

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MONTANA ADVISORY COMMITTEE
TO THE
U.S. COMMISSION ON CIVIL RIGHTS

ORIGINAL

Briefing Forum
on
White Supremacist Group Activity in Montana

Taken at the Holiday Inn
200 South Pattee Street
Thursday, May 28, 1992 - 9:00 a.m.
Missoula, Montana

TRANSCRIPT OF PROCEEDINGS

A P P E A R A N C E S

DONALD DUPUIS, Chair, Montana Advisory Committee, U.S.
Commission on Civil Rights

WILLIAM F. MULDROW, Regional Director, Rocky Mountain
Regional Division, U.S. Commission on Civil Rights

DR. TOM BERGER, Great Falls, Montana

RAYMOND BENEGAS, Great Falls, Montana

BETTY BABCOCK, Helena, Montana

MARJORIE KING, Winnett, Montana

TIM HARRIS, Helena, Montana

JEANNIE AMSBERRY, Helena, Montana

JEAN BEARCRANE, Billings, Montana

BONNIE HEAVY RUNNER CRAIG, Missoula, Montana

PHILLIP CALDWELL, Great Falls

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S (Contd.)

MALEE CRAFT, Civil Rights Analyst, Rocky Mountain
Regional Division

EVELYN BOHOR, Staff, Rocky Mountain Regional Division

Reported by Mary W. Sullivan, RPR, CM, Freelance Court
Reporter and Notary Public, State of Montana, residing in
Missoula, Montana.

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SPEAKERS:

PAGE:

BETTE TOMLINSON. 11
Journalist/Freelance Writer

RICK DAY 32
Administrator, Law Enforcement Services Division,
Montana Department of Justice

KEN TOOLE. 48
Montana Human Rights Network

BRYAN SPELLMAN 68
Northwest Coalition Against Malicious Harrassment

EVELYN STEVENSON, Esq. 81
Confederated Salish and Kootenai Tribes, Flathead
Indian Reservation

MARVIN STERN 91
Pacific Northwest Regional Director, Anti Defamation
Leage of B'Nai B'rith

ROBERT "DEZ" FREEMAN 111
Student and President Elect, Black Student Union,
University of Montana

KENNETH A. WILLETT 124
Campus Safety Manager, University Police, Department
of Campus Safety, University of Montana

DR. ROBERT L. KINDRICK 139
Provost and Vice President for Academic Affairs,
University of Montana

BILL ALEXANDER 155
Sheriff, Sanders County

ROBERT SLOMSKI 175
County Attorney, Sanders County

EDWIN L. HALL. 188
Administrator, Montana Board of Crime Control

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX (Contd.)

PAGE:

JIM ELLIOTT. 204
Montana State Legislator, House District 51

LEO CARDENAS 223
Director, Community Relations Service, Rocky
Mountain Regional Office, U.S. Department of Justice

BRUCE BARRETT. 238

REVEREND DONALD HASSETT. 250
Church of the Creator

Certificate of Court Reporter 271

1 THURSDAY, MAY 28, 1992

2 MR. DUPUIS: Good morning, ladies and gentlemen. The
3 meeting of the Montana Advisory Committee for the U.S.
4 Commission on Civil Rights shall come to order. For those and
5 of the benefit of the audience, I shall introduce myself and
6 my colleagues. My name is Donald Dupuis, I'm chairperson of
7 the Montana Advisory Committee. I will now ask each member of
8 the board to introduce themselves, starting with Dr. Tom
9 Berger.

10 MR. BERGER: I'm Dr. Tom Berger from Great Falls,
11 Montana.

12 MR. BENEGAS: Raymond Benegas from Great Falls,
13 Montana.

14 MR. CALDWELL: Phil Caldwell from Great Falls.

15 MR. DUPUIS: And Mrs. Babcock?

16 MRS. BABCOCK: I'm Betty Babcock from Helena,
17 Montana.

18 MS. KING: Marge King from Winnett, Montana.

19 MR. HARRIS: Tim Harris from Helena.

20 MS. AMSBERRY: Jeannie Amsberry, Helena.

21 MR. DUPUIS: Thank you. Also present with us is
22 William Muldrow who's director of the Rocky Mountain Regional
23 Division; Malee Craft on staff; as well as we have Evelyn
24 Bohor in the back receiving the registration.

25 We're here to conduct a fact-finding meeting for the

1 purpose of gathering information on the white supremacist
2 group activity in Montana. Participants in this meeting will
3 address the nature, the extent and consequence of the
4 activities of white supremacist groups in the state. The
5 jurisdiction of the Commission includes discrimination or
6 denial of equal protection of the laws because of race, color,
7 religion, sex, age, handicap or national origin, or in the
8 administration of justice.

9 The proceedings of this forum, which are being
10 recorded by our public stenographer, will be used along with
11 the other information that's to be collected--interviews and
12 correspondence with individuals, agencies and organizations--
13 in the development--or with a written report with findings and
14 recommendations from the committee which will be released and
15 distributed to the public.

16 At the outset, I want to remind everyone present of
17 the ground rules. This is a public meeting, open to the media
18 and the general public, but we have a very full schedule of
19 participants that fit within our limited time that we have
20 available. The time allotted for each session must be
21 strictly adhered to. 25 minutes has been allotted for remarks
22 from each of the presenters, which should include in that 25
23 minutes about 10 minutes of questions, and after each
24 presenter has finished, I will ask the members of the board if
25 they have any questions for that person, okay?

1 To accommodate the persons who have not been invited
2 and wish to make a presentation, we have scheduled an open
3 period in our agenda from five to six this evening. Anyone
4 wishing to make a statement during that period should contact
5 a staff member, Malee, William or Evelyn in the back, for
6 scheduling. We already have one at five.

7 Now, written statements may be submitted to the
8 committee members and the staff here today or by mail to the
9 U.S. Commission on Civil Rights, 1700 Broadway, Suite 710,
10 Denver, Colorado, 80290. I can repeat that, now, if I'm
11 speaking kind of fast. I've been a judge for 18 years, you
12 know; I'm speaking fast because it's, you know, whatever I
13 need to get done.

14 Now, the record of this meeting will close on June
15 8th.

16 Now, back to the people who want to make comments who
17 are not on our schedule, it will be five to six and they'll
18 need to be contacted by a member of our staff for scheduling,
19 okay? Though some of the information provided here may be
20 controversial, we want to ensure that all invited guests do
21 not unfairly or illegally defame or degrade any person or any
22 organization.

23 In order to insure that all aspects and issues are
24 presented, knowledgeable persons with a wide range and variety
25 of experience and viewpoints have been invited to share the

1 information with us. Any person or any organization that
2 feels defamed or degraded by the statements made in these
3 proceedings should contact one of our staff during the meeting
4 so we can provide a chance for public response.

5 Alternately, all persons or such organizations can
6 file a written statement for the inclusion in these
7 proceedings. I'd urge all persons participating to be
8 judicious and factual in what they say. The
9 advisory committee appreciates the willingness of those who
10 have agreed to participate in sharing information with us.

11 I have--Further remarks will be made by Mr. Bill
12 Muldrow. Bill?

13 MR. MULDROW: Thank you, Don. I would just like to
14 add my welcome to all of you who have come to attend and
15 participate in this meeting. We look forward to a very full
16 and profitable day as part of the information-gathering
17 process of our advisory committee. This forum today, as Don
18 has mentioned, is one aspect of the total overall study that
19 is being conducted in the state regarding so-called white
20 supremacist groups in the state.

21 In addition to this, as has been indicated, no
22 interviewing has taken place in the state and we will have
23 opportunity after this forum to also gather further
24 information.

25 All of this will be compiled into a written report

1 which will be available free of charge to the general public
2 when it's completed.

3 The subject today, as has been indicated, is with
4 regard to implications of the activities of white supremacist
5 groups here in Montana. We will also have some information
6 regarding wider activities throughout the region and
7 throughout the United States.

8 Of increasing concern has been the heightened tensions
9 between racial groups in our country, and this forum today,
10 this project, is one effort by the U.S. Commission on Civil
11 Rights to understand these developments and what implications
12 that they have. There are indications, of course, that these
13 movements--and some of the other indications of racial
14 tensions, what has recently happened in Los Angeles--are
15 indications of deeper problems and concerns within our
16 society.

17 We hope to address some of those through this project
18 and through other projects conducted by our Commission.

19 Our Commission, with headquarters in Washington, has
20 just completed an extensive hearing on this very subject in
21 Washington. They completed hearings also in the Mount
22 Pleasant district of Washington, D.C., and next month will be
23 holding extensive hearings in Chicago, then they will go on to
24 Los Angeles, New York and other major cities throughout the
25 United States to collect information on this subject.

1 So if you have registered--and we ask everybody to
2 register with their name and mailing address--we will make
3 sure that you receive a copy of this report and any other
4 material which results from the Commission's studies.

5 I think having said that, I'll return the meeting back
6 to Don.

7 I appreciate the help and support of the advisory
8 committee. All of these people are state citizens appointed
9 by our commissioners in Washington. They serve for a period
10 of two years, appointed by our commissioners in Washington, so
11 we look forward to a very profitable day and we thank you for
12 your help and cooperation in this meeting. Thank you.

13 MR. DUPUIS: Okay, thanks, Bill. Jean, you need to
14 take your place, and I'll need to have you introduce yourself
15 for our panel and our court reporter.

16 MS. BEARCRANE: My name is Jean Bearcrane from
17 Billings, Montana.

18 MR. DUPUIS: Okay. We'll get started now. Bette
19 Tomlinson? Bette, and behind her will be Rick Day.

20 BETTE TOMLINSON: Good morning. Thank you for
21 inviting me to speak today. As you see on your agenda, I am a
22 freelance writer and I have been writing and researching
23 Montana politics, most specifically extremist activity in
24 Montana.

25 MR. MULDROW: Ms. Tomlinson, will you, just for the

1 record, also give us your address?

2 BETTE TOMLINSON: Yes. It's No. 3, Carsons Drive,
3 Missoula, Montana.

4 MR. MULDROW: Thank you.

5 BETTE TOMLINSON: So my perspective is one of an
6 overview, both in extremist activity and in our response to
7 it, so that's the way my speech will be going today, is pretty
8 much an overview.

9 In nearly every town and city in Montana there are
10 people whose political and religious beliefs place them to the
11 extreme right of the American mainstream. These beliefs are
12 characterized as fundamentalist in how they interpret the
13 Constitution, the democratic process, history, and the Bible.
14 Although there are more than 3500 extremist right groups in
15 the United States, their core beliefs can be broken down into
16 three categories: Constitutionalist, Identity Christian and
17 Christian Patriot.

18 Constitutionalist believe that the original United
19 States Constitution and the Bill of Rights, or the organic
20 Constitution, was inspired by God and that it names only white
21 males as full citizens. Other citizens are Fourteenth
22 Amendment Citizens. Laws passed since the Constitution are
23 not morally binding. Constitutionalist vary in the radical
24 nature of their philosophy in the extent to which they would
25 pursue their goal of returning to the original Constitution.

1 Some of the groups in Montana who subscribe to
2 Constitutionalist beliefs, while adding their own approach,
3 are: The Golden Mean Society, All Citizens Equal, National
4 Agricultural Press Association, Citizens Rights Association,
5 East Slope Tax Payers Association and the Citizens Equal
6 Rights Alliance, a coalition of groups from all over the
7 country, which is headquartered in Big Arm, Montana.
8 Constitutionalist organizations have distributed anti-Semitic
9 and anti-Indian literature in Montana. Along with their
10 assumptions regarding legitimate citizenship are their
11 conspiracy theories that often focus on international banking
12 conspiracy, ostensibly controlled by Jewish interests, the
13 Trilateral Commission, again, an organization which they
14 believe is controlled by Jewish people, the Federal Reserve
15 and the status and activities of the IRS.

16 Constitutionalists often appeal to the disgruntled
17 taxpayer, the farmer whose land is in jeopardy, the descendant
18 of white settlers whose homestead is threatened by the treaty
19 rights of Indians, the unemployed logger, and others who feel
20 disenfranchised. Their analysis of what is wrong with society
21 and their solutions are seldom hard, logical critiques but are
22 usually a mixture of solutions to complex problems.

23 Identity Christianity a political and religious
24 philosophy which claims that the lost tribes of Israel
25 populated the northern part of Europe, and that their

1 descendants are therefore Anglo-Saxon. Jews are the direct
2 descendants, they say, of Eve and the snake, and people of
3 color are of different species. Anglo-Saxons are the chosen
4 people of God. The more extreme form of this philosophy
5 advocates the creation of a separate white nation.

6 Many people hold to this belief who do not belong to
7 an actual group. Among groups which hold to this philosophy
8 are members of the Aryan Nations Church, the Ku Klux Klan, the
9 White American Resistance, the White Student Union, and the
10 National Alliance. Members of these groups can range from
11 passive believers to terrorists.

12 Christian Patriot is a populist-inspired designation
13 for many individuals who are often single-issue extremists.
14 This is the most varied and difficult group to define.
15 Patriots are often Constitutionalists, with a wide margin of
16 exception. They are sometimes Christian Identity in their
17 religious beliefs. Christian Patriots are interested in many
18 of the same issues as Constitutionalists, while not
19 necessarily subscribing to the underlying racist and sexist
20 premises regarding the Constitution. When they do have racist
21 beliefs, it may not be as obvious at first as it is with
22 Identity Christians and Constitutionalists. Single or multi-
23 issue extremists are categorized in this group, yet it is even
24 more important to realize that those issues which might be
25 related to racist-based organizations are not dependent on a

1 racist philosophy.

2 The challenge of racism posed by the extremist right
3 in Montana has been met by the formation of local task forces,
4 and a state network that coordinates with the local groups.
5 Along with participation from the Governor's Office in the
6 Northwest Coalition Against Malicious Harassment, there's been
7 a cluster of legislation, as well as community conferences and
8 celebrations of diversity.

9 The legislation includes the Malicious Harassment Act,
10 the Paramilitary Training Bill, the ratification of Martin
11 Luther King Day and increased funding for the Human Rights
12 Commission. All of these legislative acts were passed in
13 order to discourage these groups from moving to Montana.
14 Studies have shown that if a state does not have this kind of
15 legislation, that groups really do study these kinds of things
16 to see which states probably would be welcoming to them.

17 When I interviewed Bill Wassmuth for Missoula
18 Independent about a month ago when he was in town, I asked him
19 what he recommended that Montana include to create a complete
20 package of legislative--for the legislative package. And he
21 said that if we included in our Malicious Harassment Act
22 people who are victimized because of their sexual orientation,
23 and also created a bill that would provide funding for the
24 training and reporting for police officers to know when a
25 particular crime was racist-based or in some other way--you

1 know, just an assault or racist-based. As it is now, a lot of
2 crimes which clearly are racist are reported as simple
3 assaults, so we don't have good records at this point on
4 that. This has been our approach in Montana to these groups.

5 That's a kind of an overview that you probably already
6 all know about, but I next want to address, you know, what I
7 have noticed as a writer in interviewing people who are
8 members of these groups, and then interviewing people who, I
9 guess, are on our side, in favor of generosity and extending
10 the rights that we have in this country to as wide a range of
11 people. Whenever we discover them where they aren't extended,
12 we extend them.

13 And our approach has been--unfortunately, I run into
14 this again and again as a writer--a disturbing tendency to
15 lump groups of people together, and there is a tremendous
16 diversity in beliefs and a tremendous diversity in whether or
17 not those people would ever do anything violent.

18 Our response has not been one of quiet submission, oh,
19 they'll go away, which is, of course, the fear that would make
20 them, of course, grow larger in numbers. But at the same
21 time, it seems to me that we can--as anyone knows who's read
22 the articles that I've written about this--respond too much
23 out of fear and that we have to be clear about what
24 individuals are saying.

25 As I said before, there are at present 3500 known

1 extremist right groups in this country. As disturbing as it
2 is to hear someone who's racist explicate endlessly their
3 bitterness and fear, it is equally so to hear those who stand
4 on the side of generosity and goodwill justify their own
5 positions using the same bitterness and fear to blunt their
6 reasoning. The fact is that this is a complex issue, and many
7 individuals are not so much driven by racism or hatred, or are
8 members of a hate group, as they are experiencing their own
9 lives as lacking meaning, power or hope.

10 As the latest cover article of Newsweek, in responding
11 to the L.A. riots points out, we need to get beyond the myopic
12 view that this is just about race. This is about economics,
13 which gives rise to feelings of resentment, victimization and
14 scapegoating. What I witnessed over and over was a denial of
15 the factual complexity on our side in favor of the same
16 resentment and scapegoating. There are legitimately crazy,
17 dangerous people out there. There are also people who are
18 economically disempowered, confused and frightened.

19 If we really believe in the power of hope, generosity,
20 personal responsibility and the ultimate value of truth, we
21 must remember to proceed with our own fact-finding by not
22 forgetting who we are.

23 Thank you very much.

24 MR. DUPUIS: Okay.

25 BETTE TOMLINSON: Do you have questions or is that

1 later?

2 MR. DUPUIS: Well, now I'll ask the members of our
3 board, Ms. Tomlinson, if they have any questions for you.

4 MR. BENEGAS: Just one. You said Bill Wassmuth said
5 we still need further legislation?

6 BETTE TOMLINSON: Yes.

7 MR. BENEGAS: Is that what you said?

8 BETTE TOMLINSON: Yes. Bill Wassmuth suggested that
9 within our malicious and training--or excuse me, within our
10 Malicious Harassment and Intimidation Act, if we would also
11 include those who are victimized because of their sexual
12 orientation, and also if we would have a bill that would
13 provide funding to train police officers to notice at a scene
14 of a crime whether or not something was, in fact, racist and
15 racially-motivated or whether it was an assault, so that we
16 can keep better records and really get a sense of what's going
17 on, and that when one is prosecuted, we know under what law
18 they're being prosecuted.

19 Apparently if--he also said that since--skinheads in
20 Portland are becoming very aware that if they're convicted
21 under a law that means that you're victimized because of race,
22 they will have a stiffer sentence than if it's a simple
23 assault, so they will assault someone who is gay or black and
24 if they don't say it while they're assaulting that person,
25 there's no way to prove that it was motivated by that. So it

1 is complex.

2 But it is important that these acts be able to be used
3 to prosecute, and I guess he's hoping that that would help us
4 more in Montana. Apparently they do have that law in Oregon
5 right now.

6 MR. BENEGAS: Uh-huh. Thank you, Bette.

7 BETTE TOMLINSON: Uh-huh.

8 MS. KING: When you used the term a racist act, are
9 you talking only of race or are you using it in a broader term
10 so that it would include gays and women and--in terms of the
11 education for police officers?

12 BETTE TOMLINSON: Just race at this point. The reason
13 is at this point I asked Wassmuth about what his thinking was
14 on--say, I notice when they reported hate crimes that often
15 rape was included in hate crimes. And I asked him about that,
16 you know, how can we be more specific in terms of, you know,
17 what is racially-oriented and what is violence against women
18 and so forth. And he said that it's a real tricky thing,
19 because if you include violence against women, it tends to--it
20 gets too confusing. In other words, a woman can be victimized
21 and be black, it's unclear which is which.

22 Also, it tends to--the reality is that right now a lot
23 more women are victimized than are racial crimes, that's just
24 the fact. You know, there are more rapes than there are
25 racial acts--in Montana, anyway--against someone who is in a

1 racial minority. So the dignity of the claim of racial
2 violence--that someone has been violated because of their race
3 would be lost in the enormous numbers of women who are raped.
4 Do you see? It's almost--they need to be separated so they
5 can maintain their own dignity of the outrage over the
6 crimes.

7 So, when I'm speaking of race, I'm thinking of the way
8 it's designated now, which is racial orientation. But
9 he--what he was saying was that we need to be able to have
10 some way to also talk about people of sexual orientation being
11 abused and that if we included that in our Malicious
12 Harassment Act, that that would be one way to do that.

13 MS. KING: At the present time it's not included.

14 BETTE TOMLINSON: Apparently not in Montana.

15 MS. KING: Thank you.

16 MS. BEARCRANE: Do you know if there are any
17 legislators that are preparing bills to be presented in the
18 near future at this point?

19 BETTE TOMLINSON: I don't know the answer to that, but
20 I do know that Wassmuth has--when he came to lecture and when
21 I interviewed him that he talked to a lot of people. I would
22 assume that he has told legislators that and I would expect
23 that to happen, so.

24 MS. BEARCRANE: Thank you.

25 MR. BERGER: One of the groups you mentioned was the

1 National Agricultural Press Association which is, I think, a
2 particularly important group to Montana because of our farm-
3 based economy, and that this group appeals to farmers in
4 trouble, getting them to file these lawsuits, none of which
5 have ever been successful in the history of the organization.
6 I wonder if on that basis you might say a few more words about
7 the National Agricultural Press Association.

8 BETTE TOMLINSON: You probably know more about it than
9 I do. I do know that they do prey on the plight of the
10 farmers and they have a political agenda which is racist, and
11 I think that, once again, you know, if we're looking for
12 solutions to--you know, when I interviewed Ken--I see he's
13 here and is going to speak--you know, that when people are in
14 trouble, that it's easy to do that.

15 And it seems to me if we're looking for solutions we
16 need to look at the really difficult, dogged work of figuring
17 out how to help each other in trouble, you know. It's
18 not--it's kind of a nebulous answer, but I think that if the
19 farmers were--had other resources, other solutions, then
20 people who come in and say, we'll give you an easy answer and
21 prey on their fear and outrage and resentment, you know,
22 there's a void there and these groups come into that void. So
23 that's what I know.

24 MR. BERGER: Okay.

25 MR. MULDROW: Ms. Tomlinson, why is it that there is

1 such a concentration of these groups in this area?

2 BETTE TOMLINSON: Well, I think they first came in
3 before we had these laws. I think, you know, they first
4 looked at this state, and until the last session we didn't
5 have Martin Luther King Day, we were one of the four states
6 that didn't. You know, they just get a sense of where--what
7 our political agenda is. Rightly or wrongly, they make some
8 assumptions, and they--we didn't have a paramilitary training
9 bill; we are a rural state; where they tend to settle is
10 mountainous and, you know, they come up in there and you don't
11 know who's there, really, or how many there are, and it's, you
12 know, the combination of those things; the remoteness and the
13 lack of it.

14 MR. MULDROW: If this is true of other states, too,
15 like North Dakota and South Dakota where there's not such a
16 concentration of these groups, what would explain the focus on
17 this particular area of the state?

18 BETTE TOMLINSON: You know, what I discovered was
19 where there's the largest concentration, of course, is over in
20 the mountains where it's beautiful and lush and you can hide
21 out, and North Dakota never gave you that feeling. And then
22 in the eastern part of the state you have the disgruntled
23 farmers, and so I--you know, that would be my--that's my sense
24 of things and what the answers I got from people, why here.

25 MR. MULDROW: To follow up on Ms. King's question a

1 little bit, isn't one of the dominant characteristics of these
2 groups the subordination of women both in society and in
3 family, and also religious bigotry? Is that dealt with in the
4 state laws at all?

5 BETTE TOMLINSON: They would fall under, you know, the
6 Human Rights Commission. If someone is discriminated against
7 because of--is that what you mean? If someone is
8 discriminated against for any reason they would have a case.

9 MR. MULDROW: The Human Rights Commission, of course,
10 would have jurisdiction to investigate illegal discrimination
11 on the basis of sex, but this goes beyond simply overt
12 discrimination, it's an attitude, it's a societal kind of a
13 problem.

14 BETTE TOMLINSON: Within these groups?

15 MR. MULDROW: Yes.

16 BETTE TOMLINSON: Yes, uh-huh, that's true. I guess
17 what I'm saying is that what the danger is there, there are
18 people who are really bigoted and dangerous and interested in
19 doing violent things. My point is simply that in figuring out
20 who those people are, where those groups are, what the danger
21 is, that we need to be very, very careful, because we have
22 fear ourselves and we tend to react out of that part of
23 ourselves that feels as though they would victimize us. And
24 then we have people who say, I don't like this race or
25 whatever, and they're just plain bigots. They're not members

1 of a group, they're not going to be dangerous, they're just,
2 you know, mindless or whatever.

3 So what I'm saying is, I kept running into where I had
4 information about distinctions, when I would discuss with
5 people who were of my political ideology and try to give them
6 the information I had, and the incredible resistance, that
7 they wanted to believe something much more dangerous, much
8 more all-encompassing. And that really disturbed me; that I
9 think of our desire for the truth is what stands us in good
10 stead. That we try to work through ideologies and allow for
11 difference, and I think that it's really crucial that we
12 continue to do that.

13 So that, yes, these groups have their sexist theory,
14 racist, that's--my argument is not at all that they're not--
15 or that they're not dangerous, but rather what is the danger
16 and how have we contained them.

17 For instance, in my article I talk about in Sanders
18 County, in fact, the threat of the Aryan Nation Church coming
19 into Sanders County. Yes, they did want to do that, and yes,
20 they do have--the assistant pastor of the Hayden Lake church
21 does live there with his wife, and that was clearly their
22 agenda, although that's not what they say. But the reality is
23 it hasn't happened, nobody's interested, they haven't been
24 able to pull it off. That's a victory. I think we should
25 congratulate ourselves on victories instead of continually

1 being angry and afraid.

2 That's pretty much what my argument is, is just the
3 tone with which we proceed should be, let's look for the
4 facts, even if they're not totally what we want to see; that
5 we have had success and that they have not been so successful
6 as they would like.

7 MR. BERGER: On the other hand, they have had
8 bombings, bank robberies. I mean--

9 BETTE TOMLINSON: I am not arguing against the facts
10 as we know them. I'm saying--I guess what I'm saying, I'm
11 almost playing devil's advocate, saying, we know what we know,
12 let's proceed carefully with what else we look at.

13 For instance, an example to me would be my research on
14 what the Populist Party is about, which has changed
15 dramatically since 1988. Still, people think of it as it was
16 in 1988. In some states it's racist, in some states it's
17 not. It's no longer a role-monolithic structure. Many of the
18 people who belong to the Populist Party are racist, some are
19 not. Some states say we are not absolutely racist, and they
20 run for office black candidates and--you know, just to look at
21 what exactly is going on, not what did I know in 1988 and
22 assume that that's still going on. That kind of thing.

23 When I would talk about this with people who
24 didn't--that were of my political persuasion, some did not
25 want to hear that. But what happened in 1988? Well, you

1 know, that's all I'm saying is that I think ultimately, you
2 know, we have a history in this country of acting out of fear
3 and fright, certainly to communists, which is no longer
4 perceived as a threat, and giving away freedoms because of our
5 own fear of a group. And that's a whole different thing, of
6 course, that's a different political system, it's not the same
7 as being racist, but out of our own fear we can give away our
8 freedoms. And I think that the only protection of that is to
9 proceed carefully and really look at the truth and stop things
10 that we don't agree with when we can without forgetting that
11 we refuse to feel ourselves as victims, we stand for truth and
12 generosity.

13 MS. CRAFT: Bette?

14 BETTE TOMLINSON: Yes.

15 MS. CRAFT: In your interviewing the various
16 individuals, et cetera, you as a journalist, what--if you have
17 a recommendation, what kind of recommendation would you make
18 as far as trying, I guess, to educate people? Let's say the
19 younger generation.

20 BETTE TOMLINSON: Uh-huh.

21 MS. CRAFT: Do you have any ideas on some things that
22 you think the state of Montana could do or put in place to,
23 say, educate our younger adults?

24 BETTE TOMLINSON: Well, I'm not aware of what's being
25 done in the grade schools, say, but I do know where task

1 forces have been formed, that that is one of their efforts is
2 to distribute literature in the schools to counteract any
3 literature that is being distributed in those communities to
4 educate young people that, you know, here's the other side.

5 I also think that in our--you know, that I would say
6 continue those efforts and maybe step them up. I think movies
7 always help, you know. Videos in the schools are really
8 effective in educating children. I also think that we don't
9 want to sound like a Pollyanna, but I also think that we must
10 not forget that human beings have a desire to move toward
11 harmony and children have a desire to get along and to see the
12 world as a good place to live. And we can't, at the same
13 time, assume or feel frightened or flee; just do what we can,
14 just educate the children in faith and hope and empowerment
15 and they will respond to that; for us to have faith that that
16 will happen.

17 MR. BERGER: It's known that one of the major
18 strategies of all these groups, very prominently the Populist
19 Party, is to change its appearance to people to look not so
20 radical on the outside.

21 BETTE TOMLINSON: Sure.

22 MR. BERGER: And yet once people are sucked into the
23 outside of the ideology a little bit more, a little bit more,
24 until they get to the hard-core racist, anti-Semitic violent
25 action. Aren't you a little bit afraid that some of the

1 things you're saying today are just playing right into the
2 hands of these groups by saying, oh, they're not so bad. Are
3 they really not so bad or is this just what we know, a very
4 specific intentional act on their part to not look so bad to
5 get people sucked in?

6 BETTE TOMLINSON: Well, in the case of the Populist
7 Party--now, obviously that's the way groups work, and I am not
8 at all saying these groups are not so bad. They're not--that
9 is absolutely not what I am saying. What I am saying is what
10 James Aho said in his sociological studies of the groups in
11 Idaho, which is that it is extremely complex, and these
12 are--there are many groups that are dangerous. And then we
13 have a tendency to group large groups of people in with those
14 dangerous groups and make really an issue of people, make
15 their lives under suspicion, scapegoat them.

16 All I'm saying is we need to hold back and really look
17 at the facts. In the case of the Populist Party, Willis
18 Carto, who began the Populist Party, started it in 1984 and
19 then ran David Duke as a presidential candidate in 1988, is no
20 longer associated with the party and is being sued by the
21 party and the party has separated itself on a national level.
22 In fact, the state parties, the state Populist Parties, have
23 little to do with the national organization and the individual
24 state parties do have their own agendas and it means that the
25 Populist Party is not really much of a party.

1 MR. BERGER: So why do they call themselves Populist
2 Party and why do they associate with this known racist group
3 if that isn't the core of their feelings?

4 BETTE TOMLINSON: What known racist group?

5 MR. BERGER: Why do they identify themselves as being
6 Populist Party and identify themselves with this known racist
7 organization with a violent agenda if that isn't at the core
8 of what they really believe, and the image that they're
9 putting out is actually just a lie to suck people like you
10 in.

11 BETTE TOMLINSON: Okay. I'm not sucked in. I
12 actually did do some research on this. The Populist Party in
13 each state is autonomous. Why would they associate with this
14 larger organization that is racist?

15 MR. BERGER: Yeah, why be a Populist Party if you
16 don't subscribe to those racist beliefs? Why don't you call
17 yourself some other party?

18 BETTE TOMLINSON: Okay. I guess because it has a name
19 and it has--people can get on the ballot if they can get on
20 the ballot through--Some states you have to be a member of a
21 party to get on the ballot, say, the presidential race. Say
22 with the case of Bo Gritz, many of his followers are racist
23 and are dangerous people. I'm just saying we need to make
24 these distinctions and say, where do we need to be afraid,
25 where do we not need to be afraid?

1 In Florida the Populist Party is racist. In that case
2 it's a serious problem. In Arizona it's not racist. It
3 depends on what their agenda is. They don't have like a
4 platform like the Republican Party, so whatever happens
5 happens. This is what my research tells me now.

6 I don't think I'm ever sucked into--I mean, to saying
7 someone's not dangerous when they are. It's--what I'm saying
8 is we need to be clear and we need not to react out of fear,
9 out of the darker side of ourselves.

10 MR. MULDROW: One final question. We're running out
11 of time. Could you just--you've partially answered this and
12 I'm asking you about the wider implications of the activities
13 of these groups. You have mentioned the fact that
14 overreaction may erode some of our basic freedoms. Are they a
15 factor in the politics of this state, are they a factor in the
16 life of the churches, on Indian reservations? What are the
17 larger implications of some of these?

18 BETTE TOMLINSON: Of these groups? Are they a
19 factor?

20 MR. MULDROW: Uh-huh. I mean, do they affect the
21 political makeup of the state?

22 BETTE TOMLINSON: They are a factor I think nearly
23 everywhere. Maybe not so much Missoula because it's very
24 liberal, but certainly on the reservations it's a problem.
25 And, of course, the problem goes back to the fact that the

1 white homesteaders were promised land that, in fact, belonged
2 to the Indians, and now several generations later that land is
3 to go back to the Indians and they're resenting it. In fact,
4 it was the government's fault that that ever happened at all.
5 But, again, you know, it's an issue that has to do with
6 economics, and so it is certainly a factor on the
7 reservations.

8 In fact, it's a real serious problem on the
9 reservations, and in small rural communities they are a
10 factor, and, of course, they play into the fundamentalist\
11 Christian tendencies in communities and--smaller communities.
12 So, it is a problem everywhere in terms of citizens being
13 vigilant, educating the children otherwise, making sure that
14 those groups do not have the run of--and ignoring them.

15 But I think in Montana, you know, we've been very
16 clear about that and very active, and wherever there's a
17 problem, immediately a human rights task force forms for
18 educational purposes and to speak out against these groups in
19 the churches. So it seems to me in Montana we've had the
20 example of Idaho, so we've been very fortunate when in our
21 organization we just had to kind of like--oh, we recognize it
22 as a real danger immediately and organize.

23 So I guess that's why I'm speaking to this other issue
24 when I'm saying, hold it, let's be really careful, because it
25 seems to me nobody's really saying that. It seems everybody's

1 jumping on the band wagon and there's nothing so repulsive as
2 a self-righteously good person, and I see that all around me.
3 Well, okay, we're all good people. So shouldn't we kind of
4 temper that a little bit with saying, these are also human
5 beings, they are confused, they are frightened and they are
6 dangerous? They are also human beings.

7 We tell them--we'll approach them on two levels: The
8 one level is, this is the law, this is fair. We will not
9 allow you to have your say that way. And the other level is,
10 you are also a human being whose mind and heart may be
11 changed, which has happened.

12 I mean, we have examples of--you know, I read a story
13 the other day about a rabbi who was being harassed on the
14 telephone by a skinhead and he investigated it, found out who
15 it was, approached the young man, found where he was working,
16 invited him to sit down and discuss things with him. This
17 young man had a complete--it was the first person who'd ever
18 given him any attention--a complete change of heart.

19 I guess, you know, what I'm saying is, there are all
20 these potentials in human beings. We have to approach this
21 issue on two levels. I just don't hear anybody else saying
22 that; I hear everyone feeling like they're so good. In
23 Montana I think we've done a great deal in that direction.

24 My approach as a writer, you know, in starting this
25 this morning, was to simply give an overview of what their

1 beliefs were and to say this: As we look for facts, let's
2 keep--let's keep our heads and our hearts with us and not
3 operate out of the victimized side of ourselves.

4 MR. DUPUIS: Thank you, Bette. Thank you very much.
5 Just one more, Bette.

6 MS. BEARCRANE: Do you feel that they register and
7 vote.

8 BETTE TOMLINSON: They do vote, yes. In fact, they
9 vote a lot better than we do, and that's really an issue. It
10 certainly has been an issue, say in Ronan and places where--
11 in Lolo where, you know, before we were really aware what was
12 going on, where people get on school boards, before the
13 community woke up and realized what was happening. So they
14 are organized, they do vote, and it is important that we pay
15 attention to those elections and what people's political and
16 religious and, you know, their racist agendas are and be very
17 clear and careful about that and encourage people to vote.

18 MS. BEARCRANE: Thank you.

19 MR. DUPUIS: Okay, thank you.

20 BETTE TOMLINSON: Thank you very much.

21 MR. DUPUIS: Okay, our next speaker on the agenda is
22 Mr. Rick Day, and Rick, will you, for the record, state your
23 name and address, please, and then we'll hear from Ken Toole.

24 RICK DAY: Mr. Chairman, members of the committee, my
25 name is Rick Day. My address is 303 North Roberts, Helena,

1 Montana. I am presently the administrator of the Montana
2 Department of Law Enforcement Services Division.

3 I've got a few prepared remarks and as a way of
4 introduction or background, first of all, I want it
5 understood, as I told Mr. Muldrow, I am not an expert on white
6 supremacist, nor do I claim to be, so my information here will
7 be somewhat limited today, but I'll do my best at least to
8 summarize the department's role in these type of
9 investigations, if we were asked to do so, and my knowledge to
10 the extent I have it about the state law that's directly
11 applicable.

12 First of all, just as a way of background of myself, I
13 am a--was raised and educated in the state of Montana and I've
14 been involved in the state law enforcement--or actually state
15 local law enforcement for 17 years. Our division consists of
16 three bureaus, one of which is the criminal history records
17 section, a criminal investigation bureau, and the fire
18 prevention and investigation bureau.

19 Our criminal investigation authority primarily results
20 from Statute 44-2-115 which provides the department with
21 criminal investigative authority, and what I'd call original
22 jurisdiction areas of Workers' Comp fraud, cases referred to
23 us by the legislative auditor and gambling control and
24 gambling investigations. We have concurrent jurisdiction with
25 state, local authorities or with local authorities in areas of

1 narcotics investigation and organized criminal activities, and
2 we also initiate investigations at the request of city,
3 county, state and federal law enforcement agencies.

4 I think it's in this area where we would most likely
5 become involved in an investigation which related to white
6 supremacist activities. The particular law I think that's in
7 question here that may have already been referred to is
8 45-5-221, which is malicious intimidation or harassment
9 relating to civil or human rights, and there is a companion
10 code which is essentially a sentence enhancement code which is
11 45-5-222, which if an individual is convicted of another crime
12 and that crime specifically relates to a civil or human rights
13 violation, then an additional sentence can be imposed.

14 The violation or the penalty of these two codes is
15 a--for the specific code of malicious intimidation is five
16 years or \$5,000 or a combination of both, and the enhancement
17 would allow the judge to impose an additional sentence to be
18 served consecutively, which is not less than two years or more
19 than ten years.

20 At this point, the Department of Justice, our unit in
21 particular, does not have an investigation active relative to
22 that particular code, nor have we in the recent past that I'm
23 aware of. This might be due, partially, to the fact of the
24 relative newness of this code. Apparently it's just been
25 enacted in 1989 and, consequently, it does take some time for

1 new codes to actually become effective--not effective, but to
2 become implemented in the system and the prosecutions being
3 issued.

4 That pretty much ends what I have to say as far as
5 prepared remarks. I'd be more than happy to answer any
6 questions to the best of my ability. If I didn't have those
7 answers, I could sure provide a written response to Mr.
8 Muldrow for the committees to work with in the future.

9 MR. BENEGAS: Is there any law against selling
10 automatic weapons to these people? Is there a law that you're
11 aware of or do we prohibit that, for any groups to have
12 automatic weapons as I understand these groups have? I'm not
13 sure--I'd like to know if we can find out if they do.

14 RICK DAY: There has just been a revision and, Mr.
15 Chairman and Mr. Benegas, I am not going to be completely
16 specific, but there has just been a revision in Montana
17 statutes governing concealed weapons in particular. Automatic
18 weapons are not generally allowed in the state of Montana, but
19 primarily I think we're talking about the federal restriction,
20 and I can provide the specific statutory restrictions to Mr.
21 Muldrow for the Commission to take a look at later. But
22 generally, automatic--fully automatic weapons are not being
23 available or would not be allowed in the state of Montana.

24 And concealed weapons, Montana has a new concealed
25 weapons permitting system which would restrict this to a

1 certain extent. But the law is just brand-new, was just
2 enacted in the 1991 session, and consequently it has some
3 significant, I don't know if I'd call it problems, but there's
4 some significant parts of the code that make it difficult. In
5 concealed weapons, you cannot carry a concealed weapon on your
6 person if you're in the city limits, but if you are, of
7 course, engaged in any sporting activity outside of the city
8 limits, specifically using hunting as an example, then you can
9 carry a concealed weapon without a permit. So our ability to
10 control weapons and weapons distribution is somewhat limited.

11 Automatic weapons that are available in the state are
12 supposed to be registered in the Law Enforcement Services
13 Division.

14 MR. BENEGAS: What about a weapon carried openly? Is
15 there any law against that?

16 RICK DAY: No. Like, let's say--

17 MR. BENEGAS: Not concealed.

18 RICK DAY: Not concealed? If you have a rifle in your
19 hand or a revolver strapped to your waist? No, that's not
20 illegal.

21 MR. DUPUIS: Bill?

22 MR. MULDROW: Mr. Day, I'm a little surprised that the
23 Department of Justice in the state is not more involved with
24 these groups, and I wonder why? Is it that they don't
25 really--that the commission of illegal activities is rare, but

1 even if that's so, Montana is known nationally as, you know, a
2 center of many of these groups which have caused severe law
3 enforcement problems in other areas, and further, their
4 activities are such that their philosophy affects the whole
5 tone throughout the society, which often leads to problems of
6 discrimination, other forms of activities which might be
7 illegal.

8 Why is it that the Department of Justice is not more
9 involved with these groups in an educational sense, in
10 sponsoring legislation which might affect them and that sort
11 of thing?

12 RICK DAY: Well, in the broader policy vision that you
13 talked about at the end of your question, I'm afraid I can't
14 answer that; I have no answer for that in particular. But I
15 think in the matter--as far as directly in the law enforcement
16 area, there are two, I think, primary reasons: One is a lack
17 of direct factual case information that there has been a
18 criminal violation, and for us to get involved--I believe the
19 previous speaker referred to facts--we have to have a criminal
20 reason first to become involved in an investigation, and I'm
21 sure the whole committee can appreciate that. Obviously it's
22 not our job to be out there looking into what is not, at least
23 up front, a criminal violation of the law.

24 But also, we have resources and jurisdiction. Our
25 unit that would investigate this particular type of violation

1 is a six-person unit for the entire state of Montana, and so
2 needless to say, a lot of our time is consumed with those
3 crimes that have been committed and we have a direct request
4 for assistance.

5 And I guess the final thing is jurisdiction. Montana
6 is a very local-jurisdiction state. The state--contrary to
7 popular conception, the state Department of Justice does not
8 have far-reaching jurisdictional authority to initiate
9 investigations in any part of the state at our discretion. We
10 pretty much have to be requested by a local authority to do
11 that.

12 MR. MULDROW: But do you, beyond investigation, do you
13 monitor the--or have any program which monitors these groups,
14 their activities.

15 RICK DAY: No, we do not.

16 MR. MULDROW: You don't monitor them. What about the
17 FBI? Are they active in this area? Do you work with them?
18 What relationship do you have with them?

19 RICK DAY: Again, we work with the FBI at their
20 request, and as far as their activities, whether they monitor
21 the groups or do not, I'd have to refer you to the FBI.

22 MR. DUPUIS: Tim, then Tom.

23 MR. HARRIS: Rick, do you have any statistical
24 information that would date back to the enactment of that law
25 in 1989 that would relate to malicious harassment crimes, how

1 many have been reported in the state of Montana?

2 RICK DAY: We do have in the department statistics
3 relative to the crimes that you're talking about, and I
4 believe there's a speaker that's coming before you this
5 afternoon, Mr. Ed Hall, a member of--the Crime Control Board
6 division administrator that actually has a reference for
7 statistics to each specific crime. But that is an area that I
8 think is important--and I'm sure Ed will talk about it
9 again--is that due to the relative newness of the statute and
10 the application of it, there may be crimes that were
11 essentially related to a human civil rights violations that
12 were prosecuted under some other crime, and so on the face it
13 doesn't reflect it in these statistics. And I believe Ed will
14 probably comment on that this afternoon.

15 MR. BERGER: You say there's never been a crime
16 prosecuted under this law?

17 RICK DAY: Not as far as I'm aware. The Department of
18 Justice has not investigated a crime specifically under that
19 section and prosecuted it, as far as I'm aware, but it was
20 just enacted in '89.

21 MR. BERGER: You say you have to wait for them to
22 commit a crime before you can do anything. I was reading in
23 the paper about a month ago about a member, known member of a
24 white supremacist organization that had--was guilty of a
25 crime, involved illegal sale of a firearm, that he was living

1 in a mountainous area, that everybody knew where he was, the
2 law enforcement people knew where he was, and yet they had
3 made no attempt to arrest him. Are you familiar with the case
4 I'm talking about?

5 RICK DAY: No, I'm not.

6 MR. BERGER: Then I won't ask you to comment on it.

7 Do you know Fritz Behr by any chance? He works in the
8 governor's office. He's been involved in law enforcement in
9 Montana for many years.

10 RICK DAY: Yes, I do.

11 MR. BERGER: Fritz Behr has--I saw to it that he has a
12 training tape supplied by the ADL that helps--it teaches
13 police officers to recognize hate crimes as such. Fritz, when
14 I spoke to him some time ago, was going to try to put this
15 in as part of training. Don't you think maybe it would be
16 useful if you contacted him and got ahold of this tape,
17 because I can't believe that since 1989 there hasn't been some
18 crimes committed that should have been prosecuted under this
19 law. I think they're not being recognized.

20 RICK DAY: Let me respond to just a couple things.
21 First of all, if I said we have to wait until the crime is
22 committed, I don't think that's what I intended to convey, and
23 I don't believe I did. But in those areas where we have
24 direct jurisdiction, like the narcotics violations, we are
25 actively investigating on a daily basis, so if there would be

1 a crime committed by a member of a white supremacist group
2 that committed a narcotics violation or some direct crime,
3 obviously we would seek prosecution. If the statute was
4 applicable, we would seek prosecution under that statute as
5 well.

6 Relative to Mr. Behr, I am acquainted with Mr. Behr,
7 and he actually was participating in some instruction and we
8 do have--we do have the tape, I believe, in current stock.

9 The thing I can't answer directly--I would like to be
10 able to, but I sure can't--is what level of instruction is
11 provided at this point at the law enforcement academy relative
12 to the recognition of hate crimes, but I don't believe the
13 administration of the law enforcement academy is on the
14 agenda, so I can follow that up and see if that's done.

15 MR. DUPUIS: MS. Craft?

16 MS. CRAFT: Mr. Day, once this law was enacted in '89,
17 is your agency--or is there an agency that does or should take
18 a leadership role as far as following up on the act? And my
19 concern would be in training. Is there an agency that's
20 taking a leadership role in trying to provide training to
21 police officers or law enforcement officials in reference to
22 this act, or can you tell me what's going on in reference to
23 how they're trying to make the appropriate parties aware in
24 how to utilize this particular law?

25 RICK DAY: Well, in an attempt to respond, that to a

1 certain extent, unfortunately I'm not the official. I can't
2 tell you directly how much training is taking place, for
3 instance, at the law enforcement academy in that particular
4 subject. I wish I would have been prepared to do so today,
5 but I will--I'll find out, and I believe your question is
6 valid and I'll definitely trace that down.

7 MS. CRAFT: I guess what I'm trying is ask, is your
8 agency being the leading agency to say, we will provide--there
9 will be training, you know, certain things will occur. Is it
10 up to individual agencies to determine what's going to happen,
11 I guess is what I'm trying to find out.

12 RICK DAY: Unfortunately, the answer to that is sort
13 of a double-edged yes and no. The reason I say that is
14 because we want to go back to the local jurisdiction area.
15 Seeings as how this particular statute, we do not have direct
16 jurisdiction over the enforcement of it, consequently, we
17 would not be in a primary leadership position in that effect.

18 However, we do have a role in determining the courses
19 and instruction at the Montana Law Enforcement Academy that
20 are taught. However, that, to a certain extent, is also in
21 cooperation with local law enforcement. There's a curriculum
22 group and that's set, so that's kind of what I need to check.

23 MR. DUPUIS: Betty?

24 MS. BABCOCK: Would it be true that some of your
25 priorities would be set and your involvement would be

1 restricted because of budget restrictions?

2 RICK DAY: Yes, that's completely true, and I
3 attempted to--and thanks for bringing it out again--I
4 attempted to remark on that initially, is that we have a total
5 of six individuals that are available upon request to
6 investigate this particular area. And this also includes the
7 area of--I think there was a concern about criminal
8 intelligence and criminal intelligence activities. Although
9 there is a statute that allows the department to begin, in
10 cooperation with local law enforcement criminal intelligence
11 units, that there was no funding appropriate for that specific
12 purpose, so consequently, our ability to react in many of
13 these areas is limited in primarily our research.

14 MR. DUPUIS: Jean?

15 MS. BEARCRANE: Mr. Day, I was curious about your
16 statement about the investigation being more locally centered
17 rather than bringing in the state people like in your office.
18 Do you believe that a more thorough investigation could be
19 conducted if your office was involved initially in any of
20 these activities?

21 MR. DUPUIS: You must have asked him a tough question,
22 I see he's searching.

23 RICK DAY: I guess the reason I am is because I--as a
24 state investigative unit we are involved on a daily basis with
25 Montana law enforcement agencies, and so part of your question

1 asked if we could do any more of a thorough job, and I'd have
2 to say up front I have a lot of confidence in Montana's local
3 law enforcement. So I don't necessarily believe that our
4 involvement would dictate a thorough--more thorough
5 investigation.

6 In some cases, whether dependent on the complexity and
7 the availability of their staff, I think we'd have some
8 resources we can draw on that they can't that may be helpful
9 and that's--whether it's this issue or whether it's a homicide
10 investigation, but it would be at their request that we would
11 do that.

12 MR. MULDROW: Just to follow up on that, say a local
13 law enforcement authority did not investigate aggressively or
14 deal with these kinds of incidents in an aggressive manner,
15 would your agency have some kind of oversight of the degree to
16 which these things are handled or would individuals within
17 that area of jurisdiction locally have any area of appeal?
18 Could they appeal to you and ask for a further investigation?

19 RICK DAY: Generally the answer to the question is
20 no. Our involvement has to be at the request of a local law
21 enforcement agency. There are some exceptions that are pretty
22 hard to get to, I think even in this area, but, for instance,
23 if the county attorney wasn't taking appropriate action, the
24 Attorney General does have supervisory control to a certain
25 extent relative to the county attorneys, so he could take

1 control of the case; you know, if there was a case in and of
2 itself.

3 If it hadn't gotten that far, it would be a little
4 more difficult.

5 MR. MULDROW: So if a local authority, for some
6 reason, refused or did not investigate a blatant violation of
7 the law, there would be no recourse beyond that local
8 authority for that particular crime?

9 RICK DAY: I'd say generally you're correct, beyond
10 the Federal Bureau of Investigation. Now, there's
11 obviously--with the jurisdictional areas, we can react to a
12 request from the Federal Bureau of Investigation, and that
13 gives us jurisdiction to take a look at a particular crime.
14 But we--we are limited to a great degree in what we can do in
15 the state. If we could determine there is organized criminal
16 activity, which although is a little more complex, we could
17 probably take jurisdiction in that case. But it's--our
18 jurisdiction is fairly restricted, and has been for years.

19 MS. BEARCRANE: Is the restriction due in part because
20 of the statutory limitations or is it just policy within the
21 department?

22 RICK DAY: It's statutory limitations. Our authority
23 was just expanded, as a matter of fact, and that's why I refer
24 to that section granting the state concurrent jurisdiction,
25 like in the area of narcotics and organized criminal

1 investigation. Prior to that that wasn't the case. Our
2 investigators actually only serve as peace officers at the
3 request of a local agency completely, so Montana
4 historically--and that's why I referred to a local
5 jurisdiction-orientated state--has historically limited state
6 investigative police power.

7 MR. DUPUIS: Okay, Tom, one last question.

8 MR. BERGER: Do you recognize it as a problem that
9 this law has existed for three years and that as we're going
10 to be hearing today, we know these crimes are being committed
11 that are violating this law and there's never been a
12 prosecution? I mean, you sort of said, well, it's a new law.
13 I mean, is that your attitude: It's just a new law, it's no
14 problem? But, hey, there's a problem here. We have crimes
15 being committed under this law, never had one prosecuted, and
16 if it is a problem, aside from looking at the education which
17 you've indicated you're going to do, what can you do about
18 it?

19 RICK DAY: I'm having a little trouble following the
20 question.

21 MR. BERGER: Is it a problem or is it not--it is not a
22 problem that for three years we've had a law that's being
23 broken frequently. We know, and we'll hear in the course of
24 this day, many instances where it's been broken and there has
25 never been a case prosecuted. A) Do you recognize that it's

1 a problem; B) In addition to increasing education of law
2 officers, do you recognize this? You've indicated what you're
3 going to do. Is there anything else you can do to address
4 this problem?

5 RICK DAY: First, I think there is an initial part to
6 your question that there have been crimes committed that
7 haven't been prosecuted. Obviously if there are crimes that
8 have been committed that haven't been prosecuted in this
9 state, I would feel there is a reason for concern, as would
10 any law enforcement officer.

11 As far as under this statute, not having a prosecution
12 specifically under the statute, I don't think that necessarily
13 means that the crime itself has not been prosecuted; and we
14 talked about that a little bit earlier, about recognition of
15 the crime itself.

16 And finally, we may already be in the process of
17 working with hate crime recognition training in the local law
18 enforcement academy, and unfortunately, that's a deficiency in
19 my preparation that I'm not able to tell you about that, but I
20 believe it is a subject that should be included for this.

21 MR. DUPUIS: Thank you, Mr. Day. We appreciate your
22 comments. Thank you again.

23 Our next speaker that is on our list is Mr. Ken Toole,
24 and after we hear from Ken, then we'll have a break, okay?

25 KEN TOOLE: Okay.

1 MR. DUPUIS: Your name and address, Mr. Toole, please,
2 for the record.

3 KEN TOOLE: My name is Ken Toole, I'm here
4 representing the Montana Human Rights Network. Our address is
5 Post Office Box 9184, Helena, Montana.

6 I guess I'm going to start with just a brief
7 description of the network. We are a group of individuals who
8 come together out of local organizations in Montana who have
9 been active on human rights issues. The majority of the
10 organizations that are working with the network formed in
11 response to direct hate group threats in their community,
12 although there are some other groups that work on a broader
13 range of civil rights issues who have sent participants to the
14 network.

15 I want to start with a definition of what we will call
16 a hate group, because as Bette mentioned, within particularly
17 the Christian Patriot element, you have to be careful about
18 bringing out a broad brush and painting everybody. We've been
19 very cautious as an organization about bringing out too broad
20 a brush and we draw a very bright line at what is a hate group
21 and what is not, and that line is that any group that proposes
22 the idea that there are inherent genetic differences between
23 groups of people based on race, ethnicity, religious beliefs,
24 and combined with that an assignment of different rights and
25 responsibilities following those designations that they've

1 made on kind of a biological imperative.

2 Within what we refer to as the hate movement, we're
3 talking generally about the far-right end of the political
4 spectrum in our country today, and again, we draw this bright
5 line at this biological determination. Generally they're out
6 to the right of this, the bright line. We'll give you an idea
7 of how that fits into the whole political fabric. We're
8 talking about groups out to the right of the John Birch
9 society that cross this line, biological determinism.

10 For purposes of discussion, we break that down into
11 three broad categories: The first and the most extreme, the
12 farthest out on the right probably, the groups that most of us
13 know the most about, that we've seen movies like Mississippi
14 Burning--the kind of popularized media accounts--are groups
15 like the Klan, the Aryan Nation, the order who are
16 characterized by kind of authoritarian or military kind of
17 structure. Very strong charismatic leaders you see in this
18 element and movement; tend to have placed a high value on
19 secrecy, secret handshakes, code words, those kinds of things,
20 initiation ceremonies, propensity to violent rhetoric, if not
21 violent behavior. Certainly real focus on becoming a race
22 war, various different kinds of advocacy and different levels
23 of advocacy of violent behavior.

24 And finally, these groups are always very open about
25 their racist agenda. You pick up on their hate agenda. You

1 pick up their literature, you know that racism intolerance,
2 bigotry of other religious and ethnic groups is central, their
3 major issue. Talk to an individual who's in the organization,
4 you know right away it's central to their whole philosophy.

5 Moving in toward the center, then--remembering that
6 we're pretty far out on the right here--the second category
7 are groups like the National Association for the Advancement
8 of White People, National Agricultural Press Association may
9 fit in here, groups like the League of Peace Amendment
10 Advocates, which we've seen in Montana. Groups that are more
11 open in their structure, doing literature drops, holding
12 community meetings, kind of working on a more broad-based
13 appeal to get people into their organization; tend to focus on
14 the political arena for their activities, or at least their
15 rhetoric will focus more on the political arena than covert,
16 illegal kinds of activity.

17 And also openly-racist agenda or racist or hate--when
18 you pick this up, when you pick up the literature, it becomes
19 apparent to you very quickly that we're talking about a group
20 of people who has, as one of their primary agenda items,
21 issues of race, religion, ethnicity. You pick it up very
22 quickly in their literature. Again, we've seen the activities
23 of some of these kinds of groups in Montana.

24 Then the final group and probably the largest group
25 are what Bette referred to as Christian Patriots or

1 Constitutionalists; tend to be open in structure, doing
2 literature drops, community meetings, going to county
3 commission meetings, that kind of activity, to recruit people;
4 tend to have kind of a Populist face on them, broad-based
5 appeal, or an attempted broad-based appeal. Also identifies
6 the political arena as somewhere where they can go to achieve
7 some of their goals.

8 But what distinguishes this group from the other
9 groups is they are not openly racist, and when they talk to
10 the press and when they talk to people who they know don't
11 agree with them or are working with other organizations, the
12 first thing you will hear from them is, we are not a racist
13 group, we are not a hate group, we believe in equal rights for
14 all people.

15 But when you look at their literature, you begin to
16 see things like Fourteenth Amendment citizenship, which Bette
17 referred to, organic citizenship: White Christian men have a
18 different series of rights and obligations under the law than
19 the rest of society. And that's why this group falls into the
20 hate phenomena that we're very concerned about, it's an
21 organized advocacy of the idea that there are different
22 statuses of citizenship based on sex, race, religion and
23 ethnicity. And so that kind of is the broad three
24 categories.

25 Now that I've broken that out so clearly for you, let

1 me say that it's only good for discussion purposes. It's very
2 important to realize that the leadership of all of these
3 groups meet together, that there are connections between
4 Christian Patriots, Aryan Nations, that there's a lot of
5 cross-membership, and so while these three categories are
6 valuable for discussion and in thinking about the different
7 aspects of the movement, it's important to understand that
8 there are linkages between them.

9 The Human Rights Network does not spend a lot of time,
10 we don't view our role as gathering intelligence on what the
11 Aryan Nation Church is doing or what the Posse Comitatus is
12 doing. What we pick up in literature and things is fine, but
13 we don't spend a lot of time trying to figure out exactly what
14 the connections are, and we characterize it more like it's
15 sticking your finger in an amoeba; you poke it here and you
16 see a lump go out there. You know there's a connection, but
17 you don't really know exactly how that occurred, and we don't
18 spend a lot of time trying to figure those things out. So I
19 want to make it clear, we don't see ourselves as an
20 intelligence-gathering organization.

21 The other threat that runs throughout the whole hate
22 movement that you see with Christian Patriots, that you see
23 with the Aryan Nation Church, Christian Identity, Bette talked
24 about briefly. Basically there are a lot of different
25 permeations of Christian Identity believers, but it is

1 basically the white northern Europeans are God's chosen
2 people, that Jews are descendants of Satan, and everybody
3 else, all people of different race and ethnic backgrounds are
4 called pre-Adamic, virtually a different species. Important
5 to recognize that Christian Identity also runs across the
6 whole hate spectrum and you will find it in Christian Patriot
7 groups and you'll find it in Aryan Nation groups.

8 I want to talk briefly about how these groups operate
9 and how they recruit, because I think it's something that's
10 valuable to recognize, and the first is simple sentences to
11 complex questions: You're losing your farm, not because of
12 international markets and trade policy issues and
13 international negotiations, you're losing it because of
14 international Jewish bankers. Much easier for people to
15 understand, provides a clear target.

16 Combined with that you'll generally see an "us versus
17 them": that we are having this problem, they are not having
18 this problem; the system is not working for us as it was
19 intended to, it's working for them. Then add to that the idea
20 that not only is it not working for us and is working for
21 them, that's not an accident that it's happening that way,
22 it's a conspiracy, and they have taken over the system and are
23 not actively using it against us. So it is a--it goes beyond
24 the kind of, this was a random occurrence, gets into the
25 conspiracy theories about the international Jewish bankers and

1 how there are these kind of complex international conspiracies
2 going on designed to deprive you of your fill-in-the-blank,
3 your job, your farm, whatever.

4 And then the final thing that really closes the circle
5 on this is Christian Identity, access to a higher truth: We
6 know these things to be true because they come from the Bible
7 and here they are and here is what it says. So by the time
8 you go to an individual who is very strapped in and having
9 difficult economic times--personal times and whatever, and you
10 say, your problems aren't as complex as people are trying to
11 tell you, there's really--there's a simple thing here going
12 on: The system's been taken over, it's being used against
13 you, God says it's so. You've got a very powerful recruitment
14 mechanism.

15 I think it's important also to understand that people
16 do not come out of this movement easily, that generally the
17 way people get out of the hate movement is that they form a
18 close personal relationship with someone who disagrees with
19 the ideas. That is generally the only way to come out. There
20 are occasions, I suppose, where someone reads a book and gets
21 a new idea and says, well, I've been wrong all these years,
22 but usually there has to be that close personal contact.

23 That makes it very difficult to pull people out of
24 this movement and in many ways, they operate in the same
25 manners as destructive cults in isolating people from their

1 families, isolating people from their communities and creating
2 a new family and community for them.

3 So I think it is important to understand that it is
4 not--it is no small task to try and move someone who has
5 bought into this movement out of it.

6 I'd like to talk also briefly about some trends that
7 we're seeing and then maybe we can--there's some things I want
8 to respond to. I'm glad I wasn't later in the day or I'd want
9 to be up here for three hours.

10 The first is the anti-Indian movement. I want to make
11 very clear that the Human Rights Network does not view the
12 anti-Indian movement as a Constitutionalist group, and that
13 we've been very cautious in how we've dealt with the
14 anti-Indian movement. There's no question that there are
15 legitimate political jurisdictional issues between Indians and
16 non-Indians, tribal sovereignty issues, self-governing issues,
17 who controls resources, those kinds of things. And there's no
18 question that there's some legitimate political discussion
19 needs to occur and is probably healthy to occur.

20 What we've seen that's of concern in Montana is where
21 you have active anti-Indian groups, there tends to be or they
22 foster polarization in the community between the Indian
23 community and the non-Indian community, and that stepping then
24 into that polarization, traditional hard-core hate organizers
25 or racist organizers can utilize that division and utilize

1 those issues to bring people into the traditional hate
2 movement.

3 What most of us think of when we think of the hate
4 movement, to give you an example of this, when the Mohawk
5 dispute was going on in upstate New York, I called Tom
6 Metzger's hate line--Tom Metzger is with the White Aryan
7 Resistance out of Fallbrook, California--and Metzger's message
8 that day was, look what the Indians did to white women, and it
9 was 15 minutes of this kind of bizarre stuff about the
10 injustices done to whites by Indians. But clearly he saw the
11 fact that the Indian/white disputes that were in the national
12 media were something that fed into his agenda, and so the
13 organizers within the hate movement are cognizant of those
14 things and use those things.

15 The second thing is that in Montana we have seen
16 leadership, particularly in All Citizens Equal, distributing
17 anti-Semitic literature in Ronan. Now, that is not to say--
18 and we're very cautious about this--that is not to say that
19 ACE is anti-Semitic. What it is to say is one of the
20 activities was distributing anti-Christian kind of literature
21 in the community. Draw your own conclusions about that.

22 The other concern that we've got is anti-gay and
23 -lesbian activity. There's no question that the most vicious
24 hate crimes, the most kind of intense, violent rhetoric coming
25 out of these groups is directed at the gay and lesbian

1 community. In Montana, and I think nationally, this is also
2 true.

3 If you look at the federal anti-discrimination
4 statutes, this group is not only isolated because of a
5 different lifestyle or different choice that they've made from
6 the, quote, unquote, majority society, but they're also
7 isolated structurally in the legal system. The Civil Rights
8 Act, Title 7 Civil Rights Act, 1964, does not cover sexual
9 orientation as a basis of discrimination. Montana Human
10 Rights Act does not cover sexual orientation as a basis for
11 discrimination. Governmental Code of Fair Practices does not
12 cover sexual orientation as a basis of discrimination.

13 Montana law makes sexual contact between consenting
14 homosexual adults a felony. The Malicious Harassment Statute
15 in Montana does not cover malicious harassment directed
16 against the gay and lesbian community, so in addition to the
17 difference in lifestyles that people perceive to be the
18 difference here, this group is structurally excluded from the
19 same protections that other groups in society have. They're
20 isolated; that's a strong message that sets them up as targets
21 of hate crimes.

22 Most of the hate crimes that we're aware of in
23 Montana, the majority of them are directed at the gay and
24 lesbian community. It is a real issue of concern for the
25 network. We worked on the last--during the last legislative

1 session on the appeal of the sodomy laws, very likely going to
2 be working on that issue again in the coming session.

3 A couple of trends that we see. These groups
4 nationally, regionally, and in the state have been moving more
5 and more to the political arena. They've been moving to the
6 electoral process and they've been moving to the judicial
7 arena. We have seen in Montana the Populist Party, Bo Gritz
8 was back in Montana in December. Bo Gritz is a presidential
9 candidate running on the Populist Party ticket in the states
10 he can get on the ticket in. He was here in December and he
11 was up in Kalispell--he was up in Billings in December, he was
12 up in Kalispell in April.

13 We have currently a gubernatorial candidate, Red
14 Beckman, who is a, quote, unquote, tax resistor. In his book
15 he published in 1984--he runs Vanity Press--he published a
16 book called The Church Deceived, and in that book he says that
17 the holocaust was God's judgment on the Antichrist church.
18 This is the second time that he's run for governor.

19 In Ronan, in the election cycle before this last one,
20 we had one candidate for county superintendent of schools who
21 is out of a Christian Identity group up there, and a local
22 board candidate out of a Christian Identity group up there, so
23 we've seen that activity in Montana.

24 David Duke, I don't think I need to get into that, but
25 that's clearly a national figure who has seen a lot to gain.

1 In the judicial arena, I think it's been alluded to,
2 we're seeing a lot of these pro se lawsuits. I talked to an
3 attorney with the state tort claims division who is charged
4 with the responsibility of defending judges and other
5 government officials. She told me she's spending about
6 three-quarters of her time on these kinds of lawsuits that
7 are--these pro se packages that people are getting from groups
8 like the National Agricultural Press Association. Big
9 financial impact on local governments when these lawsuits get
10 filed, and we're seeing that more and more.

11 Important, I think, to recognize that people coming to
12 the electoral process, the judicial arena, from the hate
13 movement do not believe that the government is a legitimate
14 force. I mean, they believe that it's been taken over and it
15 has no jurisdiction over them. Their goals, we believe, when
16 they get involved in the electoral process and in the judicial
17 arena, is more disruption, exposure and building their
18 organization than it is any legitimate desire to have a
19 dispute settled by the court or to win an elective office.
20 That's not to say they're not happy if they don't win an
21 elective office, but that is not the goal up front.

22 And you need only look at what David Duke did and the
23 amount of money that he's raised and what he's done to elevate
24 his own reputation nationally to see the benefits that can
25 flow to groups and individuals involved in this movement by

1 getting involved in that arena.

2 Let me talk briefly about the National Agricultural
3 Press Association, because it came up. The National
4 Agricultural Press Association has been in Montana that we
5 know of. They have held organizational meetings in Browning,
6 Malta and Wolf Point--that's up along the Northern tier of the
7 state for those of you who came here from Denver--and it's
8 headed up by a guy named Roderick Elliott, who used to publish
9 the Primrose Cattlemens Gazette and it's all this
10 international Jew conspiracy stuff. We don't know how much of
11 a following they've got and Elliott was thrown in jail for
12 selling a pro se litigation package--I think two years--in the
13 state of Colorado, got back out. The meetings in Malta and
14 Wolf Point were before he went to jail, the meeting in
15 Browning was after he got out, so our assumption is that he's
16 picked up the same mantle that he had going.

17 Legislation that we're looking at--and I want to
18 emphasize, we have not--the network has not set its
19 legislative agenda--repeal of the sodomy laws that I
20 mentioned; inclusion of sexual orientation in the malicious
21 harassment statute and the Montana anti-discrimination
22 statutes.

23 Funding for the Montana Human Rights Commission, we've
24 got a situation in our civil enforcement--that's the agency
25 that enforces the civil anti-discrimination statutes--they

1 aren't even looking at cases for four to six months when they
2 get filed; clearly a big problem in Montana. And so we worked
3 on that last time, we'll probably work on it this time.

4 And we've also had discussions with people about
5 creation of a Native American Day holiday, because it came up
6 in the course of the fight over the King holiday last time,
7 and looking at some kind of combination or switchout for the
8 current Columbus Day holiday. Again, we haven't set our
9 agenda on these things, but those are the kinds of things that
10 have been discussed.

11 Populist Party, I just really have to respond to the
12 discussion that went on earlier about the Populist Party.
13 There's no question the Populist Party is factionalized,
14 there's no question there are different opinions in the
15 Populist Party. There's also no question that there are
16 racist activists still in the Populist Party. There's also
17 very little question in my mind about the presidential
18 candidate Bo Gritz. He denies having a mental--being biased
19 in any way; however, he says that eight Jewish families run
20 the Federal Reserve. He also has questions about the
21 Sixteenth Amendment, which is the income tax being
22 Constitutional, because of the ratification process.

23 When I asked Bo Gritz personally up in Kalispell what
24 he thought about the Fourteenth Amendment--which has been
25 alluded to earlier--the equal protection clause and the

1 Constitutional groups, he said that that should probably be
2 looked at, too. So I think that there are some indications,
3 despite protest to the contrary, that the Populist Party and
4 the current Populist Party presidential candidate certainly
5 has some connections that we all ought to be dubious about.

6 And along that vein, I want to point out, as I think
7 Tom Berger--he did pretty well--that when these groups are
8 presenting a face to journalists, it's very different than the
9 face that's presented internally. And probably the best
10 example of that that I can cite is Tom Metzger, who does a
11 half-hour television program called Race and Reason and is
12 kind of an--I call it a soft-core racism. He talks about
13 banning books and all of these issues that make his point of
14 view very acceptable, and he comes off as kind of this
15 paternalistic, reasonable guy in these television programs
16 that he does and in the press stuff that he does.

17 But you read what he writes or you call the hate line,
18 which is designed to go internally, and it's a very different
19 story.

20 MR. DUPUIS: Thank you, Mr. Toole. Do we have any
21 questions from the board? We're nearly out of time for our
22 break.

23 MR. BERGER: I've spoken to people who have been in
24 communities where Bo Gritz has come, and one of the most
25 insidious problems that they've reported to me--and I'm

1 wondering if you've heard anything about this--is that he will
2 come and speak, and that will be a catalyst for various
3 individuals and maybe small groups in the community to come
4 together that have a racist white supremacist background, and
5 after--before they've come they've just been a couple of
6 weirdos, and then by the time he leaves they're getting
7 associated with the Populist Party and so forth. Have you
8 heard anything about that?

9 KEN TOOLE: Yeah. I mean, clearly there's a lot of
10 networking that goes on. When Gritz was up in Kalispell,
11 there were three to four hundred people that came to hear his
12 talk. He did a \$50-a-plate fundraiser the following night and
13 about 120 people came. There's clearly an opportunity for
14 identifying people who are networking in that context when
15 you've got that many people together.

16 The other thing that I was really surprised at with
17 the Gritz thing was how well-organized it was, and we talked
18 about the use of the electoral process and getting votes.
19 What it does even better is it builds organization. The Gritz
20 machine was very impressive, I thought, and clearly they had
21 contacts in the community coming in, and, in fact, one of the
22 individuals I talked to who had been organizing the event
23 locally had moved here from upstate New York and had been
24 involved in the Populist Party in upstate New York before
25 coming here.

1 So I think that works on both ends, both before he
2 comes and then afterwards; there's a lot of opportunity to
3 build organization there. And they were getting mailing lists
4 and, I mean, it was all the stuff that campaigns do.

5 MS. CRAFT: Ken, can you comment on the networks'
6 position, if the network has considered or has concerns about
7 the law that was enacted that Mr. Day spoke to and the
8 training that needs to--

9 KEN TOOLE: Yeah. We have been very nervous about
10 this whole hate crime reporting thing, and the training.
11 It's--I think it's important to understand in Montana that we
12 don't have a state police force. I mean, the majority of law
13 enforcement work is local. That poses some real training
14 problems.

15 When we worked on the statute, the malicious
16 harassment statute, we had no--our intent was this was a
17 symbolic gesture, because we felt that what has happened would
18 happen; that without training people would not identify--law
19 enforcement would not identify with it, the crime. It's one
20 thing to go in and train new officers, and that isn't a real
21 big deal. In going through the law enforcement academy, you
22 could pretty easily add a chunk that dealt with this. But how
23 do you reach the law enforcement community that's out there?
24 And that, I think, needs to be done.

25 If the training isn't comprehensive, then what you'll

1 consistently do is underreport, and from our perspective it's
2 been we're almost better off not to report than to
3 underreport. And hate crime reporting is a problem in
4 Montana: Number one, you've got the training issue and the
5 cost. Incorporating a curriculum in the law enforcement
6 academy isn't a big cost, but trying to get people who are out
7 there doing work in the field now is a big cost.

8 Secondly, there's an issue of cooperation with law
9 enforcement on reservations, because there's a lot of tension
10 in law enforcement issues between states and tribes. And we
11 believe that when there are malicious harassment instances
12 going on in reservation communities, that is a critical piece,
13 that tribes be part of the hate crime reporting and
14 enforcement of malicious harassment statutes, and that that
15 has to be there. And if it's not, again, you've got this big
16 hole, and the whole issue of underreporting and what the
17 effect of underreporting is going to have. So those are two
18 very big issues and big concerns of ours about getting into
19 hate crime reporting.

20 And that also brings up the, I think, misconception
21 that I'm hearing from some members of the committee, that
22 Montana has more of this problem than North Dakota and South
23 Dakota, and it's a good example of what happens when you
24 report. Because we have the Montana Human Rights Network and
25 because we have local task forces, we have a much better

1 handle in Montana on what's going on than the states around
2 us, with the possible exception of Idaho.

3 North Dakota has tons of Posse Comitatus activity. I
4 mean, there is a lot of this activity in the state of North
5 Dakota. There's a lot of this activity in eastern Montana.
6 It's not--it is not focused and centralized in Western
7 Montana. We've got some Aryan Nation folks in Western
8 Montana. In eastern Montana we've got National Agricultural
9 Press Association, we've got Posse Comitatus.

10 I mean, there are really a lot of these groups--I
11 don't want to make it sound like half the population is buying
12 into this stuff, but I think it is misconception that this
13 problem is centralized in Western Montana more than it is in
14 Eastern Montana and it is in North Dakota and it is in South
15 Dakota.

16 The significant difference that you see in Montana is
17 we have a statewide group that's dedicated to trying to
18 counter the efforts. North Dakota doesn't really have that,
19 Wyoming doesn't have that, South Dakota doesn't have it that
20 I'm aware of, so that makes a real big difference. This is
21 where you'll find business people resisting hate crime
22 legislation right across the board, because they say, oh, God,
23 if we do this, it's going to look like our communities are
24 plagued by this problem.

25 And that is not without merit, because when you look

1 at the Northwest hate crime reporting, look at the city of
2 Portland. My God, it looks like it's this huge center of hate
3 activity. That's not what's happened. They have a local
4 ordinance that requires that you report it and they've done
5 the training and so--and they've gotten the reporting system,
6 so that happens.

7 MR. DUPUIS: Betty, one last question.

8 MS. BABCOCK: Would the repeal of a sodomy law have
9 any effect on like child abuse or wife abuse? I'm not
10 familiar with the law here.

11 KEN TOOLE: I wouldn't think so. The stereotype
12 assumption, I think, that flows with that is that there is a
13 gay agenda to recruit children. I don't think that's true; I
14 don't think that's true. Lord knows we've got a lot of child
15 abuse going on in, quote, unquote, normal male-female families
16 and normal male-female relationships, so. But that's one of
17 the arguments that we heard last time.

18 MR. DUPUIS: Thank you very much, Mr. Toole. And now
19 we'll take a ten-minute break and we'll start again at 10:45.

20 (Whereupon, the hearing was in recess at 10:35 a.m.
21 and subsequently reconvened at 10:50 a.m., and the following
22 proceedings were had and entered of record:)

23 MR. DUPUIS: Okay, we want to get back to work today.
24 Bryan?

25 Okay. Our next speaker is Mr. Bryan Spellman, and you

1 know, it's your option to give your address or not, if you
2 want to give it for the record; later we can. Okay? Mr.
3 Spellman. And next will be Evelyn Stevenson.

4 BRYAN SPELLMAN: Mr. Dupuis, members of the Montana
5 Advisory Committee, ladies and gentlemen, my name is Bryan
6 Spellman. My address is 806 Stoddard here in Missoula. I am
7 a member of the board of directors of the Montana Human Rights
8 Network; a new member--and I stress that--a new member of the
9 board of directors of the Northwest Coalition Against
10 Malicious Harassment; and a founding member and former
11 president of Out in Montana, the first statewide gay rights
12 organization in Montana.

13 As I speak to you this morning, all of these
14 associations come to bear on my outlook and presentation, and
15 I would let you know, Mr. Dupuis, that I have given a copy of
16 my prepared statement to Ms. Sullivan.

17 MR. DUPUIS: Thank you.

18 BRYAN SPELLMAN: It was as a representative of the
19 Northwest Coalition that I was invited to address you, so I
20 would like to start with some remarks about the philosophy of
21 the Northwest Coalition and the policies and procedures that
22 the Northwest Coalition follows.

23 The Preamble to the Bylaws of the Northwest Coalition
24 state, and I quote, The Northwest Coalition Against Malicious
25 Harassment is founded upon the principles of the Declaration

1 of Independence, the United States Constitution, and the state
2 Constitutions of Idaho, Montana, Oregon, Washington, Alaska
3 and Wyoming. These documents support the great principles of
4 the dignity and worth of the human being.

5 We support the self-evident truth that all persons are
6 created equal. We believe in the dignity--we believe that the
7 dignity of the human being is inviolable. We oppose
8 discrimination or the denial of equal protection of the law
9 based upon race, color, religion, creed, gender, disability,
10 ethnic origin or sexual orientation. We further oppose all
11 attempts to promote segregation or separation on these bases.
12 We reject the doctrine of white supremacy or any other
13 doctrine that advocates the superiority of one race over
14 another.

15 We pledge to work for the elimination of prejudice and
16 discrimination. It is our creed that to say yes to human
17 rights is the best way to say no to prejudice. We support
18 federal, state and local laws that guarantee due process of
19 law and equal protection of the law for all persons. It is
20 the racial, social and cultural diversity of its people that
21 makes the United States and the Pacific Northwest a special
22 place to live.

23 The Northwest Coalition was formed in April of 1987.
24 It grew out of a regional gathering held in Coeur d'Alene,
25 Idaho to show a united opposition to the Aryan Nations meeting

1 at nearby Hayden Lake. It has come to encompass the entire
2 Pacific Northwest. Its purposes are: One, to address, combat
3 and eradicate harassment and violence in the Northwest that is
4 based on race, religion or sexual orientation; and two, to
5 assist communities, groups or individuals in establishing
6 effective, peaceful means to eliminate these acts of
7 harassment and violence.

8 The policies by which the coalition accomplishes its
9 purposes are: One, determining the dimensions of the problem
10 and threat of religious, racial and sexual orientation
11 harassment and violence; two, monitoring the activities of
12 groups which advocate racial supremacy or which harass persons
13 because of their race, religion or sexual orientation; three,
14 assisting local communities to develop strategies to combat
15 the problem and threat such groups create; four, providing
16 education on the broad topic of prejudice and bias; five,
17 encouraging the reporting of acts of racial, religious and
18 sexual orientation harassment and violence; and six,
19 facilitating the response of law enforcement agencies to such
20 acts.

21 Membership in the Coalition is open to any
22 organization of five or more members operating in the five
23 states of the Pacific Northwest: Wyoming, Oregon, Washington,
24 Idaho and Montana. Organizations and individuals that join
25 must be willing to support the purpose and policies of the

1 Coalition.

2 I would add here that the Aryan Nations did apply for
3 membership in the Northwest Coalition, but since they cannot
4 agree to support the purposes and policies of the Coalition,
5 they were denied admission as members.

6 There is a special friends category for organizations
7 outside the five-state area and for individuals within or
8 outside the area. The board of directors consists of a
9 representative of each of the five states chosen by that
10 state's government, the American Jewish committee, the
11 Anti-Defamation League of the B'nai B'rith, the NAACP, the
12 Urban League, the Hispanic community, the American Indian
13 community, the Asian-American community, two member
14 organizations in each state, law enforcement in each state,
15 member gay/lesbian organizations, and the college and
16 university community.

17 It is fitting that this community should convene at
18 this time as the executive director of the Coalition, Mr. Bill
19 Wassmuth, has just completed a series of meetings held in
20 seven Montana communities: Kalispell, Great Falls, Billings,
21 Helena, Ronan, Thompson Falls, and Hamilton. A projected
22 meeting in Bozeman was canceled due to a scheduling conflict.

23 These meetings included media appearances, individual
24 meetings with law enforcement officers, and group meetings
25 with the public which often took the form of a short speech by

1 Mr. Wassmuth followed by open discussion with those in
2 attendance. These open discussions were the occasion for
3 people to express their fears and concerns about hate group
4 activity in their area. More concern was voiced in Western
5 Montana than in the central part of the state, perhaps because
6 of the proximity to the Aryan strongholds in the Idaho
7 panhandle.

8 Specific concerns raised included the fear of a
9 militia being formed in the Flathead Valley armed with
10 semiautomatic rifles and ground-to-ground missiles. The
11 informant was concerned that these activities seemed to be
12 increasing due to the campaign tour of Bo Gritz. There has
13 also been Christian Identity-style literature distributed on
14 the east shore of Flathead Lake and anti-Semitic fliers mailed
15 out in the area.

16 In Great Falls, the Cascade County Sheriff noted that
17 there has been an increase in ethnic slurs expressed on Main
18 Street. He himself was going to be assigned to the beat on
19 Friday nights to try and help bring the matter under control.
20 He added that he felt the incidence of violence against
21 homosexuals was down, but there has, indeed, been some. I
22 will discuss this later. Those attending Mr. Wassmuth's
23 speech cited only isolated incidents of prejudice.

24 In Billings and Helena, the speeches were well
25 received with few or no local concerns raised. This is not to

1 imply that there aren't local concerns, but they were not
2 brought up in Mr. Wassmuth's meetings.

3 In Ronan, Mr. Wassmuth spoke with the local task force
4 which brought up the topic of anti-Indian prejudice. There's
5 much anti-Indian activity in the area with groups like All
6 Citizens Equal opposing Indian treaties and hunting and
7 fishing regulations.

8 In Thompson Falls, people speaking with Mr. Wassmuth
9 raised the issue of white supremacists in their community and
10 mentioned that the Sanders County Sheriff's Office has been
11 butting heads with these people for some time now.

12 When Mr. Wassmuth went to Hamilton, he met with the
13 Ravalli County Sheriff and with Carlotta Grandstaff, who has
14 covered hate group activity for the Ravalli Republic. Mrs.
15 Grandstaff noted that there's a great deal of activity in the
16 Bitterroot. She mentioned her meeting with the McCurrys, who
17 believe that all people not of European descent should return
18 to their respective countries. And according to Mr. Currie,
19 Native Americans should be sent to Ireland because that's
20 where they came from.

21 She also mentioned others who have been visitors to
22 the Aryan Nations compound and who have been apologists for
23 Hitler. Ms. Grandstaff also spoke of a man named Jenson who
24 is recruiting men out of prison. He apparently teaches some
25 blend of B'hai and Mormonism and there's a concern that he

1 will be joining up with the Aryan Nations. He presently has
2 between 50 and 100 men in his organization.

3 When I spoke with Mr. Wassmuth on Tuesday, he
4 mentioned that there had been very little evidence presented
5 in these meetings that would tie local activity to the well-
6 known hate groups. He also mentioned that there was little
7 knowledge, even among law enforcement officers, of Public Law
8 101-275, the Hate Crimes Statistics Act. I find this
9 particularly worrisome because hate crimes are happening in
10 Montana, we've heard, and are not being reported. It is worth
11 noting, as Ken Toole has already stated, that the Malicious
12 Harassment Act enacted by the Montana Legislature does not
13 give hate crime status to crimes against gay and lesbian
14 people.

15 And as I close my remarks, I wish to share with you
16 some of the violence that gay men and lesbians have faced in
17 Montana. I want to give you a brief overview of history in
18 the state and then some of the recurring things that are
19 happening even today. These are only a few of the instances
20 that I can cite.

21 I would include the slashed tires at the bar in
22 Billings which caters to gay people; I would include the
23 violence experienced by the women of Basin who had their homes
24 vandalized and their animals killed; I would include the
25 continual harassment faced by a friend of mine in Great

1 Falls. He has had a brick thrown through his front window, a
2 rock thrown through his screen door, he has had fecal matter
3 smeared inside the cab of his truck, he has had the experience
4 of driving down the street and finding a tire rolling off his
5 truck because someone had loosened the lug nuts. He has been
6 assaulted physically and verbally, and last month someone
7 threw a rock through his truck window while he was driving
8 across town. This is because he has dared to be on public
9 television in Great Falls to speak out for gay rights.

10 But the majority of my remarks are going to concern
11 incidents that have happened here in Missoula, because I'm
12 from Missoula and I'm most aware of what happens in Missoula.
13 Please do not think that this means that things aren't
14 happening elsewhere in the state, because they are.

15 Approximately ten years ago I witnessed a friend
16 beaten and sent to the hospital with a concussion solely
17 because he was gay. Although there were three witnesses to
18 the attack, the police showed no interest in prosecuting the
19 case and we fought the city attorney for almost a year before
20 he would issue a warrant for the arrest of the attacker, whom
21 we knew and could identify.

22 Approximately five years ago, the manager of the
23 Orchard Homes Country Life Club was called and threatened by a
24 man who promised to firebomb the clubhouse if she allowed a
25 gay dance to be held there. She refused to be intimidated and

1 the dance was held without incident.

2 Approximately two years ago, a young man left the one
3 downtown bar that caters to gay people and was assaulted on
4 the street by another man. While police watched from across
5 the street, the young man defended himself and when his
6 attacker fled, the victim was arrested by the police for
7 causing a disturbance. Even though the attack was witnessed
8 by several other people who verified the young man's claim
9 that he was defending himself, the victim ultimately had to
10 choose between paying a fine and going to court, where he was
11 told it would be his word against that of the police.

12 Approximately a year ago a young woman walking down
13 Missoula's main street, Higgins Avenue, was assaulted when a
14 car drove up next to her and several young men in the car
15 called out "dike" and threw bottles at her.

16 Approximately one month ago, two men witnessed what
17 they thought was a beating in a downtown alley. When they
18 went to investigate and see if they could be of help, they
19 were themselves assaulted by a group of teenage boys who
20 assumed that they were gay and taunted them with jeers of
21 "fag" and threatened to beat them with a club. When the
22 police arrived in response to a 9-1-1 call, the police told
23 the men that there was really nothing that could be done and
24 the men should just go home and forget about the attack.

25 The men refused to do this and ultimately were given

1 the option of issuing a citizen's arrest. They did so and
2 their attackers were taken away by the police. The men were
3 told that they would be informed of the outcome of the
4 juvenile court proceedings, but have heard nothing to date and
5 their calls are not returned by the authorities. They now
6 believe that the judicial system has lied to them and failed
7 them.

8 These isolated instances are only that, isolated
9 instances. Other recent incidents include a student who is
10 routinely hassled in the hallways of his dorm; another student
11 whose house windows were shot out; yet another student whose
12 car was bashed after he received a call, warning him that his
13 car would be damaged; a student who received a phone call
14 threatening to set fire to his home. He then received a
15 letter at his home address threatening his life. A faculty
16 member who was threatened by a man downtown who told him he
17 had a gun; a lesbian student who has been followed around town
18 by young men who yell at her, telling her she needs a real
19 man. My own home, vandalized by someone who spray painted
20 obscenities on the side of the house in day-glo orange paint.

21 I cannot tell you that these incidents are the result
22 of hate group activity in our state; rather, they are the
23 result of a situation where gay and lesbian people are seen as
24 less than human, not deserving of the rights and privileges
25 expected and enjoyed by other Montanans. A situation where

1 gay and lesbian people who, under Montana statutes, are
2 unconvicted felons, face continual assault, intimidation,
3 damage and vandalism while society looks away. A situation
4 where law enforcement, knowing that these people are
5 unconvicted felons, apparently believe that it is not a crime
6 to assault lesbian and gay people. And certainly under
7 current Montana law, whatever else these incidents may be,
8 they are not hate crimes.

9 Thank you.

10 MR. DUPUIS: Okay. Thank you Mr. Spellman. Does the
11 board have any questions of Mr. Spellman?

12 MR. BERGER: You say you don't have ways of linking
13 this to organized hate groups. I wonder, how about the
14 student on campus? I understand that on the campus there are
15 some active organized hate groups. Has he, to your knowledge,
16 experienced that they are as groups involved in his
17 harassment? The focus of our meeting, as you know, is on hate
18 groups, so I'd like to--

19 BRYAN SPELLMAN: I understand that, I understand
20 that. As Ken Toole said to you, there are considerable links
21 that can be drawn. The reason that I've chosen to depart from
22 the focus of this group is because under Public Law 101-275,
23 hate crimes against people because of their sexual orientation
24 are to be reported. That is not being done in Montana, nor is
25 the whole focus of Public Law 101-275 even recognized by most

1 of the law enforcement agencies in the state of Montana. I
2 think some of these instances need to be brought up. I think
3 the focus of this Commission needs to be broadened.

4 No, I cannot tell you specifically that the Aryan
5 Nations or any of the other Christian Identity, Patriot
6 groups, whatever, in this state are behind any of this,
7 although it would not surprise me, but I think it's a far
8 deeper problem in this state and, indeed, in society in
9 general.

10 MR. DUPUIS: Any more questions now, for Mr.
11 Spellman? Marge?

12 MS. KING: Do you have specific recommendations in
13 terms of legislation which would perhaps be a starting point
14 to help?

15 BRYAN SPELLMAN: The first thing, and I think most
16 important, is repeal of the deviant sexual conduct codes in
17 the state, because as long as those codes exist on the books,
18 even though they are not enforced in the state of Montana, it
19 gives rise to people saying--as people putting together the
20 Malicious Harassment Act did--we cannot include crimes against
21 gay and lesbian people because they're already felons in the
22 state. This will never pass the legislature. That has to be
23 the first thing.

24 Inclusion of sexual orientation in the harassment code
25 and in the other civil rights codes in the state needs to take

1 place, just so--and I assure you these are not requesting
2 special rights, these are requesting the right to walk down
3 the street in safety and not be assaulted, as any one of you,
4 I assume, takes for granted or wants to take for granted.'
5 These are the rights to be judged in your workplace solely on
6 your work performance and not on your bedroom performance.
7 These are the rights to keep your family together and not have
8 to worry about the courts taking away your child because
9 you're judged an unfit parent. All of these things happen and
10 are happening in Montana.

11 MR. DUPUIS: Ms. Craft?

12 MS. CRAFT: Mr. Spellman, in reference to PL 101, you
13 indicated that when Mr. Wassmuth was traveling in the state,
14 that a number of law enforcement officials were not
15 knowledgeable of this law.

16 BRYAN SPELLMAN: That is what Mr. Wassmuth told me,
17 yes.

18 MS. CRAFT: Did he indicate why that is or--

19 BRYAN SPELLMAN: He did not, and I would venture to
20 guess that it's because of, again, as Mr. Toole said, we do
21 not have the state police force. Everything is local and
22 somehow the word is not getting out to the local
23 jurisdictions. I would venture a guess as to who is
24 responsible for getting that word out, but I'm not an expert
25 in that field, so I don't know.

1 MR. DUPUIS: Okay, thank you, Mr. Spellman, I
2 appreciate it.

3 Okay, our next speaker will now be Evelyn Stevenson,
4 and then Marvin Stern.

5 EVELYN STEVENSON: Good morning. My name is Evelyn
6 Stevenson, I'm an attorney with the Confederated Salish and
7 Kootenai Tribes, just north of you, and Judge Dupuis is our
8 tribal court judge.

9 I will try to be fairly brief, I know you've heard a
10 great deal of information about hate groups and what
11 connections there are in this state. I believe most
12 objectively that we Indian reservations see a great deal of
13 racism and there may be several reasons for this. I believe
14 in this country the administration for the last ten, twelve
15 years has almost openly allowed and encouraged hate remarks.

16 The second thing that I see in Indian country that may
17 have contributed to some of the problems we face are the
18 tribal governments in the last fifteen years have taken a
19 stronger stance on the protection of our resources and our
20 people on the reservation. That has meant that the tribes
21 have exercised jurisdiction to the maximum extent that's
22 allowed under the federal law. The entire history of the
23 relationship between the United States Government and Indian
24 tribes is one whereby we now stand in a position to assert our
25 own sovereignty and our own governments. That, I think's,

1 been a threat.

2 Unfortunately, many years ago, like on our
3 reservation, the reservation was opened up to homesteaders and
4 those people came there and began to farm there, the
5 irrigation project was subsidized by the federal government,
6 and it is now a real bone of contention; protecting water, for
7 example, for the fisheries versus the water that the farmers
8 and non-Indian farmers need for irrigation. Those sorts of
9 controversies, without any background education for the
10 people, almost asks for hostilities and strife between the two
11 groups.

12 We have no school that I know of on the reservation
13 where there is education about what is the reservation, what
14 is the treaty between our tribes and the federal government.
15 Our children go to school without any of that knowledge. It
16 means that the white children, then, listen to their parents
17 who can say anti-Indian remarks and our own children, then,
18 don't have the responses for those.

19 Several years ago Montana had a law that required
20 teachers who worked on or near an Indian reservation had to
21 have so many credits per year of education regarding Indian
22 tribes and the law that related to Indian tribes. That was
23 declared to be unconstitutional in Montana, so now there is
24 nothing, and I think that is a sad commentary, because out of
25 ignorance grows contempt and trouble.

1 The anti-Indian groups, such as the Montanans Opposed
2 to Discrimination and the Citizen Rights Organization, both of
3 which flourish on the Flathead Indian Reservation, talk a
4 very--the kind of things that farmers need to hear. In other
5 words, this has been a time of recession for farmers who are
6 trying to make a living up in our area. To talk to them and
7 to impose upon them the idea that somehow the Indians are
8 taking something away from them or getting something that they
9 aren't getting right away attacks the very heart of what
10 they're at, and hate is the result of that.

11 And so we hear a lot of slurs, a lot of remarks, our
12 children get remarks like, oh, well, you're a gut eater, or
13 call us prairie niggers, different names like that that are
14 just openly tolerated in the systems. And so we do see Indian
15 children drop out of school at a fairly early age, because the
16 pressures are pretty enormous, and I believe, as you've
17 already heard this morning, we have had some of the organized
18 hate groups affiliations on the reservation. We do know that
19 they are around us here, certainly in the Thompson Falls and
20 Noxon area.

21 We have people as close here as Missoula who are quite
22 involved in the move to abolish any Indian rights, to abolish
23 any differences, and they say that we should be all citizens
24 equal, that Indians and non-Indians should be treated exactly
25 alike, and that completely, as I have said, ignores the entire

1 relationship of the Federal Government and the Indian tribes
2 and the entire long history of tribal sovereignty and tribal
3 rights.

4 We hear things that have been printed in the
5 newspaper, such as this by a minister here in Missoula who,
6 some time ago, about a year and a half ago said, why is it
7 these so-called hate laws only work against the white people?
8 It is obvious as hell that the media, education system and
9 government are working in unison against the white race and in
10 favor of the minority races. This is all in spite of the fact
11 that white people built this country from a wilderness and are
12 the mainstay of productivity, creativity and intelligence.
13 Without the white race, this country would become a Third
14 World slum, like the nations today that are run by the
15 minority races.

16 No, it's not a message of hate, it's a message of love
17 from the white race and all worthwhile cultural
18 civilizations. If you want to read real hate, I'd suggest you
19 read the Jewish Talmud. All white people with their brains
20 intact better wake up and take notice before it's too late.

21 That's a pretty radical kind of statement. And yet
22 I've heard similar kinds of things said in different ways
23 right in our own communities. It's the kind of things you
24 hear in the restaurants or overhear in the restaurants. It
25 happened to me last night when I was eating at a local

1 restaurant and some people began to say the kinds of anti-
2 Indian things, anti-minority statements, and we listened to
3 those and get them all the time.

4 I hope that there will be some legislation in the
5 future that would curtail some of the hate groups. I would
6 also urge greater education amongst people in our communities
7 to address the ignorance that is so rampant.

8 I would be glad to answer any questions.

9 MR. DUPUIS: Okay, thank you, Ms. Stevenson. Does the
10 committee have any questions of Ms. Stevenson? Tom?

11 MR. BERGER: Again, our focus is on these white
12 supremacist groups. You mentioned some in Thompson Falls and
13 in the Noxon area. Could you tell us specifically about
14 specific groups that have been active in anti-Indian
15 activities?

16 EVELYN STEVENSON: Well, at first I believe there was
17 some feeling that there wasn't a connection between some of
18 the anti-Indian organizations and the white supremacist groups
19 in that area. I don't have any firsthand proof, but I've been
20 led to believe that there have been some interconnections
21 between the groups.

22 MR. BERGER: None of the lawsuits that have been filed
23 have been filed because of these groups?

24 EVELYN STEVENSON: Well, there is a present lawsuit
25 that was filed by a fellow from Ronan who claimed that the

1 tribes at the University of Arizona discriminated against him
2 by calling him a racist, anti-Indian as well as anti-Jewish,
3 anti-black.

4 MR. BERGER: Do you know if he's a member of any of
5 these groups?

6 EVELYN STEVENSON: Yes, I believe he was, and I don't
7 remember which one it was.

8 MR. BERGER: Maybe you could let our committee know
9 anytime up until June 8th.

10 EVELYN STEVENSON: Yes, I have some materials I would
11 like to submit to the committee.

12 MR. BERGER: To that specific point, we would
13 appreciate that. Thank you.

14 EVELYN STEVENSON: Thank you.

15 MR. DUPUIS: Any other questions for Ms. Stevenson?
16 Oh, Bill?

17 MR. MULDROW: When a so-called hate crime is committed
18 on the reservation in violation of a state or federal statute,
19 how is it dealt with? Who investigates the possibility of a
20 crime?

21 EVELYN STEVENSON: In the past on some of the
22 employment discriminations or overt kinds of things that have
23 happened in the job place, we have reported to the Montana
24 Human Rights Commission and have had some fairly good
25 results. We recently spoke with some people from the FBI who

1 suggested we should have been contacting them.

2 MR. MULDROW: But say the house of an Indian person on
3 a reservation was vandalized by one of the so-called white
4 supremacist groups, which would not be under the jurisdiction
5 of the Human Rights Commission, would the FBI investigate that
6 or would the local Tribal Police or who would--where would
7 that crime be prosecuted?

8 EVELYN STEVENSON: The FBI has indicated that they
9 would investigate and prosecute those crimes. I do not have
10 examples of that kind of vandalism or that kind of property
11 destruction. Mostly--and I have heard that it has gone on,
12 but I don't have any concrete examples.

13 Most of what I have seen personally is a lot more
14 subtle, a lot less tangible and much more difficult to get
15 your hands on to get a--to take any action about. I mean,
16 some of these things are actually supported under the First
17 Amendment rights of freedom of speech, and that's what we
18 often hear, and I'm not sure I really know how to address some
19 of that.

20 I'm also a member of the local Montana American Civil
21 Liberties Union. I do certainly support freedom of speech. I
22 just have never known how you quite make the distinction
23 between what is freedom of speech and what is the tort--called
24 an intentional infliction of emotional distress. But a lot of
25 what we see on the reservation is very subtle, it's very well-

1 worded diatribe that is directed or intended to pull in a
2 group of people who are economically feeling the crunch of our
3 times and it's very nice to have somebody to point that at, to
4 direct that vengeance to.

5 So a lot of it is verbal, most of it is verbal, in my
6 opinion, in our reservation.

7 MS. BEARCRANE: I've got a question, Evelyn. I was
8 wondering, if a situation were to occur where it was not overt
9 or subtle, maybe there was a beating of a tribal member, for
10 instance, would victims be comfortable in reporting it to
11 local Montana authorities?

12 EVELYN STEVENSON: I don't believe that most people
13 are comfortable in reporting some of the incidences of things
14 that, say, have gone on in the local jail. We've kept a log
15 for a number of years of people who have come down to the
16 tribal offices and told us of incidences of things that
17 happened to them, either in arrests or in searches and
18 seizures, care that was given, medical care or lack of medical
19 care in local jail facilities, statements that have been made
20 on the radio, lack of backup, follow-up, all kinds of things
21 that we've kept a record of and have not taken any legal
22 action. And I don't know at what point the Tribal Council
23 will make the decision to take on some of these cases.

24 MS. BEARCRANE: Does it appear to you, then, that
25 these persons feel that there is no authorities that they can

1 go to for help?

2 EVELYN STEVENSON: I think that in a large part is
3 true. I think that's reflected also by the apathy that we see
4 in the voter place, that Indian people feel fairly powerless.

5 MS. BEARCRANE: Thank you.

6 MR. DUPUIS: Do you have any questions for Ms.
7 Stevenson?

8 MS. BABCOCK: Is there dual authority, like the tribe
9 has control and then there's also the local law enforcement?
10 Does that cause a problem?

11 EVELYN STEVENSON: Yes, I think it does. The Flathead
12 Reservation is the only reservation in Montana that has
13 concurrent state tribal jurisdiction for criminal activities,
14 and that's criminal activities committed by Indians. There
15 was a case several years ago, Oliphant versus The Suquamish
16 Tribe which held--the United States Supreme Court held that
17 Indians could not prosecute non-Indians, and so we do not
18 prosecute non-Indians in tribal court. We only prosecute
19 Indians.

20 The state court also prosecutes Indians as well as
21 non-Indian people, and I believe that most Indian people feel
22 a great disparity in the treatment they receive in the state
23 court system.

24 MS. BABCOCK: Thank you.

25 MR. DUPUIS: Ms. King?

1 MS. KING: I'm doubtful that this is pertinent, but I
2 wondered if a resume of the information you say that you have
3 on file about these small--an accumulation of small incidents
4 would be valuable for our committee. I don't know. It
5 doesn't really fit into the white supremacy group activity,
6 perhaps, but should we ask, would that be available to our
7 committee?

8 EVELYN STEVENSON: I could put some of them together.
9 I'm a little bit hesitant to put ones that have not been 100
10 percent substantiated and fully investigated. I mean, we have
11 a lot of--as you know, that sometimes you get a report of
12 something that has happened; when you hear the other side, you
13 do a full investigation, there may be some variances and some
14 differences. But there certainly are some cases where we know
15 people have been treated disparitively in the white system in
16 our community.

17 We are a minority on our own reservation, and yet the
18 tribal government of the Flathead Reservation takes a fairly
19 active role in resource protection and other governmental
20 kinds of issues, and I think that's been a real bone of
21 contention or a point of fear, and hence, many of the
22 reactionary kinds of things that the people live with.

23 And the non-Indian police system, of course, is
24 reflective, I believe, of the non-Indian community, and the
25 Indian people often feel very differently treated, both by the

1 local police levels and in the court systems. Certainly, as I
2 said, our children in the school systems have many examples of
3 things that have happened. Some of those I've heard
4 personally, others I get secondhand or hearsay, and I don't
5 know--to what extent I could or should, I'd be glad to share
6 any information that I believe I can with you.

7 MS. KING: It seems to me it's a part of the education
8 process for those of us who are not particularly familiar with
9 those small incidents.

10 EVELYN STEVENSON: We had some materials that
11 were--some unofficial materials that got released winter
12 before last in the Montana legislative arena and then there
13 were some official examples that were given to the
14 legislatures on some of the disparate treatments that we
15 certainly can document, and perhaps if I shared that with
16 you--I'd be glad to.

17 MS. KING: Thank you.

18 MR. DUPUIS: Any other questions for Ms. Stevenson?
19 Thank you, Ms. Stevenson.

20 Okay, our next scheduled speaker is Marvin Stern, and
21 then after Marvin I'm going to have a little announcement for
22 you before lunch.

23 Mr. Stern?

24 MARVIN STERN: Mr. Chairman, my name is Marvin Stern.
25 I am regional director of the Anti-Defamation League of B'nai

1 B'rith of the Pacific Northwest Regional Office based in
2 Seattle, which has responsibility for the states of
3 Washington, Oregon, Idaho, Alaska and Montana.

4 The Anti-Defamation League is a national Jewish civil
5 rights and human relations agency which has been fighting
6 anti-Semitism, racism and other forms of bigotry and
7 discrimination for nearly 79 years. We appreciate this
8 opportunity to testify before the Montana Advisory Committee
9 to the U.S. Commission on Civil Rights.

10 The ADL was founded in 1913 in response to the
11 lynching of a Jew in Atlanta, Georgia by a mob for a crime he
12 did not commit. While the purpose of ADL as defined in our
13 charter is to end the defamation of our Jewish people, the
14 founders of ADL understood that historically, anti-Semitism
15 has been an accurate barometer of the social health of a
16 community or nation, and that the security of Jews in this
17 country was thus closely linked to the security of all
18 Americans. Consequently, working to secure and defend the
19 rights of all Americans, regardless of race, religions,
20 ethnicity, national origin, gender or sexual orientation, has
21 been an integral part of ADL's mandate.

22 Among the questions ADL is mostly frequently asked is,
23 what is the current level of anti-Semitism in this country?
24 It's a very difficult question to answer because no one has
25 yet perfected a measuring device to assess anti-Semitism. But

1 using the tools at hand, ADL's answer unfortunately is that
2 anti-Semitism is worse today than at any time since World War
3 II. What we are seeing today is a mainstreaming of extremism
4 and erosion of the barriers against anti-Semitism, yielding
5 quantitatively and qualitatively more troubling expressions of
6 anti-Semitism. Furthermore, anti-Semitism has become an
7 increasingly acceptable form of political, social and personal
8 expression.

9 Since 1979, the ADL has compiled and published an
10 annual audit of anti-Semitic incidents reported to our 30
11 regional offices. Our 1991 audit, released last February,
12 documented a total of 1,879 anti-Semitic incidents around the
13 nation, an 11 percent increase. This represents the highest
14 total ever reported in the 13-year history of our audit, and
15 marks the fifth straight year of increasing levels of
16 anti-Semitic acts nationwide. 32 of those incidents occurred
17 in the Pacific Northwest. While the ADL audit is as accurate
18 as we can make it, it is nevertheless reasonable to assume
19 that many more incidents are simply not reported to us.

20 And with all due respect to a previous--to previous
21 testimony, Mr. Toole, who said that no reporting was better
22 than underreporting, I would have to take exception to that
23 and disagree. I don't think the absolute numbers are
24 particularly important. What's more important are the trends
25 and the percentage of increase, even if they're grossly under-

1 reported, because, again, it gives a handle of what's
2 happening.

3 How does one qualitatively measure anti-Semitism? By
4 the intensity of hate, of violence, of hurt? All of these
5 have been on the increase.

6 Anti-Semitism is more organized today. Five or ten
7 years ago, most incidents ADL documented were perpetrated by
8 individuals. Now more of the hatemongers are organized,
9 raising the level of hate and intensity of violence, whether
10 they are skinheads, members of the Identity Church, Aryan
11 Nations, the Ku Klux Klan or its various incarnations.

12 Last year the ADL issued The KKK Today: A 1991 Status
13 Report, which revealed that there are now an estimated 4,000
14 Klan members across America, and that a decade-long decrease
15 of the strength of the Klan had come to an end with a
16 125-year-old hate group poised to gain new strength.

17 According to that report, quote, Deepening social
18 problems and the recession have made it easier for the KKK's
19 hateful messages to be heard and could spur renewed Klan
20 growth, especially if the recession becomes lengthy. Those
21 messages are spread through the Klan's exploitation of issues
22 such as: affirmative action, immigration policy, crime,
23 drugs, welfare and AIDS. As always, the Klan views these
24 matters solely through a prism of race and offers not
25 solutions, but a license to hate.

1 The report goes on to say that while the Klan may make
2 modest gains, there is little prospect of the hooded order
3 once again becoming a significant force in America. However,
4 the report cautioned that what the Klan could not accomplish
5 does not necessarily apply to its first cousin, David
6 Dukeism. Quote, The kind of appeal Duke makes strikes a
7 responsive chord among many whites who feel alienated and
8 victimized by recent trends and social policies. These people
9 may well support Duke clones, but would never support the
10 Klan. So a modified form of Klanism may have a future even if
11 its leaders don't burn crosses and are not clad in bed sheets,
12 end quote.

13 It is unnecessary to state the obvious relationship of
14 that report to last November's election in Louisiana.
15 However, we in the Pacific Northwest know all too well that
16 the challenge posed by David Duke and other candidates for
17 elected office is not restricted to that state. We have seen
18 evidence of similar appeals, though thankfully on a much
19 smaller scale, in our own region. For example, media accounts
20 of a representative of the Aryan Nations touring logging
21 communities in Washington and Oregon, attempting to exploit
22 the controversy over the future of the timber industry to
23 promote Aryan Nation's own agenda of racial and religious
24 bigotry, an attempt ADL responded to through contact with
25 logging industry representatives.

1 We are also seeing increased efforts at recruiting
2 young people into Aryan Nations and various racist skinhead
3 groups directed at our schools. And in Montana, as recently
4 as March 1992, we have seen anti-Semitic and racist literature
5 distributed by a Missoula member of Ben Klassen's Florida-
6 based Church of the Creator, whose stated goal is, quote, to
7 cleanse our own territories of all the Jews, niggers and mud
8 races and send them back to their original habitat, unquote.
9 The Church of the Creator has also made outreach to Neo-Nazi
10 skinheads, one of its top priorities.

11 Today we have serious problems on our nation's
12 campuses. ADL is reporting 20-, 30- to 40-percent increases
13 each year in acts of crude, ugly, vulgar anti-Semitism on
14 campus, the place where our future leaders are learning the
15 skills to deal with society. Between 1987 and 1990 we saw a
16 72 percent increase in anti-Semitic incidents on college
17 campuses, including death threats, vandalism, harassment, and
18 the teaching of contempt.

19 For example, in the last several months, campus
20 newspapers at Duke, Cornell, Michigan, Northwestern, Louisiana
21 State and Vanderbilt, all under the guise of academic freedom,
22 have printed ads by a career holocaust denier named Bradley
23 Smith questioning the deaths of six million Jews in the
24 holocaust. Recently, the same ad surfaced here in Missoula at
25 the University of Montana.

1 Let me be quite clear: ADL fully supports free speech
2 and academic freedom. That's not what this issue is about.
3 If someone submitted an ad to college newspapers under the
4 guise of academic freedom saying that black slavery did not
5 exist, or the Japanese Americans had not been interred during
6 World War II, there would be no discussion. Yet Jews are
7 told, why don't you debate the holocaust? It was not enough
8 that six million Jews lost their lives in the holocaust, now
9 their deaths are also being denied them, are being taken away
10 from them.

11 In this country today, there is a new level of
12 tolerance for intolerance. There was a time when, if a public
13 official insulted someone of another religion or ethnic group,
14 that official would become a non-person. Today, an individual
15 who publicly displayed the swastika and the Ku Klux Klan hood
16 says, quote, It was a childish prank, part of my growing up,
17 end quote. And 700,000 people voted for him.

18 Another public figure has a more sophisticated
19 manner. He talks about America first, about immigration,
20 about American values as a Christian nation, but the clear
21 appeal is to hatred, to bigotry, to prejudice. And other
22 candidates for high public office make similar appeals.

23 In the last several years, ADL has had to spend more
24 and more time not just in exposing, but in cajoling and
25 pleading with decent people to speak out. What troubles us is

1 not that holocaust deniers and other bigots exist, but that
2 there are so few voices saying that what they stand for is
3 racism and anti-Semitism. What troubles us is not that there
4 are rap groups who sell hate lyrics, but that hundreds of
5 people help to create, package, advertise and promote this
6 music and none says, this is ugly, this is hate, this is
7 bigotry.

8 I'd like to return briefly to the issue of hate
9 crimes. Hate crimes have the potential to inflict a unique
10 hurt, evoke painful memories and create fear, anger and a
11 sense of isolation in the victim and his or her community. In
12 addition, hate crimes have the power to damage the fabric of
13 our pluralistic society, raise the level of tension and
14 fragment our communities.

15 By all indications, hate crimes are increasing in our
16 region and nation. In response, ADL has made one of its top
17 priorities the passage and implementation of enhanced hate
18 crimes reporting and training statutes on both the state and
19 federal levels. To date, some 46 states, including Montana,
20 have hate crimes laws on the books, more than half of those
21 based on ADL's model hate crimes legislation. In addition, in
22 1990, Congress passed, and the president signed into law, the
23 Federal Hate Crime Statistics Act which, incidentally,
24 includes sexual orientation, and which ADL is now working with
25 the FBI to implement. A joint effort by the states and the

1 federal law enforcement community is necessary, because the
2 federal crime computer depends on statistics gathered on the
3 state level.

4 While challenges to hate crimes laws are currently
5 pending before the U.S. Supreme Court and in several state
6 courts, ADL's position is that while some of the specific
7 statutes and ordinances have not been drafted as well as they
8 could have been, we are confident of the constitutionality of
9 the penalty enhancement concept on which those laws are
10 based.

11 ADL believes that such laws are a necessary step in
12 more accurately gauging the dimensions of the hate crime
13 problem in our states and nation so that programs may be
14 developed to reduce and counter such crimes. Government
15 officials and civic leaders will not be in a position to
16 confront hate crimes effectively until the scope of the
17 problem is better known. We believe that state-mandated
18 efforts to compile comprehensive data concerning the number,
19 location and types of hate crimes will be extremely helpful in
20 this regard. In addition, prompt, accurate reporting of hate
21 crimes raises community awareness and as a result, victims
22 will come forward who might otherwise have been reluctant to
23 do so.

24 Finally, the establishment of a hate crimes reporting
25 system sends a clear message to both victims and perpetrators

1 that law enforcement officials have a clear and strong
2 commitment to solving the problem of hate crimes and a stake
3 in vigorously pursuing those responsible for these crimes.

4 Enactment of enhanced hate crimes laws, with full
5 implementation including the training of law enforcement
6 officials to recognize and to investigate such crimes, will be
7 most useful in gaining a more complete and reliable picture of
8 the dimensions of the problem of hate crimes; promote greater
9 public awareness of and professional sensitivity towards this
10 problem; and encourage victims and communities to feel that
11 they can respond effectively to counter such activity. Based
12 on ADL's experience, it is our belief that the cost entailed
13 by such legislation are relatively minimal. In short, these
14 laws are well worth their modest cost in light of their
15 important social benefits.

16 We must make sure that there is a price to pay for
17 hate and for anti-Semitism; that someone who commits a crime
18 in the name of bigotry will not be treated as just another
19 felon.

20 The only way that the racists and anti-Semites, the
21 promoters of bigotry and violence and the enemies of pluralism
22 and democracy can measure us is by our strength and our
23 determination. No lie should go unanswered and no hate crimes
24 should go unpunished.

25 ADL is committed to finding new ways to deal with this

1 epidemic of hate. For example, while no one, including ADL,
2 has yet discovered a vaccine against the disease of bigotry,
3 ADL today is the largest nongovernmental producer and
4 distributor of human relations materials to the schools, with
5 our prejudice reduction in multicultural education materials
6 used by literally thousands of this nation's teachers,
7 encouraging the next generation of Americans to better
8 appreciate the rich diversity of American society.

9 We are encouraged by the initiative shown by the U.S.
10 Civil Rights Commission in holding this hearing here today.
11 Thank you.

12 I have copies of both my remarks and also some of the
13 reports that I've referenced in my statement.

14 MR. DUPUIS: Thank you, Mr. Stern. Are there
15 questions now for Mr. Stern? Tom?

16 MR. BERGER: Well, two organizations in particular
17 were discussed today that have been active in Montana. Some
18 of them--some of the organizations, like the Aryan Nations and
19 so forth, is just obvious to everybody what they stand for,
20 but perhaps even more dangerous are these more insidious
21 groups such as the National Agricultural Press Association and
22 particularly the Populist Party.

23 With your extensive knowledge of these organizations,
24 I wonder if you could give us some information about those two
25 in particular.

1 MARVIN STERN: In 1987, the National Agricultural
2 Press Association was taking advantage nationally of the farm
3 crisis and trying to convince farmers that their difficulties
4 were due to the Jewish bankers, which is a traditional appeal
5 of anti-Semites. Farmers didn't buy into that in large
6 respect. I think the whole perception was really hyped in one
7 respect by Geraldo Rivera, for example, who did a piece on, I
8 think, 20/20 on the crisis. In fact, farmers have not flocked
9 to that group or any other group in response to their economic
10 difficulties.

11 I'm a little bit constrained to talk about the
12 Populist Party simply because ADL is a nonprofit organization,
13 and as such, cannot involve itself in the political
14 activities-- partisan political activities, so I really can't
15 comment on either candidates or political parties during an
16 election period.

17 MR. DUPUIS: Okay, Bill?

18 MR. MULDROW: Mr. Stern, it's my understanding that
19 ADL has developed extensive training materials to help
20 identify activities of these groups and to suggest ways of
21 dealing with them. Have those been used to your knowledge in
22 this state at all by law enforcement agencies?

23 MARVIN STERN: Yes, they have. We supplied a video in
24 conjunction with the New Jersey Department of Law
25 Enforcement--I believe that's the correct title--called Hate

1 Crime and Training--training video for police officers.
2 Through the involvement of Fritz Behr, who works in the
3 governor's office--I believe he's still there--a copy of that
4 video was provided to the law enforcement community here in
5 Montana, and my understanding is it has been used in training
6 of law enforcement officials here.

7 We also have other videos. Part of the problem is
8 that--and I think this has been discussed earlier--part of the
9 problem is that there's not a uniform understanding of what
10 constitutes a hate crime. This video gives examples of
11 different forms of hate crimes, and with a discussion guide,
12 helps law enforcement officials come to recognize the symbols,
13 the statements, the other kind of indicators that they need to
14 look for so that there can be a more standardized
15 investigation and prosecution of these kinds of crimes.

16 MR. MULDROW: Does the ADL participate in the
17 Northwest Coalition Against Malicious Harassment?

18 MARVIN STERN: We do.

19 MR. MULDROW: Are you a member of that or--

20 MARVIN STERN: We were a founding member. Until
21 February I was secretary of the Northwest Coalition.

22 MR. DUPUIS: Okay, any other questions? Tom?

23 MR. BERGER: We have this situation where we've had a
24 malicious harassment law on the books since 1989 and nothing
25 ever prosecuted under it. Is that unusual or has that been

1 the experience in other states, that it takes awhile for the
2 state law enforcement personnel to start to exercise these
3 laws?

4 MARVIN STERN: That's pretty much been consistent with
5 the other states. The State of Washington, I believe, passed
6 the law in 1981, I think; between 1981 and 1989 there were
7 something like five prosecutions, and obviously there were
8 many more crimes being committed. So I think the effort to
9 enhance--and I used the term enhance several times in my
10 presentation. What I mean by that is not simply the laws on
11 the books as are presently here in Montana, but provisions
12 made mandating the collection of data and the training of law
13 enforcement officials. That needs to be legislated, that
14 needs to be at the state level, that needs to be amended to
15 include those things to make the existing law more effective.

16 In fact, in Washington state, it was that legislative
17 effort that began--we haven't passed that yet because of some
18 opposition on the issue of sexual orientation--but we do have
19 the law enforcement community and the prosecutors and other
20 people in the judicial system, so that statistics are being
21 kept and that has significantly raised the visibility and
22 certainly the education of the law enforcement community and
23 the community at large, in knowing what they need to do to
24 respond to these kinds of crimes.

25 MR. MULDROW: Beyond legislation, recordkeeping and

1 training, are there other things that you would suggest in
2 terms of strategy in dealing with these groups?

3 MARVIN STERN: There's a tension that's always going
4 to exist in our nation because of the constitutional
5 protections that exist for people's right to free speech,
6 freedom of assembly, and in a certain respect, ADL is less
7 concerned about the extremist groups in this country as we are
8 about what I've called the mainstream of extremism.

9 There have always been extremists, both in the left
10 and the right of this country. The law enforcement community
11 has a pretty good idea of who they are. When they cross over
12 the line and engage in criminal activity, for the most part,
13 law enforcement has been properly responsive.

14 What we're seeing now, I think, and I think what's
15 particularly dangerous, is that more and more of these forms
16 of bigotry and racism which were not acceptable previously are
17 becoming more acceptable and more pervasive. For example, I
18 made a reference to rap music. Lenny Bruce, in his comedy
19 routine, talked about certain words and how the only reason
20 certain words have the impact they have--the only reason
21 certain words hurt is because they have a shock value, and
22 that if we use those words all the time, they would lose their
23 shock value.

24 I understand the point he was trying to make. I
25 disagree, though. I think those words should have a shock

1 value, I think people should recognize the hurt that those
2 words contain.

3 The problem is--and this is not--I'm not advocating
4 censorship here--the problem is that in so much of the popular
5 culture, music, Madonna, a little bit more mainstreamed,
6 perhaps, certain comedy routines, certain words, certain
7 references, certain associations are made that are
8 dehumanizing people--women, Jews, Koreans, blacks, others--to
9 the point where, not sanctioning criminal activity, but it
10 creates an environment that appears to sanction this kind of
11 activity. Not that every kid who listens to a particular rap
12 song is going to go out and take action on the basis of those
13 lyrics, but it creates a climate where it seems as if that's
14 more acceptable.

15 And so the extent to which good-thinking people don't
16 respond to that, that becomes much more dangerous. And so I
17 think, again, it's not simply a problem of extremist groups, I
18 think it's a question of the standards we as a community, as a
19 society have allowed and tolerate and, as I said, the
20 increasing tolerance for intolerance that five, ten years ago
21 we didn't see in this country.

22 MR. MULDROW: Well, specifically, for example, how
23 would you advise a university administrator to deal with
24 distribution of racist anti-Semitic literature on campus? How
25 would you suggest they handle that?

1 MARVIN STERN: I don't think there's anything wrong
2 with the distribution of those materials, per se. I mean,
3 they have a right to be printed and a right to be distributed
4 and a right to be read. I think the administration of the
5 university needs to make clear that they're not representative
6 of the views of that university and should editorially
7 disseminate the idea that racist speakers, racist literature
8 does not represent the university; that they may be forced to
9 provide a forum for those ideas, but they are taking a
10 position against those ideas as their responsibility as
11 leaders of their academic institution.

12 MR. MULDROW: But you would not think that they should
13 try to prevent distribution or to--or if a group on campus
14 wanted to invite, say, a group of--this member of the groups
15 to a forum to speak, would that be something that should be
16 resisted or prohibited?

17 MARVIN STERN: Well, that enters into a difficult area
18 because the use of student funds that provide a forum for a
19 speaker really puts students in a really awkward position of,
20 through their student fees, supporting people who are saying
21 things that they may find not just offensive, but obstructive
22 to their--I would go further than saying simply the comfort
23 level, but I think the tension and the dissension of the
24 intergroup tensions that can come out of a racist speaker on
25 campus or whatever can be very damaging.

1 But, again, ADL would fall on the side of allowing
2 those things to take place, but again, framing it in the
3 context that this is not--we will not simply ignore this and
4 not comment and let the marketplace of ideas take--you know,
5 take care of itself. I mean, there is an issue of free
6 speech, but there's also the issue of responsibility, and I
7 think good-thinking people, including university
8 administrators and other supervisors of those forums,
9 newspapers and others, need to make clear which side of that
10 standard they fall on.

11 MR. BERGER: I think we need to go just beyond that,
12 Marvin. Don't you think if an educational organization has a
13 speaker that is known to be extremely biased in one extreme
14 viewpoint, that they should at least balance that program by
15 having another speaker give the other side? In Missoula here,
16 on a number of occasions at the university, they've had
17 virulent anti-Israel, anti-Semitist speakers, and my attempts,
18 and the attempts of others to have this program balanced by
19 having someone represent Israel's position has been met--been
20 totally ignored. People--

21 And in fact, as a second part of that question, do you
22 feel that the increase in campus anti-Semitism may be related
23 in some way to the extreme anti-Israel and anti-Zionist
24 sentiment that the popular media and many Arabic professors on
25 this campus I'm well aware of and I'm sure on others, does

1 that contribute to making anti-Semitism, the classic forms of
2 anti-Semitism like holocaust denial more acceptable?

3 MARVIN STERN: I couldn't say there's a clear
4 relationship, but I think it's very clear that oftentimes
5 legitimate political debate crosses a line and becomes
6 something other than that. I mean, it clearly--Middle Eastern
7 politics, the Arab/Israeli conflict or whatever you want to
8 characterize that, is subject to debate. I think that what
9 we're seeing, however, is oftentimes people crossing the line
10 and not being very careful about what they say and hiding
11 their intentions.

12 I don't know exactly how you balance a program that
13 intends to cross that line, other than to bring somebody in
14 from, you know, the other side. That's extreme and I don't
15 think that really serves the purpose. I think the proper way
16 to do it is to put it in the context of trying to balance,
17 because you--once the bigoted remarks on any issue, for that
18 matter, are out, it's very difficult to, after the fact, to
19 correct those--that information. So you're right, there needs
20 to be a balance in programs.

21 Also, I think that an individual or an organization
22 that sponsors individuals establish a track record for
23 themselves, and it may--based on that track record and based
24 on the rules of the academic institution, I think that if
25 people are in violation of those standards and those rules,

1 that perhaps they would not be invited to come again.

2 But clearly, I think the most important point is that,
3 unfortunately, in our nation in so many different ways, but
4 particularly on college campuses, it's becoming politically
5 incorrect to be supportive of Israel, Jewish students in
6 particular, but other pro-Israel students are really finding
7 themselves in a difficult position. Again, it's not
8 questioning their political positions of Israel, but their
9 position as Americans, as right-thinking people, as liberals,
10 whatever you want to call it, and that--and we're seeing
11 people attacked for those views, and that's simply not the way
12 that game should be played in an academic environment or any
13 other playing field.

14 MR. DUPUIS: Thank you. Okay, thank you. Before I
15 let you go to lunch, I want to remind you one more time that
16 if there's--anyone who wishes to speak from our five-to-six
17 session needs to register with a staff member, Evelyn in the
18 back, Malee or Bill, to go over the ground rules.

19 If there are other questions, I'll see you at one. We
20 want to start on time.

21 (Whereupon, the hearing was in recess at 12:01 p.m.
22 and subsequently reconvened at 1:08 p.m., and the following
23 proceedings were had and entered of record:)

24 MR. DUPUIS: Good afternoon, ladies and gentlemen,
25 we're going to now convene for this afternoon. Our first

1 speaker now is Mr. Robert Freeman.

2 Robert, are you present? Okay, Robert, come to the
3 podium and give us your name, and next we'll have Mr. Willett,
4 who will be on next. Okay?

5 ROBERT FREEMAN: Good afternoon, ladies and
6 gentlemen. Can everyone hear me? Okay, there we go.

7 Good afternoon, ladies and gentlemen. My name is
8 Robert Desiree (phon.) Freeman and I'm here to talk to you
9 today. First of all, as usual, I can thank the Lord for me
10 being able to be here and speak to you all like this.

11 Now, Vincent Dixon, a student of the University of
12 Montana, was run off the road on his way to my hometown in
13 Hamilton, Montana. Gaylon Luden (phon.), yet another student
14 of the university, was harassed, provoked and then told the
15 only good nigger is a dead nigger. While in downtown Missoula
16 one weekend, yet another student who would rather not
17 be--pardon me--

18 MS. KING: We can hear you quite well, even though
19 you're further away from the microphone. This morning we
20 learned that.

21 ROBERT FREEMAN: Thank you.

22 Yet another student, who would rather not be named,
23 told me about once when he and a friend were walking along the
24 university and were deliberately almost hit by a truck, the
25 people inside of the truck shouting racial obscenities at them

1 and laughing. I myself, while on campus one day, when I lived
2 on campus, was left a happy-gram on my door, a sign stating,
3 nigger, go home.

4 Now, what do these incidents show? I'll tell you.
5 They show that there's something wrong here, something very,
6 very wrong here when in 1992 people rather would walk in the
7 darkness of ignorance rather than walk in the light of
8 understanding; then there's a problem and there is something
9 wrong.

10 Well, ladies and gentlemen, I'm here to tell you today
11 that I'm tired, I'm tired of not being judged by the content
12 of my mind, rather, being judged by the color of my skin, I'm
13 tired of the stereotypes of white to black and of black to
14 white. Are you tired? I'm tired of watching little black
15 kids, little white kids play together and then grow up and
16 hate each other because of the color of their skin. I am
17 tired, and most of all, I'm sick and tired of being sick and
18 tired.

19 So it's time for the medicine, and what's the
20 medicine? Like I've said before and I'll say again, over and
21 over again, it's a new way of thinking. But, see, you can't
22 have a new way of thinking until you have a new way of
23 teaching. So, there's the problem. Education, a lack of it.

24 So, you see, if education can take us over the
25 mountaintop and through the valley, then where does a lack of

1 it leave us? And if it can take us to the moon and farther,
2 then where does a lack of it leave us? And if a man like Dr.
3 King and the many blacks and whites that followed him through
4 what most people were thought was going to be the impossible,
5 they could go into the hateful, already segregated areas of
6 the south and north and integrate them by use of education,
7 then what does a lack of it do for us? Absolutely nothing but
8 hurt and mangle and ultimately destroy.

9 So when I look around at the hate groups in Montana,
10 it makes me sad. It makes me sad because those men and women
11 didn't just wake up one day and say, I'm going to hate blacks
12 or Mexicans or Orientals or anyone. See, when they were
13 children, they would play with anyone at the playground, it
14 didn't matter what color their skin was. It only started to
15 matter when somebody planted that ugly, that horrible seed of
16 hate.

17 And then it makes me angry, because I want to know who
18 the hell didn't stomp on that seed as soon as it was planted
19 and I want to know who the hell allowed it to grow.

20 Education, not ignorance. People holding youth hostage to
21 their ideas, wants and beliefs, because they're afraid of a
22 changing world. Education, not ignorance; people holding the
23 truth from the youth that are to so-call protect them.
24 Education, not ignorance.

25 You know, I was speaking in Ogden, Utah about two

1 years ago. It was at one of the local high schools, it was
2 black history month. Now, I was in one of--the back of the
3 classrooms and I believe it was the principal that was showing
4 me around that school. I was getting ready to speak that
5 evening and, like I said, I was being shown around the
6 schools, kind of taking a look around that day.

7 Now, the lady who had been teaching this class had
8 obviously been teaching the class for a long, long time, and
9 she was talking about the civil rights movement. Well, out of
10 the blue a young boy in the class asked, well, why were there
11 black restrooms and white restrooms, and why were there black
12 drinking fountains and white drinking fountains, and why were
13 there like white hotels and black hotels?

14 Now, I don't know if this lady had seen me in the back
15 of her classroom or not, but she turned around and she
16 answered the boy, she said, because the blacks were dirty and
17 nasty and smelly and had diseases and the whites didn't want
18 to be near them.

19 Well, needless to say, I was shocked and I couldn't
20 believe it, because now in these children's minds, the whole
21 answer to why there was segregation was the belief that black
22 people were dirty. And needless to say, I wasted no time
23 getting to the front of the class and started giving them some
24 real answers, some tangible ones.

25 Education, not ignorance. In our schools, the

1 teachers should be screened to see if they know what they're
2 talking about when they're talking about race issues.

3 Education, not ignorance. History classes should
4 include all races that contribute to this great country of
5 ours, not just the ones who have lighter skin. I should not
6 have had to read in another book to find out that a black man
7 invented the filament to a light bulb, and without that, there
8 would be no light bulb. I should not have to read in another
9 book that a black man founded the City of Chicago.

10 I should not have had to read in another book that
11 there were two men in the boat when Washington crossed the
12 Delaware. I should not have to read in another book there was
13 a black man who invented the idea for blood transfusions and
14 then made it a reality. I shouldn't have had to look anywhere
15 else but in my school history book.

16 Now, the list goes on and on, but, as you see, in a
17 place like Montana with a very small number of minorities,
18 such as blacks, a young person can only believe what she sees
19 or he sees or hears, because they really have nothing to see
20 except for the highlighted violence that is usually on the
21 news with minorities.

22 Education, not ignorance. Minority speakers should be
23 invited to schools to speak to our youth and to give them the
24 opportunity to learn about what obviously their books have not
25 been teaching them.

1 Education, not ignorance. The doors should be opened
2 for the youth to find out about different people and about the
3 different cultures around them, and just because they don't
4 live next door to them, that's no excuse not to find out about
5 them.

6 Education, not ignorance. You see, a hate group can't
7 last if there's no one left to join it.

8 Thank you very much.

9 MS. BABCOCK: Are there any questions from the
10 committee?

11 MR. MULDROW: Mr. Freeman, what is your position in
12 the student body there?

13 ROBERT FREEMAN: Black student union president there.

14 MR. MULDROW: Are there many black students on the
15 campus?

16 ROBERT FREEMAN: 47, I believe, to this count, sir.

17 MR. MULDROW: That's a pretty small minority, then,
18 out of the total group, isn't it?

19 MR. FREEMAN: Yes, sir.

20 MR. MULDROW: We're concerned especially today with
21 the so-called white supremacist groups that you have mentioned
22 in your speech, and I wonder if--have you had any personal
23 experience with them? Are they operated on campus, do they
24 distribute literature, have they manifested themselves in any
25 way?

1 ROBERT FREEMAN: Yes, sir. We've felt different forms
2 where they've shown up. They've come up to about everything
3 at the black student union has put on as far as rallies, and
4 they have put--set out their literature, as well as sending
5 out literature on all the cars for in the parking lot.

6 MR. MULDROW: What does their literature say, what's
7 the thrust of it?

8 ROBERT FREEMAN: Well, from the parts that I can
9 remember, sir, that the black people are as low as monkeys and
10 that we are not the same species as them, and that everyone
11 else except for the white people are from the mud race, and
12 just pretty much saying that we don't deserve to really be
13 here, that we should go somewhere else.

14 MR. MULDROW: How have the black students on campus
15 handled this? Have they ignored it or have they protested
16 this to the administration?

17 ROBERT FREEMAN: Most of the black students are angry,
18 but at the same time, you know, a lot of people can just
19 decide and say, well, that's them, this is me, and they're not
20 in my face, I'm not going to worry about it.

21 MR. MULDROW: What do you think the school officials
22 should do about it, if anything? How do you think they should
23 handle this? It must be something of a problem for them.

24 ROBERT FREEMAN: Well, I'll tell you, sir, on one
25 hand, I believe that, you know, everyone is entitled to their

1 freedom of speech. If they couldn't speak, then I couldn't
2 speak either.

3 On the other hand, what I believe--what it all comes
4 down to, sir, as far as I believe, is education. People need
5 to be able to discern between what they want to believe and
6 what's good and what's right and then what's pretty much just
7 crap.

8 MR. MULDROW: There must be Native American students
9 on campus, also. Are they treated the same way? Are they
10 referred to in this literature?

11 ROBERT FREEMAN: Yes, they are, sir.

12 MR. MULDROW: Thank you.

13 MR. DUPUIS: Any other questions for Mr. Freeman?

14 MR. BENEGAS: Do the Native American students have an
15 organization of any type?

16 ROBERT FREEMAN: Yes, sir, they have an organization.

17 MR. BENEGAS: So they can respond to this, the Native
18 American students? Do they have some kind of an
19 organization?

20 ROBERT FREEMAN: Yes, they do.

21 MR. BENEGAS: They do.

22 ROBERT FREEMAN: They have an organization, yes, sir.

23 MR. BENEGAS: Are they effective or not?

24 ROBERT FREEMAN: I believe they are.

25 MR. BENEGAS: But the majority of the students in

1 Missoula, are they easy to get along with, the majority of
2 them?

3 ROBERT FREEMAN: The majority of the students here?

4 Yes, they are, sir.

5 MR. BENEGAS: It is just a minority, then, causing all
6 the--

7 ROBERT FREEMAN: Yes, just a few people who are a
8 little backwards.

9 MR. DUPUIS: Mr. Caldwell.

10 MR. CALDWELL: Is there a free speech movement on the
11 campus?

12 ROBERT FREEMAN: Yes, sir.

13 MR. CALDWELL: How do you perceive that movement?

14 ROBERT FREEMAN: Sir, I believe that everyone's
15 entitled to free speech, as I said before, and like I say, you
16 know, if you can cancel out one person, you can cancel out me,
17 too. And because I don't want to be silenced, I believe that
18 that person has a right to say what they want to say,
19 especially if it's as backwards as what a lot of these white
20 supremacists say, because if--when they're allowed to say
21 whatever they want to say, it gives me all the day long and
22 all the right in the world to make them look like they have
23 their heads up their--you know.

24 MS. BABCOCK: Are any of these white supremacists
25 registered in the school or are they an outside element?

1 ROBERT FREEMAN: I'll tell you, ma'am, I don't know if
2 any white supremacists are registered in the school, but I do
3 know that they're in Missoula and in the surrounding areas
4 around Missoula.

5 MS. BEARCRANE: I've got a question. Could you tell
6 us, has there been any physical violence other than just the
7 verbal exchange between these groups?

8 ROBERT FREEMAN: I've really not heard of any.
9 Sometimes there's been little scuffles in places like in
10 downtown areas over someone calling somebody something and
11 somebody swings back, but I've never heard of anything totally
12 outright.

13 MR. DUPUIS: Okay, Ms. Craft?

14 MS. CRAFT: Mr. Freeman, what has the black student
15 union and other--the other minority organizations, what have
16 they done at the University of Montana to combat white
17 supremacy activity on campus?

18 ROBERT FREEMAN: Well, we have definitely opened a
19 door, and the door we've opened, as I've been saying before,
20 is that door to education, to open people's minds to what's
21 going on. As I've said in my speech, when the people are
22 so--when they're not open to different minorities, when they
23 don't have that around, usually what a lot of people will
24 believe is just what they hear, so we definitely have opened
25 the door with different rallies, with different educational

1 programs set for people to be able to see and be able to find
2 out what's going on.

3 MS. CRAFT: In your educational programs, can you tell
4 us a little bit more about what that has accomplished and
5 entailed?

6 ROBERT FREEMAN: I'm sorry, I didn't hear.

7 MS. CRAFT: In your educational programs, can you talk
8 just a little bit more about some of the specifics? What
9 kinds of specific things have you done?

10 ROBERT FREEMAN: Well, it's pretty much introduced
11 people to a different culture. The black culture is indeed a
12 different culture, especially coming from rather a city
13 culture out into Montana. There's a lot of things that black
14 people do that are just the same as anyone else, but then a
15 little different. So what we've tried to do is just allow
16 ourselves to be ambassadors for the people, to let people come
17 to our functions. Our BSU meeting is always opened up to
18 anyone, let people give input, because we believe that that's
19 the best way to really get people involved, is not to have
20 them sit and watch, but to have them give input as well.
21 Because then their minds are acting along with ours, and then
22 it's easier for them to see the problem, when they're trying
23 to solve it.

24 MS. BABCOCK: How did you happen to pick Montana, or
25 did you come here by choice or how did you happen to pick this

1 university? Or maybe I shouldn't ask that.

2 ROBERT FREEMAN: I--no, I came out here last summer
3 and I just--I liked it out here. It was quiet, and my
4 education is very important to me because I'm the first one
5 out of seven out of my family to ever go to college, so I
6 really want to make it. I don't want to be around a lot of
7 things that will pull me away. Missoula is a fun place, but
8 there's not a whole lot to do after a while, so all you can
9 really do is study and to really just strive to be a better
10 person or whatever you're striving to do.

11 MS. BABCOCK: But you like Montana?

12 ROBERT FREEMAN: I like Missoula.

13 MR. CALDWELL: I know that--to follow up on Malee's
14 question--I know that Julian Baum (phon.) was out here--

15 ROBERT FREEMAN: Yes, sir.

16 MR. CALDWELL: --in February and I personally--I have
17 spoken at the university over the last couple of years. Is
18 this an ongoing program supported by the university, to bring
19 in people who can expound on the differences in culture and
20 activities in the country?

21 ROBERT FREEMAN: Yes, sir. At BSU we try to bring in
22 who we can. In fact, next year we're trying to bring in Jesse
23 Jackson, so it's always an ongoing thing with us, try
24 to--always try to bring someone in to educate.

25 MR. CALDWELL: Do you figure you have the support of

1 the president of the university?

2 ROBERT FREEMAN: Yes, sir, I do.

3 MS. KING: Does your organization have contact with or
4 work with groups on other university campuses in Montana?

5 ROBERT FREEMAN: Yes, sir--or rather ma'am, I'm
6 sorry. Yes. The fact of what we're trying to do right now is
7 we have taken and opened up our group, more up to like
8 different groups to come in. I know a couple at the last
9 meeting we were at, they were people from the Native American
10 group on campus, as well as the Jewish student group on
11 campus, and there was another group there as well, but I can't
12 remember who it was.

13 MS. KING: And in addition, then, do you have any
14 contacts with other units of the university system, with
15 Bozeman, for instance, or eastern Montana in Billings?

16 ROBERT FREEMAN: We're trying to get with MSU right
17 now. We had something with them a while ago and now we're
18 trying to get it back again, but the avenues of--exchange has
19 been cut out for some reason. I don't think we've had anybody
20 to see what's going on in awhile, because it's been a really
21 busy year, but we're opening that back up again.

22 MS. KING: Now, it's my understanding--and I may be
23 wrong--but doesn't the university here in Missoula have a
24 black studies program which does not exist in other units of
25 the university in Montana? I don't believe Bozeman, for

1 instance, has a black studies program, do they?

2 ROBERT FREEMAN: I don't know, I couldn't answer that
3 question, ma'am. I only know about ours.

4 MS. KING: But you do have one here.

5 ROBERT FREEMAN: Yes, sir, I do.

6 MS. KING: Do you know about how many credits are
7 offered in that program?

8 ROBERT FREEMAN: I believe 30.

9 MS. KING: Thank you.

10 MR. DUPUIS: Ms. Craft? Anyone else for Mr. Freeman?
11 Thank you, Mr. Freeman.

12 ROBERT FREEMAN: Thank you.

13 MR. DUPUIS: Our next listed speaker now is Mr. Ken
14 Willett. Ken, and after that will be Dr. Robert L. Kindrick.

15 KEN WILLETT: Good afternoon, my name is Ken Willett,
16 and I am the director of campus safety for the University of
17 Montana. For the record, my home address is 29 Darlene Drive,
18 Missoula, Montana.

19 As director of campus safety for the university, I'm
20 responsible for supervision of the university police unit and
21 have overall responsibility for security of the campus. Our
22 officers are fully trained and state-certified peace officers
23 with full powers of arrest. Because of our limited size, we
24 maintain an active relationship with the Missoula County
25 Police Department, the Missoula County Sheriff's Office and

1 other state and federal agencies.

2 I believe the cooperation between the agencies is of
3 critical importance to gather and maintain information on any
4 group or subculture who support or claim loyalty to a variety
5 of organized hate groups.

6 And, following the guidelines of the letter I got from
7 Ms. Craft, my perspective is twofold: As an administrator, I
8 want to provide a learning environment that is secure and safe
9 so that the students can learn and pursue their education
10 without fear of harm or intimidation; my second perspective is
11 that of a sworn peace officer who is empowered to react to any
12 conduct or activity that crosses over the line and thus
13 becomes part of the criminal justice system, of criminal
14 activity.

15 As far as involvements within the local area, the
16 sergeant assigned to my police unit is an active member or
17 participant of the Rocky Mountain Information Network known as
18 RMIN, as a member. He attends the monthly meetings to provide
19 and receive current information on a variety of criminal
20 activity.

21 One of the key issues in the local area is the nature
22 and extent of current activity of white supremacist groups.
23 Maybe in the dialogue section I can go into a little more
24 detail on that.

25 Up until last month, one of our officers was assigned

1 as a member of the Northwest Coalition Against Malicious
2 Harassment. In addition, he receives the publications and
3 actively reviews the Klanwatch project of the Southern Poverty
4 Law Center. By combining intelligence-gathering efforts of
5 the area, I feel that my staff is able to maintain a good
6 knowledge base of local activity and react effectively when a
7 situation requires it. We do maintain an active set of files
8 of individuals who are involved on or about our campus, as
9 well as in the local area.

10 As a member of the International Association of Campus
11 Law Enforcement Administrators, commonly known as IACLEA, I
12 had the honor and task this year to prepare the racism-on-
13 campus section of the association publication. This deals
14 with critical incidents and crime trends on the campuses
15 across the country for the years 1991, '92 and into the
16 future. I can provide--it's still in draft form, it hasn't
17 been published--but I can provide that to the panel members.

18 On personal notes, I have sent letters to local white
19 supremacist individuals indicating to them that they've been
20 improperly distributing handbills on windshields of cars, on
21 our campus, in family housing, and not in violation of any
22 form of freedom of speech, but simply of our littering and
23 handbill ordinances within the city.

24 I don't pick on any particular group, I send letters
25 to the local taverns, restaurants, bookstores, you name it.

1 If they don't follow the guidelines established by the campus,
2 they receive a letter for littering.

3 However, I did get a nice response. One of the local
4 white supremacist groups, as a reaction, I received mail from
5 their member indicating there was nothing that I could do to
6 stop them and that if I did, they would take immediate steps
7 to sue individuals and entities responsible for denying them
8 their civil rights.

9 I guess one of the interesting topics for the
10 committee to examine would be, we do have white supremacist
11 organizations and their philosophy does promote bigotry,
12 racial hatred and violence. One of the things I see is what
13 you do to balance that. What actions can you take and where
14 do you have to draw the line on limits of free speech when it
15 involves fear and intimidation.

16 I won't go into too much detail--Title 49 of the
17 Montana Codes do or does address the human rights issues for
18 the state of Montana. Our campus has always taken a
19 leadership role, I believe, in the promotion of human rights.

20 One of the best examples I can relate to was on
21 November 17th, 1987. Then-President Cook led the president's
22 march for human dignity. I felt this was a positive response,
23 it was a quick response. It wasn't drug out over time, just
24 some racial bigotry things that were happening on our campus.
25 It was well received and I think it was a positive event on

1 our campus, and I'm glad to see in our current president,
2 George Dennison, activity of that same high level.

3 I know our noon forums at the University Center have
4 invited everybody to speak. All different groups are
5 represented, including the white supremacist organizations,
6 and so the students do get a well-rounded idea of what
7 happens.

8 I'd like to talk for just a minute on what I consider
9 our policies and practices and discuss what our department's
10 been doing. The officers of our department are trained to be
11 aware of secondary crime considerations, and by that I mean
12 when we respond to a scene of assault or vandalism, we have to
13 look to see if there's something more than just a simple act
14 of vandalism or assault. We need to be looking to see if
15 there's evidence of a bias-motivated activity. We will ask
16 the victim or the witnesses questions that can connect the
17 crime to factors of this type.

18 One area that I would confess that we need more
19 training in is in cultural awareness. I know we can find
20 experts on our own campus, people who have the expertise and
21 the background, and we need to seek them out. If nothing
22 else, I feel the riots in Los Angeles should have taught us
23 that we have to look at every group, every ethnic group in our
24 society, at what they have to say.

25 For myself, I feel to accomplish that, we have to be

1 aware. To be aware, we must first learn and understand what
2 drives the white loyalists, the white supremacists, or any
3 other hate group. If you don't understand where they're
4 coming from, there isn't a lot you can do with them.

5 Thank you.

6 MR. DUPUIS: Thank you, Mr. Willett. Questions from
7 the committee?

8 MS. BEARCRANE: I've got one, Don. Mr. Willett, I was
9 wanting--I was kind of curious about--you said that the campus
10 will invite a supremacist group to come and address a group of
11 students. Are you finding that they're accepting these
12 invitations very readily?

13 KEN WILLETT: Probably the best example was at the
14 last--I don't know the exact date of it--but within the last
15 60 days, we had an open noon forum in the University Center,
16 and we asked all groups to come and speak, and they did, and
17 they were given their opportunity. They weren't that well
18 received, but it was an open forum and respect was shown for
19 all groups, and I thought the students did a sterling job of
20 listening and absorbing the philosophies of each group.

21 That's a lot better than somebody walking around in
22 the middle of the night, placing things on windshields,
23 slipping them in between the student newspaper, posting them
24 on someone's door.

25 MR. BENEGAS: Mr. Willett, that incident at the two

1 basketball games they had--was it Western and Rocky? What
2 would be your response to something like that that happened
3 here at the university where they had this name calling and
4 racism going on? Is there some kind of a response that you
5 can effectively respond to something like that, if something
6 happens on this campus or any campus?

7 KEN WILLETT: I think what we would do would be
8 basically what--the reaction that took place--it was in Dillon
9 at Western--and bring it out into the open, make it vocal.
10 Bring it to the forefront and discuss it, which is what they
11 did, come out, if not over a period of time, but quickly in
12 opposition.

13 Here again, as an individual case, I would have to
14 look at it on an individual basis as to what was said, what
15 was done, was an assault--did assault occur, was there
16 criminal activity or was it just real poor taste. But I think
17 as a university, we would want to react fairly soon.

18 MR. BENEGAS: That was kind of unusual, because I've
19 never heard of it happening in Montana before, and it was a
20 surprise, wasn't it, that something like that could happen in
21 one of our universities?

22 KEN WILLETT: I was born and raised in the state of
23 Montana and I've seen things change while I was gone, since
24 I've been back. It's here.

25 MR. DUPUIS: Malee?

1 MS. CRAFT: Mr. Willett, can you tell us a little bit
2 more about--and is it a Missoula law, the handbill law? You
3 said that you'd written letters to white supremacist groups
4 when they have illegally put out handbills and that sort of
5 thing. Can you tell us what that law is, what statute?

6 KEN WILLETT: Let me find it real quick. We just
7 basically follow the municipal--Missoula Municipal Code
8 Section 8.28.090, and that's the distribution of handbills;
9 and 8.28.100, which is littering.

10 We have a little caveat in the letter that we request
11 that they cease and desist from doing it in the future, any
12 group, and that we will provide a service, if they refuse to
13 pick up what they've littered, we will pick it up for them and
14 charge them 50 cents a copy. We've been to court a few times.

15 MR. DUPUIS: Betty?

16 MS. BABCOCK: Do politicians try to distribute
17 handbills like that? Are they under that same law, then?

18 KEN WILLETT: I'm not up on the political that well
19 here. There are times when the politicians can speak and
20 there's times when they can't and there's times when they can
21 distribute and times when they can't.

22 MR. DUPUIS: Malee, then you, Tim.

23 MS. CRAFT: You also indicated that you had gotten, I
24 guess, correspondence back from the group that basically told
25 you you couldn't do anything and that you could be sued. How

1 did your department respond to that? Was this a response to
2 your department or was this a response to you?

3 KEN WILLETT: It was a letter sent to me. It had my
4 name on it and guidelines that I should follow. There is a
5 document that came with it, and it's titled The Right to
6 Distribute Our Literature Guaranteed by the U.S.
7 Constitution. It's one page with a lot of things underlined
8 and precedents of court cases being cited, and it's addressed
9 by Church of the Creator, Save the White Race, Post Office Box
10 2231, Missoula, Montana, 59808. And a second address, Church
11 of the Creator, World Headquarters, Post Office Box 400,
12 Onslow, North Carolina, 28763.

13 MR. MULDROW: Did you respond to that letter in any
14 way?

15 KEN WILLETT: No, I did not. I put it in my reference
16 library, though.

17 MR. MULDROW: Would a copy of that be available to
18 us?

19 KEN WILLETT: Yes.

20 MS. KING: Ken, your staff, has it had an opportunity
21 to be--to receive training in the area of identifying
22 malicious harassment crimes?

23 KEN WILLETT: Basically it's been limited, up to this
24 point, what they're taught at the academy in Bozeman, the
25 police academy, and like I said in my opening comments, it's

1 not nearly enough. We need to have more involvement in
2 cultural diversity and how to react and what to say and what
3 to do and when to do it.

4 It's tough sometimes. You take an officer who's never
5 been exposed to anybody but those living in Carter, Montana or
6 Two Dot and place him into an international environment such
7 as our campus. We have not only minority campus groups from
8 within the United States, we have a quite large international
9 student population. And so putting an officer into that, he
10 needs to come with the proper tools, and some of the tools are
11 up here.

12 MR. MULDROW: Who's responsible for providing that
13 kind of training?

14 MR. WILLETT: The university. I am, and those experts
15 that I can expound to on the campus.

16 MR. DUPUIS: Miss King?

17 MS. KING: Do you see the need for any specific
18 legislation which would help in your job or your position?

19 KEN WILLETT: I don't feel qualified to respond to
20 that at this time.

21 MR. DUPUIS: Maybe the man behind him will be able to
22 do that, you know.

23 KEN WILLETT: Thank you, Don.

24 MS. CRAFT: In reference to this whole issue of
25 training, do you, your department, do you have any goals or,

1 you know, what are you doing to try to--are you writing to the
2 law enforcement academy? What are you doing to try to get
3 this training?

4 KEN WILLETT: Yes. I presently serve on one of the
5 advisory committees to the Montana police academy, law
6 enforcement academy, and I've mentioned that they'll bring
7 things back to the campus and bring information to them.

8 And additionally, we've found the coordinates--it
9 sounds like Star Trek--but the listening satellite that the
10 FBI uses. We're taking material off of that on the campus and
11 it's provided to the officers while they're on duty, on gangs,
12 on hate groups, on sexual assault investigations, a variety of
13 the different topics. It's just something we didn't have in
14 the past.

15 We participate, whenever there's a regional training
16 program--one of our officers, Officer Caliman, like I said,
17 was a member of the Coalition on Malicious Harassment. We
18 keep an active membership and get information from him.

19 I've seen Montana law enforcement departments moving
20 this direction. Our own organization, IACLEA, which is campus
21 law enforcement, has taken a real active interest in this,
22 providing videotape training. University of Washington--we'll
23 provide you with a copy of that draft--it talks about several
24 of the programs across the United States, specifically in the
25 Northwest, University of Washington and so on.

1 MS. CRAFT: Do you have a time line as far as when you
2 would like all your officers to have what training is
3 available out there now? Do you have any?

4 KEN WILLETT: No, I really don't, because I think it's
5 ongoing. You can't just put a deadline on it. If things
6 change, we're going to have to adapt to it, but I would like
7 to see within the next 24 to 36 months that all of them are up
8 to speed on the most current information we have.

9 But that's not going to be an ending in itself. There
10 will be more information, there will be more things to
11 update. It's tough with the small department to work the
12 shift and get the training. When we send somebody to the
13 academy, we redo the whole schedule to make sure the shifts
14 are covered.

15 MR. DUPUIS: Phil?

16 MR. CALDWELL: How many people on your staff?

17 KEN WILLETT: I just lost two. Our staff has eleven
18 commissioned police officers, including myself.

19 MR. CALDWELL: And what would you say is the average
20 age? It may seem like an irrelevant question, but what would
21 you say the average age is?

22 KEN WILLETT: Most of them are about my age. The age
23 spans from a young officer in her late twenties to several
24 officers who are in their forties--45, 48. Many are right out
25 of the academy, some are career officers who come to us from

1 Denver P.D., Missoula Police Department, Park Service.

2 MR. CALDWELL: My reason for asking is that--I'm
3 concerned about, in many of the police departments, the lack
4 of understanding of today's society has a tremendous bearing
5 on the reaction. That's why I'm concerned about--we get a
6 whole group of 65-year-olders as policeman, you've got a
7 definite relation problem between society, young men today,
8 young women today and women of our era.

9 KEN WILLETT: At 65 they're out fishing.

10 MR. CALDWELL: Yes, we hope.

11 KEN WILLETT: No, they are.

12 MR. DUPUIS: Bill?

13 MR. MULDROW: I've got a threefold question. Do you
14 have a formal definition of bias-related activity or bias-
15 related incidents? How do you tell what are bias-related
16 incidents, and how many of these have you had, say, in the
17 last year? And thirdly, do you report these in any particular
18 classification? What is your reporting procedure for these?

19 KEN WILLETT: Okay. I catalog them as hate crimes.
20 They usually will take the form of either property damage,
21 assault, threat, harassment or intimidation. They usually
22 have their motivation communicated by some form of graffiti:
23 Writing on someone's door, the posting of, dropping off of
24 hate literature, derogatory statements about a group to which
25 the victim belongs or some form of symbolism, there again, on

1 the door, on the campus grounds, spray painted on the
2 sidewalk, something of that nature.

3 Usually the hate crimes are not there for any form of
4 a personal gain or any other form of straining personal
5 relationships. They are targeted simply because of the
6 minority, be it female, black, Asian, Native American,
7 whatever it is.

8 My personal feeling, they're not random. I think
9 they're being generated by a specific group of individuals.

10 MR. DUPUIS: Betty?

11 MR. MULDROW: How many have you had in the last year,
12 such incidents?

13 KEN WILLETT: Probably, lumping them altogether, we
14 probably had under 20.

15 MR. MULDROW: Under 20.

16 KEN WILLETT: Yes, and that covers a large gamut.
17 Some of these have sexual innuendos, something against a
18 female.

19 MR. MULDROW: But they're bias-related as you define?

20 KEN WILLETT: Yes.

21 MR. MULDROW: Do you report these to anybody, or what
22 kind of records do you have?

23 KEN WILLETT: Presently we maintain our own police
24 D.R. file. We're in the process of computerizing and have
25 been, according to the UCR. And now the Campus Security Act,

1 which is federal legislation, is going to require us to change
2 that role and report under the Department of Education
3 guidelines under the Campus Security Act, and they hit the six
4 major crimes. Part of that is the hate crimes category, and
5 we're not up to speed yet. I don't believe anyone else is in
6 Montana.

7 MS. BABCOCK: My question has been answered.

8 MR. DUPUIS: Your question's been answered, okay.
9 Bonnie?

10 MS. CRAIG: Ken, do the number of complaints that you
11 receive include complaints that are incidences that might be
12 launched against a faculty person or a staff person outside of
13 the student body?

14 KEN WILLETT: Yes and no. Yes, if it's reported to
15 our office as an incident, I report it to the police
16 department. There are cases where some of these can be
17 handled by Nancy Borgmann under her program, Affirmative
18 Action. There are some incidents that are probably handled
19 through Dr. Fish at the student health service or the
20 counseling center.

21 And there we have another tightrope to walk with
22 patient-client confidentiality, but we've pretty much left it
23 open. If you want to report it, you can report it to any of
24 those avenues. We need to react to the victim.

25 MS. CRAIG: I guess that leads to my next question,

1 then. If your officers do receive a report, say, for
2 instance, from the family housing area of literature or
3 graffiti or out-and-out personal attacks, are the officers
4 prepared to respond to that to the victim to reassure them or
5 discuss the issue?

6 KEN WILLETT: Yes.

7 MS. CRAIG: And they do that?

8 KEN WILLETT: Yes, they do.

9 MR. DUPUIS: Okay, Mr. Willett, thank you very much.

10 Our next list of speakers is Dr. Robert L. Kindrick,
11 and after him is Bill Alexander.

12 ROBERT KINDRICK: Thank you very much. My name is
13 Robert L. Kindrick, I'm provost vice president for academic
14 affairs at the University of Montana. I'm appearing on behalf
15 of President George Dennison. My address, for the record, is
16 109 University Hall at the university.

17 President Dennison wishes me to express his regrets
18 that he could not be here personally, but he has had a
19 longstanding commitment in Japan which he could not
20 reschedule. Let me say that on behalf of the University of
21 Montana, it's a pleasure for me to provide testimony this
22 afternoon with regard to the nature, extent and consequences
23 of activities by white extremist groups on our campus.

24 In addition, I have been asked to provide summary
25 information about such activities on the campus of the six

1 units of the Montana university system. To obtain that
2 information, I have consulted with my counterparts, the other
3 chief academic officers in the system.

4 In my remarks I shall attempt to share dual
5 perspectives, some limited strictly to the University of
6 Montana, some more broadly distributed across the Montana
7 university system.

8 As mentioned in the previous testimony, the University
9 of Montana, like other units in the system, has had individual
10 acts of malice or ignorance. I shan't belabor the 1987-88
11 incident in which at least one student on the campus was
12 distributing white supremacist literature on a regular basis.
13 Nor shall I go into further detail about the March for Human
14 Dignity. You have already heard about that from Mr. Willett.

15 Let me indicate, however, that I think the actions of
16 then president Jim Cook did set a standard, did set a goal,
17 and that goal relates precisely to what Mr. Freeman shared
18 with you in his testimony. Education, outspoken advocacy of
19 the cause of human rights are critical matters in making the
20 case that bigotry should not exist on the campus.

21 As you've also heard, unfortunate incidents involving
22 racist comments have been reported by Native American and
23 African American students. In the incidence of every such
24 report on the campus, the university has conducted an
25 investigation in an effort to identify the perpetrators.

1 Students do report instances of racial harassment
2 based on comments made to them in the local community, in
3 bars, on the street, comments heard from passing cars and so
4 on. Students are encouraged to pursue appropriate action
5 through local civil authorities when those incidents occur.

6 I should add, perhaps parenthetically, that some cases
7 of harassment involve gender. Since 1980, the University of
8 Montana has had a policy prohibiting sexual harassment in
9 employment and education.

10 Just recently, the institution has received a
11 complaint from some women faculty involving the possibility of
12 sexual harassment. President Dennison has ordered an
13 investigation by appropriate parties on the campus, with the
14 cooperation of local authorities.

15 In addition to some of these acts that may be
16 conducted by individuals, there are acts by organized groups
17 that touch the campus, but the extent of the involvement of
18 those groups on any campus in this system is going to be
19 relative. I joined the system roughly six months ago from a
20 state where one campus had a Neo-Nazi organization, as a
21 nonrecognized campus organization, flourishing right there on
22 the campus.

23 It is my perception that the University of Montana and
24 the other units of the Montana university system do not have
25 that kind of organized student activity, but a few relatively

1 recent incidents appeared to certainly have connections with
2 off-campus groups with extremist positions.

3 You've already heard from Mr. Freeman about the
4 appearance of individuals at black student union meetings,
5 distribution of the racial loyalty newspaper--and I believe
6 that's the pamphlet, the handout that both Mr. Willett and Mr.
7 Freeman have commented on--on the windshields of cars on the
8 campus and in family housing, was dealt with promptly by the
9 campus safety office.

10 Recently the Montana Kaimin published a full page
11 advertisement paid for by the Committee for Open Debate on the
12 holocaust, and I presume this committee is familiar with that
13 group. This advertisement has caused a review of editorial
14 policy on the part of the Montana Kaimin with regard to such
15 advertising. The issue is being addressed so that the
16 newspaper will respond in a consistent and appropriate way.
17 Moreover, an open forum will be held on the campus this fall
18 to address the issues raised in this advertisement.

19 Other activities are somewhat difficult to assess
20 because they may be ambiguous, and with the committee's
21 permission, I'd like to distribute an example of an ambiguous
22 document that was distributed recently in the Missoula
23 Kaimin.

24 The flier which I have just distributed was circulated
25 at the University Center. The ambiguity in this document

1 involves the focus on the hooded figure with a swastika, and
2 let me pause for a moment to allow the committee members who
3 have a copy of that document to review it.

4 Will you note that this hooded figure seems to be the
5 target of the sites on a rifle scope, if you look carefully at
6 the way the circle is drawn. The caption, Going Out With a
7 Bang, would appear to suggest that this document is a kind of
8 antibigotry appeal. Yet the suggestion of violence is
9 disturbing, no matter what, and the document is certainly open
10 to other interpretation.

11 Investigation of this particular circular around the
12 campus has not revealed the source, and there have been no
13 subsequent documents.

14 You will notice the promise at the very bottom--the
15 caption on the very bottom of this--there have been no
16 subsequent documents, as promised in the caption at the bottom
17 of the page.

18 The University of Montana has taken a number of steps
19 to mitigate against any such extremist activity on the
20 campus. As I noted, we agree with Mr. Freeman that education
21 is the answer. During the present administration, all
22 administrative officers have been outspoken in public
23 statements and in the press and other media about the
24 importance of diversity on the campus.

25 In addition to the sexual harassment policy, the

1 University of Montana is in compliance with the Montana Human
2 Rights Act. The institution is also sensitive to and in
3 compliance with federal and state legislation on civil
4 rights.

5 Action taken by President Dennison and other
6 administrators on the campus have strengthened the presence of
7 the institution in the academic areas of Native American
8 studies and women studies, and I believe I can answer the
9 question that the black studies area is unique to our
10 institution.

11 In presentations before public groups, such as a
12 recent campus-wide meeting called by Lamda Alliance,
13 administrators have called for increased tolerance and
14 appreciation of the values of cultural and gender diversity on
15 the campus.

16 Incidents which are reported are investigated promptly
17 by the Affirmative Action officer, campus security, the dean
18 of students and other appropriate parties.

19 I would just add about the previous witness that Mr.
20 Willett's dedication to prompt investigation of these kinds of
21 matters is shown by his participation in the creation of this
22 document he mentioned, Crimes and Transgressions on College
23 and University Campuses, which deals specifically with
24 problems of racism and how to approach them.

25 Both Affirmative Action and equal opportunity

1 employment--Equal Employment Opportunity have been a central
2 criteria in the evaluation for all campus administrative
3 officers since the arrival of president George Dennison.

4 The posture of the University of Montana on these
5 issues is clear. The institution will not tolerate racial or
6 gender harassment. It will take steps to deal promptly with
7 any individual found guilty of such activities.

8 If I may shift now generally to other campuses. Other
9 campuses in the system report a similar profile. Montana
10 State University, for instance, has indicated that the
11 institution has witnessed a number of individual acts of
12 racial or gender harassment, but has not seen significant
13 organized activity on the part of white supremacist groups.
14 The effect seems to be more the bleeding that I was talking
15 about, publications of other materials on the campus.

16 In addition, let me add, the policies established by
17 the board of regents also provide a hostile environment for
18 such acts of malice or stupidity. From the perspective of the
19 Montana university system, the activities of such groups at
20 this moment are reflected in individual acts on the campuses
21 and need to be dealt with appropriately and expeditiously.

22 As with other units in the Montana university system,
23 the University of Montana is not, however, complacent in its
24 efforts to deal with the influences of white supremacist
25 groups. These groups do require vigilance. The presence of

1 such organizations in the state and in individual communities
2 is undeniable.

3 We note with alarm activities of racists throughout
4 this area and communities. At this moment it would appear
5 that such groups have not targeted in any major way the
6 campuses of the Montana university system as a forum for their
7 activities. Yet institutions of higher education understand
8 that they must maintain a climate of free and civil
9 intellectual discourse as the best safeguard against the
10 intrusion of bigotry and fear.

11 The University of Montana is committed to policies and
12 procedures which ensure proper campus climate and the
13 celebration of cultural and gender diversity. In addition,
14 the president seeks to unify administrators, faculty members
15 and student leaders to ensure that the efforts on the part of
16 such supremacist groups will be fruitless on the campus.

17 Thank you for hearing my testimony. I'll be pleased
18 to accept questions.

19 I might add, with the committee's indulgence, joining
20 me this afternoon is Dr. Barbara Hollmann, dean of students.
21 She is here to compensate for some of my deficiencies. As
22 some of you may be aware, I have been with the University of
23 Montana for five months, having come here from the state of
24 Illinois, so my lack of historical perspective may be filled
25 in by Dean Hollmann.

1 MR. DUPUIS: Thank you, Dr. Kindrick. Does the
2 committee have questions? Tom?

3 MR. BERGER: I'm glad you brought up the publication
4 of the ad denying the holocaust by the Kaimin. Supposedly
5 this was done out of respect for the First Amendment, which
6 the students obviously don't understand at all since the First
7 Amendment has nothing in it that suggests that publications
8 should publish malicious or false material.

9 Furthermore, it's interesting that my letter regarding
10 this, as president of the Montana Association of Jewish
11 Communities, which they received last week, has so far not
12 been published. So their concern for the First Amendment
13 rights extended to holocaust deniers, unless it's--unless my
14 letter's published tomorrow, which is the last day--doesn't
15 seem to be extended to the head of the Jewish community of the
16 state in response.

17 Why the difference in the treatment of anti-Semitic
18 material by the Kaimin as opposed to anti-black, anti-Indian?
19 In spite of some of the unfortunate anti-black, anti-Indian or
20 Native American activities on the campus, it's inconceivable,
21 totally inconceivable that the Kaimin would publish a paid
22 advertisement suggesting that slavery never occurred in the
23 United States or that American Indians were never mistreated
24 and had treaties broken.

25 Yet an anti-Semitic article is considered acceptable,

1 and I would like to ask you whether you think that part of
2 this may be the bias on the campus that I think the
3 administration can do something about regarding anti-Semitist,
4 anti-Israel speakers.

5 About a year ago, Edward Said was invited to speak as
6 a very honored lecturer at your campus, a man who is on the
7 Palestinian National Committee, who is a friend of Yasser
8 Arafat, whose organization, whose very charter calls for the
9 destruction of the state of Israel. I and others at the time
10 said, if you're going to have a speaker that's biased on this
11 topic at an educational institution, balance it, let some of
12 us give Israel's side of the story, and we were just totally
13 denied.

14 I think--I wonder what you think about making some
15 efforts. Yet your professors are extremely, from what I can
16 gather, Arabist, and presented a very distorted picture of
17 middle eastern history. At least when you call--have a
18 speaker that's anti-Israel, can you--can't the administration
19 do something to balance that with the other point of view?

20 ROBERT KINDRICK: I wish I could give you answers to
21 all of your questions.

22 To go back to the advertisement, they are the
23 questions that I have asked. I have raised this issue--in
24 fact, I had a conversation just yesterday with Dean Charles
25 Hood, and we've had about three or four conversations since

1 the advertisement appeared, trying to get straight on this
2 whole matter of the editorial policy, what the basis was for
3 accepting this.

4 We've also had an offer of material from the Simon
5 Wiesenthal Center, which it seems to me we need to give strong
6 consideration to as well, and let me also say that we do have
7 the most profound respect for First Amendment freedoms on our
8 campus, that is absolutely essential. But I think very
9 clearly the publication of this full page advertisement--and
10 the question that came to my mind immediately was the one that
11 you asked. Would there, indeed, be an equal opportunity for
12 publication of an advertisement saying such things about
13 slavery, gender, Native Americans. I suspect not, and I
14 didn't get the appropriate answer when I asked that question.

15 So we are dealing with that problem. I cannot--I
16 can't give you a full and complete answer at this moment. I
17 can just assure you that it's high on our priority.

18 While I was not here for the incident that you had
19 mentioned last year about Mr. Said, I certainly think that
20 what we attempt to do, and should attempt to do--and if it's
21 not being done, we need to look at this--in all of our lecture
22 series, the presidential lecture series, other lecture series
23 that are held on the campus, is to ensure, indeed, that kind
24 of both diversity and balance in points of view. I have no
25 argument whatsoever with the principles that you mentioned. I

1 can't respond to that specific situation, I regret to say.

2 MR. DUPUIS: Bill, did you have a question?

3 MR. MULDROW: We have heard that on other campuses
4 throughout the nation, college students are provided a fertile
5 ground, if you will, for recruitment to these
6 supremacists--white supremacy groups. Do you find that to be
7 so on your campus? I mean, is this effort made on your
8 campus, overt effort made to recruit members from your student
9 body?

10 ROBERT KINDRICK: Sir, I am not aware of it and I
11 would say, in comparison with the state of Illinois, when I
12 came, I find from what I have seen thus far quite a bit less
13 such activity. So relatively, I'm not perceiving that. But
14 if you don't mind, let me ask Dean Hollmann for perspectives
15 that she may have to share on this.

16 DEAN HOLLMANN: Thank you. I'm also not aware of any
17 active recruitment processes going on on campus. In fact, I
18 have not seen student involvement in any activities such as
19 that on campus since the graduation of the previous student
20 several years ago.

21 MR. DUPUIS: Any other questions for Dr. Kindrick?

22 MS. CRAIG: I have a question. Dr. Kindrick, you
23 mentioned diversity, and that seems to be a word that has been
24 on everybody's lips for the past couple of years. And I just
25 would like you to speak briefly, if you would, about some of

1 the goals that the University of Montana has in mind with
2 regard to the diversity plan.

3 ROBERT KINDRICK: I'd be happy to. We certainly have
4 an interest in enhancing the diversity of our student body. I
5 would tell you that I am not accustomed to a situation
6 personally where there are 47 African American students. I'm
7 also very concerned about our profile and our responsibility
8 in the education of Native American students, so those
9 recruitment efforts are critical efforts, it seems to me.

10 And let me add that while I see those as being
11 important for the minority students involved, I see them in
12 certain ways perhaps as being even more important for the
13 white students on the campus, the majority students who
14 frankly must learn to live in a world with a certain kind of
15 cultural mix and learn to appreciate cultural diversity, which
16 is very hard for them to do if they do not have colleagues who
17 have that kind of cultural background to bring to the campus.

18 In our faculty recruiting plan, too, I would add that
19 the university has been aggressively asserting or aggressively
20 pursuing diversity in faculty ranks. Just in the six months
21 that I have been on the campus, President George Dennison has
22 made three Affirmative Action appointments to faculty ranks.
23 All searches involving faculty and administrators now are
24 encouraged, indeed, to look at protected classes, to give
25 strong consideration to protected classes in the recruitment

1 process. So our staffing plan, I believe, clearly reflects an
2 interest in diversity in our faculty and administrative
3 staff.

4 And beyond that, I would say again, the president has
5 made a very strong effort through budgetary decisions, through
6 other activities, to try to enhance the rich variety of
7 cultures that we find on the campus of the University of
8 Montana. So in addition to that general goal, there are very
9 clear goals in the area of staffing and students.

10 MR. DUPUIS: Bill.

11 MR. MULDROW: To kind of follow up on that, a lot has
12 been said about education as at least a partial answer to the
13 activities and impact of these supremacist groups, and, of
14 course, Montana is in an environment where there are a number
15 of Native American tribes and reservations, as well as sizable
16 black student population on your campus. How would you
17 characterize the university's program, educational--multi-
18 cultural education program which would respond in a manner
19 that you have advocated here today?

20 ROBERT KINDRICK: I think we have some things to do in
21 the academic area, and that's a matter that I'm looking at in
22 terms of what we do about course offerings and in terms of
23 what we do with the academic component. I would say, once
24 again, I'll turn it to Dean Hollmann in a minute.

25 My perception is that, through the efforts of a number

1 of people, including one member of this committee, our
2 extracurricular activity, I believe, is quite strong.

3 And Dean Hollmann, if you would care to comment on
4 that, please?

5 DEAN HOLLMANN: I personally have done awareness
6 training with my student affairs staff this past year as a
7 result of a diversity plan that Bonnie referred to, and that's
8 just the very beginning foundation, trying to bring all of us
9 to a level of awareness that we need to be more multicultural
10 in our perspective.

11 Beyond the staff training and awareness that we're
12 doing, however, in the student affairs area, probably the most
13 critical thing that we're pursuing is the student conduct code
14 and other kinds of educational efforts within living groups,
15 in residence halls and fraternity and sorority houses, the
16 open forums that Ken Willett referred to that take place
17 periodically in the University Center, where different
18 perspectives, different points of views, different ideas are
19 freely spoken and challenged and dialogue is encouraged, but
20 in a civil way.

21 The student conduct code this past year, we're in the
22 process of revising it right now, a very controversial section
23 of that revision was the hate speech code. Quite frankly, I'm
24 still wounded from some of the attacks, but it was really
25 geared for the educational experience that the campus had in

1 discussing what is hate speech, what are freedom--what are the
2 freedoms of expression, and the whole range of where speech
3 becomes behavior.

4 We spent two months on campus debating, having
5 dialogue, having forums, having discussions in informal and
6 formal ways, and we still have not resolved that particular
7 section of the student conduct code.

8 We have now collected the campus responses and
9 reactions and the committee is back at writing and redrafting,
10 and we think we've hit upon language that focuses on the
11 malicious harassment and intimidation of codes from the
12 Montana statutes, and that's where we're headed. But the
13 whole process was really part of the educational experience
14 that we hoped students and faculty and staff went through in
15 just thinking about where my freedom of expression ends when
16 it interferes with another person's civil rights.

17 So all of those kinds of things are occurring on
18 campus. When incidents occur in a residence hall or within a
19 student living group around campus, the student conduct code
20 procedure will click into place, and part of the procedures
21 are just the educational--or the confrontation that occurs
22 when we confront that speech or that behavior.

23 MR. DUPUIS: Thank you. Ms. King?

24 MS. KING: Are there any specific things being done in
25 your teacher education classes--

1 ROBERT KINDRICK: Yes, there are.

2 MS. KING: --to bring about this same sort of
3 proceeding?

4 ROBERT KINDRICK: Yes, there are indeed, and in fact,
5 some of you may be aware that there is NCATE, National Council
6 for Accreditation of Teacher Education mandate, that
7 multicultural perspectives pervade the teacher education
8 program. And indeed, we are following that mandate and making
9 an effort as well to extend our interest in multi-cultural
10 perspectives beyond just the minimum, if you understand what I
11 mean there.

12 There are ways to get by and there are ways to be very
13 active in this. We prefer to be very active.

14 MR. DUPUIS: Thank you.

15 ROBERT KINDRICK: Thank you very much.

16 MR. DUPUIS: We appreciate you coming by. Our next
17 speaker now is Bill Alexander, sheriff of Sanders County, and
18 after Sheriff Alexander will be Bob Slomski.

19 SHERIFF ALEXANDER: Thank you for inviting me here.
20 For the record, my home address is 8588 Prospect-Creek Road,
21 Thompson Falls, Montana.

22 To give you a little background on the reason I'm
23 speaking is because of the problems that supremacist and
24 subversive groups have caused me in law enforcement. I have
25 2600 square miles to cover and have seven deputies.

1 Therefore, we have quite a problem with subversive groups
2 moving into our area because of the lack of law enforcement.
3 Not that the ones that are there aren't good law enforcement,
4 it's just there's not enough of us.

5 We live approximately 100 miles from Hayden Lake,
6 Idaho, where Richard Butler has his Aryan training camp. In
7 our area, we have training going on with skinheads and such as
8 that. The supremacy movement doesn't stop with supremacists.
9 There's many different groups of it. In our area alone we
10 have the skinheads, we have Aryans, we have the common law
11 people who claim to not be supremacists, but they are. We
12 have the KKK, we have tax protestors who claim to be Sanders
13 County Taxpayers Association. Many of them are involved in
14 the subversive groups. We have ACE.

15 Out of 9,000 people in our county, we have
16 approximately 200 Native Americans; I know of two black men in
17 my county, and several Jewish people. So it gives you an
18 idea, there's not many, but what they're using our county for
19 is to get a start.

20 For those of you who may not know it, they intend to
21 start the New Nation USA with Missoula, Montana being the
22 capital of it, and out of that USA they're going to have
23 Wyoming, Montana, Idaho, Oregon and Washington, and that is
24 what the supremacists and the subversive groups intend to be
25 their New Nation USA.

1 I personally am not going to let them take over my
2 county. My main problems started when I was the undersheriff
3 in 1987, a group of people moved up from Wisconsin claiming to
4 be common law. By that, they declared that they need no
5 social security, no driver's license, no registration, no
6 insurance on their vehicles, and such as that. They want no
7 ties to any government, no numbers at all.

8 I was the undersheriff and they were driving their
9 vehicles to and from Noxon to Thompson Falls without any
10 license plates. I got on them and started writing tickets,
11 making arrests. I had two deputies that were intimidated by
12 these people and maybe sympathizers. Consequently, I got rid
13 of them deputies, because they wouldn't do their job.

14 In '88 we started making arrests, and at that time we
15 had a county attorney that thought this would blow over, there
16 would be no problems, they were just a group that would pass.
17 Well, they didn't pass, but they did go silent for about three
18 years.

19 And then last year they got brave again and come out,
20 and we had a new county attorney and we had a judge that would
21 back us up, both our local judge and our district judge,
22 backed us completely. So, the one fellow got brave, we
23 arrested him, the judge give him 180 days in jail for no
24 driver's license. This kind of made an impression on them
25 that we wasn't going to put up with their garbage of not

1 complying with Montana state laws.

2 They then decided that they was going to start
3 lawsuits, so they sued me, the county attorney and the
4 district judge and the justice judge. Now, so far they
5 haven't got anything--and I'll probably get another lawsuit
6 for speaking to you--but they feel that freedom of speech is
7 for their freedom of speech, but not law enforcement, and I
8 totally disagree with them.

9 Anyway, we started making the new arrests in '91, and
10 in '92 we started running driver's license checks on those of
11 them that we knew, and when it come on the computer that they
12 didn't have A driver's license, we would pull them over and
13 issue citations.

14 Well, as a result of that, they decided that their way
15 wasn't exactly the way they wanted to go, so they started
16 buying driver's licenses, and then they started licensing at
17 least one rig and they would drive a legal rig wherever they
18 went. Then they would turn around and sue us again for
19 whatever, for doing our jobs.

20 This is where the difficulty comes in, because with
21 seven of us, we keep our county attorney very busy anyway, and
22 he's having to spend all his time fighting their lawsuits,
23 because if we don't answer them, then we'll lose by default.
24 So it's just another way that they're causing us problems.

25 The latest thing that they have indicated was that

1 they were going to win this war through elections, and they
2 have made some progress. However, they don't believe in
3 registering to vote, so we don't have to worry too much about
4 the actual subversives, what we worry about is the
5 sympathizers, that these people might get convinced that they
6 need to be in office.

7 They do infiltrate law enforcement. I've had
8 incidents of this happen and, as luck would have it, I've been
9 able to--both through dispatchers and deputies, I've been able
10 to pick up on it through their actions and have been able to
11 get rid of them within the probationary period.

12 For those of you who don't know what a probationary
13 period is, if I hire someone and they're on probation, if they
14 screw up within that six months, I will get rid of them, and I
15 don't even have to have a reason, but I always do have a
16 reason.

17 There's a magazine out that is mailed to specifically
18 law enforcement. It's called Aid and Abet. If any of you
19 haven't seen it, you need to get a copy of it, because what
20 they do is they take retired law enforcement or sympathizers
21 and they convince these people to talk against what law
22 enforcement is for and for--their idea of supremacy or that
23 sort of thing.

24 We need to be aware that there are very definitely
25 hate groups in our area. Our biggest bunch of them is right

1 now up on the reservation. The Flathead Reservation comes
2 into Sanders County and there's quite an area of it. I have a
3 very good working relation with tribal law enforcement, and
4 for several reasons. They're very highly-educated people,
5 very well trained, plus the fact they have my views on
6 supremacy.

7 They--when we started having problems they started
8 buying automatic weapons, which realistically there is a
9 problem, because the supremacists have automatic weapons, so
10 law enforcement better have automatic weapons. I got a bunch
11 of flak from my commissioners because they didn't feel I
12 needed automatic weapons. Well, they're not out on the street
13 after five o'clock, I am, and I know for facts that these
14 people train at night and they intend to someday take over.
15 Like I said, I'm going to fight that.

16 We don't have the actual violent hate crimes that you
17 probably see in the larger cities, probably only because
18 there's not as many minorities in our county, but the thought
19 is there, the idea is there of what they want to do: They
20 want an all white nation. Quite frankly, if that's their idea
21 of a supreme race, I want no part of it, and that's been my
22 main gripe is these people that think they're the supreme race
23 are not.

24 I've got--I've been sued for speaking my opinion, you
25 can probably tell now why, but I got interviewed for a

1 magazine, I'm being sued for that. In 1988 KXLY did a
2 television show on hate groups and hate crimes in Sanders
3 County. I voiced my opinion, very strong, because they voiced
4 their opinion. They were going to hang my sheriff on Main
5 Street if he didn't comply with their laws. They now intend
6 to hang me on Main Street if I don't comply, and I'm not going
7 to comply.

8 The one thing that really has helped us is the
9 malicious harassment law. I believe that that actually scared
10 them into believing we meant business about the malicious
11 harassment, and we have legislatures that will work with us
12 and we now have county attorneys and judges that work with
13 us. This has been the biggest help to us.

14 Plus the fact that we have a very well-organized
15 sheriff's department and we have tribal law and order which
16 will respond to us, all the neighboring sheriff's departments
17 will respond.

18 In 1988, we organized a Coalition Against Malicious
19 Harassment. We had 350 people show up for the coalition, we
20 had 20 people show up against it. That give them a good,
21 strong message. They are the minority now, we're not.

22 So, hopefully, I guess all I want to do is let you
23 know the problems they create for me, but I also want you to
24 know that I have as many rights as they do and I intend to
25 fight to keep them from taking over our area, and I'll be open

1 for questions.

2 MR. DUPUIS: Thank you, Sheriff. Ms. King?

3 MS. KING: About how many people are you talking
4 about?

5 SHERIFF ALEXANDER: Rough guess, 60.

6 MS. KING: Do they live in a communal style?

7 SHERIFF ALEXANDER: One group lives in a, I call it a
8 compound, they call it their little 88-acre ranch.

9 MS. KING: But they do live together and function as a
10 group?

11 SHERIFF ALEXANDER: Yeah. Not all of them, some of
12 them, but they're scattered throughout the county. It doesn't
13 stop just in Noxon, Montana. It's throughout the entire
14 county.

15 MS. KING: In addition, then, is there--do you feel
16 that there is a constant exchange with people from out of
17 state? For instance, people traveling back and forth and--

18 SHERIFF ALEXANDER: Yeah, very definitely. They're
19 trying to import people all the time. What it's done is all
20 of the rural area, Sanders County has cropped up with little
21 houses of these people that move up from Arizona: Arizona
22 Patriots, Arizona Freemen. They come from Colorado, the KKK.
23 They've come from Wisconsin, Minnesota.

24 What they do is they talk these people into coming out
25 there and then they--they work for strictly cash, they don't

1 believe in paying taxes or Social Security or anything like
2 that, and so totally there's, like I say, about 60 of them,
3 but they're getting more.

4 MS. KING: Do they apparently have the resources to
5 buy property, land, for instance, and houses and--

6 SHERIFF ALEXANDER: An example of that is, like in
7 California, a 26-acre place would sell for a half a million
8 dollars. You can come up here and buy 26 acres for \$20,000,
9 so they've got money to live on. One fellow sold a business
10 and come up here and bought his 80 acres and made his little
11 world of his own, you know, and they seem to live quite well.

12 MS. KING: Do they try to live off the land, so to
13 speak?

14 SHERIFF ALEXANDER: Well, some of them try to get
15 little businesses going, and that's where the Internal Revenue
16 should come in and help us out, because they're not paying
17 taxes on anything.

18 MS. KING: Thank you.

19 MR. DUPUIS: Ms. Amsberry?

20 MS. AMSBERRY: Yes, thank you. Marge asked one of my
21 questions and has it answered. What is the age variance in
22 the 60 that you referred to?

23 SHERIFF ALEXANDER: Well, I'll tell you, it really
24 varies. The original starters are about my age, it is a
25 little over 40. Some of the others, the young skinhead

1 types--that would like to be skinhead types--are young kids.
2 The ones that were training for military training up there
3 were, I'd say 18 to 19.

4 MS. AMSBERRY: What do they claim their professions to
5 be?

6 SHERIFF ALEXANDER: Pardon?

7 MS. AMSBERRY: What is their claimed profession, or do
8 they--

9 SHERIFF ALEXANDER: They don't have any claim.
10 They're probably thinking they're going to be the new world
11 leaders, you know. Who knows?

12 MR. DUPUIS: Tom?

13 MR. BERGER: I can't let this opportunity pass without
14 expressing my personal admiration, not only for your courage,
15 but for your understanding of these groups. It would be a lot
16 easier for you to not understand them.

17 I also would want to mention, when you talk about use
18 of automatic weapons, I presume you're talking about fully-
19 automatic weapons. I'm a gun fancier and gun enthusiast
20 myself. I know in order to have a fully-automatic weapon have
21 to have a very special license. These people don't
22 believe--how do they manage to get fully automatic weapons
23 without licenses?

24 SHERIFF ALEXANDER: Through the underworld, you know.

25 MR. BERGER: So they're illegal?

1 SHERIFF ALEXANDER: Oh, absolutely. They're illegal,
2 and we have to have probable cause, which is a key word, and
3 we have to catch them in the act of doing the actual firing.
4 A search warrant would do wonders, but, you know, having
5 probable cause to get it.

6 MR. BERGER: Well, if you say you know they're
7 training in the night with automatic weapons, that means
8 you're hearing automatic weapons?

9 SHERIFF ALEXANDER: We're hearing reports constantly.

10 MR. BERGER: It seems that would be an Achilles heel.
11 I mean, if people are hearing it--

12 SHERIFF ALEXANDER: You have to understand, we have
13 seven deputies, including myself, and this goes on at
14 midnight. We have a county that's 110 miles long, five miles
15 deep, we're in one end of the county, we get a call that
16 there's full-automatic weapon fire. We have to actually hear
17 it ourselves. You can't take Joe Citizen out there and he
18 says, this is a full-automatic weapon. You have to have fired
19 one and know the difference, and there is quite a difference.

20 MR. BERGER: If they have fully-automatic weapons
21 without licenses, that's a federal crime.

22 SHERIFF ALEXANDER: Right.

23 MR. BERGER: It seems to me that the FBI--have they
24 requested help from them? Maybe they should try to infiltrate
25 these groups.

1 SHERIFF ALEXANDER: And we get help from them. You
2 have to understand, ATF is the group that would have to do
3 it. They have three ATF agents for the entire state, and
4 they're based in Helena, so, you know, we're in a rural area
5 where we have no law enforcement.

6 MS. CRAFT: What is ATF?

7 SHERIFF ALEXANDER: Alcohol, Tobacco and Firearms.
8 They go out of their way to help us, but they're short-manned,
9 short-powered just like we are, you know. You take three
10 agents for the entire state, with all the different groups
11 that are moving in, more concentrated in the bigger areas, and
12 it's difficult.

13 MR. BERGER: Just one very brief question. Is there
14 any particular bar or public place where these people hang out
15 and congregate?

16 SHERIFF ALEXANDER: There's a public place, and I'd be
17 sued if I told you what it was, so--but there is a restaurant,
18 public restaurant.

19 MR. BERGER: I'd like to put on a yarmulke, go up
20 there and have a drink.

21 SHERIFF ALEXANDER: I'd go with you, except they know
22 me.

23 MR. DUPUIS: Bonnie?

24 MS. CRAIG: I have two questions. The first is, could
25 you speak about the local people's response that are not

1 identified sympathizers or participants in the groups that
2 you've identified? And there are several.

3 SHERIFF ALEXANDER: Okay. One of the problems is in
4 that little area, local people don't feel there's a problem
5 yet, you know. They have to be hit in the face before it--
6 before they feel it's a major problem. However, they do
7 recognize it, they support me in my beliefs on it.

8 That shows at election time, because these people very
9 definitely have tried to get me ousted in the last election
10 and they're going to try this next one, but the local people
11 don't seem to understand that there is a problem, you know.
12 They have to be hit right in the face before it--before they
13 realize how big the problem is.

14 MS. CRAIG: Okay, the second quick question here is,
15 you mentioned earlier that one of the plans that they have was
16 to create this New Nation USA in the Northwest area, and
17 perhaps target Missoula as the capital. I'm wondering if you
18 would feel free to speak a little bit about your knowledge
19 about what's happening in Missoula that we're not aware of.

20 SHERIFF ALEXANDER: I don't really keep track of
21 Missoula because I've got a major problem of my own to keep
22 track of. However, I do go to intelligence meetings every
23 month and we exchange information. The main movement is on
24 the university, but they're all around here. They're not just
25 the university. Some of my feelings are they're out of

1 Sanders County and into this area, because I can keep too
2 close an eye on them, and in a big area like this, they can
3 fade into the woodwork and still go about their campaigns.

4 MS. CRAIG: Okay, and you did say that they have a
5 tendency to attempt to infiltrate different agencies like law
6 enforcement, in particular, or other administrations. So you
7 would say, then, would you not, that one of the keys to
8 dissipating the infiltration is for administrators or law
9 enforcement chiefs of police, sheriffs like yourself, to
10 become fully educated and supportive against this type of
11 movement?

12 SHERIFF ALEXANDER: Very definitely.

13 MS. CRAIG: And you communicate through this
14 intelligence briefing meeting that you go to?

15 SHERIFF ALEXANDER: I think the key is sharing
16 information like we do here. I mean, I come to Missoula, all
17 of the agencies around come to Missoula once a month for
18 intelligence meetings, and we share information on these
19 people that we're aware of.

20 Last night I called an area in Tennessee and talked to
21 a sheriff back there about one of my people that moved to
22 Tennessee, and he continues to write hate letters to my area,
23 and this sheriff was aware of him, but he had no idea what he
24 was up to. So now I've communicated with Tennessee and
25 they're watching this guy.

1 I think the whole key is share our information and
2 being aware that there definitely is a problem. They
3 definitely intend to take over, and if people don't think
4 they're going to--I don't believe they can, but they're
5 definitely going to try.

6 MS. CRAIG: One of their strengths is through the use
7 of distributing fliers like this or whatever. What role do
8 you think the media plays with regard to either increasing the
9 awareness or decreasing the opportunities for them to grow?

10 SHERIFF ALEXANDER: Personally, I don't think the
11 media hurts anybody. I think people need to be aware, if it's
12 told truthfully. Quite frankly, I have seen very few articles
13 come out in any paper that told the entire truth, you know.
14 They tell it pretty one-sided.

15 MR. DUPUIS: Ray?

16 MR. BENEGAS: I just wanted to ask the sheriff, do you
17 need stronger laws or what is it we need to do in passing the
18 legislature? What might help you to do your job better
19 there?

20 SHERIFF ALEXANDER: Personally, I need more people. I
21 need my commissioners to be aware that there is definitely a
22 problem. I need enough people to have someone out there every
23 hour of the 24 hours to monitor what's going on, because there
24 will be days when I have one deputy on for the entire county,
25 you know, because with seven people--I work a week of days,

1 week of nights, just like the deputies, mainly because I live
2 to work, but also because there's just not enough people.

3 But I think my whole answer is to have enough people
4 and have commissioners that are aware that I need a budget to
5 work law enforcement. I don't have that, I don't have any
6 backing from the commissioners.

7 MR. BENEGAS: And the state can't do anything?

8 SHERIFF ALEXANDER: They are--the one thing that the
9 county attorney has done for me is he has told the
10 commissioners that they have to give me an adequate budget to
11 run law enforcement of my county, but they figure the people I
12 have is adequate. And so they give me what I ask for, but I
13 could very easily use another three deputies, but I won't ever
14 get it from them.

15 MR. DUPUIS: Bill?

16 MR. MULDROW: First of all, I'd like to second Dr.
17 Berger's appreciation for your statement, and admiration for
18 the way you're taking on your job there, the dedication that
19 you have, I think that's very much appreciated.

20 SHERIFF ALEXANDER: Thank you.

21 MR. MULDROW: You've raised some extremely serious
22 issues or made some serious allegations here that, you know,
23 there are groups of armed persons with automatic weapons,
24 training at night with plans to take over something, a county
25 or the country or whatever it is. Those are pretty serious

1 matters to deal with, and yet you have only a handful of
2 deputies to cover a large area, which you feel to be very
3 inadequate for this situation. I would certainly agree.

4 I mean, what is the answer? We had Mr. Day from the
5 justice department of the state here who indicates that their
6 department more or less is not authorized or not empowered to
7 assist in local situations such as your own, and the FBI is
8 spread out and distant and handicapped in what they can do.

9 I mean, what is--surely there is some--there's a need
10 for something to be done in a situation like yours. What is
11 the answer? Where would you suggest that help might be
12 available?

13 SHERIFF ALEXANDER: Well, it's almost impossible to
14 get a solution if you have people that don't realize there's a
15 problem, and I have tried repeatedly to tell my commissioners
16 that there is a problem. In fact--

17 MR. MULDROW: You would think--pardon me--you would
18 think, for example, that the governor of the state would be
19 extremely alarmed at the situation there to the point where,
20 you know, somebody at that level would take some action to at
21 least investigate the situation and assure that it is
22 contained and that you have the support that you need.

23 Has anybody ever said anything to you?

24 SHERIFF ALEXANDER: We--the county attorney and myself
25 went to Helena about a month and a half ago and we met with

1 the attorney general, Mark Racicot. Mark is very well up on
2 this, but his hands are tied, too.

3 Now, if, in fact, when we get a new governor, if I can
4 go to the governor and tell him my problem with the area and
5 if I can make the commissioners aware that there's a problem
6 and get their support--it's like I said, these people, they
7 live in a shell, they don't realize there's a problem until it
8 hits them in the face. And they should be able to see it,
9 because these people are coming into the courthouse every day,
10 they're filing lawsuits, they're filing all kinds of stuff.
11 They've made it very clear that they're going to try to win
12 through elections now.

13 Yet it continues--they seem to just bury their heads
14 in the sand and forget there is a problem. They think it will
15 go away if they bury their heads in the sand. It won't go
16 away.

17 MR. MULDROW: I'd like to talk to you further later
18 on, we don't have time now to explore all the questions I
19 have. Again, I would like to say I appreciate your--

20 SHERIFF ALEXANDER: If you'd like to call me sometime
21 at the office, I'd be glad to visit with you or meet you
22 somewhere and visit. I think people really need to be aware
23 that there is a problem.

24 MR. DUPUIS: Betty?

25 MS. BABCOCK: I have two questions. One, is there any

1 apparent interference at the polls by these groups at election
2 time?

3 SHERIFF ALEXANDER: No. What they do is their
4 interference is through gossip, through the bad-mouthing, the
5 rumors such as that, and the fact now that they're going to
6 try to get their own people elected.

7 However, I've already seen an indication of who the
8 next sheriff is, I'm not worried about him, but they're very
9 convincing people. They--you know, they come on like just the
10 nice everyday citizen, and people are floored by them, you
11 know, they don't realize that these people are very
12 persuasive.

13 MS. BABCOCK: I'm wondering if this is the same group
14 that tried to make Helena their--well, they tried to establish
15 themself in Helena as their main point of--

16 SHERIFF ALEXANDER: It's very possible.

17 MS. BABCOCK: --and if they moved to Sanders County.

18 SHERIFF ALEXANDER: Well, there's--the thing of it is,
19 you got to understand, there's about ten or fifteen of these
20 different groups that all have the same thing in mind, and
21 that's New Nation USA.

22 MS. BABCOCK: There was a lot of publicity in Helena
23 about it and it seemed like for some reason it just all of a
24 sudden quit. And I just wondered if, you know, if it was
25 because of any action Helena took or--

1 SHERIFF ALEXANDER: Yeah. Well, that's very
2 possible. Helena, being the state capital, they probably run
3 into a lot more opposition than they would in little old
4 Sanders County.

5 MS. BABCOCK: Thank you.

6 MR. DUPUIS: Thank you, Sheriff.

7 MS. BEARCRANE: Don, is it all right if I ask one
8 quick question?

9 MR. DUPUIS: Okay, I missed you, Jeanne.

10 MS. AMSBERRY: I was just curious about the financing
11 for the campaigns. Do you see outside money coming in to help
12 these persons?

13 SHERIFF ALEXANDER: The thing you got to understand
14 is, they pay for everything in cash. They're not going to
15 record their campaign donations to their people and that--you
16 know, there's no way to prove it. So if they give this guy
17 \$20,000 to spend in a bar buying drinks for people, there's no
18 record of it, there's no way of proving it, and they've got
19 the money to give them.

20 Real briefly, let me tell you. Back in 1983--have all
21 of you heard of Bruce Gerald Pierce (phon.)? I'm sure you
22 have. He lived in our county. He killed a talk show host.
23 Before he--just shortly before he killed that talk show host,
24 I stopped him on a traffic stop. He married a girl that was a
25 friend of my oldest daughter's. I had no idea who this guy

1 was, but that's the kind of people that we attract up in
2 Sanders County, so, they're there.

3 Did I answer your question? I got off on--

4 MS. BEARCRANE: Okay, thank you.

5 MR. DUPUIS: Thank you. Thank you, Sheriff.

6 Our next speaker is Bob Slomski, the county attorney
7 up in Sanders County, and then when Bob finishes, we'll have a
8 break.

9 ROBERT SLOMSKI: Thank you, and good afternoon. My
10 name's Bob Slomski and I'm the Sanders County Attorney in
11 Thompson Falls, Montana.

12 The sheriff has already summarized for this body a lot
13 of the information that's pertinent. A couple points that I'd
14 like to emphasize is the fact that we are very sparsely
15 populated, we are very rural, mountain valleys, hills, Forest
16 Service, mountains, there's not a lot of law enforcement,
17 there's not a lot of population. It's a very good place for a
18 group that has white supremacist beliefs to feel that they
19 could try to make themselves a little niche in a community and
20 basically find a good place to seed themselves.

21 We're also--we don't have very much diversity, as the
22 sheriff mentioned. I suppose the eastern part of our county
23 is encompassed within the Flathead Indian Reservation, but
24 it's very sparsely populated and it's just a small part. And
25 our greatest minority group is probably Native American, it's

1 probably just as the sheriff said, a few hundred people, maybe
2 5 percent of our population at most.

3 We have virtually no black people, a handful of
4 Hispanic people, a handful of perhaps Jewish people, so we
5 have a very--like most of Montana, but even more so. Rural
6 Montana has a very homogenous population.

7 As the sheriff mentioned, we are about the same
8 distance from Reverend Butler's Aryan Nation Church in Hayden
9 Lake Idaho as we are from Missoula--about two hours each way--
10 and we have seen some spillover from Hayden Lake, Idaho of
11 people with similar beliefs, moving in our county in the
12 western end. And in the eastern end of the county we have
13 some other groups, because of the reservations, such as the
14 All Citizens Equal groups.

15 We have not had--I have not prosecuted--I'm sure
16 you're aware from other speakers that there's a malicious
17 harassment law that's been passed in Montana in 1989 making it
18 a crime to harass, intimidate, assault or threaten someone on
19 grounds of race, ethnic background, religion and so forth, and
20 it's a serious crime and it encompasses activities such as
21 cross burning and similar Ku Klux Klan-type activities.

22 We have not had a single prosecution under that law.
23 I'm not aware that there's been any prosecutions under that
24 law in the state of Montana, but I agree with the sheriff that
25 perhaps it has a really good deterrent value, sort of like the

1 way we've had nuclear weapons in my entire lifetime, but we've
2 never used them. And perhaps--perhaps these laws, the fact
3 that they aren't being used does not mean that they're not
4 effective, because it is there and if the circumstances were
5 proper, we would use those laws.

6 The closest thing that I have seen in three and a half
7 years as the local prosecutor in Sanders County, the closest
8 thing I've seen to malicious harassment or anything
9 approaching that has been a couple of months ago someone spray
10 painted on a highway bridge Jew SA is USA, and the sheriff's
11 office took some photographs and talked to the nearest people
12 in the nearest ranch house, but really couldn't find anything
13 further out, and the Highway Department painted it over. So
14 basically, you know, we have some graffiti.

15 There's been a few pamphlets handed around, left at
16 the post office or the courthouse that are just distributed
17 with racial overtones.

18 I don't pretend to understand--I would agree with the
19 sheriff, there's probably a few dozen people out of a
20 population of a little less than 9,000 in our county who
21 subscribe to the white supremacist beliefs in various forms.
22 I don't pretend to understand their beliefs or the philosophy
23 behind them or exactly how their train of thinking goes, and I
24 don't know if any of the other speakers have addressed this
25 body about that.

1 I saw that Bette Tomlinson's name was listed as the
2 first speaker and she did an article and perhaps she will
3 summarize it, but my rudimentary understanding of their
4 beliefs is that they believe that they are descended from the
5 lost tribes of Israel who migrated to the northern European
6 countries and became the Aryan race and that they are God's
7 chosen people and that the United States is the promised land
8 for God's chosen people, the white Aryan race, period.

9 They have strange methods of interpreting the United
10 States Constitution and law. They basically don't believe in
11 anything after the Civil War, the amendments of the
12 Constitution that freed the slaves. They come into our courts
13 demanding due process of law under the Fifth Amendment, which
14 was part of the Bill of Rights, and they specify not under the
15 Fourteenth Amendment, because that's the amendment that freed
16 the slaves, so they make that distinction very clear.

17 They are a small group, they are at the lunatic fringe
18 of the political spectrum. We have not prosecuted any crimes
19 by them. They have been a real pain in the neck, but not
20 because they're burning crosses or running around with hoods
21 or harassing people, they've been a pain in the neck for law
22 enforcement because they have tied up the court system with
23 frivolous lawsuits.

24 They have refused to obtain driver's licenses and
25 register their vehicles, but they finally figured out--they're

1 not very bright, they finally figured out that by driving
2 around an automobile without a license plate, they're giving
3 the law enforcement probable cause to pull them over and shake
4 them down. So they've finally figured that out, after several
5 years, that every time we see them, we're going to pull them
6 over and shake them down and prosecute them, and they've now
7 pretty much got driver's licenses and registered their cars,
8 which took them quite a while to learn that.

9 But we've not actually seen any discriminatory
10 harassment or crimes that--I'm not saying it hasn't occurred,
11 perhaps it's occurred and hasn't been reported. The sheriff
12 could better address it; maybe there's been something reported
13 that they've looked into but haven't been able to solve.

14 It's a very strange melding of fundamentalist
15 Christian beliefs and fundamentalist legal beliefs that they
16 present us with, and it's very difficult to understand their
17 flow of logic and how they think. They believe that the
18 prefatory language to the United States Constitution, We the
19 People, refers only to white Christian males, that's who We
20 the People are.

21 They view the government of the United States and the
22 state and the county as illegitimate. They do not recognize
23 the sheriff or myself or the courts, I don't think, as being
24 the legitimate government voted in by the people. That's
25 because, you know, this government allows people of different

1 races and religions to participate, and they don't recognize
2 that.

3 And they have caused trouble for our court system, but
4 for the time being, the last few months, as the sheriff said,
5 after we basically dropped the hammer on them and showed them
6 that they'd be prosecuted and thrown in jail for not driving
7 with a license, they have stopped that particular tactic.
8 They're just going to switch their tactics.

9 As the sheriff mentioned, I think their tactics are to
10 try to get people elected and distribute their literature. I
11 don't know how much of their literature you folks have seen,
12 and it would be interesting. I haven't seen that much myself,
13 except for some of their court documents.

14 They sued me, the sheriff, the judge, for--basically
15 for doing our job and throwing them in jail for driving
16 without a license, which really has nothing to do with
17 harassing anyone or the issues that you're looking at,
18 although these people do hold those beliefs and are very open
19 about holding those beliefs, although I don't think they're
20 candid at all about their motives.

21 We--I was sued along with the district judge and the
22 Justice of the Peace as a result of one of these prosecutions,
23 and this guy filed a demand with the court--they're pro se,
24 they don't--they don't like lawyers. They don't want to be
25 represented by lawyers, so they represent themselves in

1 court. They have no idea of what they're doing.

2 And one of them, in a lawsuit against myself and the
3 judges, demanded that the clerk of court appoint a judge who
4 has the qualifications to be a judge in this court of common
5 law. Qualifications to become a judge at law include, but are
6 not limited to: One who professes the Holy Bible as the law
7 of the land; one who is a white man; one not having any title
8 of nobility; no Social Security card; no driver's license; no
9 card-carrying member of the State Bar Association or the
10 American Bar Association. And it goes on and on and on.

11 They file documents with our clerk and recorders, the
12 county official who records deeds and other routine documents
13 that are kept in county courthouses, and they file these
14 affidavits of who they are, and in these affidavits, they sign
15 them and they put their thumbprints down and they're kind of
16 amusing. They go into their whole lineage.

17 One guy filed an affidavit here and he says, I'm a
18 free white Christian male and I was born such and such and in
19 such a place and I was sired by my father, who was a free
20 white man, and I was given birth by my mother, a free white
21 woman, and at the time of the marriage they were united in
22 holy Christian wedlock, and then they go on. And he goes
23 through his lineage back to his grandparents, and puts his
24 fingerprint on it for positive proof that, you know, he's
25 tracing his Aryan white lineage.

1 I don't know what the future holds. I think that the
2 people that are here who have been here in our county, the
3 sheriff's got his eyes on them, we know who they are, they
4 know who we are, they know we watch what they do. I'm not
5 really worried about them erupting in any violence, the
6 locals, but this is not like a grand conspiracy organization.
7 You're talking about some lunatic fringe fundamentalist groups
8 and people who come and go.

9 And the most frightening thing for me is, as the
10 sheriff was mentioning, people coming in from other areas and
11 leaving. Because it's one thing to hold these beliefs, but if
12 you believe you're God's chosen people and this land was given
13 to you by God--and by this land, it was the United States, but
14 they've given up on the United States, now they just want the
15 five northwest states to be the Aryan homeland. You know, if
16 you believe that and you start taking some action, then it
17 becomes frightening.

18 And there are people who frequently move into our area
19 and leave, and it's very rural and there's a lot of transitory
20 population that comes and goes. There may be people--the ones
21 in our area who have these beliefs may have no intention to
22 commit any violence against anyone, including law enforcement,
23 but there may be people with the same beliefs who are just
24 plain criminals.

25 I mean, you know, the prisons are full of--I think

1 most prisons in most states have got a population of, you
2 know, the Aryan brothers or the black brothers or the Hispanic
3 brothers or whatever, and I wouldn't be surprised if there are
4 just some plain outright criminals who have racist beliefs who
5 would be attracted if they felt there were people of a like
6 mind here who might be more inclined to violence.

7 The reports of weapons frighten me. We have not--a
8 lot of the information the sheriff talked to you about is
9 intelligence information, it's raw police intelligence and we
10 don't have enough to act on in the matter of getting a search
11 warrant, and so that's why nothing has been done. Reports of
12 neighbors hearing gunfire at night, and it is frightening.

13 A lot of times I think of these people as--and they're
14 not all together. There's some scattered and there's others
15 that live in a common type situation. They kind of remind me
16 of Reverend Jones in Guyana where they all drank the poison
17 Kool-Aid. You know, you have a group that many of them will
18 home-school their children, no ties to the outside world,
19 everything is looking inward; they feel persecuted, they
20 develop kind of a martyr complex.

21 People like that with fundamentalist beliefs, if they
22 will take the step of acting on their professed beliefs, then
23 we could be in for trouble. But it really hasn't happened
24 much so far, so.

25 I'm open for questions if there are any.

1 MR. DUPUIS: Thank you, Bob. Questions for Bob?

2 MR. MULDROW: Are these people--am I hearing that
3 these are all people who have moved into the state from
4 outside or are they recruiting members among the indigenous
5 population?

6 ROBERT SLOMSKI: You know, I really--to my knowledge,
7 the core group of these people has moved into our area from
8 other parts of the country. I'm sure they're probably
9 recruiting other people or attempting to recruit other
10 people. I don't know that they've been very successful.

11 MR. MULDROW: Is your county typical of other
12 situations in the state or is it fairly unique?

13 ROBERT SLOMSKI: I wouldn't be surprised if there were
14 others that were fairly similar. We are unique in that we are
15 adjacent to Idaho where Hayden Lake is and Reverend Butler's
16 Aryan Nation Church. I have--as the sheriff mentioned, these
17 people were causing us a lot of trouble, and basically the
18 trouble was they were overwhelming the legal system with a
19 bunch of their gibberish, and we went to the extent of going
20 to meet with the attorney general and his staff to try to get
21 some--a little help on some of the legal issues.

22 And, in discussing it with the attorney general staff,
23 we found that there are other prosecutors and judges
24 throughout the state who have similar problems; similar
25 problems. So I think that in different rural areas--there's a

1 group of these people in the Belgrade area, I think there's
2 also a group down the Bitterroot, down by Hamilton, a group up
3 toward Glendive, and they have the same kind of--they're a
4 little different.

5 You know, some of them don't believe in--ours use
6 cash. Others, you know, are into the dollar's not legitimate,
7 the Federal Reserve notes, they want to go with gold. What
8 you have is a mixture of all kinds of bizarre, fundamentalist,
9 goofy beliefs, okay, and no one group or individual probably
10 shares all these bizarre, extremist, goofy beliefs that the
11 others do, which is good because, you know, fundamentalists
12 don't tend to get along and agree with each other, and I can't
13 see how they could pull themselves together when they all
14 believe so firmly in their own belief systems.

15 MR. DUPUIS: Any other questions for Bob?

16 MR. BENEGAS: I just wanted to ask. The attorney
17 general's helping you out, the Montana state?

18 ROBERT SLOMSKI: Yes, he's helped us out and his staff
19 has helped us out, primarily with helping us with legal
20 research and helping to defend us occasionally when we get
21 sued.

22 MR. BENEGAS: It's just hard--they have this process
23 go on and on when they file a frivolous suit. I don't see how
24 they can continue going on with that.

25 ROBERT SLOMSKI: Right now it's under control. The

1 suits have been thrown out of court and dismissed. But
2 whenever you get them in jail, they'll petition for a writ of
3 habeas corpus, and then when it gets denied they'll try to
4 appeal it, but they never know what they're doing so they
5 can't do it right. And it's much more difficult to deal with
6 incompetent people representing themselves than with an
7 attorney who at least would be able to follow the procedure.

8 And I guess the problem is, you know, our legal system
9 is only for people to present their grievances, and even
10 though it's frivolous and it has no basis, you've got to
11 defend it. As the sheriff said, you can't just sit there, you
12 know, and let them sue you for half a million dollars. You've
13 got to go through the steps and research the law and show why
14 it's frivolous, and it's time-consuming. And who pays for
15 myself and the sheriff's time and the court's time? The
16 taxpayer, you know.

17 I don't know if it's their conscious intent to clog up
18 the court system with the frivolous materials, I don't know if
19 that's their conscious intent or not, but that is the effect
20 of what they do.

21 MR. BENEGAS: It must be their intent, otherwise they
22 wouldn't be doing it.

23 MR. DUPUIS: Okay, Tim?

24 MR. HARRIS: Bob, what kind of economic impact is that
25 activity having on the county? The whole state of Montana is

1 struggling economically, and here we have this frivolous stuff
2 just grinding through.

3 ROBERT SLOMSKI: Yeah, it comes and goes, you know.
4 I've been county attorney there three and a half years.
5 Before I was there, there was a big movement--and the sheriff
6 described that--back about 1987 or '88. When I became county
7 attorney, I saw nothing until last year and there was another
8 big movement. And now I guess they're sick of being arrested
9 and so things have quieted down.

10 We've got their lawsuits thrown out, they've basically
11 got driver's licenses, but it will crop up again. It would be
12 hard to say how much time and money it wastes, because it's a
13 substantial amount for so few people. You have a few people,
14 you know, monopolizing our judicial system for their own
15 egotistical purposes.

16 MR. HARRIS: Do they pay taxes?

17 ROBERT SLOMSKI: I don't know. If they own real
18 estate they'd better or we'll take their land, the same as
19 anybody else who doesn't pay taxes. I doubt they pay other
20 taxes. Well, they did register their cars, finally, and pay
21 their license after we arrested two or three of them.

22 MR. HARRIS: As far as their county taxes, they're
23 not--

24 ROBERT SLOMSKI: Well, those are basically real estate
25 taxes, and so if they own land they pay them. Okay?

1 MR. DUPUIS: Okay, thank you. Okay, now, let's take a
2 break now until 3:20. Let's make it 3:25.

3 (Whereupon, the hearing was in recess at 3:08 p.m. and
4 subsequently reconvened at 3:26 p.m., and the following
5 proceedings were had and entered of record:)

6 MR. DUPUIS: We'd like to get started for our
7 afternoon final session now. Our speaker has been in the
8 front row in the front chair for about an hour, waiting to get
9 started.

10 Mary, are you okay?

11 Okay, our next speaker is Edwin Hall. Edwin?

12 EDWIN HALL: Thank you, Mr. Chairman. Out in the
13 hallway, Tim Harris told me I had to be very dynamic because
14 you guys had a big lunch, but I don't know that I can do that,
15 after listening to Sheriff Alexander, who obviously has more
16 firsthand knowledge about this than most people do.

17 I'm the administrator for the Montana Board of Crime
18 Control, which is an 18-member body appointed by the governor
19 to generally improve the justice system, is generally the way
20 I state our mission. And part of that is that we have the
21 SAC, the Statistical Analysis Center for the state, which
22 collects data on crimes around the state through what we
23 call--we have two systems at the moment: The Uniform Crime
24 Reporting System, called MUCR, M-U-C-R; and the National
25 Incident-Based Reporting System, called NIBR. And I'll talk

1 to you a little bit more about those in a minute.

2 Just a little bit of history, because I heard someone
3 ask Bob Slomski about whether these groups were composed of
4 indigenous individuals or whether they'd moved into the
5 state.

6 About 20 years ago, almost exactly, while I was a
7 graduate student at the university, I became interested in
8 vigilante groups, and there was a group out of that time, a
9 Posse Comitatus, that had handbills that they were handing out
10 recruiting members, and that was a time that there were
11 several murders in Missoula, rather heinous murders--one of a
12 child, that I recall--and they were recruiting the free white
13 males to take up arms against murderers and cattle thieves and
14 a long list of offenses for which you would be hung summarily
15 by the vigilantes. And it was signed by Captain Loren Nedley,
16 I believe, and I don't know if he's still living or not. I
17 kept that flier for a number of years and just only six months
18 ago I gave it to the historical society, since it is now 20
19 years old.

20 And, you know, this is not a new thing in Montana, per
21 se. And I suspect there are indigenous members, as well as
22 coming in from the outside, and it's not strictly located,
23 from my observation over these 20-some years in the
24 northwestern part of the state. There was for a time a fair
25 amount of activity in the eastern part of the state, mainly

1 centered around tax protest.

2 And at one time you remember there was a gentleman in
3 North Dakota who had a shootout and then escaped from whoever
4 he was involved with and they found him later on, or killed
5 him later on somewhere else. But those groups were always in
6 eastern Montana, and I don't know what's happening in the
7 Stevensville area, but I'm told that there's still activity in
8 the Stevensville/Hamilton/Ravalli County area.

9 Sheriff Alexander mentioned to you, too, that most of
10 these groups have all of the weapons and all of the equipment
11 and are as well-armed as law enforcement. They have radios,
12 they have organizations, they have arms. And that probably is
13 true, but there's one thing that--I guess this has come out,
14 but it hasn't been brought to the surface--there's one thing
15 that they don't have and law enforcement does have and it's--
16 our best tool is information. We have information and we can
17 share information, whether it be crime history, whether it be
18 fingerprints or whether it be statistics, based on reported
19 incidents.

20 And much as Bill mentioned, that they meet in Missoula
21 and share intelligence, even though I'm not responsible for
22 the intelligence gathering, it's that information that is
23 probably one of our best weapons, and if you come up with any
24 single recommendation, there may be ways to strengthen our
25 information sharing and our gathering and keep that tool for

1 ourselves. There's no way that we can scope automatic weapons
2 for ourselves--everyone seems to get one--but we can keep
3 information in our hip pocket when we need it.

4 The Statistical Analysis Center that we have is
5 responsible for collecting hate crime data under--I'm sure
6 you're aware of this--the 1989 Hate Crimes Statistics Act that
7 the attorney--that makes the attorney general of the United
8 States responsible for collecting statistics on hate crime.

9 And the FBI, in implementing that, which does the
10 statistics collection for the federal Department of Justice,
11 has put out two volumes, and I don't know if you've seen these
12 or not, they're on hate crime--hate crime data collection
13 guidelines and a training guide for hate crime data
14 collection, and they are very, very small. That requirement
15 that's put on to the FBI is really passed on to us, to collect
16 hate crime statistics, and so I can give you the exact number
17 that we have reported in the state so far, and that's zero.

18 And I'm a little bit frivolous in that as we don't
19 have the mechanism out there to collect. It's not that there
20 are no hate crimes, it's just that we aren't getting it.

21 Our plan to collect those is--because we are involved
22 in changing from our uniform crime reporting system, which is
23 the old reporting system, to the new National Incident-Based
24 Reporting System, we're having that designed and programmed by
25 data processing people and we're starting to get that

1 implemented now.

2 And what I've learned through the data processing
3 implementation is that you can take whatever the data
4 processor tells you in terms of unit of time and double it and
5 that's probably when it will be done. So if they told us it
6 was going to be done in six months, it's at least a year, and
7 if they told us a year, it's at least two years. And so we're
8 kind of behind of getting the automated portion of the data
9 collection implementation.

10 Because this information is important, what the
11 statistical analysis center person is going to do for me is
12 take the paper form that the FBI has for collecting hate crime
13 incidents--and I don't know if you've seen these or not. Have
14 they been passed out? Has anyone ever seen them? I don't
15 have extra copies, but I am sure you could get them from the
16 FBI or I could make photocopies--but it's their reporting form
17 for reporting hate crimes, which are crimes with a biased
18 motivation.

19 And we're going to use this as a paper form until our
20 automated system is available to collect that data, which
21 should be fairly soon. This will be implemented, the paper
22 system, very soon. The staff are out doing training on it,
23 they were doing it this week back in their office now, but
24 we're collecting this paper information on hate crimes from
25 law enforcement agencies right away. This will be reported

1 crimes. It's not necessarily if there's an arrest, it's if
2 there's a report of a crime, then it's up to someone to
3 classify it as a biased-motivated crime.

4 And therein is another small lacking that we have at
5 this point, and I think Malee has spoken to Greg Noose at the
6 academy, the law enforcement academy director, about training,
7 and I spoke with him about this as well yesterday.

8 In order to classify a crime as a hate crime, you have
9 to know whether or not it is a hate crime and what is the
10 motivation. If two people of a different race get into a fist
11 fight over a parking spot, it may not be a crime; they may be
12 fighting over a parking spot. But if they're into a spot and
13 it has the racial epithets thrown and the fight is about race,
14 religion or sex, then, babe, it's a hate crime.

15 The second place is putting on training so people know
16 what is a hate crime and classify it appropriately. The FBI
17 is recommending that there be two levels of check on that:
18 That the officer be trained or the person doing the data or
19 recording be trained to say, this looks like a hate crime
20 because of, and that that be reviewed by someone else who
21 says, yes, I agree this is a hate crime, and then it's
22 recorded as such.

23 The FBI gives some small scenarios for training about
24 how to recognize hate crimes in this book. It's pretty
25 cursory at the moment, I think, there's not a lot of depth or

1 detail in this. In speaking with Greg Noose, the academy
2 director for the law enforcement academy, he has put on some
3 training sessions about hate crimes, mainly related to, I
4 believe it was Satanic and cult crimes, which were done for
5 regional training, which means it was inconsistent, it was
6 done in various regions of the state. It's not done as part
7 of the curriculum at the academy.

8 I was interested in having that included at the
9 academy so that each officer coming through gets a few hours
10 of training, or however much training they determine is
11 necessary to recognize hate crimes so that they can be
12 reported appropriately and dealt with appropriately.

13 His request through me to you was that if you know of
14 someone who could do that kind of training at the academy,
15 that he needs to get in touch with those kinds of people. So
16 if there is anyone out there that you know of who can do
17 training on hate crimes in the academy in a law enforcement
18 kind of setting, he'd like to know about it so he could get in
19 touch with them and try to incorporate that into his training
20 session.

21 He also indicated to me that we need to do more than
22 train the basic officers, because there's a whole bunch of
23 officers out there now, obviously, like 1500 law enforcement
24 officers in the state who haven't received this training, so
25 we need to train those that are already in the field and then

1 start training the new officers as they come through the
2 academy so that everyone is trained and up to date on these.

3 So I guess the down side of my story to you is that I
4 can't report any statistics at this point, but it will be
5 incorporated not only into the automated portion--I mean, it's
6 planned to be programmed in and it's all set--but we will be
7 collecting information voluntarily on that paper form so that
8 we will have some statistics, perhaps at your next meeting, if
9 this is still an item of interest.

10 The other problem in the reporting that you should
11 probably be aware of is that the system is voluntary for law
12 enforcement agencies. In other words, they don't have to
13 participate, but I would say that of those that do
14 participate, we probably cover 85 to 90 percent of the state's
15 population.

16 Thank you, Mr. Chairman. Are there any questions?

17 MR. DUPUIS: Does the committee have questions for Mr.
18 Hall?

19 MR. BENEGAS: I was just going to ask, is that a
20 federal mandated program or what?

21 EDWIN HALL: Congress mandated that the attorney
22 general for the United States collects hate crime statistics.

23 MR. BENEGAS: But they didn't give any money to
24 support or what?

25 EDWIN HALL: That I don't know. They basically said--

1 MR. BENEGAS: That's up to the state.

2 EDWIN HALL: --they basically said to the state, when
3 you're participating in the FBI data information system, which
4 almost all states are, this is a part that you have to report,
5 so they really passed it on to local agents.

6 MR. BENEGAS: They're just making the law and saying,
7 here it is.

8 EDWIN HALL: Kind of, but that's the name of the game.

9 MR. BENEGAS: Yeah, okay.

10 MR. DUPUIS: Any other questions by the committee?

11 MS. CRAFT: I have one. Mr. Hall, how many law
12 enforcement agencies are there in Montana?

13 EDWIN HALL: Oh, it varies a little bit because some
14 of them come and go with the small communities. Around 150.

15 MS. CRAFT: 150?

16 EDWIN HALL: Uh-huh, which includes sheriffs, police,
17 campus security, highway patrol, Fish, Wildlife and Parks,
18 anyone who is sworn and can make an arrest.

19 MS. CRAFT: And you said that about 90 percent of
20 these agencies are reporting.

21 EDWIN HALL: With the agencies reporting we cover
22 about 90 percent of the state's population.

23 MS. CRAFT: Oh, okay. How many of the agencies are
24 reporting out of 150?

25 EDWIN HALL: I'm guessing 85.

1 MS. CRAFT: 85?

2 EDWIN HALL: Uh-huh. You see, there's a lot of very
3 small ones, one-man police departments that don't have the
4 time or energy to do the reporting. They also don't have any
5 crimes, and since it's computerized as well, there's an
6 expense for them to have a law enforcement terminal in their
7 office, and most of those very small communities don't want to
8 bear that expense.

9 In those cases, we try and get them to report on
10 paper, and some do, but it is voluntary and we don't have any
11 hammer to say, you have to report.

12 MS. CRAFT: I have another question. In reference to
13 the training that you indicated that you talked to Mr. Noose,
14 will that training--if you get training in place, will that be
15 voluntary also?

16 EDWIN HALL: No, that would be required for all law
17 enforcement--all new law enforcement, and what we'll do for my
18 staff at the Board of Crime Control is, we'll train all of
19 those who are reporting on how to report, but we'll still be
20 missing some because they won't be reporting, they aren't
21 participating. So there will be a backlog of officers out
22 there that we're going to have to try and train, and that's
23 what Mr. Neuse--We can train the new officers, but that's also
24 a small portion. We need to train the existing officers.

25 MR. DUPUIS: Bill.

1 MR. MULDROW: Is the Board of Crime Control an
2 independent state agency or is it part of the justice
3 department or how does it fit it organizationally?

4 EDWIN HALL: We're between.

5 MR. MULDROW: You're between?

6 EDWIN HALL: We're an independent agency, but we're
7 administratively attached to the state Department of Justice,
8 so the board itself has 18 members who appoint me, but for
9 keeping track of agencies within the state, we're attached to
10 the Department of Justice. Even though the attorney general
11 is--he's on the board, so he's one of my 18 bosses, but he's
12 not my boss.

13 MR. MULDROW: Your agency's responsible for gathering
14 statistics, crime statistics, also for training, right? Do
15 you have responsibilities for training law enforcement
16 officers?

17 EDWIN HALL: Yes and no, and the reason I give you
18 that ambivalent response is--that two-way response is the
19 academy itself is directly under the attorney general. Within
20 my office is peace officer standards and training, which sets
21 the standards by which those officers have to be trained. It
22 doesn't do the training, it doesn't set the exact course or
23 content, but it does set the standards.

24 MR. MULDROW: So you're suggesting that there's a need
25 for training by law enforcement officers to understand,

1 identify crimes for the purpose of reporting, and to supervise
2 recording. What about general kinds of sensitivity awareness
3 training on the part of officers to underlying problems such
4 as this?

5 EDWIN HALL: That already is a component of the
6 academy's curriculum. I think that's an 8-hour or 16-hour
7 block, and I can't remember the exact title, but it's like
8 social psychology or social something or other. And before
9 they were--were doing a little of this training in that
10 component, but that is more of the general broader issue of
11 bias motivation within society overall and not necessarily
12 reporting.

13 MR. MULDROW: Are all of the law enforcement agencies,
14 like the sheriff's department was here from, was it Sanders
15 County--

16 EDWIN HALL: Uh-huh.

17 MR. MULDROW: --do they have the same training
18 standards as city police?

19 EDWIN HALL: Yes, all law enforcement officers within
20 the state, any that are sworn law enforcement officers, have
21 to go through the basic academy at the--at Bozeman or have the
22 equivalent from another state and pass an equivalency test in
23 Montana. The only exception to that is the elected sheriff.
24 The sheriff himself isn't required to go. A police chief is,
25 but a sheriff is not because they're elected.

1 MR. MULDROW: What other responsibilities does your
2 agency have? Crime control sounds like a very all-
3 encompassing thing.

4 EDWIN HALL: Do you feel very safe here in Missoula?
5 The Crime Control Board is the left over from the old LEAA
6 days, it was the state planning agency, and so we are in the
7 main the conduit for federal block grants, and right now those
8 are juvenile justice and delinquency prevention, Anti-Drug
9 Abuse Act, the Drug-Free Schools and Communities Act--the
10 governor's portion--Victims of Crime Assistance Acts, and then
11 we also have the Victim's Compensation Program, which is a
12 state program through the agency, and other odds and ends.

13 MR. MULDROW: Do you have any recommendations or
14 suggestions as to how this problem of white--the white
15 supremacist groups might be dealt with in the state? I mean,
16 the state has quite a reputation for this and we've had
17 indications that it has some far-reaching implications.

18 EDWIN HALL: Yes, I guess they're a little general.
19 My recommendations are perhaps a little general, but it goes
20 back to the comment that the Aryan Nations or one of those
21 groups at one time did want to move to Helena as their capital
22 or their--and there was enough public outcry within the
23 community itself where they had meetings and protest meetings,
24 and I believe the attorney general said things, and the mayors
25 and other folks, that they basically decided that was not the

1 right place to go. It wasn't receptive enough and the
2 atmosphere they'd hoped to obtain wasn't there.

3 So I think education of not only law enforcement
4 officers, but the community as well, regarding hate crimes
5 bias motivation, whether it be within the schools or for
6 adults, is probably a key component to preventing its spread.

7 By the same token, I also believe, similar to the
8 county attorney, that there is a fringe group out there that
9 may always be there and that no matter what we do, I don't
10 know that we can ever hope to be totally free of it.

11 And I'm also torn and feel in good conscience that I
12 need to say that we also need to be personally very careful
13 that we don't become bias-motivated ourselves towards these
14 groups, if they have only a belief on which they never take
15 any action. I think everyone in this country is free to
16 believe as you want to, as long as it doesn't hurt anyone.
17 And so I think there's a real fine line to say, when am I
18 being biased against someone else, and I haven't resolved that
19 for myself.

20 MR. MULDROW: Just one more question in terms of the
21 bias crime reporting act and this implementation. Does that
22 apply to Indian tribes also? Do you have a complete set of
23 statistics in that report?

24 EDWIN HALL: We report directly through the FBI, since
25 they have jurisdiction, or through BIA, which probably reports

1 then to the FBI. Aim I'm not familiar with that.

2 MR. MULDROW: So those statistics will be included.

3 EDWIN HALL: Yes.

4 MR. DUPUIS: Any more questions for Mr. Hall?

5 MS. CRAIG: Can you hear me well enough?

6 EDWIN HALL: Yes.

7 MS. CRAIG: I guess I have a somewhat complex
8 question. Do you include tribal law enforcement agencies in
9 the hundred and fifty that you listed within the Montana Board
10 of Crime Control?

11 EDWIN HALL: No.

12 MS. CRAIG: But yet you do have tribal officers that
13 do attend the local law enforcement academy and you also have
14 black officers that are trained there as well that might work
15 on some of the campuses or in the Montana urban centers, if
16 you can call them urban centers.

17 EDWIN HALL: Sure.

18 MS. CRAIG: And at that point, racism was racism and
19 religious persecution was religious persecution and sexual
20 harassment was in fact that. Now we've come up with this new
21 umbrella term of hate crime, and the reporting factor, I
22 think, is really important, when you look at who reports and
23 who doesn't, and who determines whether or not in fact it is a
24 hate crime.

25 And I guess my question for you is, do you know what

1 the motivation was behind this hate crime act and what was the
2 motivation to umbrella these three particular specific
3 isolated things that happen to individuals?

4 And lastly, is the hate crime reporting set up to look
5 at only organized activity that you can put a label on as
6 opposed to individual activity, individual motivation?

7 EDWIN HALL: Your last question first, it would be
8 individual. If it's only two people involved in a fight, but
9 it's over some biased motivation, whether one being homosexual
10 and the other heterosexual and it's over whether or not you're
11 gay, that would be a bias-motivated crime. If it was also a
12 Ku Klux Klan kind of crime, then that would also be a bias
13 crime.

14 I'm not well versed on all of the reasons behind the
15 implementation of the Hate Crime Statistics Act, so I really
16 don't know what all of the reasons were that went in behind
17 it. But I suspect that they're rather all of the--the more
18 global issues than I deal with, and that is that hate crime
19 bias and the diminution of minorities or anyone else for their
20 beliefs is not what America is about, and this is one way to
21 start collecting information about it.

22 It's not just limited to the categories either. If I
23 can find that form here, it's rather broad on the kinds of
24 types of crime we're classified as bias-motivated. It can be
25 racial and it just depends on the groups that are involved.

1 There's, let's see, five different classifications in our
2 records, whether it's anti-white, anti-black, anti-American
3 Native or Alaska, specific or multigroup, which I assume is
4 approximately anything else. So racial is one.

5 Ethnicity and natural origin would be--could be. It
6 could be anti-Asian, anti-Arab, anti-Hispanic, anti other
7 ethnicity.

8 Religious is the third category, and then it's anti-
9 Jewish, anti-Catholic, anti-Protestant, anti-Islamic, anti
10 other religious orders, anti-multiple religious, anti-atheism
11 or anti-agnostic.

12 And the fourth category is sexual, and those are anti-
13 sexual, anti-male homosexual, anti-female homosexual--gay or
14 lesbian--anti-heterosexual, anti-bisexual; it seems to cover
15 the ballpark. But those are the four major times then:
16 Racial, ethnicity, religious and sexual.

17 MR. DUPUIS: Any other questions now for Mr. Hall?
18 Thank you.

19 Okay, our next speaker now was going to be the
20 representative of the Montana Human Rights Commission. They
21 have presented a written statement, so our next listed speaker
22 now is Mr. Jim Elliott.

23 JIM ELLIOTT: Good afternoon. For the record, my name
24 is Jim Elliott. I am a member of the Montana House of
25 Representatives in House District 51, which encompasses the

1 western end of Sanders County and the western end of Lincoln
2 County.

3 My statements today will be made in my office as a
4 state representative.

5 I was rather unsure about exactly what you wanted to
6 hear today. I know that two citizens of my community have
7 gone before me and offered testimony, and if at any point I
8 begin to reiterate their testimony or to duplicate it, I hope
9 you will please stop me and I will make a more pleasant
10 afternoon for the both of us.

11 I thought it might be instructional for you to know a
12 bit of the history, for lack of a better word, of the
13 Constitutionalist movement in Western Montana, and I--let me
14 preface my hesitation or explain my hesitation at what to call
15 folks out there. There's some people who are tax protestors
16 and pretty much pure and simple. There's some people who move
17 to Montana to be free of government influence. There's some
18 people who move to Montana to set up a separate nation run by
19 whites, and there's some people who are just trouble anywhere
20 they are, and I think have picked up on what they think is an
21 interesting thing to do.

22 So, those philosophies, if you can call them that, if
23 you can dignify them as that, I suppose, tend to blend across
24 groups. There are people who are affiliated with the--with
25 the Aryan Nations, which, as I'm sure you know, is the action

1 arm of the church in Coeur d'Alene, Idaho, or Hayden Lake
2 Idaho--but the name of it escapes me--which is the church of
3 Jesus Christ Christian, and there are people who are just
4 plain tax protestors.

5 I will go back and forth with my nomenclature, I'll
6 call some people Constitutionlists and some people Aryan, and
7 to be honest with you, I don't know what to tell you to do
8 with that, but if you get confused, ask me.

9 In the spring of 1986, there was a large property tax
10 protest movement in Montana which started down in the
11 Bitterroot Valley, which is south of here, and basically the
12 nut of the issue was to get rid of all property taxes within
13 the state of Montana. Well, one of the arguments was that you
14 never own your home because the government can always take it
15 away from you if you don't pay taxes, and there was a heavy
16 obviously anti-government message imbedded in that.

17 At about this same time in Sanders County, the local
18 newspaper--one of the local newspapers, the Sanders County
19 Ledger, was getting all sorts of letters from every stripe of
20 Constitutionalist/Aryan talking about how their taxes were
21 onerous, how their rights had been taken away from them by
22 government, one thing and another, and some of the arguments
23 were so arcane. Well, I couldn't--in short, I couldn't figure
24 out what they were talking about, but they were there.

25 At that time, shortly after the constitutional

1 Initiative 5 Constitution, which would have abolished property
2 taxes in the state of Montana, there was a meeting in Noxon,
3 Montana which was billed as a tax protest meeting. The
4 meeting was held at the home of a local resident and about 75
5 people from the community attended. Those people came from
6 all walks of life. There were teachers, educators, loggers
7 and people of the constitutionalist anti-tax persuasion
8 there.

9 I was not present at that, and a lot of what I have to
10 say comes from a fellow who headed the Sanders County Task
11 Force for Human Dignity, and I have attempted to represent his
12 remarks as closely as I could.

13 He was present there, and he said that the talk at the
14 meeting was largely ambiguous and, to use his words,
15 jargon-laden gobbeldy-gook, but there was literature laid out
16 on the table, literature, which is, I believe, the Zionist
17 occupied government literature, lambasting the Trilateral
18 Commission and a map of the travels of the white race.

19 I suppose that was to demonstrate that the white race
20 was actually a lost tribe of Israel, a non-Jewish type of
21 Israel, apparently, or a non-Semitic, I don't know. The talk
22 went on for about a half an hour and people grew restless and
23 one guy said, well, hell, if we all get together, we can all
24 go down and storm the courthouse and let's go. And everybody
25 left, leaving the participants or the offerants rather

1 nonplused.

2 Later, they began holding Bible study meetings around
3 the community, in I presume the homes of various members of
4 the Constitutionalist tax protestors, but even at those
5 meetings the Christianity was apparently largely a cover for
6 talk about Christian Identity, Christian Identity movement,
7 the mud people and the fact that Jesus is not a Jew.

8 In the winter of 1988, there were even more
9 Constitutionalist letters to the editor. These letters talked
10 about Fourteenth Amendment rights, not--you know, Fourteenth
11 Amendment not being passed by the United States, not being
12 passed legally, and also talked about the fact that if you
13 carry a Social Security card, if you have a driver's license,
14 you're actually allowing your rights and privileges in the
15 United States to be abrogated, because you don't need to have
16 them. And it also talked about the idea of a person versus
17 people, and you can ask me about that later and I can muddle
18 through that if you wish. But one is pre-Fourteenth Amendment
19 and the other was post-Fourteenth Amendment.

20 In January and February of 1988--there's a bar in
21 Noxon--there are two bars in Noxon--but at this one particular
22 bar there was a Filipino--and they're good bars--and there was
23 a Filipino/Chicano who worked there, she worked there for a
24 long time, and the son of the bar owner is a black man, moved
25 into the community several years ago.

1 A fellow stayed late one night, was the last person in
2 the bar, and as he went out of the bar, he laid a pamphlet on
3 top of the bar that it is felt was obviously for this woman,
4 the bartender to see, and the pamphlet left was described, I
5 think it had the heading, people of color are beasts. She
6 took great umbrage at this and the guy who owns the bar, who
7 was a World War II veteran and a big logger and doesn't stand
8 up for much guff, I think, had words with the fellow in a more
9 or less friendly manner and told him he better never come back
10 there again, and I don't believe he has been back since.

11 At that time, shortly after that time, in March of
12 1988, this separatist group, the Constitutionalist group, held
13 a public meeting--called for a public meeting at the Noxon
14 High School to dispel the rumors that they were indeed racist
15 people promoting hate, distributing hate literature and
16 separatists or any kind of bad guys at all. But apparently
17 they passed out the usual kind of literature, the Zionist-
18 occupied government, the Christian Identity and the mud people
19 stuff and that.

20 KXLY, which is a television station in Spokane,
21 Washington--and I should point out that in that part of
22 Montana, we do not get Montana news, we believe that Booth
23 Gardener is still the governor of Montana, and a fine man he
24 is. But at any rate, KXLY is from Spokane, and so that was
25 within the purview of their news coverage really. They did an

1 investigative report on the separatist movement in the state
2 of Montana, and specifically in Sanders County, and
3 specifically in Noxon and Thompson Falls, where there is a
4 minister who, as I am led to understand on very good
5 authority, is a frequent visitor at the Hayden Lake compound
6 of the Reverend Butler.

7 The story was--went on for, I believe, five nights,
8 about five minutes a night, interviewed a fellow named
9 Howarth, who was one of the supposed leaders of the movement
10 in that area; a fellow named John Richter as well; did what I
11 thought--I just saw it the other day, I've never seen it
12 before, and I was--if you wish to get a tape of that, I tried
13 to arrange to have one to give you today but I wasn't able to
14 get in touch with one. You can certainly ask me for one.

15 They pointed out that several of the members who
16 belonged to this loosely-knit organization--as far as I know
17 it's loosely knit--had, in fact, done prison time. And one
18 fellow had done prison time for manufacturing pipe bombs in
19 the state of Colorado; and another fellow, who was my neighbor
20 in Trout Creek--or close enough to be my neighbor in Trout
21 Creek--had done several turns in prison, and they were
22 generally fairly unsavory folks. That's what the story
23 pointed out.

24 They came back in the media and the print media in
25 Sanders County and disputed the stories and said that they

1 were being slurred, slandered and that their convictions were
2 actually a miscarriage of justice.

3 In May of 1988, in that same year, a group of people
4 got together and felt that they had had enough of what was
5 going on. I should point out to you, if it hasn't been done
6 already, that the ethnic makeup of Sanders County is
7 probably--well, the part of Sanders County that I represent is
8 about 95 percent Caucasian. I know two black guys there and a
9 couple Chicanos and some Native Americans who live closer
10 towards the reservation.

11 At any rate, they held a meeting--first of all, they
12 passed out a petition to see how many people would actually
13 come to such a meeting, how many people were interested, and
14 the petition--which in my usual good order I have now lost--
15 basically asked people if they'd--yeah, here, we go: We, the
16 undersigned of Sanders County, wish to express our support for
17 these great principles: One, that the statement from the
18 declaration, that is the statement from the Declaration of
19 Independence, All men are created equal, applies and gives--
20 end quote, applies and gives dignity to all regardless of
21 race, color or religion; and it--that all 26 amendments of the
22 United States Constitution are a legitimate portion of that
23 Constitution; and three, that Article II, Section 4 of the
24 Montana Constitution which states, The dignity of all human
25 beings is inviolable. No person shall be denied the equal

1 protection of the law beneath the state, nor any person nor
2 incorporation nor institution shall discriminate against any
3 person in the exercise under civil or political rights on
4 account of race, color, sex, culture, social origin or
5 condition or political or religious ideas.

6 I don't know how many people signed that document, but
7 I do know that 350 people or 400 people showed up at the Noxon
8 gymnasium on the night of the rally, if you wish to call it
9 that. That's a lot of people where I come from, that's a lot
10 of people for a basketball game--that's a champion basketball
11 game in that country--and the turnout was astounding.

12 There were also between 40 and 50 people who were
13 there who were there to protest the meeting, many of them not
14 from Sanders County, and these people were identified--some of
15 them were identified as members of the KKK, members of the
16 Aryan Nations from Hayden Lake, members of the Posse
17 Comitatus, and they passed out their literature and some held
18 signs, white pride, while others held up banners with various
19 devices which I suppose represent the colors of their
20 organization.

21 That was the end of the letters of the Constitution
22 separatists in the present Sanders County, and I believe that
23 that was more of an editorial decision rather than those
24 letters actually stopped coming. After that, the group began
25 to meet more clandestinely; the meetings would be held at two

1 a.m. in front of a local cafe, which was owned by Chuck
2 Howard, reputed to be a member of the Aryan Nations, and at
3 the homes of the citizens who were either members of this
4 loosely-aligned group--purportedly loosely-aligned group--or
5 active members--supporters or active members of it.

6 They also backed off the racist tack and moved more
7 into tax protest and viable studies and, you know, we're just
8 disgruntled citizens, too; we're much like you are. And I
9 come from an area of very disgruntled people, I want you to
10 know, and they've been very disgruntled for a long time and
11 they're very good at it, so it seems like territory that's
12 very rich for anybody who wants to start a revolution to move
13 into.

14 In May of 1990--not much happened between 1988 and
15 1990, except in the legislature, we did put through a bill
16 called the anti--what is it--the malicious and intimidation
17 and harassment--I carried it but I can't remember it, right?
18 Malicious Intimidation and Harassment Act of 1989 which raised
19 what was already a misdemeanor in the state of Montana to a
20 felony, if it was a crime that was racially-motivated or--not
21 just racially motivated, but motivated with the intent to
22 violate the civil rights of any person on account of race,
23 color, sex, social origin, the language in the Montana
24 Constitution.

25 There was no--there was one vote against that bill in

1 the Montana legislature, and there was no opposition in any
2 testimony given at any of the committee meetings and no
3 opposition in floor debate. The one vote was given by a man
4 who felt that it was an abrogation of constitutional rights.
5 I don't believe it was racially-motivated in the least. See,
6 it passed the House 90 to 1 and it passed the Senate 90 to 0.

7 In May of 1990 I did attend the task force meeting in
8 Thompson Falls. It was kind of a summer get-together and a
9 potluck and probably attended by 25 to 30 members of the
10 Sanders County Task Force for Human Dignity, and also attended
11 by about ten to twelve people of the opposite persuasion.
12 People came in from Lake County, there was one fellow who I
13 believe was in some kind of a fracas over in Lake County, some
14 fracas with the law over there.

15 Lake County, for your information, if you're not from
16 Montana--I don't know how many of you are from Montana--but is
17 in--that would be the community of Polson or Pablo on the
18 Flathead Indian Reservation.

19 At that meeting, one fellow, John Trochman, mentioned
20 that he had addressed the Aryan Nations conference in Hayden
21 Lake, Idaho, not long before that. And he later said--but I
22 don't agree with him--I just wanted to set them straight. The
23 conjecture is that the Reverend Butler would probably not have
24 allowed somebody who didn't agree with him to set the record
25 straight there.

1 Later in that same year, and in 1991, especially in
2 the summertime, skinheads, or at least folks who looked like
3 they have shaved heads, were seen in the town of Noxon and on
4 the roads leading to the houses of people who were--had been
5 involved in this organization. They--the kids, adults,
6 skinheads--did go down to a local bar, said that they were
7 being fed vegetarian food at Trochman's and had to come down
8 and get a hamburger and a Coke at the bar. They were rather
9 open about things, apparently, but they did not spout any
10 racist rhetoric.

11 In 1990, we now see them--or I now see them moving
12 from the let's start a revolution to the tax protest movement
13 to moving towards getting into the political apparatus of our
14 county on the level--at least on the level of county
15 government, and not so far on the level of state government.

16 In 1990, a man was elected to the position of county
17 administrator in Sanders County with seventeen written votes,
18 which apparently he had in one way or another solicited. It
19 wasn't a position that had been filled on the ballot. Most
20 people didn't know we needed or had a county administrator in
21 Sanders County.

22 For your information, what a county administrator does
23 is if a person dies intestate, the county administrator
24 administrates his estate. I don't know how much work he has,
25 but if the pay is commensurate with the work, he doesn't do

1 anything. It is believed that Reverend Butler has attended
2 meetings at his home.

3 In the sheriff's race in November 19--in the 1990
4 sheriff's race in Sanders County, it appeared that those
5 people who aligned themselves with the separatist Aryan
6 beliefs were back and rather heavily backing one candidate
7 over another, and I hasten to point out that that is purely
8 circumstantial, but I would personally put some weight to it.

9 Racist literature has, of course, been found
10 distributed in Sanders County. It has been, as I mentioned
11 earlier, left in the bars; it has been left in other places.

12 This is a copy of Racial Loyalty, with which I presume
13 the Commission is familiar. Is anyone not familiar with
14 this? If you would like this to be entered into the record, I
15 can get this--this is not mine to give, but I can certainly
16 get you a copy of this.

17 This--I don't know where it came from, I picked it up
18 in Plains, it was given to me by a friend of mine in Plains
19 who does not believe in it, and it was apparently distributed
20 by the Church of the Creator, who puts it out, by the Reverend
21 Slim Deardore (phon.) of Post Office Box 491 of Superior,
22 Montana. Is anyone not familiar with this publication?
23 Bill?

24 I guess perhaps the most salient explanation of
25 this--well, their battle cry is RAHOWA, which is an acronym

1 for racial holy war, and apparently the little that I have
2 read of this, they feel that if the white race, so to speak,
3 cannot be overcome by propaganda, by legitimate means, then
4 eventually they must result--must resort to war.

5 And it says here in Article 16 of their treatise, What
6 we believe: We believe that the white race, its biological
7 and cultural heritage is now under attack by our mortal racial
8 enemies, and then it uses the usual epithets for that. There
9 is that.

10 There is an article that was found on the road by
11 another fellow which is headlined, Treason: The international
12 conspiracy of the loyalists to destroy the United States from
13 within. And they're probably not too far off on that, but,
14 it's just a step in the rhetorical direction there.

15 Another article--not an article, but a paper that was
16 found on the road, and this is a copy, and it has the--well, I
17 think is the copy that was found on the road; as you can see,
18 it's somewhat torn. And it has the--although this is a Xerox
19 copy, and it has the notation, 540 copies.

20 It talks about the double standard about--and it
21 mentions David Duke running for governor, but he was a KKK, so
22 that was bad, but Judge Clarence Thomas was once a Black
23 Panther, and why was that not brought out, that type of
24 thing. Why is it wrong for white people to form organizations
25 when black people have--CORE and SNCC is still around, and the

1 Jewish people have what is called pro-Jewish anti-white, such
2 as the Anti-Defamation League, the Jewish Defense League and
3 the United Jewish Appeal and the American Jewish Congress.

4 This was signed by a fellow, I don't know if he's in
5 this room now, but I see that he signed up as--he signed up
6 here and his name is the Reverend Dan Hassett of the Church of
7 the Creator and he lives here in Missoula.

8 And the Reverend Hassett has also quite recently--this
9 is dated the 20th of this month, May 20th, 1992--has sent out
10 to at least the newspapers in Sanders County a request for an
11 interview, and I will read it and read the text in total, it's
12 very short: To whom--it's from the Church of Creator, Local
13 Chapter, Post Office Box 2231, Missoula, Montana, 59806.

14 To whom this may concern--the date 5-20-92: I am a
15 member of the Church of the Creator. The COTC is a fast-
16 growing pro-white and a nonChristian racial religion. We are
17 worldwide and expanding. I would like to request an
18 interview. If you are interested, please write or call me at
19 542-2853. Thank you for a whiter and brighter world. The
20 Reverend Dan Hassett.

21 He is apparently not selling detergent. That pretty
22 much sums up the history of these folks that I know of. I'm
23 sure there's much more and I'm sure someone else can go into
24 it in a much greater depth. Tim McWilliams, who gave me most
25 of my information, teaches the government class at Noxon High

1 School and Tim is the fellow who's responsible for getting the
2 Sanders County Task Force on Human Dignity organized, and Tim
3 was also a member of the Northwest--staff member--not staff,
4 officer of the Northwest Committee Against Malicious
5 Harassment--is that the title of it? You can see how good I
6 am with titles.

7 I already mentioned what I included in my notes as a
8 cautionary note that not all Constitutionlists are tax
9 protestors or racists, and presumably not all racists are tax
10 protestors, but please don't lump everybody in the same boat.

11 The legislation that Montana has enacted, with which I
12 am proud to have had a part, as I said, the Malicious
13 Intimidation and Harassment Act of 1989, I've discussed that
14 with you.

15 In the 1991 legislature, Montana became the, what is
16 it, the 49th and then the 48th state to enact the Martin
17 Luther King holiday, and high time, too, I might add.

18 And also in 1990 we enacted, with no little
19 difficulty, the Paramilitary Training Control Act of 1991,
20 which makes it a felony to engage in paramilitary training
21 with a purpose of depriving another person of his life,
22 liberty, civil liberty, political liberty, because of race,
23 religion, color, status, things like that.

24 And I carried that legislation and when I went into
25 that, I knew that it was going to be--especially in the state

1 of Montana--it was going to be very controversial legislation,
2 because many people see within that can be couched the seeds
3 of gun control, which is a very unpopular thing here in
4 Montana.

5 It should be pointed out that paramilitary training
6 does not mean training with weapons. It means teaching people
7 how to build bombs, it means teaching other people how to kill
8 other people. None of this, none of this good fun is outlawed
9 if it is not done for the expressed purpose of depriving
10 someone of their life or their liberty or their civil or
11 political liberty.

12 And the Montana Rifle and Pistol Association, which is
13 a chapter of the National Rifle Association, was extremely
14 helpful in passing that legislation. Without their support,
15 that legislation would not have been passed, nor would it have
16 been passed without the help of the American Civil Liberties
17 Union chapter in the state of Montana, and I think to both of
18 those organizations go a great deal of credit for getting that
19 bill passed.

20 Mr. Chairman, wherever you are, whichever--Mr. Dupuis,
21 of course, my apologies, that ends my testimony.

22 MR. DUPUIS: We understand. Okay. Do you have
23 questions now for Mr. Elliott from the committee?

24 MR. MULDROW: Would you just say a bit more about the
25 legislation which you have sponsored and which is in effect in

1 this state regarding these white supremacy groups? Is it
2 adequate, is it being enforced, has it ever been--have cases
3 been tried under this legislation?

4 JIM ELLIOTT: No. Nor has it been enforced in many
5 other states, nor has it had to have been enforced. I
6 told--let's start off with the malicious harassment and
7 intimidation first. My only recollection of that statute--
8 similar statutes in other states being brought against anyone,
9 I believe one time in the state of Washington--at least one
10 time in the state of Washington in Spokane, and I believe also
11 in the City of Portland in Oregon. In Montana, it has not--no
12 one has been charged with that in Montana.

13 As far as the Paramilitary Training Control Act is
14 concerned, it has not been enforced in the state of Montana.
15 The only state that I know of that it has been enforced in, I
16 believe, is in the state of Washington. It is a very hard law
17 to enforce. Basically, now 22 other states besides Montana
18 have this law.

19 But basically the reason it is difficult to enforce is
20 you have to prove purpose. You have to have somebody to be
21 able to tell you, yeah, we went out and we killed him because
22 he was an Indian, or we wanted to kill him because he was
23 Indian, or we thought of--we were training to kill him because
24 he was black or because he was Hispanic. Somebody has to be
25 in there and somebody has to turn state's evidence on them.

1 Now, that was done, and I believe it was in the state
2 of Washington. I am told by the detective captain in Coeur
3 d'Alene, Idaho, whose name escapes me, that as soon as the
4 Paramilitary--the Terrorist Control Act, as they call it, in
5 Idaho passed the legislature, that--what they believe was
6 paramilitary training going on in Kootenai County, Idaho,
7 which is where Hayden Lake is, diminished, stopped. Well, at
8 least they didn't hear any guns. So that's the history of
9 that.

10 MR. DUPUIS: Anybody else? Questions?

11 MR. BERGER: Just--your sheriff, who just recently
12 gave us a very impressive talk, Sheriff Alexander, says he
13 needs more men. Does he have any chance of, do you think, in
14 the legislature of getting some money to give him more men?

15 JIM ELLIOTT: No.

16 MR. BERGER: Why not?

17 JIM ELLIOTT: There's no money in the state of
18 Montana.

19 MR. BERGER: Well, it seems like we spend a lot of
20 money on a lot of silly things.

21 JIM ELLIOTT: I agree with you, but there are a lot of
22 people who support those very silly things. The State of
23 Montana is in bad, bad, bad fiscal trouble, and there is very
24 little chance that we will get any money for anything within
25 the next year.

1 Sheriff Alexander is in a much better position than I
2 am to know whether he needs more men. But to be quite frank
3 with you, what's going to happen in the state of Montana is
4 that we're going to cut services and law enforcement is a
5 service. Not--with my apologies, not that I wouldn't like to
6 see this stuff, but I think I'm somewhat of a fiscal realist.
7 It just won't come to pass, at least not in the next couple
8 years.

9 MR. DUPUIS: Anyone else? Well, thank you, Mr.
10 Elliott.

11 JIM ELLIOTT: You're quite welcome.

12 MR. DUPUIS: Last but not least, at the bottom of our
13 line is Leo Cardenas.

14 LEO CARDENAS: Like some of your previous speakers, I
15 have a prepared statement and I've given a copy to the
16 recorder.

17 Good afternoon, and I know it's a late, late afternoon
18 and, as the saying goes, sometimes our brain cannot take in
19 what our behinds have already given up on, but be that as it
20 may, I'm your last speaker.

21 My name is Leo Cardenas, I'm the regional director for
22 the Community Relations Service, an agency in the U.S.
23 Department of Justice.

24 I am very pleased to be here this afternoon because
25 the U.S. Commission of Civil Rights and the Community

1 Relations Service have a long history of being on the same
2 battlegrounds and helping each other. Both are small
3 agencies, both have flourished in years and both have seen the
4 resources diminished so that that history is a shared history
5 of concerns and a shared history of some victories.

6 The Community Relations Service is in its 28th year of
7 providing services to this country. It is responsible for two
8 major programs today: In 1964 when Congress enacted the
9 Community Relations Service, it brought it in under Title X of
10 the 1964 Civil Rights Act and, to be specific, it says,
11 quote: To provide assistance to communities and persons
12 therein in resolving disputes, difficulties and disagreements
13 based on discriminatory practices, based on race, color or
14 national origin.

15 I come from Denver where the regional office is
16 based. We cover six states, one of those states is Montana.
17 The other states are Wyoming, Utah, North Dakota, South Dakota
18 and, of course, Colorado.

19 We have a staff of four mediators, an assistant staff
20 that works as a secretary also, and finally myself. So you
21 can see with those types of resources, it's impossible for us
22 to handle individual complaints and, as our title indicates
23 and as our mandating indicates, a majority of our work
24 involves communities, and for us, communities can be entities
25 as large as a state or it can simply be a neighborhood.

1 I need to tell you that CRS does not investigate or
2 enforce the law. Rather, our job is to help communities to
3 restore tranquility, to alleviate tensions in those
4 communities based, as I mentioned earlier, on race, color or
5 national origin. Our strength lies in being a third-party
6 neutral to rather high-tense situations.

7 In the six states that we cover, we pretty much pick
8 and choose the type of cases that we're able to help, and one
9 of the primary criteria that we do, that we set for ourselves
10 and set for the people that we work with is that they accept
11 our services on a voluntary basis.

12 CRS offers these types of services on its own motion,
13 also at the request of local authorities, representatives of
14 community-based organizations, and in some cases, on referrals
15 from either state or federal court. We provide this conflict
16 resolution service through mediation, through outreach, and we
17 also have services through immigration and refugee affairs
18 activities.

19 One of those that has been in the highlight, has been
20 in the limelight was what was happening in Guantanamo Bay in
21 Cuba. We currently have a team of 15 individuals working with
22 some 60 temporary employees trying to alleviate that massive
23 program there--or massive problem, rather, there, involving
24 the people that were fleeing Haiti.

25 It is important to remember that our responsibility is

1 to resolve racial conflict that may disrupt a community when a
2 hate crime has been committed. We have no jurisdiction to
3 investigate or prosecute such crimes. Those are for other law
4 enforcement organizations.

5 What the CRS does do is to address community with wide
6 racial or ethnic tensions that result from those incidents.
7 Through our training and our outreach services, we also assist
8 communities to prevent or to avert racial or ethnic conflict.

9 Like most of the speakers who have been here before
10 me, we also have seen an increase in the number of hate crime
11 incidents that have been reported to us. In fact, the
12 increase was so dramatic, as far as our small agency was
13 concerned, that our director in 1990 instituted a hot line,
14 and that number is, incidentally, 800-347, and then we'll
15 attach the word hate, H-A-T-E. That was placed in operation
16 on April 30th, 1990, the day that the Hate Crime Statistic Act
17 was signed by President Bush.

18 Since then, it has received 4,300 calls. Of these,
19 118 emanated from the region; 71 of those came from Colorado,
20 and four of those from Montana. This hot line, however, is
21 only one of the various sources that we use in trying to do
22 our case work. Most of our requests come from community-based
23 organizations, from law enforcement agencies, and also from
24 the private sector.

25 When these requests came to us, we processed those

1 requests as what we call alerts, and the only reason I'm
2 mentioning this is because I want to give you some additional
3 statistics to see if we can put this into some frame of mind
4 as to how much of an effect hate crimes have had in this
5 particular region.

6 I'm going to the quote now from fiscal year 1991. At
7 that point, CRS filed 4,290 alerts of potential community-wide
8 racial conflicts. Six of those came from Montana. As we
9 break down those things further, of the 4,290, 287 arose out
10 of incidents of or perceptions of an occurrence of a hate
11 crime or an incident, and this is the highest number that we
12 have recorded in the past three years.

13 One of the most critical aspects of the work that we
14 do is under a confidentiality clause. This clause, which is
15 written in our legislative mandate with criminal penalties,
16 forbids CRS staff from discussing certain aspects of a case
17 unless the parties themselves agree to make that information
18 public. It is for that reason that as I try to answer some of
19 your questions and try to wrap up your session this afternoon,
20 that I may not be able to answer specific locations, but I'll
21 be able to provide some examples for you.

22 In the last four years, because of the rise that I
23 have just cited, our office has concentrated effort on the
24 prevention of hate crimes. One of those you have already seen
25 a good example of, and that is the Northwest Coalition Against

1 Malicious Harassment. Our office in Seattle was instrumental
2 in providing the initial assistance to this coalition. And
3 since then, our office in Denver has assisted a similar group
4 in five states to create a Mountain States Coalition Against
5 Malicious Harassment.

6 One of the--there are two major items that I'd like to
7 bring to your attention this afternoon of the work of the
8 Mountain States Coalition, because you already have a report
9 on the Northwest Coalition, and one of that involves training,
10 which has been mentioned here several times, of law
11 enforcement officers. That coalition has sponsored two
12 state-wide training conferences of eight hours each, one for
13 command officers and the other for patrol officers.

14 In March of this year, the coalition, with our
15 assistance, brought to Denver Joseph T. Roy, Sr., the chief
16 investigator of Klanwatch, and he was in Denver for three days
17 and held a series of meetings and briefings with law
18 enforcement officers, religious leaders, education, legal and
19 community leaders; all tolled, he spoke to about 2,000
20 people. And after he had also conducted several media
21 interviews and appeared on television, the Coalition figured
22 that he had probably--was able to deliver his message to
23 perhaps as many as 100,000 in the Denver metropolitan area.

24 The Community Relations Service also has provided and
25 continues to provide technical assistance to police

1 departments throughout the country on how to respond to hate
2 crimes.

3 We've also joined forces with the FBI in providing
4 training for the Hate Crimes Statistics Act. In this
5 instance, there have been two-day trainings throughout the
6 country, and I know you've had some--you know, some questions
7 about the training involving the Hate Crimes Statistics Act.
8 Under that particular training program, there were five major
9 training programs that were conducted, and one of them was in
10 Denver, the other one was in Los Angeles, Washington, D.C.,
11 Chicago and Houston.

12 We have also--let me see if I can also--I wrote a note
13 to myself--if I can answer some of the questions that were
14 raised earlier. The Hate Crimes Statistics Act was enacted in
15 1990, but Congress had been struggling with that since 1985.
16 By the time that it was finally passed, it came out with the
17 title of the Hate Crimes Statistics Act, but in between it had
18 all kinds of other connotations. And as has been pointed out
19 before, there's a lot of the legislation that comes out of
20 Congress, it came out with no appropriations at all, so the
21 attorney general had to find some resources within his own
22 office to provide at least the initial training.

23 Part of the problem here in Montana is the approach
24 that the department took in providing this training and--and
25 that is that it took--it allowed or it took the fact that 77

1 percent of the population resides in cities of populations
2 over 100,000, and as a result of that, the first emphasis on
3 the Hate Crimes Statistics Act affects cities of 100,000 or
4 more.

5 It leaves Montana pretty much out of that picture. It
6 will be included in the second phase, which most likely, you
7 know, there will probably be some emphasis on that type of
8 training most likely in the next fiscal year, which begins,
9 incidentally, next October.

10 The other problem is that--is one that you already
11 touched on, and that is throughout the country there is 16,000
12 law enforcement agencies out there. We already heard there
13 are about 150 of those here in Montana, so that the idea, the
14 massiveness of that program--of the problem, rather, in trying
15 to address all of the 16,000 law enforcement agencies is
16 enormous and is going to take some time.

17 From the very beginning in 1990, the department was
18 realistic that the first statistics that would probably come
19 would probably be in 1992, or two years after that act was
20 enacted, and that has--that has happened, and that report was
21 just--came out last week.

22 This report that I have here--and I'll provide a copy
23 for you--and as has been reported earlier, Montana has zero,
24 but so have half of the states in that--in this report, with
25 the exception of major cities throughout the country. The

1 expectation is that it would probably take another two years
2 before you'll begin to see any type of meaningful statistics
3 through this particular system.

4 I think it is interesting to note in this report that
5 they cite the city of Great Falls as one city that has taken
6 efforts on its own to report through all--directly to the FBI,
7 although as you heard from Mr. Hall, the process calls for
8 Great Falls to first go through to the state capital and then
9 eventually on to the FBI.

10 On a proactive approach and on a national level, one
11 of the other programs that the agency has undertaken is to
12 have dialogues between various ethnic groups, and under our
13 auspices, we have brought in people from academic, certainly
14 law enforcement and community-based organizations, to do this
15 so that, again, we have a better understanding of these
16 cultural differences that we have talked about.

17 From my own office at the college level, we have
18 worked with the University of Wyoming over the last two years,
19 and one of those programs involved a two-day training program,
20 not only for the campus police but for the county sheriff and
21 for the city police in the city and County of Laramie, and
22 that involved four hours of hate crime statistics.

23 Mr. Hall also covered this particular document, which
24 our office worked, along with the ADL and people from the
25 Boston Police Department, people from the Baltimore Police

1 Department, in putting this document together. In this
2 document are specific definitions about hate crimes and how
3 they ought to be reported. It is the beginning of a
4 standardization, hopefully nationwide, as to how to address
5 this very difficult and complex issue.

6 Also, you had also heard from Mr. Hall that the form
7 itself is a standardized form, it is being reported primarily
8 manually, but by 1993 we hope everything will be computerized,
9 and so that the reports that you are now getting are reports
10 that simply begin to talk about the severity of the problem,
11 and most certainly will not be backed by statistics for
12 another couple of years.

13 Let me stop there and see if I can answer any other
14 specific questions that you might have.

15 MR. DUPUIS: Thank you, Leo. Any questions for Leo
16 from the committee?

17 MR. MULDROW: Do you have a copy of that reporting
18 form? Is that an extra copy?

19 LEO CARDENAS: Yes.

20 MR. BENEGAS: I was just wanting to quote from Mr.
21 Cardenas' highlights here. It says, Mr. Cardenas will
22 highlight their involvement with white supremacist groups in
23 Montana, including information the Community Relations Service
24 has collected on these groups.

25 LEO CARDENAS: The only information that I have

1 specific on those groups are those cases that, you know, that
2 come to our attention, and I've given you those statistics.
3 When we get involved in settling a dispute, it's up to the
4 parties to determine--to tell us, you know, what the issues
5 are, and to make the allegations that they do, whether--you
6 know, to us it doesn't matter, you know, whether it's real or
7 whether it's a rumor. As far as we're concerned, if people
8 believe, you know, their perception is that they do have a
9 problem with the local area, we will come in and we will help
10 them work on that difficulty.

11 MR. DUPUIS: Any other questions for Leo?

12 MS. CRAIG: To follow up on the racist question, have
13 you mediated in Montana, in fact?

14 LEO CARDENAS: Yes, we have.

15 MS. CRAIG: Have you mediated in South Dakota?

16 LEO CARDENAS: Yes, we have.

17 MS. CRAIG: And Wyoming?

18 LEO CARDENAS: In all six states.

19 MS. CRAIG: In all six states? You mediated community
20 disputes based on hate activity or former racial activity?

21 LEO CARDENAS: Correct, on allegations of hate crime,
22 too.

23 MS. CRAIG: And how do you view that mediation? Has
24 it been successful?

25 LEO CARDENAS: What normally happens is that the local

1 communities take action, you know, that they have not taken on
2 before. They usually wind up in creating either ordinances at
3 the local area that they have not done before, they take--they
4 decide to take awareness either at the school district level
5 or at the college level, they pass policies that are similar
6 to the law, but yet are applicable at the campus. And as a
7 result of that, there's much awareness into that community.

8 You've heard from one of your speakers before, you
9 know, and even an almost denial that some of the--that the
10 problems do not exist in those communities. It's when
11 communities confront these problems and sit down and talk
12 about it, you know, that there's a resolution to things, and
13 that's where we come in and where we can be effective.

14 MS. CRAIG: Just a short question. Based on the
15 limited reporting statistics that you have in hand, in your
16 opinion, does Montana have a problem with this white
17 supremacist activity?

18 LEO CARDENAS: Based on what we feel, on what has been
19 brought to our attention, certainly Montana is certainly one
20 of the leading states in terms of the type of media attention
21 that it has received, and one of the other--on the positive
22 side, the state of Montana has task forces, as has been
23 pointed out. Serving as a member of the Northwest Coalition,
24 it has taken action to see that there is some resolution to
25 this problem. Other states have not done that. Other

1 communities have not done that.

2 MR. DUPUIS: Malee?

3 MS. CRAFT: Leo, you indicated that the 4,000, I
4 guess, complaints or whatever, were these all from the hot
5 line or was this a combination of things or what?

6 LEO CARDENAS: There were two sources, both
7 happened--unfortunately, happened to be around 4,000. Since
8 the creation of the hot line, we have had about 4,300 calls.
9 Through the hot line process, people are able to remain
10 anonymous and we also accept individual complaints like what
11 we do with the alert system.

12 Generally the--those types of complaints are
13 immediately referred to a law enforcement agency, including
14 the FBI, including the civil rights division.

15 MS. CRAFT: So you're saying it's been a combination.
16 You had 4,000--you had 4,000 figures, is that what I'm
17 hearing?

18 LEO CARDENAS: Uh-huh. The other figure that I was
19 quoting for you comes from fiscal year 1991, and speaks of the
20 community-wide complaints, requests for services that we
21 receive as an agency. So one is individual, one is community-
22 wide. One is for one year, the other is since 1990.

23 MR. DUPUIS: Okay. Any other questions for Leo?
24 Thank you.

25 MS. KING: It seems to me that you view these things

1 from a different perspective than many of the people who spoke
2 earlier, because of your position of being a mediator.

3 LEO CARDENAS: Correct.

4 MS. KING: And so do you also perhaps have a different
5 kind of advice to people who are looking for solutions?

6 LEO CARDENAS: I mentioned one. Certainly that the
7 issue has to be faced, there has to be a recognition of the
8 fact that there is an issue. By the time, you know, that
9 comes to us, that already has--that already has occurred in
10 that community. Sometimes incidents--like we just simply read
11 in the newspapers that an incident has occurred, we come back
12 and we call people in the community and as a result of that,
13 you know, they're able to--the fact that the Department of
14 Justice has an interest in their own community.

15 And particularly when we get calls from Montana or
16 from any of my six states that, you know, that we cover is all
17 basically rural America, and so when the Department of Justice
18 has an interest in their community and their problems,
19 certainly, you know, it's certainly at that particular point
20 it is elevated to a different level.

21 MS. KING: There's some common roots that you see that
22 all of these things have come from.

23 LEO CARDENAS: Elaborate maybe a little bit and see if
24 you and I can communicate on this one.

25 MS. KING: When I say could you give us advice, are

1 there--well, are there common causes that would link all of
2 these things in a different manner than we might be doing?

3 LEO CARDENAS: They are. When a hate crime, you know,
4 has been committed, first of all, it is one of the most, if
5 not the most, emotional event that would have happened to, you
6 know, to a victim. And the general--the general process that
7 victims go to is--the first one is one of denial. It did not
8 happen to me, and if it happened to me--and they're able to
9 talk to their spouse or able to talk to their own--to their
10 own families, it did not happen to me because, let's say I was
11 the victim, because I happen to be Hispanic. It just happens
12 that I was at work or I just happened to be driving by and I
13 just happened to be an innocent victim.

14 It takes some time before that--you know, before
15 they--victims go through that process, but once they are able
16 to tell someone, anyone--in all of the work that we do, the
17 response and the willingness of people to help is also--it's
18 also on that other side. People are willing to help victims
19 of hate crimes more so than any others that we've seen,
20 including, you know, including the crimes that we're all
21 familiar with, including rape, including murder, including
22 other types of assault. There is something very hideous about
23 hate crimes that first happens to victims and then that people
24 who see, particularly when they know them, that they respond.

25 And so once that has happened in a community, the

1 response--the response is tremendous. But there has to be an
2 acknowledgment that it has occurred in those communities, and
3 it does come, you know, from the groups that, you know, that
4 you are zeroing in on and targeting in your fact-finding
5 efforts here today.

6 MS. KING: Thank you.

7 MR. DUPUIS: Okay, if there are no other questions,
8 thank you, Leo.

9 LEO CARDENAS: Sure.

10 MR. DUPUIS: We're going to start with our public
11 forum now, and there's five minutes. We have now just two
12 listed speakers. The first one would be Mr. Bruce Barrett,
13 who's being interviewed by Mr. Muldrow, and the second will be
14 Reverend Don--or Dan Hassett.

15 Okay, this is Mr. Bruce Barrett. Mr. Barrett, you
16 have five minutes.

17 BRUCE BARRETT: Thank you. I'm talking to all of you
18 a little cold because I haven't been sitting through your
19 proceedings today, but the reason I wanted to come down is
20 because I believe that the problems of hate that I'm sure
21 you've been discussing about today are real ones and they do
22 take place to real people in very real ways.

23 MR. MULDROW: Mr. Barrett, could you explain who you
24 are, first of all?

25 BRUCE BARRETT: My name is Bruce Barrett, I'm an

1 attorney here in Missoula. In fact, I work at the college, on
2 campus. I work for the students, I'm the attorney for the
3 students. I also am part of the clinical program at the
4 University of Montana School of Law, but just as a complete
5 aside, I also happen to be very interested in Jewish issues.

6 I come from a mixed family. My family are half Irish
7 and half Jewish. Because of that, I've always had a very
8 strong interest in both sides of my family, but in particular,
9 the Jewish side of my family.

10 Because there's a small Jewish community in Missoula,
11 Montana, quite often I am one of the people who gets called on
12 to speak publicly in open forums. I sometimes have written
13 editorials to the paper about Jewish issues, if you want to
14 call them that. I speak quite often at high schools, in
15 college classes, and as such, I have a little bit of a
16 profile. I'm sure the average person in Missoula wouldn't
17 have the slightest idea what I'm talking about, but I suppose
18 people that follow these issues would know my name.

19 The reason I wanted to come down and talk to you is
20 not because of my experience is the most extreme you'll ever
21 run into or because my experience is the most important you'll
22 ever run into, but something happened to me that I wanted to
23 describe to your group, and that is that about two years ago I
24 had a series of, I guess I will call hate calls or threatening
25 calls that came to my home. It was during a period when I had

1 made several lectures about Judaism, and my lectures on
2 Judaism usually involve a section on anti-Semitism, the need
3 to confront hatred of all people and the Jewish people, in
4 particular, because that's what I'm talking about.

5 I don't know what exactly triggered it, but I received
6 a series of three calls at my home. These three calls were
7 all very short, few quick, terse sentences. In addition to
8 receiving those three calls, my car, which was parked out in
9 front of my house, had some pieces ripped off of it in kind of
10 a violent way; I guess you could say my car was sabotaged.
11 Naturally, there's a part of me that wonders if it wasn't
12 coincidence, maybe some kids did the part to the car. I've
13 never had that problem before, so it's possible that timing
14 coincided with this.

15 The reason I wanted to tell you about this is because
16 it had a very interesting effect on me. I'm the kind of
17 person, if I had been asked what my response would have been
18 to those kinds of things, I would have told you, I'd hang up
19 and ignore it, they're just crazy people, they're gutless
20 people, that's why they do that kind of thing.

21 But I was quite surprised at the reaction, at my own
22 reaction when this happened. I found that it affected me very
23 deeply. Not so much because of fear for myself, but because
24 I'm a little older than maybe many of you were when you had
25 children, but I had a child who's now four years old, and I

1 have a wife, and I was quite surprised that, even though my
2 rational mind told me that these calls were prank calls or
3 they were meant to scare me and I should just laugh them off
4 or write them off, it was very difficult to do so.

5 They caused me problems, I found myself glancing over
6 my shoulder, it was a sort of an invasion or a violation of my
7 own well-being that I really didn't appreciate.

8 It affected me for a while. The phone calls spread
9 out over a several-week period, only three of them. If any
10 more had happened, we would have done some more, I would have
11 done something with the sheriff's department, tapped the
12 calls, or we would have done some other things. But
13 eventually they stopped.

14 Just one small incident in one small person's life,
15 but it had a strong effect on me. And I would look at my
16 child and I would worry and I would look at my wife and I
17 would worry, and I actually had thoughts cross my mind that I
18 shouldn't be taking this kind of a profile and I hated those
19 thoughts when I heard them coming from my own mind.

20 That really was all I had to say with regards to the
21 incident, except I do want to tell you that one of the three
22 phone calls--I told you they were very short and terse--but
23 one of them is on a tape that I have in front of me, and I'd
24 be very happy to play that if one of you would want me to do
25 that as part of a question and answer. But I'm open to

1 questions from any of you.

2 I would say that the only call I recorded was this
3 one, and the only reason I recorded it was because I wasn't at
4 home and my answering machine turned itself on, so it's
5 interesting to note that the person who made the call knew he
6 was talking to an answering machine. He was, in effect,
7 leaving me a message.

8 There's two things I'd point out about this call. One
9 of them is he mentioned something vaguely about the Middle
10 East and the Palestine questions, but that clearly is not the
11 main purpose of his call. The second thing is almost--if it
12 weren't so serious it would almost be funny. The person was
13 so--I mean, how you're always a little self-conscious when you
14 talk to an answering machine? The man gives a very polite,
15 thank you for your time at the end because he's talking to an
16 answering machine. Let's see how well we can hear this.

17 (Whereupon the tape was played.)

18 BRUCE BARRETT: I'll play that again. It just takes
19 a moment.

20 (Whereupon, the tape was played again.)

21 BRUCE BARRETT: I mean, it almost--it almost sounds
22 comic unless it's you. That's about all I can say to end that
23 part of the presentation. Yes?

24 MR. MULDROW: Your reaction to this is exactly what
25 Mr. Cardenas was saying, the speaker before you, that

1 recipients of this kind of intentionally-racially motivated
2 harassment, psychological violence, if you will, there's an
3 intense emotional reaction on the part of the victim that is,
4 you know, beyond what you would ordinarily expect, beyond what
5 is experienced in other crimes or other incidents of this
6 nature.

7 Along with this is the kind of outpouring of community
8 support and reaction against this kind of thing. Did you
9 experience that also? Did you--was this--did you make this
10 known to anybody and what kind of a reaction did you have from
11 those people?

12 BRUCE BARRETT: Well, I made a note; in a couple of
13 ways, mostly small. This particular incident was over and
14 done with in a period of about two and a half weeks, I would
15 say, and so I never went to the papers, I never took a high
16 profile with it. There happened to be an event coming up that
17 I was going to have to appear at and I was a little nervous.

18 A noted national Arabic speaker was coming to town to
19 talk about the Middle East and I was going to go to that
20 debate and take part in it, and I became extremely worried
21 about that participation, and I called several other of the
22 people who are active in this state wide and they offered to
23 come over and stand with me, which was good.

24 I called the sheriff's department, and I would say
25 that I might have gotten better treatment, I might have gotten

1 worse. I don't know that I put it to the high profile level I
2 should have with them. Basically what they told me was, if it
3 continues, they'll do something about it; one isolated
4 incident isn't quite enough.

5 And I think essentially, if I would have pushed I
6 could have gotten a tap on the phone or something, but
7 sometimes you hope for things from law enforcement that you
8 just really can't get. I guess I was hoping for things like a
9 deputy will be driving by every couple of hours for the next
10 few days; I guess realistically that wasn't right.

11 I don't know. I didn't get enough of a profile to get
12 a lot of community support. I'm sure it would have been
13 there, because I'm smart enough to know what everybody else
14 talks about, but I'm also smart enough to know that it's
15 probably the kind of thing that no one will ever follow up
16 on.

17 I think the reason it affected me so strongly is
18 because I know just enough about the people where this
19 originates from, that I know some of their views, and there
20 are people whose hatred runs so deep and is so bizarre, if you
21 will, that they honestly believe that Jews, for example--I'm
22 not even getting into other minority groups--that Jews, for
23 example, are literally children of Satan, and if there are
24 people who feel self-righteous about their position and they
25 see someone who is as clear an enemy as the devil himself,

1 then those people can feel fairly justified about what they
2 do.

3 So I think reaction--you said the reaction is normal
4 and you're right, it is. And I think the reason it's so
5 extreme is because there's a kernel deep inside of you that
6 says, it could be true, too, and something does happen every
7 once in a while.

8 MR. BERGER: I think again this illustrates something
9 that we've talked about earlier in the meeting. The
10 relationship--the meeting you were talking about that was
11 coming up when you got these calls--and much of your activity,
12 I know, is as an advocate for Israel, and this is what made
13 you a target for the hate groups.

14 And so, as has come up a couple of times, anti-Israel
15 rhetoric, anti-Israel, misunderstanding of the facts of the
16 Middle East situation don't always lead only to feelings or
17 actions against Israel, but are spread to general
18 anti-Semitism, and your experience, I think, illustrates that
19 very much.

20 BRUCE BARRETT: I think the way that I would say that
21 is that, of course, there are--you know, the issue of Israel
22 is a very passionate one--and I'm sure everyone on this panel
23 has a different view of it and there are certainly legitimate
24 ways one can be appeased to what Israel does. And there are
25 very many honorable people who have varying opinions on Israel

1 and its role in the Middle East and American's support of
2 Israel.

3 But the saying that has been said before--and I've
4 heard it--is that everyone who is anti-Israel is not
5 anti-Semitic, but everyone who's anti-Semitic is anti-Israel.
6 And this is kind of an interesting saying, and I think it's
7 true.

8 What I think happens is that people who are truly
9 anti-Semites--and that's what's driving them--they have a
10 hard time talking to the average person on the street and
11 saying, those Jews are the sons of Satan and they have a
12 conspiracy to run the world. And Rockefeller is a Jew, but
13 isn't. And those things that get said all the time, those
14 things just don't work.

15 You can't evoke that special hatred that people
16 call--not the typical Christian, for example, who knows his
17 biblical roots and the Jewish roots of his own religion. It's
18 going to be pretty hard to convince them that they should hate
19 Jews. But it doesn't take long for a new anti-Semite to learn
20 the things that do work, and so they can sort of clothe
21 anti-Semitic rhetoric in anti-Israel jargon.

22 So that's a rather long answer to a simple question,
23 which is that there are legitimate ways to have opinions about
24 the Middle East and illegitimate ways, and it all boils down
25 to the--I think what started with the Nazis. And I've studied

1 this a lot. I mean, originally anti-Semitism was a religious
2 hatred. For centuries people felt that Jews had killed the
3 Christ, they were accused of the crime of deicide.

4 The churches did little, if anything, to take this
5 feeling away from the masses, and that was the result of a lot
6 of unhappiness throughout history. Jews were persecuted--
7 there were a lot of pilgrims. Jews died in Europe many times
8 before Hitler's day.

9 But what changed in the modern era is that the Nazis
10 were the first ones to come along and take this hatred of Jews
11 and clothe it in silence and clothe it in fact. They no
12 longer just said something as simple as--they said they killed
13 Christ, because by the time of the Nazis, that kind of
14 language didn't play with anyone in the western world
15 anywhere.

16 But if you begin to identify Jews as a separate race
17 with certain characteristics, if you begin coming up with
18 conspiracy theories, with theories that can make Jews
19 scapegoats for everything that happened in Germany or
20 everything that's happening in America today, suddenly you
21 cloaked it in a new garb and that new garb is more palatable
22 to the average person.

23 So I think what's happened is anti-Semitism now is a
24 logical, rational, scientific fact, but it still plays on the
25 old religious thing that was around for centuries and still

1 resides in some places.

2 MR. DUPUIS: Any other questions for Bruce?

3 MR. MULDROW: We appreciate your bringing this very
4 personal example to our attention and we would like to give
5 you the opportunity to make any suggestions you might have for
6 us in terms of how this kind of attitude, this kind of
7 instance might be dealt with, if you have any suggestions for
8 us.

9 BRUCE BARRETT: I--you know, I would first of all--I'd
10 like to think about it and see--this is kind of cold, I just
11 had to come right from an office where I was in a completely
12 different universe and didn't think enough about it as I
13 should, and maybe I could submit some thoughts in writing.

14 But my first reaction is what a lot of other people
15 have been saying: Education, education, education. If people
16 don't know what the words anti-Semitism mean, people don't
17 even know what the word anti-Semitism means, if they don't
18 realize that there's been a special anti-Jewish hatred around
19 for 2,000 years, if they don't realize that in our very recent
20 past, the very recent past, there was a mass annihilation of
21 Jews that was different from all the other massacres and
22 slaughters that were taking place on the earth, if they don't
23 realize these basic things, it's going to be very--they're
24 going to be easy victims to the hatred that is peddled by
25 anti-Semites.

1 And I would say the same thing, by the way. All of
2 the things that I'm saying apply to the mindless hatred of any
3 other groups, whether it's black or Hispanic. But I--you
4 know, to me there are many tragedies of the century, but the
5 hatred against Jews, mostly because it climaxed in the
6 holocaust, is the paradigm, the example of what can happen
7 when bigotry and hatred go unopposed.

8 And the biggest problem with anti-Semitism and the
9 other hatreds of minority groups is the lack of people
10 standing up to confront it when they hear it, and so I think
11 that takes a lot of education. People have to be willing to
12 stand up at a conversation, at a dinner table and say, how can
13 you say the word nigger? Aren't you living in the 20th
14 century?

15 I remember the first time that my brother did that to
16 someone at our home, how proud I was that he did that, because
17 I was sitting there and I was offended by the word, but I--I'd
18 never seen it confronted that way. And the person was a nice
19 person, the person had just used the word his whole life and
20 his father had used it his whole life. But unless we can
21 start confronting it on a person-to-person basis and educating
22 each person that we meet, it's going to be a difficult battle,
23 because just, you know, the overall ideas don't always win
24 out, and right doesn't always win out. Lies can become
25 dominant as they did in Germany.

1 So, anyway, education. But if I have something more
2 specific, I'll be glad to share it with the group.

3 MR. MULDROW: Thank you.

4 MR. DUPUIS: And you have until the 8th of June before
5 we close our record, Bruce.

6 BRUCE BARRETT: Okay, thank you.

7 MR. DUPUIS: Any other questions for Bruce? Thank
8 you.

9 BRUCE BARRETT: Thank you.

10 MR. DUPUIS: Now, the next one I have on my list is
11 Reverend Dan Hassett!

12 REVEREND HASSETT: Hello. For the record, I'm
13 Reverend Dan Hassett, head of the local chapter of the Church
14 of the Creator located here in Missoula.

15 And I've heard a lot talked today about hate, and yet
16 every time I hear, you know, people talk about hate, you know,
17 it gets very distorted. Hate, like the word aggression, for
18 example, can be anything you want it to be. You know, for
19 example, Iraq invades Kuwait. That's not aggression? The
20 Israelis attacked the Palestinians, that isn't aggression?
21 George Bush invades Panama and obstructs Noriega, that isn't
22 aggression.

23 Hate, depending upon who it's defined by, whoever is
24 on top to define it is how it works. Now, everyone hates.
25 Just like fear, which is a protective emotion implanted in you

1 to protect you from dangerous situations, hate protects you
2 from people who would like to hurt you and destroy you. You
3 can't protect what you love unless you're aroused to anger
4 towards the threat to that which you love.

5 For example, hate--you know, if you--you know, taking
6 someone's hate away would be just like taking a tiger,
7 declawing him, detoothing him, throwing him in the jungle, he
8 would be defenseless. And the fact is, when it comes to the
9 subject of hate, what's left out in all these forums is the
10 fact that there is a hate, there is conspiracy against the
11 white race, and that's the root of all hate. If we want to
12 get to the root of all hate, we got to address that.

13 Now, I don't have much time, but I have some
14 documentation to prove here, and I can back up with
15 documentation everything I state and I challenge anyone who
16 thinks they can prove me wrong.

17 The Jewish Talmud, the holy book, they consider it the
18 most holy of holy books, is just loaded with hatred and
19 animosity for all nonJews. They refer to anyone who's not
20 Jewish is goyim, which means cattle, and I would like to read,
21 you know, a few quotes from the Talmud.

22 To communicate anything to a goyim about our religious
23 relations would be equal to killing of all Jews, for if the
24 goyim knew what we teach about them, they would kill us
25 openly. If a Jew is called upon to explain any part of the

1 abandoned books, he ought to give only a false explanation.

2 Whoever will violate this order shall be put to death.

3 The Jews are human beings, but the nations of the
4 world are not human beings, but beasts.

5 When the Messiah comes, every Jew will have 2800
6 slaves. Jehovah created the nonJew in human form so that the
7 Jews would not have to be served by beasts. The nonJew is
8 consequently an animal in human form, condemned to serve a Jew
9 day and night.

10 A gentile girl who is three years old may be
11 violated. A Jew may violate, but not marry, a nonJewish
12 girl. A Jew may do to a nonJew what he can do. He may treat
13 her as he treats a piece of meat.

14 If a goyim kills a goyim or a Jew, he is responsible,
15 but if a Jew kills a goyim, he's not responsible.

16 It is permitted to kill a Jewish denunciator
17 everywhere. It is even permitted to kill him before he
18 denounced.

19 There's much more to that, but I'll stop right there,
20 and also just make a quick note that there is so much
21 documentation on this Jewish conspiracy that you could fill up
22 an encyclopedia. I mean, like the leaflet I handed out before
23 I came in is just full of quotes and you--if you don't believe
24 me, you can look it up, it's all there.

25 And all these people in these so-called hate groups

1 are trying to defend their families, race and nation from this
2 conspiracy. This conspiracy takes many forms, whether it's in
3 the economic sector, maybe, you know, throughout the media to
4 the race mixing to destroy the white race or the biological
5 entity. And unless, you know, the white people stand up for
6 themselves and confront the hatred that is being perpetrated
7 against them by the Jews, the white race will be extinct.

8 And I'm open for questions if anyone wants to ask any.

9 MR. MULDROW: Mr. Hassett, how long have you been a
10 member of this church?

11 REVEREND HASSETT: For about two and a half years.

12 MR. MULDROW: How did you happen to become a member?
13 Were your parents members or how did you happen to become a
14 member.

15 REVEREND HASSETT: No, my parents are disgraced of
16 me. Actually through, I guess, a combination of personal
17 experience and a lot of research and study and all that, see,
18 because a lot of information, you know, that you get in the
19 education system, you know, they don't give you the full
20 story. A lot of information, just like what I read there, is
21 suppressed. I mean, I'm sure half these people don't even
22 know what the Talmud is if you mentioned it to them.

23 MR. MULDROW: You came to be a member through your own
24 research, then, not through the influence of any other
25 personal--

1 REVEREND HASSETT: Not my parents, no way.

2 MR. MULDROW: Does your church have regular meetings?

3 REVEREND HASSETT: Yeah, you know, in different areas,
4 you know. It's organized better than others, depending on how
5 far we've gone, how far we've accomplished.

6 MR. MULDROW: Here in Montana, how many members do you
7 have?

8 REVEREND HASSETT: We don't give that information out,
9 that's organization policy, and they don't even really know
10 worldwide at our world headquarters in North Carolina. But
11 they won't even tell me that, so--but even if I did give a
12 number, I would either be accused of overstating it or
13 understating it.

14 MR. MULDROW: What do you do at your meetings, what do
15 you talk about?

16 REVEREND HASSETT: Well, if we have new people there,
17 you know, we explain the Church of the Creator religious
18 philosophy, you know, to the people, you know, and try to
19 correct the ignorance and misteachings that they've been
20 engulfed with all their life. And then, you know, we decide,
21 you know, on what activities and how we're going to go about,
22 you know, spreading our message.

23 MR. MULDROW: What does RAHOWA, racial holy war, what
24 does that expression mean?

25 REVEREND HASSETT: A racial holy war is basically what

1 it means, you know. It's a racial holy war declared by the
2 Church of the Creator, but war takes many different forms.
3 It's propaganda wars, there's Christian wars.

4 MR. MULDROW: What form would this war take?

5 REVEREND HASSETT: Right now it's just a propaganda
6 war and it will stay that way, provided this Jewish occupied
7 government respects our Constitutional rights. As long as we
8 distribute literature, hold meetings and have any other
9 prerogative as any legal religious organization, you know, it
10 will stay that way.

11 MR. MULDROW: And if that were to change, if someone
12 prohibited you from distributing literature on a campus, what
13 would you do?

14 REVEREND HASSETT: On a campus? Basically like we did
15 anyway. Like I got a letter, you know, from the university
16 department of campus safety, right? It's a violation of
17 precedents set by the Supreme Court, violation of
18 Constitution. I sent my letter to respond, and we've
19 distributed stuff like three or four times since I responded
20 and he has not even backed it up, so obviously there's no
21 substance to what he was saying there.

22 And we just do it any way, and if we did get
23 apprehended while doing it, you know, we'd just sue them and
24 use the legal system, the best yet, justice.

25 MR. MULDROW: Thank you.

1 MR. BERGER: It's interesting that you feel that
2 violence isn't needed at this point, because Ben Klassen, the
3 head of your church, would disagree with you. To quote from
4 him in a statement in his book, RAHOWA, this planet is all
5 ours, he says. RAHOWA is inevitable. It is the ultimate and
6 only solution. No longer can the mud races and the white race
7 live on the same planet and survive. It is now either them or
8 us. We want to make damn sure it's we who survive. The
9 planet is, from now on, all ours, and it will be the one and
10 only habitat for our future progeny.

11 So your leader would apparently feel that the time has
12 come now that no longer can you live with the mud races.

13 Also, when he left Florida and moved the church, to
14 use the term loosely, he said, I think south Florida is due
15 for a lot of turmoil, with bloody fighting breaking out, and
16 he speaks of blood flowing in the streets.

17 So it would seem contrary to what you say that your
18 church is contemplating violence eminently. How would you
19 respond to that?

20 REVEREND HASSETT: Well, when we speak of RAHOWA, see,
21 people think that we want to start a war against the mud races
22 and against the system, but what they don't understand is
23 there's going to be a race war and it's going to be the
24 non-whites that are going to attack the white. Like what
25 happened in Los Angeles might be a sign of what can occur, you

1 know. And the RAHOWA, right--like I said, right now it's in
2 the propaganda stage, but eventually, you know, the way things
3 are going, you know, we might be prepared to take arms.

4 And people put such a stigma to that, but the fact is,
5 the American revolution, they took up arms against the corrupt
6 government, and that was only over, you know, a tax on tea.
7 There's a lot more oppression now, and basically we have no
8 moral qualms against using violence to protect our family,
9 race, nation and lives. It's all a matter of, you know, being
10 practical. What works and what doesn't. I mean, what good
11 would it do me to shout a bunch of racial slurs at someone or
12 to pick a fight with a black guy? It's counterproductive, you
13 know? We don't waste our time with stupid stuff like that.

14 MR. BERGER: So Ben Klassen also says, quote, We mean
15 to cleanse our own territories of all the Jews, niggers and
16 mud races and send them back to their original habitat.

17 Do you think you'll accomplish that by passing out
18 pamphlets or do you think that you're going to have to use
19 violence to achieve that?

20 REVEREND HASSETT: Well, it's hard to say at this
21 point, you know.

22 MR. BERGER: Are you personally dedicated to that
23 goal?

24 REVEREND HASSETT: To use violence?

25 MR. BERGER: To cleanse your territory of the Jews,

1 niggers, mud races, et cetera.

2 REVEREND HASSETT: Certainly.

3 MR. BERGER: And how do you think you're going to
4 achieve this?

5 REVEREND HASSETT: Well, first of all, the first task
6 is to straighten out the thinking of the white race. Their
7 mind has been brainwashed, distorted, perverted, first of all,
8 by a Jewish religion known as Christianity, by the Jewish
9 media, by the Jewish education system, right, have totally
10 distorted and perverted their thinking to the point where they
11 actually help their enemies, namely the Jews, in their own
12 self-destruction.

13 Now, first of all, the idea is to wake them up. Then
14 to start organizing, you know. Wage propaganda warfare, run
15 people for office, boycott the Jews, Jewish businesses, Jew in
16 government, Jews in theater. Then pass laws such as passing
17 Nuremburg in Germany which forbid Jewish participation in
18 interracial marriages.

19 And then fifth, you know, we would take over this
20 country and we'd simply send you back where you come from.
21 Our basic philosophy is the white race takes care of their own
22 and let the Jews, niggers and mud race shift for themselves.

23 MR. BERGER: Let me ask you something. I think
24 we're--you may be the only one in the room who thinks that
25 would turn out any better for you than it did for Hitler. It

1 didn't work out too good for him or Germany. Have you ever
2 seen the Talmud, an actual Talmud, not a few quotations?

3 REVEREND HASSETT: Yes, I have.

4 MR. BERGER: Tell me, how big was it? Was it a book
5 or was it--

6 REVEREND HASSETT: Okay, it's several volumes, bigger
7 than the Encyclopedia Britannica.

8 MR. BERGER: How many? Two, three?

9 REVEREND HASSETT: I don't remember right now, it's a
10 whole lot.

11 MR. BERGER: Two, three, four, 50, 100?

12 REVEREND HASSETT: More like close to 50. I don't
13 remember the exact number, but I have seen it. You can look
14 it up. I have the documentation.

15 MR. BERGER: Do you know who wrote it?

16 REVEREND HASSETT: The Talmud was written by--not by
17 one person at any one time, it was written by many different
18 rabbis. It's been worked on throughout the centuries.

19 MR. BERGER: It takes years to understand the Talmud.
20 It's about 30 volumes with many, many authors and many, many
21 discussions in many different forums written over a period of
22 centuries, and much of it involves arguments, discussions back
23 and forth. You take 30 volumes written over a number of
24 centuries, much of it written at times when the Jews were
25 being persecuted under extreme circumstances, it's not

1 surprising if you can pick a couple of sentences that make it
2 look like something very different from what it is.

3 The Talmud is not the most holy Jewish book, the Bible
4 is the most holy Jewish book, and it has many places in the
5 Talmud that the Torah--actually the first five books of the
6 Bible are the most holy of the books.

7 MR. DUPUIS: Okay, Malee. Jeannie, then it's--

8 MS. AMSBERRY: No.

9 REVEREND HASSETT: Okay, this is to refute what you
10 just said. The decisions of the Talmud are words of the
11 living God. Jehovah himself asked the opinions of the earthly
12 rabbis when there were difficult affairs in heaven; Rabbi
13 Menachem's commentary on the fifth book.

14 MR. BERGER: That doesn't contradict what I said at
15 all.

16 REVEREND HASSETT: Yes, it does. It is the Talmud.
17 Even Jehovah himself--you're saying that the Talmud is more
18 holy. Even the Old Testament, too, you know, is full of hate
19 and even there you can see the conspiracy. I mean--

20 MR. BERGER: Indeed, you can pick through the Old
21 Testament and find a lot of hate in it, but for your ideology,
22 you don't have pick it at all. It's right up there.

23 REVEREND HASSETT: If you want to see hatred, you
24 should take a good look at yourself in the mirror.

25 MS. CRAFT: As I recall, would you say that the

1 testimony--you were here, I think you've been here most of the
2 day--would you say the testimony today about extremists and
3 white supremacist groups has been accurate today?

4 REVEREND HASSETT: Yeah, a lot of it is, you see. He
5 just said that it takes many years to understand the Talmud;
6 well, it takes an extensive amount of study, for example, to
7 understand the creativity. I mean, there are several books
8 written on it, you know, and a lot of people here, you know,
9 only know excerpts and they're not really well versed and
10 they're really not qualified to talk about them.

11 If you really want to learn about it, if you want to
12 learn about Aryan Nations, for example, you could bring over,
13 you know, Reverend Richard Butler or someone like that, and
14 learn better information about Aryan Nations than you could
15 get from him or from any group. Getting people who are
16 involved and into the group, you know, rather than outsiders,
17 you know, who's just read, you know--you know, a few words
18 from it, you know, they think they're experts in it.

19 MS. CRAFT: Can I ask you another question? If I may
20 not be too personal. How old are you?

21 REVEREND HASSETT: 22.

22 MS. CRAFT: And what does it take to become a Reverend
23 in a Church of the Creator? What kind of credentials do you
24 have to have?

25 REVEREND HASSETT: Basically two things, you know:

1 You have to, you know, convince them that you're committed to
2 the cause, you know, by deed; and you've got to be of a
3 certain age, which is pretty young. I think it's 18.

4 MR. DUPUIS: We've got time for two questions. Tim
5 and then Phil.

6 MR. HARRIS: You made a comment, basically you said
7 that you were not morally opposed to violence towards Jews,
8 niggers and mud people, if they, in fact, were threatening
9 your family or your property. Now, I want you to define for
10 us what threatening your family or property means. Are you
11 talking about someone threatening death or are you talking
12 about some wild and vague notion about a conspiracy somewhere
13 else that is threatening your particular family because you
14 don't have access to economics like maybe you'd like to have?
15 Does that, then, give you, inside yourself, the moral right to
16 commit violence against someone, just because you think
17 there's a conspiracy?

18 REVEREND HASSETT: Well, basically it's the
19 self-defense guidelines. If they're using violence or if
20 they're just tramping over our basic Constitution and natural
21 rights, then, you know, it would be justified. I mean, we
22 base--

23 MR. HARRIS: What would be justified?

24 REVEREND HASSETT: Violence.

25 MR. HARRIS: What kind of violence are you talking

1 about? I want you to be real specific, because what I hear
2 you saying is that--

3 REVEREND HASSETT: Right, I'm in the middle of Los
4 Angeles, I have no compulsion about blowing their heads off.

5 MR. HARRIS: Just as they drive by?

6 REVEREND HASSETT: No, if they tried to, you know,
7 pull me out or if they tried to physically hurt me in some
8 way.

9 MR. HARRIS: But then on the other hand, I've gotten
10 the sense that to you, threatening your family could also
11 include the, quote, international banking conspiracy run by
12 the Jews, unquote. Is that something you would call
13 threatening and would give you, then, inside yourself the
14 moral okay to commit violence against Jews, because you think
15 there's a conspiracy?

16 REVEREND HASSETT: Like I said before, as long as we
17 have our basic Constitutional rights and everything else, you
18 know, all legal rights and expanding our religious legal
19 organization, we will--you know, we will stick to propaganda
20 means. But if they take our rights, I mean, we got to do what
21 all free, courageous and intelligent citizens have done
22 throughout the ages, you know. And there's one law that
23 supersedes all laws, and that's preservation of the species.
24 Race is the foundation, it's the basis for everything.

25 MR. HARRIS: I still don't think I got an answer to

1 the question, which was, would you commit violence against a
2 Jewish person based on your belief that they're controlling
3 international banking? Just say yes or no. That's all I
4 want.

5 REVEREND HASSETT: No, not just on that.

6 MR. DUPUIS: Okay, Phil?

7 MR. CALDWELL: Are you married?

8 REVEREND HASSETT: No.

9 MR. CALDWELL: Which Bible do you use?

10 REVEREND HASSETT: We have our own Bible written by
11 our Prontisex Maximus, Ben Klassen. It's made up of three
12 editions: Nature's Eternal Religion, the White Man's Bible,
13 and Salubrious Living. Those three books make up the Bible.

14 MR. CALDWELL: And what God do you believe in?

15 REVEREND HASSETT: We don't believe in God. We're not
16 Aryan Nations, we base our philosophy on eternal laws of
17 nature, the laws of history, logic and common sense. We don't
18 believe in God. We believe in natural law.

19 MR. CALDWELL: No wonder you're so screwed up. Would
20 it be proper for me to speak at your church?

21 REVEREND HASSETT: What's that?

22 MR. CALDWELL: Would it be possible for me to speak at
23 your church?

24 REVEREND HASSETT: No.

25 MS. BABCOCK: Why do you call yourself a Reverend if

1 you don't believe in God and you're not a Christian?

2 REVEREND HASSETT: Well, a Reverend is a religious
3 titleship, and I have a certificate of Reverendship and I can
4 perform marriages and do anything a Christian Reverend does.
5 The Confucius in China don't believe in God, but yet they're
6 considered religion. I mean, we are religion. The first
7 amendment says Congress will make no law establishing the
8 religion. We're incorporated in the state of North Carolina
9 and have tax-exempt status.

10 MR. MULDROW: Could you supply us with a copy of your
11 Bible?

12 REVEREND HASSETT: Of my what?

13 MR. MULDROW: With a copy of your Bible?

14 REVEREND HASSETT: I don't have it with me, but I
15 could. I could, but I don't have it with me now.

16 MR. MULDROW: Would you send a copy if I send you an
17 envelope to mail it in?

18 REVEREND HASSETT: Okay. It's made up of three books,
19 whatever one you, you know, want.

20 MR. DUPUIS: We're in overtime now. I have four staff
21 members that want to ask questions. I'll allow each one, I
22 want you to answer and I don't want any more questions after
23 this, okay?

24 Malee, Tom and over here, okay?

25 MS. CRAFT: Reverend Hassett, getting back to the last

1 question, what are you fighting in Missoula? You know, you're
2 talking about this warfare. What's happening in Missoula that
3 you see that you've got to fight against? Maybe we should put
4 it on a local perspective, because I'm still somewhat confused
5 on that issue.

6 REVEREND HASSETT: Well, the Jewish conspiracy, which
7 is well documented, is going on basically everywhere. I mean,
8 you know, in Europe or in the Soviet Union, you know, where
9 millions of Russians was slaughtered by Jewish Communists, and
10 a conspiracy is here also. And it's harder to wake people up
11 for these conspiracies because there's very few non-whites and
12 they don't have any bad experiences like people--like whites
13 would in an urban area to counteract all the gibberish about
14 what the schools are telling them about the racial equality
15 and how the Jews are such loving people and such and such.

16 But, you know, each chapter takes on a specific area
17 and we try to organize that area and wake people up, you know,
18 in that area. That's basically what we're doing in Missoula.
19 I mean, conspiracy, you know, and the injustice is taken as a
20 part here just as much as anywhere else in the country.

21 MR. BERGER: Do you subscribe to the belief that
22 international banking is controlled by Jews?

23 REVEREND HASSETT: Yes.

24 MR. BERGER: If that's true, why is it that Israel
25 needs Bush to approve their loan request to get favorable

1 rates on loans? Why don't they just go to this international
2 banking conspiracy and get loans better than anyone else?

3 REVEREND HASSETT: Who's Bush controlled by?

4 MR. BERGER: Well, if Bush was controlled by the Jews,
5 then why doesn't he subscribe--approve these loan guarantees?
6 Why does he--why is he doing a lot of things that is
7 unfavorable to the Jewish--

8 REVEREND HASSETT: That's pure window dressing. The
9 fact is, he sent American boys to die for Israel.

10 MR. BERGER: Wait a minute, what we're talking about,
11 you're talking about banking, Jews control international
12 banking. Why they desperately need these loans to satisfy
13 Russia and, either to house Russian Jews that are leaving
14 persecution in Russia, which as we understand from you was run
15 by Jews, which is another thing that interests me.

16 I mean, how do you balance the idea that Jews are also
17 the ultimate terrible capitalist bankers and yet they're also
18 the head of the Communist world, which would seem to be at
19 opposite ends of the spectrum and against each other's
20 interests?

21 REVEREND HASSETT: Okay. I have a letter here by
22 Marcus L.I. Ravage, a real prominent Jew. He was on the New
23 York Times staff, and here's an article by him that was
24 reprinted in the Century magazine, and he basically mentioned
25 that--he brags openly that the Jews used a mixed strategy in

1 order to confuse what they call the goyim, the sheep, so they
2 can't figure out what they're up to, you know. And the end
3 result, the capitalism and Communism is the same. I mean--

4 MR. BERGER: Well, okay, how about the loans? Why
5 can't Jews get these loans? I mean, why can't Israel get
6 these loans from the international Jewish bankers? I mean,
7 they should be ready to hand out the loans at very low
8 interest rates. It's amazing, isn't it? Think about that
9 one.

10 REVEREND HASSETT: The fact is, I just told you. I
11 mean, it's pure window dressing. The fact is, the United
12 States--

13 MR. BERGER: The fact is, they don't have the money.
14 They need the money and they can't get the money at good
15 rates. That's a fact. That's not window dressing.

16 REVEREND HASSETT: It's a bunch of bologna is what it
17 is.

18 MR. DUPUIS: We have one more question and then we're
19 through.

20 MS. KING: I am hearing that you oppose white
21 supremacy, but the conspiracy against the whites, you seem to
22 be keying in on the Jews. I would like to know how you feel
23 about the other religions of the world, the Muslims, for
24 instance, the--you mentioned Confucianism, there's Buddhism,
25 there's a number of other very large organized religious

1 groups. Do you feel that they are also--have a conspiracy
2 against the whites?

3 REVEREND HASSETT: Well, no. The main problem is the
4 Jews, but the Jews, you know--you know, purposely, you know,
5 what--our government they control, import non-whites, you know
6 what I'm saying, to--

7 MS. KING: Where do the non-whites fit? They don't
8 seem to be a part of a religious sect, and yet you group them
9 all as being conspirators against the whites. I don't quite
10 understand how you roll it all together.

11 REVEREND HASSETT: Okay. Basically--basically the
12 races are inherently different, right? On the Jews, in order
13 to accomplish a goal of destroying the white race, they--they
14 import non-whites in to help them and help them out, race-
15 mixing through the media and the control of Hollywood, right,
16 and they use the non-whites to destroy the whites. But even
17 if the Jews weren't here, per se, I mean, the races still
18 would not, you know, get along, because the races are
19 different and there is a certain thing about the races that
20 are unbridgable and unreconcilable. Throughout history, no
21 multi-racial society has ever lasted.

22 Now, and--of course, some of them, you know, I'm
23 saying, are used--are stooges of the Jews to help organize
24 their own people, you know, against the white race. But even
25 the Jews kind of magnify it, but even--but the fact is, if,

1 you know, if they did not, you know, gain control of this
2 country and if we would have did what Benjamin Franklin did
3 and excluded Jews in the Constitution, they wouldn't have came
4 here and perverted and subverted our thinking to the point
5 where we'd accept all these northern whites in here.

6 MS. KING: Thank you.

7 MR. DUPUIS: Okay, thank you, Reverend Hasset.
8 Anything else, Bill? Okay, then I think that this hearing
9 will be declared closed. Thank you.

10 (Hearing concluded at 5:37 p.m.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

