually involved in application of civil laws, this tool
10 we found out was our best tool. It enabled us to quiet down
11 entire neighborhoods in the aftermath of a racial incident.
12 It also allowed us to protect the victims and the witnesses
13 while the criminal charges were winding their way, often
14 tediously, through the Court system.

15 Some people ask and some people complain even, is
16 this law needed, number one? And two, isn't this a special
17 law for special people? The answer is yes and no. Number
18 one, I am not usually in favor of added laws when laws
19 already in the books are adequate. The fact of the matter
20 was the laws that were on the books were not adequate. My
21 experience shows that the acts of assaults and vandalisms
22 are treated lightly due to the fact that they are considered
23 just another minor crime in a Court system that is probably
24 crowded with cases considered more serious. It is essential
25 that these crimes be identified as different and that they

1 are treated more seriously.

2 Two, the victims of civil rights crimes are
3 special people. The sad fact is that we are all potential
4 victims of crime in our society. We can make ourselves more
5 aware of our surroundings or shun certain high crime areas.
6 But if we are black, Asian, gay or a member of whatever
7 segment being singled out, we cannot change our color or
8 whatever factor has set us apart. The victims of civil
9 rights violations are in fact double victims. A perpetrator
10 should face at least double penalties for their crimes.

11 I have some recommendations to make to the
12 Committee. The number one recommendation is a strict state
13 civil rights law written similar to the Massachusetts law,
14 chapter 265, section 37. I provided copies of the law with
15 my informational packet prior to arriving here. I also
16 provided a package of a sample of our training seminars and
17 these recommendations.

18 But the law was written very vaguely. It doesn't
19 mention color, religion, sexual persuasion, whatever. It
20 just says "any person." If you limit it, you will find you
21 can only use it in certain situations and you may not want
22 to. You may want to expand the use of it.

23 The second recommendation is creation of a police
24 unit to investigate civil rights violations in each city and
25 town in Rhode Island. Major cities may create an

1 investigative unit, while smaller towns may appoint a
2 designated officer or detective to conduct these
3 investigations. It is recommended that the officer
4 designated or the unit designated should not be the one that
5 investigates complaints against police officers or what is
6 commonly called "internal affairs investigations."

7 The successful outcome of a civil rights
8 investigation demands input from all the police officers,
9 especially those who work in a certain area. If the unit
10 investigating civil rights violations is not to be trusted
11 by the rank and file of the police department, they will not
12 get the cooperation that is needed.

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MR. FLYNN: The third recommendation: It is
2 essential that the leaders of the police departments not
3 only leaders of the police departments, but also elected and
4 appointed officials in the state and local governments send
5 out a message that civil rights are a priority.

6 Citizens will only respond positively to vigorous
7 leadership by their elected officials. And police will only
8 prevent and investigate civil rights cases vigorously if the
9 heads of the departments set the example.

10 I am not recommending that you go as far as our
11 city did. Our present police commissioner is the former
12 commander of the Community Disorder Unit. We have a mayor
13 who is very concerned about civil rights legislation and
14 when he picked the commissioner, he picked the former
15 commander of the Community Disorder Unit to become his
16 commissioner because he considers it to be such a problem or
17 such an important thing in our city.

18 My fourth recommendation: Outreach efforts must
19 be made to all segments of the community to gain their
20 confidence and to educate them with regard to civil rights.
21 Minority police officers must be recruited. Standards
22 should, however, not be relaxed because this would affect
23 the morale of the police departments in question.

24 Two particular areas where outreach should be made
25 are Asian groups and the gay and lesbian communities. Quite

1 often members of these groups do not feel comfortable
2 reporting incidents because of lack of confidence in the
3 system.

4 My fifth recommendation: Training of entire
5 police departments in the area of civil rights should be
6 conducted regularly in both police academies and in-service
7 training courses for police officers who have been on the
8 job for awhile.

9 Personnel from the Boston Police Community
10 Disorder Unit would be privileged to set up this training
11 and, in most cases, conduct the training seminars outright
12 if that was necessary.

13 I may add, you will also find that the Connecticut
14 State Police have a fine training system for civil rights
15 and have done extensive research on bias crimes. You may
16 contact the State Police in Connecticut.

17 These are the major recommendations I have. I
18 believe they are necessary to deal with the civil rights
19 problem in our society. Other parts of our programs you may
20 find in my informational package will detail some of the
21 things we also do that you may want to do down the line
22 after you set up the original program.

23 In conclusion, I would like to say: It would be
24 nice if everybody loved everyone else. And all citizens
25 treated others the way they would like to be treated. But

1 considering that that is not the case, we have to make it
2 clear that violators of any person's civil rights will be
3 dealt with severely. That has to be -- that message has to
4 be sent out by the leaders of the governments and the
5 leaders of the police departments. Thank you.

6 MR. TILLES: Thank you very much, Mr. Flynn. I
7 was going to say if Captain Leydon and Mr. Flynn would just
8 have a seat, we have one more speaker, Senator David Sholes,
9 when he is done, if you could both come back, please, for
10 questions from the panel.

11 Senator David Sholes, if you would, please?

12 STATEMENT OF SENATOR DAVIS SHOLES

13 SENATOR SHOLES: Thank you very much, please.

14 I would like to make a presentation on the
15 legislative background of the laws pertaining to
16 discrimination, hatred and bigotry and harassment in this
17 state. And just as Sergeant Flynn has indicated that the
18 elected officials should give top priority to this civil
19 rights crimes, the General Assembly has addressed this issue
20 back in 1981, when the General Assembly passed the
21 Commission on Racial, Religious and Ethnic Harassment. And
22 the purpose of that commission was to study religious,
23 racial and ethnic harassment in this state, propose some
24 laws relating to those problems and insure that the laws
25 safeguard and protect the public.

1 The commission had several meetings and, as a
2 result of those meetings, we came up with several laws which
3 have been on the books for the past several years.

4 The problems we had to address in drafting those
5 laws were complex. And I just want to give you an overview
6 of the complexity of the problems in drafting the
7 legislation.

8 First of all, we had to differentiate between
9 indiscriminate vandalism and vandalism aimed at the
10 intimidation of a particular societal group.

11 Two, we had to look at the issue of how does the
12 prosecution prove the specific intent to harass or
13 intimidate a person or group.

14 The third issue was: How do you balance the
15 rights of freedom of expression under the First Amendment
16 with the rights of society to be protected from the acts of
17 intimidation and harassment when it is verbal communication?

18 The fourth issue was: How do you draft the
19 statute in such a way as to prohibit certain defined
20 activities and inadvertently avoid the prohibition of
21 legitimate constitutional activities and freedom of
22 expression?

23 The fifth issue was: How do you distinguish
24 between speech and conduct or physical activities.

25 And sixth: How do you address the issue the Act

1 is not unconstitutionally vague or over-broad?

2 Now, from these discussions, several laws emerged.
3 And I would just like to briefly describe those laws. The
4 first laws relating to vandalism: It is now a felony to
5 vandalize, deface or destroy institutions which are symbols
6 of a racial, religious or ethnic group. This category would
7 include houses of worship, educational institutions,
8 recreational facilities, community centers, and cemeteries.

9 Legislation of this nature attempted to
10 differentiate between indiscriminate vandalism and vandalism
11 aimed at the intimidation of a particular group. By
12 focusing on the nature of the institution or the facility
13 victimized, the General Assembly has eliminated the
14 constitutional problems which might otherwise arise from
15 legislation designed to combat this evil.

16 Furthermore, the task of the prosecutor is greatly
17 simplified by eliminating the need to prove the specific
18 intent to harass or intimidate in each case. Rather, the
19 intent is assumed from the nature of the target of the
20 unlawful act.

21 The second statute we passed was a statute which
22 has been alluded to by two presenters, both by Dr. McDevitt
23 and Sergeant Flynn. And that's the civil action. And civil
24 actions can work hand-in-hand with criminal action or
25 criminal statutes, I should say.

1 We passed a statute dealing with injunctive relief
2 and it is known as the Civil Action for Ethnic or Religious
3 Intimidation or Vandalism. And the statute is very brief.
4 It says that any person who is maliciously subjected to an
5 act or acts which may reasonably be construed or intended to
6 harass or intimidate because of a person's race or religion
7 or national origin may go into Superior Court and obtain an
8 injunction relief against a perpetrator. And the great part
9 about the civil action is that the violation of a civil
10 action is a misdemeanor. And this is a sure fire way to
11 stop a person, a known perpetrator from continuing the
12 harassment or intimidation.

13 The third statute which the General Assembly
14 passed addresses the problem of intentional infliction of
15 emotional distress upon an individual because of his race,
16 religion, or ethnicity. The most obvious manifestations of
17 this conduct are the letters or telephone calls from the
18 American Nazi Party or the KKK or other fringe hate groups
19 which have been received by a number of Rhode Islanders of
20 various minority groups. These have been targeted at
21 individuals whom the perpetrators perceive as particularly
22 vulnerable to this form of intimidation, such as those who
23 have recently sustained a death of a close family member.

24 Legislation which was proposed and enacted
25 provided for a specific authorization of the civil action by

1 the victim against the perpetrator. It also provided for a
2 criminal penalty.

3 The fourth act deals with paramilitary training.
4 And the legislation was aimed to prevent the establishment
5 or maintenance of paramilitary training camps within the
6 State of Rhode Island. Although in Rhode Island, we have
7 not seen this type of activity to date, our neighboring
8 state of Connecticut in the past has witnessed serious
9 problems of this nature instigated by the KKK. The
10 legislation would prohibit the training of persons in the
11 use of fire arms, explosives or incendiary devices, knowing
12 or having reason to know or intending that the same will be
13 unlawfully employed for use in or in furtherance of a civil
14 disorder. The legislation was modeled after the federal
15 statute which was adopted in the 1960s to combat interstate
16 activity and the creation of civil disorder. This
17 constitutionality has been upheld in several decisions
18 rendered in the United States Court of Appeals and it is
19 clearly draft to proscribe conduct rather than to regulate
20 speech and thus avoids any infringement of the First
21 Amendment.

22 The other statute we passed pertains to defamation
23 and threats by terror. And the General Assembly passed this
24 statute in 1981. It said that any person with the intent of
25 terrorizing another or group of others or in direct

1 disregard of terrorizing another or group of others or
2 intending or threatening to do injury to a person,
3 reputation, or property, without authorization -- and that's
4 the key words: without authorization -- would be punished
5 by up to two years in jail and a \$5,000 fine.

6 And hand-in-hand with that was an act that we
7 passed in 1983 to protect recent immigrants to our country.
8 And those were immigrants who are non-citizens. It is now a
9 misdemeanor for a person to threaten another person who is
10 lawfully living in the United States because of his
11 immigrant status.

12 And the last statute was a recent statute which
13 was passed last year pertaining to the development of a
14 system for monitoring crimes motivated by bigotry and
15 violence. And that was so ably described by Captain John
16 Leydon of the Roanoke State Police, and I won't go into any
17 details on that, but that's sort of the kingpin of all of
18 these statutes because it is going to give the General
19 Assembly and, certainly, the public the essential
20 information to know how effective the laws which we passed
21 in prior General Assemblies are working.

22 Now, these legislative proposals were high
23 priorities on the various General Assemblies agendas over
24 the past eight years. They collectively protect all the
25 citizens in Rhode Island from much of the racial, religious,

1 and ethnic motivated harassment and intimidation which
2 unfortunately threatens all of us today.

3 However, the responsibility of combating this type
4 of malicious conduct is an ongoing one and is something that
5 we at the State Advisory Committee of the U.S. Civil Rights
6 Commission are exploring with this seminar.

7 Thank you very much.

8 MR. TILLES: Thank you, David.

9 Would Captain Leydon and Brian Flynn please return
10 to the podium and I think that we can open the panel to any
11 questions you may have.

12 Thank you, gentlemen. Initially, I suppose my
13 first question right off the top of the bat is directed to
14 the State Police. And it regards the implementation of the
15 statute which I began to read at the outset.

16 Captain Leydon, if you can address that?

17 CAPTAIN LEYDON: Yes, we feel as though it is very
18 important not only to educate the police officer, but to
19 educate the general public about the new law and to have the
20 reporting system come into the State Police on a monthly
21 basis. I believe the more the general public becomes aware
22 of it and the police officer on the street becomes aware of
23 it, that our system would be updated.

24 MR. TILLES: Brian Flynn, you talked about the
25 reluctance to establish a particular group to investigate

1 incidents or report on incidents or look into incidents of
2 civil rights violations in Boston. What are your -- very
3 specifically, do we -- what I want to say is: What are your
4 thoughts in Rhode Island, very specifically, but more
5 specifically, should we establish such a unit here? Do you
6 feel there is a proper cause for that locally for such a
7 unit to be established?

8 SERGEANT FLYNN: Well, I would have to see the
9 figures for various police departments in question. We had
10 a major problem. In the informational package I had sent
11 prior to my arrival, we had 607 cases of most probably
12 racial intent back in 1978 when we were first formed. There
13 were so many and we were so few that we couldn't even tell
14 how many were actually racial. Now, we're down to -- we
15 investigated 152 cases I believe last year. It is more
16 manageable. We can forecast things a little bit better now.

17 I don't know the circumstances in major cities
18 such as Providence or some of the small cities or towns in
19 Rhode Island to say whether you definitely needed a
20 investigative unit or not.

21 I would assume an aftermath of your reporting law
22 will probably tell you the answer: that you do or you
23 don't.

24 MR. TILLES: Thank you very much.

25 Other members of the panel, please?

1 MS. ZIMMERING: First, I would like to say that
2 more years than I care to admit ago, I think Captain Leydon,
3 you, and at the time, Chief Clark came to a meeting of the
4 SAC in the Third World Center to tell us about -- we were
5 talking about at the time about how Providence police felt
6 about Bernardi Community members and what was going on in
7 the minority community at that time. So, it's nice to see
8 you again in a different -- it's kind of swung around in a
9 different way.

10 My question is: Has there been an opportunity,
11 yet, to set up any concrete way of reporting or any way of
12 reporting so that all of the communities in our state would
13 be able to report instances that they think may be racially
14 motivated in a standard way?

15 CAPTAIN LEYDON: Yes. We have a standard form
16 that was mailed out to every police department in the state.
17 And they are by law mandated to mail that into us at the end
18 of every month, along with a copy of their complaint that
19 they have received. And this is only our third month that
20 we are into it.

21 MS. ZIMMERING: Yes. Are you getting responses
22 from that?

23 CAPTAIN LEYDON: Yes, we are.

24 MS. ZIMMERING: Thank you.

25 MR. TILLES: Yes. Mr. Chen?

1 MR. CHEN: I heard that you think there would be
2 a-- you perceive a need for better training and perhaps a
3 better education for not only police officers, but the
4 public as well. And I wonder if you could elaborate a
5 little more about the kind of training or education you
6 think would be necessary, particularly in light of what we
7 have heard from the Boston experience. And, along with it,
8 to comment whether you feel you have sufficient financial
9 resources to conduct such needed retraining or education
10 programs.

11 CAPTAIN LEYDON: As I stated, as in any new law,
12 you know, the more the public becomes aware of it and the
13 police officer becomes aware of it, you will find the
14 reporting system generating more incidents.

15 The way to go about the training would be at the
16 municipal police training academies, to have them instruct
17 their officers as new officers going in. Also, we have an
18 academy to instruct our officers as they are going in. As
19 far as generating the general public through the public
20 media in getting the word out to the public that way.

21 MR. CHEN: Do you think you have enough financial
22 resources to --

23 CAPTAIN LEYDON: Well, you never have enough
24 financial resources.

25 MR. CHEN: I guess really the question I was sort

1 of getting after is that it is obvious that you feel the
2 needs. Maybe sufficient amount of effort is being made
3 along the direct or not. And if not, it may be because of a
4 lack of financial resources and I am just interested in
5 finding out whether indeed my speculation is bearing out or
6 not.

7 MS. MURPHY: I would like to ask a question of
8 Sergeant Flynn, since our experience here in this state is
9 so new: From your experience in the five or six years that
10 the CDU has been operating, what form of law enforcement
11 activity do you feel is the most effective in preventing
12 continued racial incidents?

13 SERGEANT FLYNN: Well, that is a tough question.
14 It is usually the whole ball of wax that gets the job done.
15 I would say the most effective thing, preventing repeat
16 incidents. When we first started, we had homes where we
17 were having windows broken, major incidents of vandalism 14
18 or 15 times a year. Some minor incidents that weren't even
19 reported. We found out that that was our best barometer to
20 measure whether we were doing the job or not was: Could we
21 eliminate these.

22 We are now down to where we had -- I think we had
23 two repeat incidents last year. So, no longer is anyone
24 living in terror. We don't have any of those families that
25 can't sleep, whose biological clock will not let them sleep

1 on Fridays and Saturday nights anymore. I think that's the
2 most effective. Getting into the neighborhood a high
3 visibility, interviewing a lot of people, getting to know
4 the good guys from the bad guys, showing them that you can
5 investigate it vigorously usually quiets it down.

6 MS. MURPHY: And let me just continue in this vein
7 if I might. One more step: For instance, if there would be
8 a situation within a community that seemed momentarily ready
9 to develop into some very serious incidents, do you think it
10 would be effective to have more than one officer come in and
11 begin talking with different groups who had been involved
12 in, perhaps, like unreported incidents? Things like that?

13 I'm thinking of, say, for instance, teenagers of
14 different racial or ethnic groups who have already rumbled
15 once or twice and that really didn't get reported but
16 everybody in the community knows about it and you're waiting
17 for something really big to happen. Do you think it would
18 be an effective use of law enforcement time and man hours,
19 person hours, to come into the community and speak to the
20 groups and talk to them about the situation and the laws on
21 the books and things like that?

22 SERGEANT FLYNN: Definitely. The answer to the
23 question is definitely. But it isn't just police that are
24 useful.

25 MS. MURPHY: Yes.

1 SERGEANT FLYNN: Many of the local community
2 groups in that neighborhood can deal with it, too. I mean
3 be out there on the street talking to kids, getting the
4 viewpoint. Quite often you can get, at least leaders,
5 possibly two entire groups of people in to a school hall or
6 something like that and let them voice their opinions as to
7 why they reacted a certain way. And let them listen to each
8 other and only to find out they both have the same
9 complaints: The blacks say they are being picked on by the
10 white police officers. The whites say they are being picked
11 on by police officers in general, the parents -- they all
12 have the same reasons.

13 And then, you know, they can realize it: It can't
14 be both ways. There has got to be something else involved
15 here.

16 Community leaders, heavy police presence. If we
17 have an incident that we respond to and we find out there
18 has been past incidents, we will usually have the local
19 commander assign a car to that house for the night, whether
20 it is on what's called a fixed shift, where they never move,
21 or whether they answer the calls from that house. Sometimes
22 that is needed, depending on the degree of the situation, it
23 depends on what we do.

24 MR. TILLES: I have a question of each of the
25 panelists, if I may. Captain Leydon, you have just put

1 together a reporting system. To follow up my question to
2 Professor McDevitt, how have you in asking for these reports
3 of the various police departments defined a crime of racial
4 violence or bigotry?

5 CAPTAIN LEYDON: We leave that up to the
6 individual department that is out there investigating it,
7 sir. And they send in a copy of their complaint to us and
8 we review that complaint.

9 MR. TILLES: So that what might be considered
10 racial violence in Pawtucket may be considered crime, per
11 se, in Woonsocket. Is that what you're saying?

12 CAPTAIN LEYDON: That could be so, yes.

13 MR. TILLES: So that there is no definition.

14 CAPTAIN LEYDON: No.

15 MR. TILLES: Do you in your own mind have a
16 definition of how you would define one that is crime, per
17 se, and one that is racial violence?

18 CAPTAIN LEYDON: Once you investigate the
19 incident, you know, you would have to take into
20 consideration all the factors there and then.

21 MR. TILLES: Thank you.

22 Sergeant Flynn, I would like to correct myself.
23 In looking at Professor McDevitt's report, I indicated that
24 he had showed that 5 percent of the 452 cases that he
25 investigated resulted in incarceration. It was really not 5

1 percent. It was 5 cases or something on the order of 1
2 percent. You spoke very glowingly of your mass civil rights
3 law and the fact that it did add additional time served or
4 fines for those who violate civil rights of individuals.

5 I wonder, obviously, you don't know those five
6 cases that Professor McDevitt talked about, but in general,
7 can you tell me what effect this law has had as far as
8 sentencing is concerned?

9 SERGEANT FLYNN: On the sentencing, I would say
10 it's had no more effect than any other law in our state.

11 MR. TILLES: Which means what?

12 SERGEANT FLYNN: Which means judges don't
13 sentence. That's the bottom line.

14 Quite often, what we deal with in the civil rights
15 area are young kids. Our average age goes between 16 and
16 24. I would say most of it fits between 16 and 20.

17 Quite often, it is their first offense. Quite
18 often, they don't think there is anything wrong with it. We
19 are dealing with kids sometimes who wouldn't steal a car,
20 wouldn't break into your house, but they will attack a
21 person or their property for racial reasons because they
22 hear Mom and Dad talking about it over the kitchen table or
23 the breakfast table or something else. And if Mom and Dad
24 think it's all right, then how can it be wrong?

25 So, you have got kids facing a judge who have no

1 prior criminal record, the judge won't put them away.

2 MR. TILLES: In a throwaway line to Sarah's
3 question, you indicated about a sleeping biological clock on
4 Friday and Saturday nights. I immediately jump to the
5 conclusion that Friday and Saturday nights are the worst
6 nights for racial violence and I am asking you is this
7 because of drunkenness on Friday and Saturday nights? Or
8 why did you pick those two nights?

9 SERGEANT FLYNN: I would say it has to do with
10 alcohol and drugs. Most of our perpetrators, again, are
11 young. And I would venture to say that 75 to 80 percent of
12 the time, they're intoxicated in one form or another, either
13 chemically or alcoholically.

14 MR. TILLES: Thank you. By the way, I appreciate
15 your five recommendations.

16 I would like now to turn to our chairman who acted
17 also as a panelist. David, I was thrilled back many years
18 ago when the legislature enacted and the commission was set
19 up on racial violence and bigotry. And I was very pleased
20 with some of the work that they've done. I have followed
21 the commission rather carefully and have seen the work they
22 have done. And I just wonder, in the last several months,
23 what has it done to follow up on its laws to see if there is
24 anything else that is needed.

25 I note that in Sarah's report, we had 34 incidents

1 in 1988 that were reported by the Providence Journal that an
2 increase -- it goes back to 1984 when there were more. I
3 wonder if the commission is still continuing to operate.
4 For example, when did it last meet?

5 SENATOR SHOLES: In fact, it met last Wednesday.
6 And I just want to let you know that last year the
7 commission proposed and drafted the bill pertaining to
8 monitoring the crimes motivated by violence and bigotry.
9 Our attention has been focused to aid the State Police in
10 drafting the guidelines which will enable each of the cities
11 and towns to uniformly report those crimes which would be
12 motivated by hatred and bigotry. And I think that you
13 alluded to the fact that one police department may perceive
14 a crime as strictly as crime, per se, and another police
15 department may perceive that crime as motivated by bigotry
16 and violence -- bigotry and hatred.

17 So, the question comes down to: Well, what is the
18 criteria or standards that will be uniform throughout the
19 state that will aid the various police departments in
20 preparing those forms for reporting to the state police
21 because as we all know, the report or the statistics derived
22 from the report is only as good as the input by the various
23 police departments.

24 To answer the other part of your questions
25 pertaining to what else the commission has done, we have had

1 an appropriation from the General Assembly last year. We
2 are looking forward to setting up a hot line to allow
3 citizens in our state who are victims of crime motivated by
4 violence or bigotry or harassment or intimidation to report
5 the incident. They may not want to report the incident
6 directly to a police department. They may be looking for an
7 impartial or neutral agency to report an incident. They may
8 feel as though maybe it is not a crime, maybe they don't
9 want to bother the police department or for whatever reason,
10 and we felt it was necessary to at least get a handle on
11 this to provide an alternate means of accepting those
12 reports. And that's what the commission has been doing.

13 I think the commission has been working diligently
14 in this area and we look forward to continuing our work.

15 MR. TILLES: Thank you, David.

16 MR. THOMPSON: Thank you very much, gentlemen.

17 MR. HILTON: Mr. Chairman?

18 MR. TILLES: Yes.

19 MR. HILTON: Captain Leydon, you mentioned that
20 the reporting system is relatively new. My question is:
21 When this reporting system gets on track, so to speak, what
22 are you going to do with that information?

23 CAPTAIN LEYDON: I think the information will be
24 turned over to the committee, and you know, going to
25 categorize it for the breakdown to see where the incidents

1 are happening.

2 MR. HILTON: Is it given to the news media in any
3 form or how are people aware of what this report shows?

4 CAPTAIN LEYDON: I will have to refer to
5 Lieutenant Clark on that. He oversees the day-to-day
6 operation on that.

7 MR. HILTON: You could answer from there,
8 Lieutenant, if it is easier.

9 LIEUTENANT CLARK: I think that any reporting
10 system, the information should be made available especially
11 to the agencies that report the incidents. So, I would
12 propose that an annual report be published, be made public
13 and disseminated to any people that have interest in it.

14 MR. HILTON: That has not been established yet as
15 a system.

16 LIEUTENANT CLARK: That's correct, it has not. We
17 do that with missing children and some of other annual
18 reporting systems.

19 MR. HILTON: But that is your intention to do
20 that?

21 LIEUTENANT CLARK: That's correct.

22 MR. HILTON: Captain, you have mentioned also
23 there has only been one incident where an individual was
24 apprehended. Was that a juvenile?

25 CAPTAIN LEYDON: No, it was not.

1 MR. HILTON: Fine.

2 MR. TILLES: Lieutenant, in your report, do you
3 intend to, if possible, give the disposition of the cases,
4 what's happened, were people apprehended and, if so, what
5 was the result of the case?

6 LIEUTENANT CLARK: Yes, we could. We do know the
7 results of that information. We may have to inquire -- have
8 a follow-up system to see if there was any prosecution in a
9 particular incident.

10 MR. THOMPSON: I don't think we have any more
11 questions from the panel. I thank you gentlemen very much
12 for being here.

13 MR. FOWLKES: Thank you for this opportunity.

14 MS. MURPHY: Please identify yourself.

15 MR. FOWLKES: My name is Joseph Thomas Fowlkes,
16 Jr. I serve both as Executive Director of the Providence
17 Human Relations Commission as well as President of the local
18 branch of the NAACP.

19 My concern is that as Executive Director of the
20 Human Relations Commission, we receive a number of
21 complaints about police brutality. Alleged police
22 brutality.

23 I am wondering if the police departments are
24 turning over to your office the numbers of complaints with
25 regard to police brutality and just how they are handled by

1 the State Police.

2 CAPTAIN LEYDON: They are all referred to the FBI
3 for investigation if there is a complaint made against the
4 local department or if there is a complaint made against a
5 member of the Rhode Island State Police. That is
6 investigated by the FBI.

7 MR. FOWLKES: Just one quick response, please. It
8 would seem to me that that is a form of not only violence,
9 but bigotry in itself as alleged and that your department
10 should not turn it over to the FBI but to deal with it as we
11 are attempting to deal with bigotry and violence at this
12 time.

13 Just a point I would like to bring to the
14 attention of everyone because I think it is one that is a
15 quite serious one within the African-American community.

16 MS. MURPHY: Thank you, Mr. Fowlkes, for bringing
17 that up. I would like to point out that Sergeant Flynn in
18 his long experience or at least longer than ours here in
19 Rhode Island has pointed out in one of his recommendations
20 that the unit which is going to collect data from all the
21 police departments on incidents of bigotry and violence
22 should not be the unit to handle those complaints against
23 police officers because from his perspective it seems
24 counterproductive.

25 Is that not what you said?

1 SERGEANT FLYNN: From my experience, it hinders
2 the information gathering techniques and the trust of the
3 other officers if the complaints are being investigated by
4 assigning the same men on the same unit.

5 MS. MURPHY: Okay. And I do thank you for
6 bringing up that point. We are here primarily to collect
7 information from each of the participants and even though
8 the issues are long and hard, I would really encourage
9 everybody to, if we can, refrain from a huge amount of
10 discussion and focus on the primary format of questions and
11 answers. Thank you.

12 MR. THOMPSON: Are there other questions from
13 other persons attending the hearing that I may have missed
14 in the past?

15 (No response.)

16 MR. THOMPSON: Are there any questions from the
17 panel?

18 (No response.)

19 MR. THOMPSON: Thank you very much, gentlemen.

20 SENATOR SHOLES: I certainly thank the Rhode
21 Island State Police and Sergeant Flynn from Boston
22 participating in today's panel.

23 The third panel dealing with incidents of bigotry
24 and violence from a victim's point of view: We would like
25 to hear from several presenters about the feelings of the

1 victims when they experience crimes that are motivated by
2 hatred and bigotry.

3 And chairing or moderating this portion of the
4 program of Panel No. 3 will be Olga Escobar.

5 MS. ESCOBAR: The theme of our next panel is
6 incidents of bigotry and violence from the victim's
7 viewpoint. As you can see in the program, we have invited
8 several representatives of civil rights groups and minority
9 organizations who will together represent the experience and
10 perspective of diverse racial, ethnic, and religious groups
11 such as American Indians, blacks, Hispanics, Jews, Southeast
12 Asian Americans.

13 From our panelist, we hope to hear and learn about
14 such issues as in their respective communities are there
15 concerns about incidents of bigotry and violence motivated
16 by racial, religious, national origin or ethnic bias?
17 Considering the past ten years or so, are such incidents
18 increasing or decreasing in numbers? What might account for
19 such increase or decrease? Do victims of minority
20 communities feel they have adequate access to law
21 enforcement authorities in reporting and discussing such
22 incidents? Are they reluctant or fearful to report
23 incidents to the authorities? If they are, why? What could
24 be done to improve the situation?

25 How do the victims of minority communities feel

1 about the response they receive from the police? Do they
2 think they receive adequate and satisfactory response from
3 the police? If not, in what way is it not? What could be
4 done to improve the situation?

5 Do victims of minority communities feel that the
6 climate of our society as a whole is in some way either
7 encouraging or discouraging the occurrence of bigotry and
8 bias incidents? What could be done to improve the
9 situation?

10 And to talk about this issue, we have the first
11 speaker is Christopher Comacho. And he is the Executive
12 Director of the Indian Council, but I don't think that he is
13 here yet. Is anybody representing the Indian Council here?

14 (No response.)

15 MS. ESCOBAR: Since Christopher Comacho is not
16 here, the next person will be B.J. Clinton. I think Grace
17 Osediacz representing B.J.

18 MS. OSEDIACZ: I am not sure, actually. B.J.
19 planned on being here and I would prefer that you wait and
20 see if does arrive.

21 MS. ESCOBAR: Okay. So, the next speaker will be
22 Mr. Joseph T. Fowlkes, Jr., President of the NAACP,
23 Providence Branch.

24

25

1 STATEMENT OF JOSEPH T. FOWLKES, JR., PRESIDENT,
2 NAACP, PROVIDENCE, RHODE ISLAND

3 MR. FOWLKES: Thank you, honorable panelists, and
4 Madam Chairperson, for this opportunity to come before you.
5 Let me identify myself once more. I am Joseph T. Fowlkes
6 and I am speaking here in the capacity of the President of
7 the local NAACP.

8 Let me say from the outset perhaps I had a
9 misunderstanding as to what forum is all about. And I will
10 plead ignorance or maybe I will just plead the fact that I
11 didn't read the document close enough. I also come with
12 great ill feeling within myself, emotionally and
13 psychologically, because of my experience over the years
14 which have been some 20-some years in the State of Rhode
15 Island in which I have seen such panels like this assembled
16 before, people coming forth and giving information. And for
17 me, we talk about the same kinds of things and, yet, we
18 don't seem to resolve too many problems.

19 I am wondering how serious our President is about
20 supporting the U.S. Commission on Civil Rights, how serious
21 we are here in the State of Rhode Island with regard to
22 eliminating the kinds of problems that African-Americans and
23 many others face daily.

24 To sort of paraphrase a comment that has been made
25 with respect to education, I think that our society is at

1 risk. We don't seem to really care about bigotry,
2 discrimination and racial violence in our country. If we
3 did, we wouldn't elect presidents of these United States
4 that would have the worst record in human and civil rights
5 in this country, thereby, promoting and giving sanction to
6 acts of bigotry and racism and discrimination, an
7 administration that used its civil rights division to oppose
8 every civil rights legislation that had been hard fought and
9 won over the many years.

10 And, so, I come with again some feelings that I
11 don't know where to start, what to say that is going to be
12 any different. Looking at this august body and
13 understanding the friendship and camaraderie that I have
14 shared with all of you and, yet, we are to tell you what the
15 problems are and how we are to solve them.

16 Again, I am perplexed. And as I remember Steve
17 White's statements on the radio, that was a statement of
18 bigotry. Everybody knows with the potential of violence.
19 There was violence in the Federal Hill area. Some of these
20 incidences have been outlined by Ms. Murphy, of a Hispanic
21 family that has been run out of the community. That was
22 violence. Nothing much has been done about that.

23 There was a black family in Cranston whose house
24 was vandalized. We have talked about swastikas on the East
25 Side. I was interviewed just last week about the growth of

1 skin heads, whatever they are, in our state.

2 And who could forget the comments of Elmer
3 Cipparoni, a person who had served in the Republican Party
4 for a long time who felt that -- who felt quite uneasy, as
5 he stated, because the television screen turned black when
6 Jesse Jackson and his family were on stage. And I have
7 worked with those officials at Providence College to try to
8 quell the problems there. I marched with those brave young
9 students about a year ago.

10 I have been in contact with and working with the
11 students at Brown University. We have a Brown NAACP chapter
12 there. And I could go on and on about the various
13 incidences that I have been involved in in the several
14 capacities that I have been participating in.

15 Yet, we still want to come and talk about bigotry
16 and violence. And we haven't preached the gospel to our
17 young people in a manner in which we could assure that our
18 future would be different from the one that we have
19 experienced.

20 Maybe one reason why we haven't and don't seem to
21 care about it because it's a matter of economics. And it
22 seems as if those who are in control, those who are in
23 control of the economic development and position of America
24 don't want to see a change. That is a feeling from my heart,
25 from my gut and from the people who are in the minority

1 communities who don't have the opportunity to come before
2 you and speak.

3 I am affected directly and indirectly. You are
4 affected directly and indirectly by the bigotry and violence
5 that takes place. You can see it everyday. I don't have to
6 do anything to be affected by it. All you have to do is
7 look at television, a documentary that says, "D.C. a divided
8 city." You don't see any white people being accounted for
9 or charged with the responsibility of the drug problem in
10 this country. And, yet, we know that there is more white
11 people using drugs. And that there is a white
12 administration that seems to have allowed drugs in this
13 country and, yet, we lift up black people as the culprit.

14 It means that there is violence going on in that
15 community. And that is a form of bigotry as we see it from
16 our community that has a disproportionate impact on those
17 brave young people who are trying to make a good life for
18 themselves.

19 And then we can look at a documentary that wants
20 to know fact or fiction about the black athlete. Just this
21 weekend, I took my lady friend to Newport. As we walked
22 into this rather plush place to eat, the first thing we
23 joked about was: Somebody is going to think you are an
24 athlete, Joe. And we kind of shrugged it off.

25 Three-quarters the way through my meal, a lady

1 came over from a table and wanted to know was I either Jim
2 Rice or the center from the Boston Celtics.

3 My point is simply this: That because of the
4 color of my skin and because of the kind of negative things
5 that go on from our White House all the way down, bigotry
6 reins supreme in our nation. And I don't know, again, how
7 we solve that problem.

8 And, so, finally let me just simply say to you
9 that while I have not given you some facts and figures and
10 statistics and some "how-to" as you had expected, maybe you
11 can understand that one of the first things you might do is
12 say to this so-called kinder and gentler administration that
13 there are people out there who don't believe him, that would
14 equate that phrase to a phrase that was given sometime ago
15 by a now United States Senator who talked about a benign
16 neglect that took place and does take place and has a
17 negative effect on not only African-American people or black
18 people or other minorities, but this whole society because
19 in essence, all of us directly or indirectly are affected by
20 this terrible cancer that seems to eat away at us gradually
21 and will leave us and has left us in a position that
22 Dr. King has said so many times that we would be in. We
23 must learn to live as brothers and sisters or die and perish
24 as fools.

25 I don't know whether I have anything else that I

1 can add to you. I guess it's just some emotions that come
2 from my heart. I don't again think I have given you any
3 statistics. I wasn't privy to the list of responding
4 questions that I should be able to respond to, but if you
5 can understand something very clearly here that as long as
6 we simply talk and this body doesn't put the pressure on the
7 person who really has the responsibility, the President of
8 these United States, perhaps we will not solve this problem.
9 Madam Chairperson, I am willing to answer any questions if
10 anybody has any. If not, thank you for the opportunity to
11 speak.

12 MS. ESCOBAR: Thank you. At the end of the speech
13 of every guest speaker that we have on the third panel, we
14 will be able to ask questions, so, please stay on until we
15 have finished with the rest of the guests. Thank you, Joe.

16 The next speaker is Stephanie Gurwitz, Director of
17 the Community Relations of the Jewish Federation.

18 STATEMENT OF STEPHANIE GURWITZ, DIRECTOR,
19 COMMUNITY RELATIONS OF THE JEWISH FEDERATION

20 MS. GURWITZ: Thank you very much for the
21 opportunity of speaking here, also.

22 I have a few numbers, not complete statistics.
23 But I would like to comment quickly on Joe's remarks and
24 build from there because I too feel that one of the major
25 problems we are facing in the Jewish community and with the

1 other ethnic communities I work with is the polarization,
2 the divisiveness, the realization that it doesn't hit home
3 that we are all one. And that if one group doesn't realize
4 that when another group is attacked that it is the same as
5 attacking us, we are all doomed to having increasing
6 numbers.

7 Incidents of anti-semitism in the United States
8 this year have increased. Vandalism by 18.5 percent.
9 And the worst is that harassment is 41 percent increase.
10 That is some of the highest numbers that have been seen in
11 very recent past.

12 There are about five major reasons that are seen
13 as the increase. The number 1 being the neo-Nazi group
14 "Skin Heads." Not dealing with the non-racial skin heads,
15 because there are two groups, but with the racially
16 motivated skin head group and the proliferation in the
17 country. There have been numerous attacks by skin heads who
18 are alleged skin head affiliated members on Jewish targets.
19 And that, too, we have seen in Rhode Island this year, more
20 and more skin heads and specifically anti-semitic attacks,
21 primarily, South Kingston. There was North Kingston at URI
22 and an incident in Middletown that is possibly affiliated
23 with it.

24 The second, considered to be the second reason for
25 increase is the widely publicized historic observance of the

1 50th Anniversary of Kristallnacht which was considered to be
2 the beginning of the holocaust against the Jews the night
3 that organized government vandalism against the Jewish
4 community of Germany and that received a lot of publicity
5 this year in November, and there were a number of incidents
6 around the country. Some question about whether or not the
7 Woonsocket incident in the cemetery was directly related to
8 that. It did fall very close and is possible that that was
9 involved with that also.

10 The third is considered a large number of
11 incidents linked to the uprising of the Palestinians in
12 Israel and this is historic. Unfortunately, anti-semitism
13 in this country increases when there are increased
14 tendencies and uprisings and violence in the Middle East.
15 And this year in particular there have been a number of
16 increases.

17 I would say that here in Rhode Island from my
18 knowledge, most of the incidents that I'm aware of were not
19 connected to the Intifada and the uprising. However, there
20 were more letters that I'm aware of or telephone calls than
21 in the past, but not a huge increase related to the
22 uprising.

23 And the fourth and fifth, I am not aware of
24 specific -- well, the fourth in particular, I am not aware
25 of specific anti-semitic rise except for the URI incident on

1 campuses. There has been a rise nationally.

2 And then the fifth is just an interesting note for
3 Rhode Island is that in the south, especially, in a number
4 of states that have very small Jewish communities, but there
5 has been a very high rise of anti-semitism.

6 I have two particular problems I guess that arise
7 out of it and that I have seen increasing. And one is the
8 kids' argument and it is a reality. And I note that the
9 gentlemen before were speaking of it, that when kids -- when
10 it is kids that carry out incidents and they have never had
11 crimes before and it is not likely that they are going to be
12 pushed very hard on it, and they do hear in the home, but I
13 have a real problem and we hear from people when they get
14 the reaction: Well, it's just kids playing a prank. And it
15 is not a prank.

16 Whether a child knows the history of the
17 holocaust, whether a child knows the nazi philosophy, when a
18 child draws a swastikas on a Jewish institution, they know
19 that that swastikas is going to hurt somebody and that is
20 not a prank. And especially when it's done in cemeteries.
21 So, I have a real problem with that. And that is something
22 that I see that mentally has not gone away, but if anything
23 I have been hearing more of it in the past year, that
24 argument.

25 And the second, of course, is not something that

1 just we in the Jewish community have, but it is a problem
2 with the people that don't report. And we all know that
3 there are number of incidents that occur, I would gather
4 many more that occur, that are not reported than those that
5 are reported. I come across them constantly in passing when
6 somebody starts with: "Well, no, I have never had -- I just
7 had a meeting two months ago with members of the Jewish
8 community to discuss anti-semitic incidence. And at the
9 beginning of the meeting, everybody said there is no
10 anti-semitism."

11 I haven't really experienced anything. And we
12 started talking about some of the incidents and by the end
13 of the meeting, every single person at that table was able
14 to give us a personal experience that they had had within
15 the past two years. But they don't feel that it is
16 something that should be reported because -- I'm not sure
17 why because. I think partially because they don't feel that
18 it is really there is anybody going to do anything about it,
19 that can be done about it. And I think that is something
20 that we have to educate about and we also have to let them
21 know that they are not alone in it. That there are other
22 people and that they are not alone when they report it and
23 they are not alone when they are following up on it.

24 And I would like to just go back to the final
25 point of the polarization as far as what we can do. I think

1 there just needs to be more real hard work education in
2 dealing with the communities together and that when it
3 happens to one, it happens to all.

4 This time of year is always holocaust remembrance
5 and we have war and remembrance on television and we have
6 been through the national programs and the state interfaith
7 commemoration program, the mayor's program, we have a number
8 of commemoration programs and we are always remembering the
9 history. And I am just always reminded of Pastor Neimor's
10 poem who was a Lutheran minister in the holocaust that said:

11 "They came for the homosexuals, and I was silent.
12 They came for the communists, and I was silent.
13 They came for the Jews and I was silent.
14 They came for the Catholics and I was silent.
15 They came for me and there was no one left to
16 speak."

17 And I think we have to remember that when it
18 happens to one, it happens to all.

19 MS. ESCOBAR: Thank you, Stephanie.

20 Our next speaker is a representative from
21 Progreso Latino, instead of Patricia Martinez, we have
22 Carlos Gonzales.

23 STATEMENT OF CARLOS GONZALES, PROGRESSO LATINO

24 MR. GONZALEZ: I want to thank you for this
25 opportunity. Patricia could not be here today. I prepared

1 something that I want to say. I have a bad memory, so, I
2 would rather write it down.

3 I am here to speak on behalf of the Hispanic
4 community of Rhode Island and to present what we feel is a
5 clear picture of increasing bigotry and violent incidents
6 effecting the Latino community in the state.

7 My experience in working Progresso Latino, Central
8 Falls, has enabled me to listen, observe and understand the
9 fear the Hispanic community is feeling due to an increase in
10 the incidence of discrimination that are taking place on a
11 daily basis, motivated either by racial, religious, ethnic
12 prejudice, immigration status, or physical appearances,
13 especially the last two: immigration status or physical
14 appearance.

15 What matters what a person looks like, not where
16 you're from -- well, it matters where you're from. But it
17 doesn't matter anything else, if you get stopped by a police
18 or you get into a situation or a car accident or you go to a
19 hospital, it doesn't matter what do you do. If you look
20 Hispanic, you are in serious trouble.

21 And everybody who comes to my office or to our
22 office and says, "They did it because I'm Hispanic." What
23 can I say? It's true. "They did it because you are
24 Hispanic."

25 I mean there is no doubt.

1 Although some of the incidents I am going to
2 present might sound like employment discrimination or a lack
3 of understanding of the legal system, we cannot separate
4 discrimination and bigotry no matter where they occur. When
5 one is discriminated against, this can only lead to violence
6 as the solution to the problem the minorities are facing.

7 I will present to you three specific of the many,
8 many cases we hear every single day. And we call here and
9 we call there. And we go there and we send a person there
10 and here and no matter where we go: "Oh, go there. Call
11 here. Why don't you go there? Why don't you call there?
12 Why don't you feel out these papers?"

13 And nothing is ever solved.

14 I am representing to you three clear cases of what
15 happened to the many people we see in our office everyday.

16 First of all, according to regulations of the
17 Rhode Island Department of Motor Vehicles, a person who
18 wants to obtain a Rhode Island Driver's license must prove
19 residence in the state, must show birth certificate or
20 another acceptable document for identification.

21 In this particular case, a Columbian woman who I
22 will call Mrs. Gomez presented an alien card, a green card,
23 an alien card, as an ID and a bill to prove residence, an
24 electric bill, a gas bill to prove that she lived in Rhode
25 Island.

1 Apparently, those two documents were not enough
2 for a certain state employee at the Department of Motor
3 Vehicles in Providence. A third document was presented, a
4 Columbian birth certificate. Still, that was not good
5 enough. In addition, the certificate had to be left there
6 to be inspected by them.

7 Mrs. Gomez took the birth certificate away from
8 the state employee and walked away from her with her
9 eight-year old son. She was followed outside the building
10 by the employee who called her insulting names that referred
11 to her ethnicity and Mrs. Gomez felt compelled to run to her
12 car out of fear of physical harm against her and her child.

13 Until now, Mrs. Gomez has been unable to obtain
14 her driver's license and she is afraid to return to the
15 Department of Motor vehicles. This is a clear example.

16 Other example, other people go and ask: I want to
17 get a driver's license. I want to get an ID. "Okay, show
18 your passport. Where is your green card?"

19 They don't have any right whatsoever, no right
20 whatsoever to ask a person: Where is your green card?

21 All they have to show is a bill to prove residence
22 and a passport or something else to prove that they live,
23 that they are the person they present to be, but nothing
24 else. But they ask you for green cards, where is your
25 authorization? What are you doing here? Where are you

1 from? This is no good. You have to have this translated.
2 We can't understand this. Why don't you go here? Why don't
3 you go there? Go to room 203. There, I'm sure they can
4 help you. And the person just left the same way they came
5 in: with nothing in their hands. They can't do anything.

6 They go to our office and complain.

7 We call back. "Oh, that didn't happen here."

8 We file a complaint with the ACLU. They went and
9 they send a letter to the head of the Department of Motor
10 Vehicles. "Oh, that didn't happen here. We are sure we can
11 handle the situation."

12 People continue going there and the same problems
13 they face every single day. It doesn't matter where they
14 go. Woonsocket, Providence, Pawtucket: it doesn't matter.
15 It is still happening.

16 The second case I want to present is Mr. Garcia
17 was stopped on Route 95 by a Rhode Island State Trooper and
18 asked to show his license and registration. Mr. Garcia was
19 not charged with any offense, but he was asked to follow the
20 State Trooper, which he did. Minutes later, he was stopped
21 again by the same State Trooper and was given a ticket for
22 speeding, after the State Trooper asked him to follow. He
23 was following him at 70 miles per hour and the State Trooper
24 stopped him and gave him a ticket for -- I don't remember
25 the amount -- but gave him a ticket for speeding.

1 Mr. Garcia's only crime was to follow the trooper
2 as ordered, at 70 miles per hour. A classic case of
3 entrapment. And we've got this everyday. A person is
4 stopped, in Pawtucket, Central Falls: Where are you from?
5 "I'm Columbian. I'm Guatemalan."

6 "Okay, get out of your car." They tear the car
7 apart because this person is Hispanic.

8 What can they do? They don't want to go through
9 the legal system. They don't want to go through the
10 process. It takes too long. They have to wait.

11 Who is going to believe a Hispanic against a State
12 Trooper or against a police officer? I mean the odds are a
13 thousand to one that he is going to be awarded some kind of
14 damage or anything, that his case is going to be proven.
15 Every time, they lose.

16 And the third case I am going to present to you
17 has to do with over 40 Hispanics and employees of a factory
18 where they are being abused verbally and physically merely
19 because they are Hispanics and because most of them do not
20 have the proper papers. They are illegal aliens. They're
21 from outer space. Because they are Hispanics and because
22 most of them do not have proper papers and are afraid to do
23 anything about the problem, some of these people have been
24 pushed to the ground and called animals, vulgar and obscene
25 language has been used against them by their supervisors and

1 fellow employees who are native born American citizens. They
2 have been warned not to speak up or they will be fired or
3 Immigration will be called on them.

4 So, this is just a few cases. We've got
5 Immigration problems, housing problems, problems with the
6 police department, problems with -- you name it. Just
7 getting a birth certificate becomes a problem. The English
8 barrier is there, yes, it is. But even if they bring an
9 interpreter, the interpreter cannot -- I mean I went with a
10 lady to get some x-rays.

11 "Shut up. Stand there. Don't you even know your
12 own name? What are you doing here? Okay, move over here.
13 Come on. Lift up the hand."

14 I mean why do they have to treat people like that?
15 I mean just like they are an animal. And if we complain,
16 we're kicked out of the place right away. And these are the
17 incidents that happen everyday. And no matter where you go,
18 we hear complaints.

19 And I hope, like Joe was saying, you always have
20 hearings. You have meetings. You complain. You raise
21 issues. "We're going to do something about it. I'm sure we
22 can take care of it. No, this can't go on."

23 And the same things go on day after day after day.
24 And just meetings won't solve anything. Again, these are
25 about three cases of the many we hear everyday. And they

1 indicate a significant increase in discrimination to
2 Hispanic people in this state. Such actions create a strong
3 mistrust of the American system in the minds and hearts of
4 Hispanic citizens of Rhode Island, thus preventing them from
5 assimilating into a new culture and frustrating their dreams
6 of becoming part of an American society.

7 Instead, they find abuse both physical and verbal,
8 discrimination, racism, and alienation.

9 We feel the ignorance of other cultures and
10 insensitivity towards members of other cultures are two
11 major reasons for the wide gap that has been created between
12 the minorities in the state and the community at large.

13 We need to establish an umbrella organization made
14 up of residents of these communities affected, not the ones
15 that are causing the pain, the ones that are suffering
16 should be in this committee. We don't need any white, rich
17 person coming down from wherever they come from to come down
18 and tell us what our problems are. We always have the same
19 problems.

20 They form a commission. They come to study the
21 problem. "What is the problem?"

22 The problem is the commission itself. It doesn't
23 have any blacks, Hispanics, Native American, Jewish, you
24 name it on that commission. And that is not going to work
25 at all.

1 After all, the purpose of Harangue as intended by
2 its founder, Roger Williams, was -- and I pray still is --
3 to provide society where all classes of people can live and
4 work in freedom and that means the freedom to live without
5 discrimination and prejudice, simply because one is
6 Afro-American, Asian, Hispanic or Native American, Catholic,
7 Jewish, Moslem, or Atheist, asexual, bisexual, gay or
8 female. Thank you.

9 MS. ESCOBAR: Thank you. Please stay in case
10 somebody has some questions for you.

11 The next person is Reverend Moises Mercedes. He
12 is the chair of the Immigration Reform Steering Committee
13 and is minister of the Star of Jacob Christian Church.

14 STATEMENT OF REVEREND MOISES MERCEDES,
15 STAR OF JACOB CHRISTIAN CHURCH

16 REVEREND MERCEDES: Thank you. I appreciate the
17 opportunity of coming before this panel. I am the pastor of
18 the Star of Jacob Church for 12 years in Providence and the
19 Chair of the Rhode Island Immigration Reform Steering
20 Committee. And I am also serving as commissioner for the
21 Rhode Island Commission for Human Rights.

22 My first encounter with bigotry was 13 years ago
23 in one of the New England states. First, I enter into small
24 restaurant along side of a major highway. Everyone stood
25 up, looking at me. The attendant of this restaurant came to

1 me and tell me to my face: What are you doing here, nigger.
2 The Puerto Rican brother with me tells me, "Let me talk to
3 him."

4 He tells him he is a minister of the gospel.

5 The attendant signaled the people. They sat down
6 and they served me a cup of coffee that I asked for, for
7 which I paid 65 cents. The Puerto Rican brother with me was
8 a lighter skin gave me \$5 to leave as a tip. When we left
9 the restaurant, the attendant came to the door saying, "I'm
10 sorry."

11 Now, I have an actual case from Thursday the 27th
12 of this month in Providence, Rhode Island. There was a drug
13 raid in Providence in the first floor apartment of the
14 house. In the second floor apartment, there is a family.
15 The door was broken, first opened, the victim in there
16 doesn't speak English and he thinks that thieves have come
17 to rob. When he sees the gun to his head, he tries to
18 defend the bones that are thrown to him.

19 Orders or conversations in a loud voice are
20 expressed. He doesn't understand, but he understood when he
21 was hit with a gun in the head and fell to the floor
22 bleeding. They started to kick him in his back. I saw the
23 mark in his arm, in the left-hand side of the upper lid and
24 I saw the cut in the head.

25 He told me that after a while some of the people

1 in there started speaking Spanish and saying as a joke,
2 "This guy has a hard head."

3 The other person was in the bathroom shaving,
4 naked, ready to get a bath. This one is a member of my
5 church and I know him very well. He is pushed out of the
6 bathroom naked. There was two ladies in one of the group of
7 people in there. He thinks because when he saw the guns, he
8 told me, "I thought the guys from downstairs came to
9 threaten us, so we won't report their activities."

10 He was trying to get his pants because he is very
11 ashamed of being like that in front of these two ladies he
12 don't know. They pull him down, he kneels down, but he
13 doesn't understand what is going on. Then a knee came to
14 his left side of the face and forced him down where he was
15 handcuffed and left for about 20 minutes on the floor,
16 naked, ashamed and with the cold.

17 After some jokes in Spanish, he comes and tells
18 me, "What can I do?" This guy pays taxes. He has
19 utilities' bills in his name. He has an ID from the Rhode
20 Island State Motor Vehicle Department. And he has a
21 temporary card from the INS, the Immigration Department.

22 He is not on drugs. He is a member of our church.
23 And he is only a Hispanic who happens to live on the second
24 floor of some rotten banana. I know there's a big problem
25 in the community at large, but I question the criteria by

1 which the police decides to ask for people's legal status.
2 Is it color or ability to speak English? I still have my
3 accent after 14 years trying to learn the language.

4 People are starting perceive the police department
5 or the police agents as the ones that will turn them to the
6 Immigration Department and that is not helpful for us to
7 deal with crime. We need more cooperation.

8 I hear jokes or you, all of us hear jokes about
9 our Vice President. What about this one by a law
10 enforcement agent to a food vendor on Broad Street:

11 "Poison all that food and kill all them Dominicans
12 down Broad."

13 It is a hard job to enforce the law, but we are
14 too sophisticated to commit such a mistake.

15 In terms of immigration and unemployment: unfair
16 immigration related employment practices are going on. This
17 person of color with an accent looked for a job -- this is
18 an actual case: Presented a temporary card from INS. The
19 employer asked for other means of identification. The person
20 gives their Rhode Island license to drive. It is not
21 enough. The Social Security Card. Not enough. "We need a
22 letter from Immigration."

23 This person went to Immigration. "We don't give
24 those type of letters. The card we gave you as a temporary
25 residence should be enough."

1 Goes back to the employer and they did not even
2 open the door.

3 Is this a purpose ignorance of the law being
4 applied to others?

5 Undocumented work at 60 hours a week -- another
6 actual week. All the hours overtime are paid half the
7 regular hour time rate. We try to help, but the person
8 disappears. We will have reason to assume that better to
9 have the pay half than lose the opportunity of having the 60
10 hours work.

11 And accident at work, back injury. This person,
12 another actual case, he doesn't report it to Workmen's
13 Compensation for fear of losing his job.

14 Xenophobia is the bigotry that is causing the
15 return of the Bill of English Only in the State of Rhode
16 Island every year. A good indication that bigotry is well
17 and alive.

18 In a local paper, I was quoted as saying in the
19 past: "It costs too much of a sacrifice to our people to
20 come here. So, the 'starve-them-out' policy of the INS is
21 not enough to get them out."

22 And somebody called my office to express her
23 opinion by saying to me: "You foreigners do not belong
24 here. You should go back where you belong."

25 I only was able to tell her, "The same will say

1 the Indians about you."

2 Her reply was: "But the Indian lost." And
3 hanged.

4 We, the victims of bigotry and violence are not
5 going to lose, we are simply going to become even. Thank
6 you.

7 (Continued on next page.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MS. ESCOBAR: Our next speaker is Sovan Sip. He
2 is the Chair of the Socio-Economic Development Center for
3 Southeast Asians.

4 STATEMENT OF SOVAN SIP, EXECUTIVE DIRECTOR, SOCIO-ECONOMIC
5 DEVELOPMENT CENTER FOR SOUTHEAST ASIANS

6 MR. SIP: Good afternoon.

7 Thank you for the opportunity to speak in front of
8 the Committee.

9 My name is Sovan Sip. I am the Executive Director
10 of the Socio-Economic Development Center for Southeast
11 Asians, abbreviation SEDC, incorporated in 1987.

12 I have been the Executive Director of the
13 Cambodian Society for four years.

14 I just became an American citizen two years ago.
15 I am also a student, a graduate student at New Hampshire
16 College, major in Community Economic Development, going to
17 complete in December of this year.

18 I would like to also thank you for listening to my
19 testimony and also my philosophy this evening.

20 Before I came here today at 1:00 O'clock, I sat
21 down on I believe it is Westminster Street, and was having
22 some lunch there on a chair in the street where people walk
23 by.

24 I saw a couple, a beautiful couple was walking on
25 the street; and one was blond and white skin with blue eyes,

1 and the other one is black, was just black, was real black.

2 And I had to just look at the couple for a moment,
3 and then my reaction is to look around her and him, how
4 people would react to that couple.

5 Everybody was picking and nodding at each other
6 and saying look at that couple.

7 It hurt me so much. But to my mind I give credit,
8 I give full credit to this couple, that they are doing this.
9 And I am hoping to see this, more and more and more and
10 more.

11 Because I think racism will resolve when people
12 have the same problem and have a feeling of personal, of
13 personal, in their heart. You would never understand if you
14 are white and listen to my problem, because I am an Asian,
15 because I have been here for a short time, for a short
16 period of time, and so on.

17 And for a second moment, I think to myself, if I
18 would walk my fiancée, who is a white Jewish, if they would
19 rather know, I would be as a display, the same thing as the
20 black person who is walking a white person on the street.

21 This is considered a racism. And I believe that
22 refugees live in racism environment and have to deal with it
23 daily along with their hardship at work.

24 How could you survive of doing that?

25 When I was in camp, in a refugee camp, in 1980, in

1 Thailand, and in the Philippine Islands, I was always
2 dreaming to come to America. I never had been told that
3 America is a racist country. I have been told that America
4 is a mix of nationalities.

5 But when I get here, I have the impression that
6 there is distinguished between white, there is distinguished
7 between Asians, because they are different nationalities,
8 and there is racism among all.

9 Like I said, my philosophy is, in order to resolve
10 this, we have to put restrictions in the law, maybe double
11 or triple the penalties on this crime of violence against
12 people.

13 And the total resolution of this one is to have
14 their own personal feeling.

15 Just a month ago, my colleague was driving on
16 Hanover Street, Providence. She saw a Cambodian woman,
17 Cambodian girl, who just got out of Central High School, was
18 harassed by a group of kids.

19 And she called the girl to get in the car real
20 quick, because this guy is going to kill her. And when the
21 girl jumped in the car, they started to throw rocks and
22 break all her windows. And it cost more than \$1,000.

23 Just about three months ago, I had a call from a
24 Cambodian family that told me that there was an emergency,
25 but actually it happened since the night before. But they

1 had not gotten up off the floor yet, because they had been
2 beaten up by a person in the house.

3 The guy was walking in their house, asked for a
4 cigarette, and when he reached out, to reach in his pocket
5 and pull out a cigarette and a lighter, he was beaten up by
6 a stick, and the parent came out to help and they also were
7 beaten up.

8 And when I called up the Police, I identified that
9 it is a racism problem, they respond quickly. And when the
10 Police interfered, I have a picture of that I will show you
11 in a moment.

12 When the Police came and interfered with that and
13 then they left, and then when they left, about ten minutes
14 later, they received a mail, that if you still live here, we
15 will kill you.

16 And then they left. The family, the victims of
17 this crime, had to move quickly to Lowell, which I was going
18 to pursue this case, but I couldn't do anything because the
19 family moved to Lowell because they were petrified of this
20 threatening notice.

21 These are the victims that were beaten up. This
22 is just the faces, all over their body. There are three,
23 father and son. And I also have Police who had been
24 reacting and responded really quick. If you like copies of
25 this, I have the negatives. I wanted to pass it down to you

1 to look at.

2 (Pictures passed to Committee members.)

3 MR. SIP: This just happened like three months
4 ago, and it is also happening every day. And they have to
5 deal with it every day.

6 I am not asking you to resolve this immediately;
7 I am asking you to reduce, and to make law and enforce it
8 quick enough to help these victims.

9 My recommendation also, I am in full support of
10 Sergeant Flynn from Boston Police Department. And in
11 addition to that I would like to recommend to the Police
12 Department to do some outreach to the community, to educate
13 the community, to translate all necessary materials that the
14 community that does not speak English as their first
15 language learn from.

16 And because of these people feeling afraid to
17 report and afraid of going to court and involvement with the
18 court system, I think that would be helpful to have some
19 materials that could translate, to help them to report and
20 to direct it at the Police Station.

21 Also, I would like to recommend to the U.S.
22 Department of Justice to take a look at this clearly, that
23 this is a real case. It is not just nuclear bomb issue that
24 is important to the United States, but racism in this
25 country is the case.

1 Similar, among all communities, ethnic communities
2 and at large community, should be made, to discuss racism
3 and violence issue.

4 It is important to have all the leaders get
5 together and talk and discuss this, because it is not just
6 white against Asian, it is black against Asian, Asian
7 against Hispanic. The reality is everybody is racist
8 against everybody.

9 And I think, I hope that we only live in peace
10 without racism issue. I always imagine that someday the
11 United States would be playing a major role, if they resolve,
12 this case.

13 I would like to thank you very much for listening
14 to my philosophy and also my testimony.

15 Thank you.

16 MS. ESCOBAR: Thank you, Sovan.

17 Our next speaker is B. Jae Clanton. She is the
18 Executive Director of the Urban League of Rhode Island.

19 STATEMENT OF B. JAE CLANTON, EXECUTIVE DIRECTOR, THE URBAN
20 LEAGUE OF RHODE ISLAND

21 MS. CLANTON: Good afternoon, to the members of
22 the Committee and audience.

23 My name is B. Jae Clanton. I am Executive
24 Director of the Urban League of Rhode Island, and over the
25 past year I have also chaired the Rhode Island Coalition

1 Against Bigotry.

2 And I hope that, although she may not be on the
3 agenda, I hope that Ms. Grace Osediacz, who has acted as the
4 Director for RICAB and a member of the Urban League staff
5 will be able also to address this group.

6 The Urban League of Rhode Island is this year
7 celebrating its 50th anniversary. We were organized in 1939
8 to combat discrimination in the State of Rhode Island,
9 dealing with housing and employment and racism.

10 We are still in business 50 years later, dealing
11 with some of the same issues of bigotry, discrimination and
12 racism.

13 Over the past year, and even within the past week,
14 the incidents of racism on the campus of one of our local
15 outstanding universities has surfaced.

16 The Rhode Island Coalition Against Bigotry began
17 to reorganize itself in terms of bringing together a group
18 of organizations who would begin to deal with some of the
19 problems that we have in our community.

20 We were not able to deal with organization and
21 structure because we were so busy, so very, very busy
22 responding to incidents of racism and violence in this
23 community.

24 And the thing that really disturbed me is that the
25 many leaders in our state, from the state level and the

1 local level, were very silent on this issue.

2 I want to repeat, I think our leaders at the state
3 level and our local communities were silent on this issue.

4 The newly elected President of Brown University
5 has spoken very clearly and very loudly in terms of where he
6 stands with regard to racism on our campuses.

7 People call the Urban League, many people who do
8 not want to go to some of our existing agencies, with regard
9 to areas of discrimination and brutality, because they are
10 suffering a kind of anguish from a victim's point of view
11 that they just want to talk with someone and to share their
12 concerns.

13 We have had reports of Police brutality. I have
14 incidents where staff, my own staff at the Urban League have
15 documented certain areas of Police brutality.

16 The Urban League shelter our in Cranston, we had
17 three staff members who were harassed by the local Police.
18 We were able to meet with that Police Department to begin to
19 talk about some of those issues, and we were assured that
20 they would be taken care of.

21 We have had situations involving various Hispanic
22 communities, the Asian community, the black community. The
23 situation with the Berkeley family in Cranston is well
24 documented.

25 And I must admit that that was an exception in

1 terms of where Mayor Traficonte came forth and spoke very
2 loudly on behalf of the City of Cranston. And the Police
3 Department responded. The Police Department also called in
4 concerned groups to let us know where they were in their
5 investigation, and provide some feedback.

6 There is very little comfort for individuals who
7 have been discriminated against, or the violence that takes
8 place, not only in terms of what happens physically, but
9 what happens emotionally to people when they go through this
10 kind of experience.

11 I think we need to enforce the laws that we have
12 on our books. We have a new law that calls for the
13 collection and the monitoring of incidents of brutality and
14 violence in our community. And I think a lot more happens
15 than is reported to any agency or to any individual or to
16 any authority.

17 We need to create a climate where people will feel
18 comfortable in coming to report to the various agencies and
19 to groups that are in place.

20 I would like to recommend, and I think this has
21 been said, that the leaders of our state, including the
22 Governor and the Mayor of the various cities and towns, come
23 together and let the people of this state know that this is
24 a high priority in our communities and that racism in any
25 form will not be tolerated.

1 I think that we need to begin to take some
2 leadership in this regard.

3 As I mentioned earlier, I think we need to ensure
4 that the new legislation that we have on the books with
5 regards to the enforcement of the reporting of incidents of
6 violence is taking place and that there is a reporting back
7 to the community as to what is happening in this regard.

8 I think that our colleges and universities,
9 although I know there is a group now organized, I think it
10 is called SCORE, but the colleges and the universities need
11 to come together to let the students from this state and the
12 students who come from out of state, to know that Rhode
13 Island will not be the breeding ground for racism.

14 They should involve local groups and
15 organizations, such as the Urban League, the NAACP, the
16 Rhode Island Coalition Against Bigotry, the Jewish
17 Federation, the Black Jewish Forum, and all groups who are
18 interested in combatting violence and racism in this state.

19 Thank you.

20 MS. ESCOBAR: Thank you, B. Jae.

21 One of the speakers is missing. And with the
22 permission of the Chair, we invite Grace Osediacz from the
23 Rhode Island Coalition Against Bigotry to give some
24 statements.

25 /// ///

1 STATEMENT OF GRACE OSEDIACZ, DIRECTOR, RHODE ISLAND
2 COALITION AGAINST BIGOTRY

3 MS. OSEDIACZ: My name is Grace Osekiacz. And
4 over the last year I have served as the Director for the
5 Rhode Island Coalition Against Bigotry, as Ms. Clanton has
6 stated.

7 I don't want to be repetitive of other people's
8 remarks. But I would like to tell you about two cases that
9 I have been working on specifically over the last couple of
10 months.

11 I want to tell you about a young gentleman who is
12 15 years old and who is a student in the Central Falls
13 school system, whose treatment has been both mental abuse as
14 well as an assault by one of his teachers.

15 We are in the process of working through that to
16 have a mediation take place between the school system, the
17 parents and possibly the State Department of Education as
18 well as local law enforcement.

19 But I think what that identified for me this past
20 couple of months was the fact that a child who is of a
21 different color and of a different ethnic background than
22 the teachers who teach him, who may act out in a very minor
23 fashion compared to his white colleagues or peers in the
24 classroom, is treated very differently. And that is
25 problematic.

1 It is symptomatic of what we see in the Providence
2 school system where 56 percent of the population is minority
3 and 5 percent of the population of teachers is minority.
4 That is problematic.

5 The issue, a second issue that I have been working
6 on is around a woman whose son has been murdered. And the
7 reaction of law enforcement is to give her four different
8 kinds of stories as to why her son was murdered, the last
9 one being that he was robbing someone.

10 Now, while, as I came in late I did hear people
11 who were representing law enforcement today say that,
12 especially from Boston's perspective, that to investigate
13 these cases with the same offices is difficult. And I agree
14 with that.

15 But I believe that one of the pieces that is
16 missing when we look at how law enforcement investigates
17 itself, it has become very clear to me over the past few
18 months in dealing with individuals who have called around
19 these issues.

20 This same mother tells me about how she watches
21 two Providence Policemen arrest two juveniles and kick them
22 in the head while arresting them, for no reason, with 20
23 other juveniles standing around watching. What does this
24 say about how our law enforcement treats children of color?
25 That is a clear issue.

1 So Police brutality and the issue of law
2 enforcement are very clear within the Providence Police
3 Department and may be very clear in several other Police
4 Departments, as we have heard.

5 And that has to be something that has to be looked
6 at very carefully, and I think still has to be identified as
7 problematic of violence and bigotry and bias, and has to be
8 addressed in some fashion, in conjunction with the new law
9 that is on the books, to identify that activity.

10 If this is the example that is shown to our young
11 people, then we have a great deal of difficulty in getting
12 our young people to trust law enforcement when they are born
13 in this country, they are 14 years old, 15 years old, 17
14 years old and work against someone of their own group who is
15 a drug dealer and get murdered for it, and their family gets
16 no support from the system that's out there.

17 To give you a much less example of a lesser degree
18 or a lesser intensity, I spent six hours on Friday with a
19 woman to get her her food stamps, to get her information at
20 the Department of Employment Security. The worker hung up
21 on her several times in the past two weeks.

22 The Department's response, until I was asked by
23 the woman who called me, hysterical because she had no food
24 in the house to feed three children, was to talk with me, to
25 get the information on the case and to move that forward.

1 But it took me an entire day to move that woman
2 forward. And I think the basis for that was that she was
3 poor and that she was black and that this worker just didn't
4 have time for her. They could have cared less.

5 I walk into the agency with her and within ten
6 minutes she's got her food stamps. How come, I want to
7 know?

8 But it takes me six hours of my time to work with
9 the system to get a person's service, when they were born in
10 this country and they are just of another color.

11 And maybe that is not violence, but it is what is
12 pervasive on a day to day basis of what I receive phone
13 calls about and what Joe receives phone calls about. And I
14 missed your name from the Progreso Latino. But what he
15 receives phone calls about.

16 And I agree with them. I'm tired of talk. I want
17 to see some action.

18 And until the leaders of the State take some
19 action, I think what will happen is, as this gentleman
20 states, we may see violence that becomes more and more
21 apparent. Because people are not going to sit down and
22 allow their car windows to be broken as Sovan's friend had
23 to have happen. People are not going to tolerate that.
24 They are going to turn around and they are going to smack
25 somebody.

1 And that is the last thing I would like to see
2 happen. But in some ways it may be the only way we get
3 people's attention and say sit up and take notice.

4 Thank you.

5 MS. ESCOBAR: Thank you, Grace.

6 I would like to ask if anybody is representing the
7 Rhode Island Indian Council?

8 (No response)

9 MS. ESCOBAR: If not, do any members of the panel
10 have questions for our guests?

11 MR. TILLES: Joe, when you sat here and said that
12 you know many of us, it occurred to me that you and I have
13 known one another for over 25 years, as Trinity just
14 celebrated its 25th anniversary.

15 And I don't know how you stay so young looking and
16 I get so old looking.

17 I appreciated your candid comments. But that is
18 always what comes from you, Joe. If you were sitting here
19 in this seat and you were about to make recommendations as
20 to what should be done, I ask you, and I would address this
21 question to any of the other speakers in this panel, what
22 would you recommend?

23 B. Jae has indicated that she needs greater
24 enforcement of the laws that are currently on the books.

25 Do you see that we need more laws? Do we need

1 better enforcement? Do we need a better system of
2 education?

3 What are the ways that we can move our city, our
4 state and our country to a more understanding attitude of
5 those of us who may be different?

6 MR. FOLKES: Well, first of all, Norm, it has been
7 a pleasure knowing you over the years. And your reference
8 to Trinity Square is in fact that we met when I had a brief
9 stint on the stage of Trinity Repertory Theater. And I have
10 been doing a lot of different types of acting since. But I
11 enjoyed that. Congratulations, by the way, on Trinity
12 Square.

13 But I am kind of stalling I guess a little bit, to
14 answer the question. Let me again apologize for my
15 presentation, because it was quite disjointed. And it was
16 done so intentionally because --

17 MR. TILLES: It was beautiful, Joe.

18 MR. FOLKES: -- because of the frustration that I
19 was trying to express that leads us to your question.

20 In a sense, I don't know the answer to that. And
21 yet on the other hand, if we enforce the laws that we have
22 on the books, we might be better off.

23 But again, as I said, we had a President who chose
24 not to enforce those laws. In fact, he worked against those
25 laws.

1 I love every one of you up there, and I have
2 worked with most of you. But I really don't know what power
3 you have other than to recommend, which means that it may
4 fall on deaf ears.

5 We all know what has happened to your Commission
6 on a national level, what has happened in the last eight or
7 nine years, of total disrespect and disregard for the
8 honorable people you are, and the many of you across the
9 country.

10 So if the Administration's don't respect your hard
11 work and your diligence and your time put in as well as the
12 many others who have come here, how could we ever expect the
13 problems to change in America?

14 Mr. Tilles, I do not have an answer. But yet
15 perhaps the answer is simply this: when we decided to go to
16 the Moon, this country did it. When this country decides to
17 do anything it wants to, it can.

18 I submit to you that if we ever really want to
19 resolve the race issue in this country, we can.

20 And with that comment, Mr. Tilles, and this
21 honorable body, I guess it is all I can really say. Because
22 we can all in here, as one and another, come up with 100
23 different reasons why and how we could. It is a matter of
24 who and when.

25 MS. ESCOBAR: Questions?

1 MS. MURPHY: I would like to ask the same question
2 of the presenters in general in terms of from their
3 experience. And we do know that, I mean we would not be
4 having this hearing if it were not a long-standing issue,
5 and something that is not solvable by just one person, but
6 as a community as a whole.

7 And the question that I have from each one of you,
8 and whoever wishes to respond, I would appreciate it, is:
9 outside of calling for minimal enforcement and/or tougher
10 enforcement, as we have heard from several of the presenters
11 from Panel 3, are there other things from the experience in
12 the community that would be effective in moving towards a
13 solution?

14 MR. FOLKES: I am going to let my colleagues
15 respond. I guess I have held the microphone long enough.
16 But thank you for allowing me to speak before you.

17 REVEREND MERCEDES: I think the idealist, or I do
18 not know how to say it, but the ideal thing to do will be to
19 have the system redesigned with minorities in mind.

20 Education, enforcement and whatever else there is
21 as a system, was not designed with us in mind. So we are
22 nonpersons for most of the systems. We do not exist.

23 But the practical -- that would be the ideal --
24 the practical will be immediately to start interacting, if
25 there is interaction between Government agencies and

1 community, and vice versa, this will open channels of
2 communications and will give us a sense of machines don't
3 have feelings but people do.

4 And I think the practical thing will be
5 interaction, immediately.

6 MS. MURPHY: Thank you very much.

7 Does anybody want to expand on that?

8 B. Jae.

9 MS. CLANTON: I believe my colleague, Mr Folkes,
10 had a point when he said when this nation decides to rid
11 itself of racism, that it can.

12 We as a country are more segregated in terms of
13 our housing, and employment, the inner city and the suburbs,
14 than we have ever been. Over the past ten years we have
15 really gone backwards.

16 I would hope that in fact when President Bush
17 talks about a kinder, gentler nation, that we in fact would
18 be that. We need to start very early in terms of human and
19 race relations.

20 People are very much afraid of other people, that
21 they do not know, and people that they do not come in
22 contact with.

23 So when we begin to truly in some way integrate
24 our society to find as the previous speaker said means for
25 interacting rather than reacting because we are fearful of

1 people that we do not know, and we begin to give our young
2 people a sense of appreciation of people and groups and
3 customs that are different but yet very valuable, I think
4 when we can begin to instill that in our young people from a
5 very early, early age in our school systems, in other
6 systems, throughout the fabric of the society or wherever we
7 happen to be, then I think that we can begin to combat some
8 of these feelings of racism and diversity and violence that
9 we have.

10 Thank you.

11 MS. ESCOBAR: Does anybody else want to expand on
12 that question?

13 MR. SIP: I don't know what you call this thing,
14 but in marketing we call it position.

15 If you have the position, in the first list, you
16 are on the first topic of the agenda to discuss, on a
17 Congress level that would work.

18 I have learned recently that in marketing, I think
19 it was Miller Lite that invented the light beer after, I
20 think after Schlitz or something like that, but Schlitz
21 invented the light first and did not have the position.
22 Miller Lite did it after but put the Lite word in front of
23 it and has the position.

24 In this country, positioning is important. If
25 racism is important to America, this issue is done.

1 Like Mr. Joe Folkes said, America can do anything.
2 If they want to go to the Moon, they can. If they want to
3 resolve this, they can. It is a matter of putting ourselves
4 in the position.

5 I urge you not just to sit on the Committee and
6 let it slide thinking that this is not important.

7 I urge every one of you to put more time and to
8 put our issue on the top of the agenda and have the position
9 in this matter.

10 Thank you.

11 MS. ESCOBAR: John is going to ask a question.

12 MR. THOMPSON: Just a single question.

13 Because of your background that you described,
14 coming from Cambodia to this country, and having obviously a
15 view of this country and an image of this country, thoughts
16 of this country. The topic of the day before us is violence
17 and bigotry.

18 And I guess the thought occurred to me whether or
19 not you as an immigrant, recent immigrant had an image
20 before you came here of what the United States was.

21 Was it a violent, bigoted place to go to? Did you
22 expect what you received? What was your image and what was
23 the followup?

24 I know that you have talked a little bit about
25 your experiences since you have been here. But in that

1 context, would you explain perhaps a little bit?

2 MR. SIP: Yes, sir. I would speak on behalf of
3 250,000 Cambodian refugees on the border of Thailand and
4 Cambodia today that are living miserably, waiting to come to
5 the United States, hoping quote "to come to the United
6 States."

7 Everybody is viewing the United States as Heaven.
8 So did I.

9 On the other hand, I believe it is Heaven because
10 if I want to become anything, I could go to school, no
11 matter how old I am, as long as I am willing to, I could.

12 But on the other hand, what they don't know, which
13 I didn't know, that racism stopped this kind of issue,
14 stopped us from going to school, stopped us from going to
15 work, quitting jobs, quitting job to job or get fired
16 because of racism.

17 And another point of view when I was there, when I
18 was in Manila in 1981, actually it is the end of 1980, I
19 read Time magazine, that our President got shot. I think it
20 is just right after John Lennon and then Pope John Paul got
21 shot and everything, and I began to be petrified of coming
22 here.

23 I began to understand that the United States has
24 violence, murdering, as much as other war country, except
25 that everybody don't have gun. But psychologically, it is

1 the war, because racism is in everybody's mind.

2 MR. THOMPSON: I think the photographs that you
3 showed illustrated that rather well. And I thank you very
4 much for speaking to us today.

5 MR. SIP: Thank you.

6 I wanted to add to you for a second that generally
7 if you see a woman walk with a dog, you would not look at
8 them, I mean people will not look at them with surprise.
9 But if a white man is walking with a black woman or a white
10 woman walking with a black woman, people act surprised.
11 Why? I began to ask my question why would people, when
12 would this surprise stop? I just want to end with you by
13 saying that.

14 Thank you very much.

15 MS. ESCOBAR: We have the last question and then
16 we are going to go into a break.

17 MR. CHEN: Well, I was not going to ask specific
18 questions. But in view of the overwhelming impression that
19 the testimony in the last half an hour left on me, I guess I
20 would just like to shift my earlier plan and ask some
21 questions so that I can get the better sense of it.

22 As I listened to presentations over the past half
23 an hour, or almost an hour, as you may have, the
24 overwhelming impression one gets is, what comes across to me
25 in an undeniable way is, this image of things have been

1 simmering, percolating, now is reaching a threshold, it is
2 about to boil over.

3 And they are coming apart at their seams. And
4 something is about to happen, so to speak. That sense of
5 imminent desperation or imminent danger, and the specter of
6 almost a social calamity and enormous social disorder is
7 there. I think that is the overall picture I get.

8 The question we ask is, to what extent is this
9 sense of unrest shared by law enforcement officials and that
10 side of our society?

11 So that is one question.

12 The other question that I would like to get some
13 feedback on if I may is, is this sense of imminent danger
14 something that we are hearing because we are giving
15 opportunity for expression this afternoon or is this
16 something that is truly percolating upwards because
17 something has happened in the recent past, that there are
18 reasons, it is a genuine phenomenon as such.

19 If anybody would care to comment, particularly the
20 first question, I would like to get input from the Police
21 officials.

22 MS. ZIMMERING: Maybe people would like to thank
23 about that for a few minutes, and when we come back from the
24 break.

25 SENATOR SHOLES: Before we have a break, one more

1 person would like to ask a question.

2 MR. TILLES: I really don't have a question. I
3 have something that I think should be brought to the
4 attention of the panel and to the group as a whole.

5 When I came here today, in my mind was violence
6 and rape and robbery. But as I listened and I became just
7 as frightened and just as concerned, I think as the rest of
8 you, there came to my mind another area of bigotry. I think
9 Grace reflected on it, and others. And that is, for want of
10 a better term, what I would call bureaucratic bigotry.

11 What is happening in our Government to those who
12 are of another color, who speak another language and who are
13 not I guess the best term is "like the rest of us," if you
14 will.

15 Grace's story about the food stamps. What happens
16 at the Bureau of Motor Vehicles. I think all of us have had
17 trouble with the Bureau of Motor Vehicles. But that is
18 another story. But it seems to be more pervasive.

19 I think one of the roles of this Commission if you
20 will, David, is whether we address it in this issue or
21 whether you address it as a Senator or whether we address it
22 as citizens, is what can we do to overcome bureaucratic
23 bigotry? Because it is something that we don't think of too
24 often, but it is obvious that it is there. And I think that
25 that should be somewhere on our agenda.

1 SENATOR SHOLES: That certainly is a topic of our
2 report.

3 I think if there are no further questions, we are
4 going to have a five-minute break. Then after that we will
5 come back and discuss bigotry and violence from the law
6 enforcement perspective.

7 Se we will have a five-minute break at this point.

8 (Whereupon, a brief recess was taken.)

9 SENATOR SHOLES: We would like to go directly to
10 Panel Number 4, which will look at the incidence of bigotry
11 and violence from a law enforcement perspective.

12 And moderating this panel is Professor Rhett Jones
13 of Brown University.

14 MR. JONES: It is late. And as David said, we
15 would like to move on.

16 So the first thing I am going to do is not to bore
17 you all with an elaborate introduction. I would like to say
18 this. And that is, we have heard a number of things said
19 about law enforcement agencies and the Police this
20 afternoon.

21 I think most of us would agree that being a Police
22 Officer, particularly a Police Officer right on the street,
23 who has to make split second decisions, literally life and
24 death situations, is difficult.

25 Therefore I am very glad that we have tried to

1 structure this forum in such a way that we can get a look
2 from the other side of the aisle, so to speak.

3 We have seen some of the problems that confront
4 Police Departments and Police Officers this afternoon. We
5 have also heard some of the solutions, some of them put
6 forth by members of the Police Force themselves.

7 And we have invited a number of people here from
8 communities with large monitory populations so that we might
9 get their perspective, not only on some of the more general
10 things that have been said this afternoon but also on some
11 of the specific issues and problems in their community as
12 they see them, as members of the Police Department.

13 Among the things we would hope they might be able
14 to talk about is whether or not bigotry and violence from
15 their perspective seems to be increasing in their community,
16 whether in their estimation the Police Department is
17 adequately and promptly and efficiently responding to some
18 of these developments, some of these acts of bigotry and
19 violence, and finally, what could the Police do? What might
20 they do as individuals, what might they do with regard to
21 training, what might they do in any other capacities to try
22 to address what I think we have seen this afternoon as
23 viewed by many people, and certainly most of us on this
24 Committee, as a serious problem.

25 So with no further observations, we have four

1 people invited: Chief Walter Clark from the Providence
2 Police Department, Chief Steve Weaver from the Newport
3 Police Department, Patrolman Roland D. Grant from the East
4 Providence Police Department and Captain Kenneth Gidron from
5 the Pawtucket Police Department.

6 And I would like to ask Chief Clark, if he is
7 here, to begin.

8 COMMANDER TAMBORINI: I'm not Chief Clark.

9 MR. JONES: Well, if you will identify yourself
10 please, we will assume you are representing the Chief.

11 STATEMENT OF COMMANDER RICHARD S. TAMBORINI, DEPUTY CHIEF OF
12 POLICE, PROVIDENCE, RHODE ISLAND

13 COMMANDER TAMBORINI: I am Commander Richard S.
14 Tamborini. I am the Deputy Chief of Police in Providence.

15 I would like to thank you for allowing me this
16 opportunity to address this forum on bigotry and violence in
17 Rhode Island from a law enforcement perspective.

18 It is the policy of the Providence Police
19 Department to ensure that the rights guaranteed by state
20 laws and the U.S. Constitution are protected for all
21 citizens regardless of their race, color, ethnic background
22 or religion.

23 When such rights are infringed upon by violence,
24 threats or other harassment, this Department will use every
25 necessary resource to rapidly and decisively identify the

1 perpetrators, arrest them and bring them before the Court.

2 The key here is early intervention, quick response
3 to such complaints.

4 Prior to November 3, 1988, the Special
5 Investigation Bureau, under my command, was charged with the
6 responsibility of investigating all acts of racial or
7 religious bigotry.

8 In order to assure that there was a clear and
9 concise understanding of the policies and procedures of the
10 Providence Police Department relative to such crimes,
11 guidelines and a formal policy were formulated, and every
12 officer within the Department was apprised of their
13 responsibilities and the procedures that would be adhered
14 to.

15 Our policy clearly states that all acts of racial
16 or religious violence or threats will be viewed as serious,
17 and the investigations will be given priority attention.

18 Such acts generate fear and concern among victims
19 and the public and have the potential of recurring,
20 escalating and possibly causing counter-violence.

21 Since the potential for bigotry and violence
22 exists in Providence, the Providence Police Department is
23 prepared to respond to such incidents if they occur.

24 The Providence Police Department has established a
25 Community Disorder Squad to handle such investigations.

1 Officers of both sexes and officers that represent each
2 minority group have been assigned and named as grievance
3 counselors.

4 It may sometimes be extremely difficult for a non-
5 minority person to understand the demeaning nature of
6 bigotry harassment even to the point of investigating such
7 complaints objectively. It is not an easy task to deal with
8 such a negative issue.

9 Further, this general order established a
10 mechanism for the timely investigations of all such
11 incidents.

12 Thorough and timely investigations of all such
13 complaints will encourage victims to come forward. And at
14 that point, the Community Disorder Squad will provide swift
15 and complete investigations of all complaints followed by
16 decisive and appropriate criminal charges.

17 In addition to the aforementioned policies
18 implemented, this Department has established a liaison with
19 formal minority organizations and leaders, included human
20 relations/minority cultures in the curriculum of recruit
21 training and in-service training, provided training in
22 victim assistance and assured that investigators receive
23 specialized training in this area.

24 Lastly, the law alone cannot realistically
25 dispossess people of their personal prejudices. It can

1 require that they not exhibit them in public.

2 We in law enforcement have the responsibility to
3 see that they do not.

4 Thank you.

5 MR. JONES: Thank you.

6 We next have a representative from the Newport
7 Police Department, Chief Weaver, or his designate.

8 STATEMENT OF ED LAVELLE, ADMINISTRATOR, NEWPORT, RHODE
9 ISLAND POLICE DEPARTMENT

10 MR. LAVELLE: Thank you.

11 My name is Ed Lavelle. I am the Administrator of
12 the Newport Police Department. And I am representing Chief
13 Weaver, who could not be here.

14 Previous to coming here, being advised of the
15 forum, I considered how I might best spend your time telling
16 you something about Newport.

17 So I will proceed in a very brief fashion to
18 outline our perceptions of the issues, and then maybe leave
19 some time for you to question my comments.

20 As was stated by Captain Leydon of the Rhode
21 Island State Police previously, about four months ago the
22 State began a process of collecting incidents about racism,
23 incidents of bigotry and so forth, and reporting them on a
24 monthly basis to the Rhode Island State Police, and Newport,
25 with the other departments, began to do that.

1 And since that process has begun, we have recorded
2 and reported to the State Police two incidents.

3 One was cited earlier. It was an incident of a
4 swastika being painted on someone's private property, and
5 more recently a few weeks ago one domestic incident of
6 disorderly conduct where there were some comments of racial
7 undertones and heated argument.

8 Upon reviewing those two, as the State Police do,
9 we do also, looking for any signs of any collaborative
10 effort or any other undertones of association among the
11 incidents. And we I guess are pleased to find that there
12 are none, though the incidents themselves are certainly
13 grievous in their nature. But we are looking for broader
14 issues at the community level where these might be
15 symptomatic of other larger problems.

16 But of these two that we have investigated to
17 date, we don't find any other relationship, other than the
18 grievous nature of the acts themselves.

19 The Police typically respond, approach social
20 unrest, outbreaks, disorderly conduct, other threats, in
21 response to calls for Police service. That is the most
22 typical way that Police get involved in these kinds of
23 activities, in response to a call from the outside for
24 Police service.

25 So I think we all have to admit that our

1 experience in that regard is somewhat limited in that we
2 know that there are incidents that are not reported. And
3 we also know that some more than others are not reported for
4 a variety of reasons: fear of retribution, fear of social
5 embarrassment, and others.

6 So we approach our analysis of the problems with
7 an understanding that all incidents are not reported.

8 In recognition of some of our limitations, our
9 limited perspective, we have undertaken a pro-active
10 approach, and it actually precedes this collection of
11 information that the state has undertaken, it is about a
12 year old, where we have begun to put the beat officer back
13 into the neighborhoods -- that is a man on foot, a Police
14 Officer. We have taken him out of the car. And in our
15 community we have focused on public housing areas, a public
16 housing neighborhood that is predominantly occupied by low-
17 income and unemployed members of the community, a large
18 population of minority residents and admittedly by
19 percentage probably an area where more than the average
20 number of calls come from.

21 The purpose of putting the man on the street was
22 to get a better feel, a better understanding of what really
23 is going on in the neighborhood, better than the sense of
24 activity we have when we respond to a particular call.

25 A second step that we have taken is to rejuvenate

1 a public relations program whereby we have begun again as we
2 have in the past to try to instill in a part of the
3 community a sense of obligation on their part to keep us
4 informed, to tell us what is going on, to be partners if you
5 will in our efforts to try to make their streets safer. And
6 the drug problem to some extent, pervasive infiltration of
7 some of those drug-related issues, have caused us to step up
8 our efforts.

9 The impact, the outcome of this two-phased effort,
10 has been that people have begun to come forward that we
11 hadn't heard from previously. People have expressed and
12 displayed a greater trust in Police. We like that. It is
13 on an individual basis.

14 It is only symptomatic of what we expect the
15 opinions and the attitudes are, but it gives us a feeling
16 that we have a little closer touch to what is going on in
17 these neighborhoods.

18 I guess the good news is, if there is any, that in
19 terms of racial violence, racial undertones, we don't see
20 them, at least, even at this level of involvement with the
21 community, they are not being reported.

22 To go a step further, we realize that we wear
23 uniforms, we have a certain image. People do not tell us
24 all the things that they would like to say and all the
25 things that they feel.

1 So we have established some close ties with social
2 service agencies in the community, primarily through the
3 establishment of a city-wide drug task force which actually
4 has a broader effort, and that is to educate the youth about
5 drugs and all kinds of crimes in the community in an effort
6 to stem that.

7 Through this liaison, we have established some
8 close working relationships with other social service
9 agencies that have a different perspective of what is going
10 on in the streets, a different perspective of what the youth
11 or the elderly elements of the community feel about life and
12 how they feel about us and what is going on that we don't
13 know about.

14 Again, I am pleased to say that from their
15 comments to us, we don't see racism, we don't see bigotry.
16 At least in our community we don't see it being expressed
17 and we are not aware of symptoms that would suggest that
18 those things are going on.

19 Listening to the comments earlier, I heard some
20 suggestions about improvement. I'm sort of lost, from my
21 own end, to make recommendations on how to eliminate the two
22 incidents that have occurred. It is a broad issue. I don't
23 know the solutions.

24 But I endorse the comments that Sergeant Flynn
25 made about the education at the Police Academy, because we

1 are in Newport a training and educationally-oriented
2 organization. We strive to improve the knowledge and the
3 capability of the officer in the street.

4 And one of the best ways to do that is to begin
5 with one who is well-trained and educated. So it is not my
6 money to spend. It is easy for me to recommend.

7 But I do support that effort of educating the
8 officer at the Police Academy before he becomes a member of
9 the organization and goes on the street. I think that is a
10 good beginning.

11 At our end, I can say on behalf of the Chief and
12 our Department, we would commit to continue education. The
13 reason I am saying this is because I am not sure we have a
14 total feel for what is going on. I have reported to you
15 that we have had only two incidents, and honestly, we have
16 our ears to the wind to identify other problems. We are not
17 aware of those.

18 And I can only say that maybe there are symptoms
19 that we do not recognize, we are not sensitive to. Maybe
20 there are other elements that we should be examining.

21 But in terms of roll call training and in-service
22 training, it would be our commitment to continue training,
23 should it become available. We would welcome expert
24 training. We take advantage of it whenever the opportunity
25 presents itself.

1 So why is Newport here? I am not sure. As an
2 invited guest, I am pleased that you did invite this. This
3 has been educational for me. And I am glad I am here.

4 I would suspect that because we have a minority
5 population that exceeds the state average -- I believe ours
6 is about 9 percent -- maybe that is why we have been
7 invited.

8 In terms of our own efforts in our own
9 organization to be responsive to the community demands, one
10 of the symptoms I think of that is the percentage of
11 employees you have in your own organization that reflects
12 the general population distribution, and I think ours is
13 about in conformance with the minority populations in the
14 community, about 9 percent, and some at the supervisory
15 level, which is also good in terms of giving us the
16 expertise and the perspective of those cultures and
17 different backgrounds that help in resolving issues in
18 different parts of the city.

19 I just reiterate that I am pleased that you
20 invited me. And as far as I'm concerned, as we don't have a
21 high incidence of reported incidents, our best approach i
22 Newport is just to strive for better education and better
23 training to recognize those that may be there that we don't
24 see.

25 Thank you very much.

1 MR. JONES: Thank you very much, sir.

2 Just to sort of underline, we did invite you, not
3 for any special reason, we didn't pick you out of a hat, but
4 because of the large minority population.

5 Our next speaker will be a representative from the
6 East Providence Police Department, Patrolman Roland Grant.

7 STATEMENT OF PATROLMAN ROLAND GRANT, EAST PROVIDENCE POLICE
8 DEPARTMENT

9 PATROLMAN GRANT: On behalf of my Chief, Anthony
10 De Castro, and all the guys out in the street, I want to
11 thank you for inviting me.

12 I have a few things to say. I can't say there's
13 no bigotry. And I certainly wouldn't dare say it. But
14 looking at it from a veteran of 35 years in the Police
15 Department, most people say well, you are kind of old and
16 crotchety, you should retire. Well, perhaps so.

17 But you know, things have changed over 35 years.
18 During the 1950s, the blacks were coloreds and "boy" and all
19 this. And things happened to change, and I met Joe Folkes
20 and all those people there at various conferences. And
21 something struck me, that I think is relevant.

22 We have to have these reminders. You know, if you
23 walk along and say well, nothing has gone wrong here in the
24 Police Department, and I only can speak obviously for East
25 Providence Police, and then when one of the detectives comes

1 in and throws something on your desk, something similar to
2 this here -- I'd like you to see it -- and you know, being
3 Community Relations Officer for the past 15 years with about
4 a year and a half break, I find that these things here are
5 very dangerous. And I speak of that.

6 ' It is a white supremacist group that we had here
7 in our city that were sending me notes, nasty notes. And
8 it's one of those, you go down Riverside Square and you are
9 going to meet them down there at gunpoint or something like
10 that.

11 Our intelligence people, we have a committee that
12 kind of watches this type of situation. We consider these
13 people exceptionally dangerous. But here we are. I have
14 read your lips. At Barrington, right, not East Providence.
15 That's true. Thank God, huh?

16 But they are very active in our city. They are
17 using Barrington as a postal box.

18 It is important to note that East Providence, we
19 have had relatively good race relations. But you know, it's
20 just like anything else. Once the problems pass, the riots
21 we had in the 1960s, and we had some wicked riots then, you
22 know very well we are going to make peace, and as long as
23 there is peace there is no problems.

24 Some of these underlying things that were brought
25 out today I think as a Police Officer, it is kind of, well,

1 you almost don't want to believe them. But you know it's
2 fact. There are certain things that were said here that we
3 know are fact.

4 But how are we going to change it? Well, I think
5 that most Police Officers who have been out there on the
6 street, and I'm not talking about some of the office
7 pinkies, I am talking about the people who have actually
8 been out in the street and seen the problems as they exist,
9 realize one thing: that there is a lot of stuff that we out
10 there do not know about.

11 Now, if you were to take and ask, I would say 90
12 percent of all the Police Officers, they will tell you right
13 up front, we are trained in the academy to be suspicious of
14 everything. So if we are not going to be suspicious, we in
15 the blue minority, which is one of the greatest minorities
16 this country has ever seen, and then all of a sudden we do
17 have a problem, don't we? And that problem is that we might
18 get shot.

19 So we are really wrestling with this problem out
20 there. And it is very difficult.

21 Those of my associates who are in blue, part of
22 that blue minority, realize it. They know. They are out
23 there.

24 But we also know that we have to be better
25 educated. You know, I keep hearing people say what's the

1 answer, what's the answer.

2 How many times has Joe Folkes gone to the Police
3 Academy? Or a representative of the NAACP? How many times?
4 Should they be invited or should they be part of the
5 curriculum?

6 You know, I hear people from the Asian community
7 saying well gee, people don't understand me. Well,
8 prejudice, as you know, is innate. What we have to do is,
9 we have to suppress that prejudice. We have to educate
10 people and tell them to stop it.

11 But you know, if we are going along and everybody
12 is saying what a hell of a job you are doing, you cops, what
13 a beautiful job, gee, this is wonderful, and really, we're
14 not. Because we are not understanding the rest of the
15 community. We are only understanding ourselves. We
16 understand our problems. And we go crying about it at choir
17 practice, and whatever.

18 But I think it is important that everybody on this
19 council understand certain things: that we in the Police
20 Department are prepared to respond, but we have to really
21 know and recognize what to respond to.

22 I hear people saying well, can you recognize the
23 difference between a crime of violence and a crime of
24 bigotry coupled with violence?

25 Yes, we can. And they are very, very close. They

1 are very close.

2 So many times, our folks out in the street will
3 just say well, hey, this guy had a bad problem. And we have
4 another problem: how to get that language barrier reduced.

5 A good portion of the minorities as we would
6 classify them would be immigrants, Portuguese people, and we
7 have Portuguese interpreters on each shift. All our rights
8 are in Portuguese and Spanish.

9 But there are those of the Asian society out
10 there, part of it, that I would venture a guess that none of
11 us know how to speak it or who to get ahold of. So we call
12 the International House. And hopefully we will get
13 somebody.

14 But these are the problems that we are facing out
15 there.

16 Now, at 12:00 O'clock or 3:00 O'clock in the
17 morning when you stop a suspicious car and he happens to be
18 black, what are you supposed to do? Because he's black, let
19 him go? No.

20 Now, you reach the point when tomorrow someone is
21 going to say listen, you bigot, or hey listen, you are a
22 good cop because the guy had a hell of a record.

23 The things we have to do, ladies and gentlemen, is
24 we have to weigh the facts. And out in the street there,
25 you know years ago, they had these good ideas, Providence

1 had them for years, where some of these people would go out
2 into the community and ride with them.

3 We had a Police Cadet program that we brought
4 minorities, we really got into that, where these young
5 people got into the Police Department through this cadet
6 program. Terrific.

7 But you know, you said it. Money. You ask the
8 State Police do they need money? Of course they do. And
9 these training programs and these get involved programs,
10 they all cost money. And nobody wants to spend any money
11 today.

12 I daresay that when public safety, you know, when
13 everybody is saying hey, listen, protect my home, protect
14 me. And you know, isn't it funny, when we achieve that
15 greatness of well, I'm not longer a minority, I'm accepted,
16 then we forget those people who we just left down the
17 ladder. And I think it's important. And we know that. We
18 know it out there.

19 But now we got this other half. How are we going
20 to handle it? The guy is suspicious or the gal is
21 suspicious. We have to do something about it. Should we
22 stop, because they are minorities? No.

23 But I do agree that an intelligent approach, and
24 any time we hear -- Roland Grant's office is always open,
25 and these people do come in. And then I go out, every

1 community group in my city is reached by me. And I've been
2 insulted. Many times, some of these young people call me
3 the Pillsbury Dough Boy. So my answer to that is well, I
4 better get back to Weight Watchers or something,
5 specifically.

6 I think that we do, sometimes we feel hurt about
7 what people say to us. And not being what we call a black
8 minority, and those people, you know, they can't rub it off.
9 But I can lose weight. And I can sympathize. But I can't
10 be there. So I have to have someone who is there to tell
11 me, and remind me, like Joe Folkes, with the cattle prod of
12 telling me, hey Roland, you know, come on, let's wake up
13 over there.

14 You know, everybody keeps saying, well, I'm not
15 prejudiced, this one isn't prejudiced. But we all are to a
16 certain extent. And that education has to bring it out, has
17 to reduce it. And the Police out there need it.

18 You said it: money. Money talks. And it helps.
19 It does help.

20 Thank you very much.

21 MR. JONES: Thank you very much, Mr. Grant.

22 Our last speaker will be Kenneth Gidron from the
23 Pawtucket Police Department.

24

25 /// ///

1 STATEMENT OF COMMANDER RICHARD E. DELION, PAWTUCKET POLICE
2 DEPARTMENT

3 COMMANDER DELION: Thank you. I am Commander
4 Richard E. Delion from the Pawtucket Police Department.

5 First, I would like to take you on a little look
6 at Pawtucket as it stands today.

7 The City of Pawtucket is a most diverse community,
8 flavored with many nationalities. Its population of over
9 71,000 is divided into eight districts, usually showing a
10 predominance of one nationality in each area.

11 In most cases, however, this predominance lasts
12 for approximately one decade or less, when the natural
13 evolution of families into the city changes the overall
14 picture.

15 The percentage of new families migrating to
16 Pawtucket is proportionate to the availability of housing
17 and employment opportunities. The citizens of Pawtucket are
18 represented in the municipality by seven councilmen, this
19 number being proportionate to the registered voters in each
20 district.

21 The City of Pawtucket, like most Rhode Island
22 communities is presently struggling to meet budget
23 restraints in the area of education.

24 In the 15 schools from pre-primary to senior high
25 school, the first language is, 28.17 percent is other than

1 English.

2 The highest non-English speaking group of students
3 is Portuguese, with a total of 193 Cape Verdeans seeking
4 English skills.

5 A breakdown of the 15 schools reveals a total of
6 877 students enrolled who use Portuguese as their first
7 language. There are 641 Creole students and 544 Spanish
8 students.

9 This data was reported in a statistical report and
10 collected by the Limited English Proficient Management
11 Information System for the 1987-88 school year.

12 For example, Cunningham School, a secondary school
13 in the Pawtucket system, serves 344 students, 70 percent of
14 which are non-English skilled.

15 The Race Ethnic Group report that as of June 30,
16 1988, the limited English proficient students in Pawtucket
17 were distributed as follows: out of 504 Asian, black,
18 Hispanic, white or other, 196 were Cape Verdeans, including
19 105 in the 1st grade, 55 in the 7th grade and 13 in the 12th
20 grade.

21 All 23 communities served a total of 5,181 limited
22 English proficient students at the close of the 1985-86
23 school year, 478 in the 1986-87 and 504 in the 1987-88.

24 The minority population of Pawtucket is reported
25 at 6.9 percent of its total population of 71,204.

1 An example: 993 black at 1.4 percent, American
2 Indian and Asian at 273 for .4 percent, Hispanic at 3.5
3 percent, and other at 2.097 for a 2.9 percent, total white
4 is 67,841 at 95.3 percent.

5 The City of Pawtucket has two low-income housing
6 units, including Cooke Manor, where 89 households are
7 available by race. Forty are reserved for white families at
8 44.9 and nine households for blacks at 10.1. Other commands
9 44.9. There are 311 total members in the 89 households.
10 The average income of the household is \$8,300, adjusted to
11 \$7,200. The total rent payment per household is \$181.

12 The low-income housing location of Prospect
13 Heights reveals the following: 35 of the 126 total
14 households there are white, a total of 27.8 percent; 39
15 households are black; 61 other.

16 There are 398 members of 126 households. 88 are
17 white, 98 are black, 212 are other.

18 The average income is \$7,400 and the average rent
19 is \$186.

20 The annual report of the Pawtucket Police
21 Department for 1988 revealed the following assaults: 23 by
22 gun, 26 with knife, 77 with other forms of dangerous
23 weapons, plus 526 simple assaults.

24 Of these figures, 108 assaults were on uniformed
25 Police Officers. A total of 302 were cleared by arrest and

1 405 are still pending.

2 The National Crime Index based on crimes
3 reportable under the FBI Uniform Crime Reporting System,
4 there is 5.25 percent increase in crime.

5 There was a total of 3,676 murders, rapes,
6 robberies, assaults, burglaries, larcenies and auto thefts
7 reported in 1988 as compared to 3,297 in 1987.

8 In 1988, the Pawtucket Police responded to 71,207
9 calls for service, representing a decrease of 1,379 from
10 1987.

11 In the Fifth Division Court of Pawtucket in 1988,
12 Pawtucket Police arraigned 2,568 suspects, and disposed of
13 1,190.

14 During 1988, 75 meetings were held by the
15 Community Relations Officers of the Pawtucket Police
16 Department, including 11 types of civic organizations,
17 religious groups, private groups, schools and other various
18 Police groups.

19 As a result of these meetings, the Pawtucket
20 Community Relations Officers became involved in various
21 troubled areas, resulting in a decline for service by the
22 Uniform Patrol Division.

23 The Pawtucket Police Department has two female
24 officers, one black officer and at least 20 officers of
25 Portuguese descent, at least half of which are bilingual.

1 We are in need of Spanish-speaking officers. And the
2 Pawtucket Police Department has offered courses in Spanish
3 to its officers in the past, with very little success.

4 We are an equal opportunity employer. However,
5 the candidates who have applied for the Department lack the
6 language skills needed to fulfill the criteria of a Spanish-
7 speaking officer.

8 This Committee on violence and bigotry has asked
9 for recommendations from law enforcement.

10 The new reporting system and law enacted in 1988
11 is a significant step in recording and understanding crimes
12 motivated by bigotry.

13 The administrator of this reporting system,
14 however, must keep in mind that the information put in the
15 system must be factual and not speculative.

16 The attitude of all societies is molded and
17 affected by the perception of the exact needs being met.
18 All members of that society are different not only by
19 nationality but by priorities of life handed down from
20 generation to generation.

21 The Police are almost always recognized as the
22 enforcers of the social norm of the specific segment of the
23 geographic location of the society they represent.

24 This presents the perception of a police culture.
25 An example: the language predominant in the society,

1 reaction of the police to types of crime sensitive to that
2 society, and the reaction of the citizens perception of the
3 police.

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Continued on the next page)

1 MR. DEYON: Unfortunately we are all held to the
2 immediate problem at hand, budget constraints, and what is
3 finally the most economically, expedient answer. Most
4 departments have seen the value of community relation teams
5 of budget wisely in that area.

6 Again however, each department must address what
7 its own citizens perceive as the most important crime within
8 its borders. Although police must play an important role in
9 its leadership to diminish bigotry through violence, the
10 community must not side step its responsibility to educate
11 itself on its own priorities.

12 The police must join the community in its search
13 for balance. The community must bear the burden of planning
14 through education and religious leadership to identify the
15 exact motivation for the acts committed against violently
16 against itself. Thank you.

17 MR. JONES: Thank you very much. I want to really
18 thank you for the thorough preparation of that report and
19 for the way you delivered it. We appreciate it. I know Mr.
20 Chair, that we are running low on time. Do we have time for
21 a couple of questions from the panel?

22 MS. MURPHY: I have one question. First of all I
23 would just like to comment on the fortitude, patients,
24 preparation, and quality of presentation of the law
25 enforcement panels. We really do appreciate that.

1 The question I have is that I have been hearing
2 through the presentations that the departments might be open
3 to officer training in race relations and cultural
4 characteristics. How real of a possibility is that if say
5 for instance the state commission got together with a couple
6 of -- say for instance the Boston Police Department or some
7 of the more experienced communities here in Providence and
8 put together a curriculum. How open would the departments
9 be to something like that, or is that what you had in mind?
10 If you could just clarify the issue of officer training in
11 this particular area, I'd appreciate it. Anyone?

12 MR. LAVELLE: Can we speak from here?

13 MS. MURPHY: Sure.

14 MR. LAVELLE: I think I spoke about that as much
15 as any, so I'll speak first.

16 COURT REPORTER: Excuse me, I think you have to go
17 up to the microphone so that we can get this on the record.

18 MS. MURPHY: I'm sorry.

19 MR. LAVELLE: I can't speak for the other
20 departments, but I think I'll just qualify what I'm going to
21 say with -- not a problem, but at least a consideration. I
22 think it is universal, and that is the costs -- the time and
23 the money associated with training, so we all consider that,
24 but given the magnitude of the issue, we have the
25 significance, and we ought to consider that as well.

1 I would say this, what we found our experience to
2 be the most cost effective and practical way to conduct
3 training, especially when it is new. This would be
4 relatively new in terms of expert training, would be to
5 train trainers.

6 That is for departments to select representatives
7 that might be trained as facilitators or trainers, rather
8 than before you try to teach several thousand police
9 officers in the State of Rhode Island, are to provide for
10 the training.

11 We have a fairly large department body -- Rhode
12 Island standards, it would probably be more practical to
13 identify some members of departments that were interested
14 and provide training to trainers. Training officers or
15 other facilitators.

16 If that were to work, then to disseminate that
17 information at the department level. The other comment
18 about the police academy would have to be addressed
19 separately.

20 MS. MURPHY: Thank you.

21 MR. THOMPSON: For anybody at large, and I think
22 the question came up earlier, was the idea of a single
23 section of the individual police department, and addressing
24 the issue of violence and bigotry. Should that be within
25 the single section -- should the officers generally reflect

1 it in their reports. I don't know how to focus this on
2 anybody in particular.

3 MR. DEYON: May I comment?

4 MR. THOMPSON: Sure.

5 MR. DEYON: There are a lot of pro and cons, and
6 then you heard them here today that one department -- then
7 the gentleman from Boston, from a very large city, he said
8 that it would be almost impossible for them to react to this
9 honestly. I have a different opinion.

10 I believe that a police department must police
11 itself. If the citizens are going to trust us, they must
12 believe that we are going to take care of our own problems.
13 If they don't, the trust is not there, then the help won't
14 be there.

15 MR. THOMPSON: Well in terms of isolating the
16 particular problems that focus on discriminatory offense,
17 should this be handled within a single section of the
18 department or should it be left to the individual reports?
19 I gather from what you are saying, that it should be handled
20 by each individual officer.

21 MR. DEYON: Or his direct supervisor. To put it
22 off on an investigative unit, although they may be better
23 prepared in some ways, don't know the work habits of the
24 officer, don't know the area, don't know the people in it a
25 good percentage of the time, where as the immediate

1 supervisor might have these things at hand and be able to
2 bring other things to light.

3 Not to put away any special investigative unit, of
4 course they are quite successful in a lot of areas, but in
5 sensitive areas such as this, the direct motivation of an
6 officer by his supervisor to get to the root of it.

7 The understanding why he's there and what the
8 problem is helps, and the citizens feels a lot better about
9 that. It is addressed on that level first. If it goes to
10 another level, if there is a very serious problem here of
11 understanding, then it should move on, yes.

12 MR. THOMPSON: Taking it back to the police
13 academy level, is this a form of training that should be
14 emphasized or underscored so that the individual officer can
15 report incidents that may smack certain indicators of
16 discriminatory behavior?

17 MR. DEYON: You must be able to identify between
18 them, and this is the ground work that you lay in the
19 municipal police training schools. You lay this ground work
20 here. What these people should recognize, what they should
21 understand what their duties are. That should be one of the
22 highlight topics of the academy along with other things.

23 When he comes into the police community, and that
24 police culture that I spoke about before, he's got to be
25 able to adapt into that situation, and the right attitude

1 when he comes in there. The attitude is yes, we are going
2 to do the job right, and we are going to do it above it,
3 that must be predominate at all times.

4 MR. THOMPSON: Thank you very much.

5 MR. DEYON: Thank you.

6 MR. JONES: Any other question from the panel?
7 Yes, sir, please, at the microphone.

8 REVEREND MERCEDES: I am sorry about the time
9 constraint, but I also have some time constraints, but I
10 have something that I cannot go without asking. As the
11 chairman of the immigration law or reform stating committee,
12 I would like to ask the panel to help us, and police officer
13 and representatives here to help us in dealing with policy
14 on turning police departments -- turning people into the
15 immigration department. People who have not committed a
16 crime.

17 In particular, we are trying to get together with
18 Pawtucket Police. Remember about 15 Mexicans that were
19 arrested and turned into the immigration department. We
20 wrote a letter to the police department in Pawtucket, trying
21 to get together in dealing with this.

22 Six months later a answer came -- a letter came
23 with no specific answer to the problem. So I would like
24 very much for us to get together some how in dealing with
25 the problem of policy in terms of turning a person that is

1 stopped in the street and has not committed a crime, into
2 the immigration department.

3 MR. SHOLES: Thank you very much. We are going to
4 be holding a meeting in July. Perhaps if you give us your
5 address after the meeting, we'll make sure that you are
6 contacted, and we can address that in greater detail at that
7 meeting.

8 I think at this point we have to come to a
9 conclusion, because many members of the panel have to attend
10 other events. First of all, I would like to know what we
11 are planning to do with the information that is gathered
12 today. We plan to type of the transcript and we are
13 planning a report.

14 A draft will be available to the state advisory
15 committee in July. At that time, we will approve the report
16 -- or rewrite it, and then submit it to the commission on
17 civil rights for their approval. Once they approve that
18 report, it will be authorized for publication and published.

19 The report then will be sent to the policy makers
20 in this State, and to the various police departments, and to
21 all of those people who participated in today's panel.

22 Before I thank everyone for coming, to the members
23 of the listening audience, and to the members of our
24 audience, if any member wishes to present any written
25 testimony that you wish to be included in the report, or

1 that you wish that we look at in considering the report,
2 please submit any written comments to the State Advisory
3 Committee.

4 * You may address it to me, Senator David Sholes, S-
5 H-O-L-E-S, room 117, State House, Providence, Rhode Island.
6 We will look at those comments. On behalf of the State
7 Advisory Committee to the U.S. Commission on Civil Rights,
8 and I want to thank each and every one of you for taking
9 time out of your busy schedule to be with us. We certainly
10 appreciate your comments, and we certainly appreciate you
11 thoughtful and insightful discussion of the issues.

12 By all means, we shall take those into complete
13 consideration in drafting a report that I think we can work
14 with and use as a focus or spring board to solving these
15 problems in our society. So thank you very much.

16 (Whereupon at 5:00 p.m. May 8th, 1989, the
17 Subcommittee adjourned.)

18
19
20
21
22
23
24
25

