

MEETING OF THE NORTH CAROLINA ADVISORY COMMITTEE  
TO THE  
U.S. COMMISSION ON CIVIL RIGHTS

**BRIEFING FORUM**

**ON**

**CHURCH BURNINGS IN THE SOUTH**

July 18, 1996  
At Charlotte, North Carolina  
Reporter: Penelope Leas, CVR

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***Westmoreland Reporting, Inc.***

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A P P E A R I N G

- Members of the Dais:
- Rev. Mazie Butler Ferguson
  - Mrs. Bettie C. Hooks
  - Mr. William A. Stern
  - Hon. Carl Anderson, Commissioner  
Civil Rights Commission
  - Mr. Bobby D. Doctor  
Regional Director
  - Mr. Asa T. Spaulding, Jr.  
Chairperson
  - Hon. Mary Frances Berry, Chairperson  
Civil Rights Commission
  - Dr. Wyatt D. Kirk
  - Mrs. Geneva Bland Brown
  - Mr. Robert Knight

1 This meeting of the North Carolina Advisory  
2 Committee to the U.S. Commission on Civil Rights was held at  
3 the Charlotte Convention Center, 501 South College Street,  
4 Room 201 A&B, Charlotte, North Carolina, on the 18th day of  
5 July, 1996, beginning at 1:15 p.m.

6 \* \* \* \* \*

7 MR. SPAULDING: My name is Asa Spaulding, Chairman of the  
8 North Carolina Advisory Committee to the U.S. Commission on  
9 Civil Rights. Welcome to this afternoon's community forum.  
10 We have a little administrative business we're going to take  
11 care of before we start.

12 In recognition of those who lost their lives in the  
13 crash of TWA Flight 800 last evening, and for the families  
14 and friends who survive them, I'm going to ask you to pause  
15 for a brief meditation, after which I'm going to ask that  
16 Reverend Mazie Butler Ferguson, who is a member of the North  
17 Carolina Committee and who is an ordained minister, if she  
18 will invoke the scripture.

19 (WHEREUPON, the invocation was delivered.)

20 MR. SPAULDING: Thank you, Reverend Ferguson. I suppose the  
21 first thing we should do to get started is to introduce the  
22 members of the dais. As you can appreciate, everyone here is  
23 important, and we have some very serious business that we  
24 want to take care of. Many of you I know and many of you I  
25 do not know; and we may, after introducing the dais, go

1 around the room and ask you to identify yourselves by giving  
2 your name, the organization with which you are affiliated, as  
3 well as your title with that organization, especially so that  
4 the media might know which agencies are represented on this  
5 occasion. I'm going to introduce three people and then I'm  
6 going to ask the remaining members of the dais here to  
7 introduce themselves.

8 First, to my left, and many of you may be aware of  
9 who she is and what she does in some respects. I won't tell  
10 you everything, but it's the Honorable Mary Frances Berry,  
11 who is the chairman of the U.S. -- and I still use the word  
12 chairman, I don't use chair. This is the chair I'm sitting  
13 in -- but is the Chairman of the United States Commission on  
14 Civil Rights.

15 Also with us we're pleased to have the Honorable  
16 Carl Anderson, who is also the Commissioner on the United  
17 States Commission on Civil rights.

18 And to my right is the Regional Director of the  
19 Atlanta Office, and is the region in which the North Carolina  
20 Committee functions.

21 At this point now, I'm going to ask our Chairman,  
22 Dr. Berry -- she needs really no introduction. She's been a  
23 public official as the Assistant Secretary, U.S. Department  
24 of Education and is a well-regarded educator in her own  
25 right. I'm going to ask her if she will make some

1 introductory remarks to set the tone for this meeting from a  
2 national perspective. Dr. Berry?

3 **DR. BERRY:** Thank you, Chairperson Spaulding. First I want  
4 to say how pleased I am that Commissioner Anderson was able  
5 to be here today, and I also want to acknowledge that  
6 although my vice-chair, Cruz Renoso, could not be here, his  
7 special assistant, Cindy Valenzuela, is out there in the  
8 audience. I am so pleased that the State Advisory Committee  
9 here in North Carolina was able to organize this forum today,  
10 and I want to thank Bobby Doctor, our Regional Director, and  
11 the regional staff for their important work in this regard.

12 I promised that I would attend forums held by the  
13 State Advisory Committees of the Commission in every state in  
14 which large numbers of church fires had taken place. I have  
15 been to every one of those states. I've been on the road  
16 going from state to state and forum and forum, and today we  
17 come to North Carolina. We were in Columbia, South Carolina,  
18 just the other day. We've been to Alabama, Louisiana,  
19 Tennessee, Mississippi, and so on.

20 What is it we're doing? First of all, let me say  
21 that the State Advisory Committee members are volunteers, and  
22 we are just so pleased that they are willing to serve the  
23 public and to serve on the advisory committee. This  
24 committee has been one of the most productive under the able  
25 leadership of Mr. Spaulding, and with the service of members,

1 as folks who have supplied us with reports on in-school  
2 segregation in North Carolina, reports on black/white  
3 perceptions of race relations in Greensboro, North Carolina,  
4 both of which are still very useful to us in understanding  
5 racial problems in America. The Civil Rights Commission --  
6 the National Civil Rights Commission -- embarked on a study  
7 of racial and ethnic tensions in America's communities about  
8 five years ago because the Commission believed, based on hate  
9 crime statistics, based on polling data, that in fact we were  
10 having more racial polarization in this country than we  
11 thought was good for the country, and they ought to be  
12 addressed, and we've been holding hearings around the  
13 country. So, to the extent that these fires are based on  
14 racial or religious discrimination or race hatred, it would  
15 come as no surprise to us; not that we're pleased about it,  
16 but we wouldn't be surprised that it in fact happened.

17 We're here for two reasons. I'm here for two  
18 reasons and there are two things I want to find out. One is  
19 what are state, federal, and local law enforcement officials  
20 doing about the problem of catching the perpetrators,  
21 identifying people who might know what is going on, and  
22 preventing more church arsons in this State -- the same  
23 questions we've asked in every other state -- and how well  
24 are they working together. The second thing is to find out  
25 how well the people of this community are addressing issues

1 of tensions that divide them. Are people in a state of  
2 denial? Are they using the church arsons as an opportunity  
3 to come together to work on the problems, or are they simply  
4 saying, "Oh, yeah, the church burned so, you know, let's deal  
5 with that and move on," or how responsive are people; and  
6 when the church burnings are behind us, and let's hope they  
7 are, will we still have accelerated tensions or will we have  
8 diminution of these tensions? And the Commission, by the  
9 way, is interested in religious discrimination as well as  
10 race discrimination, and if any interference with religious  
11 worship was involved in this, we would be here anyway.

12 So, with that, I want to thank you very much, and I  
13 will listen with interest to the discussions here, and in  
14 about 30 days after the forums, we expect to release the  
15 transcript of this meeting, as well as a summary of the  
16 important issues that were raised here and how they were  
17 discussed. Thank you very much, Mr. Chairman.

18 **MR. SPAULDING:** Thank you again, Madam Chairman. As Chairman  
19 Berry has mentioned, the Atlanta office is paying for us to  
20 have a court reporting service here, and one of the reasons  
21 why -- after we have our colleagues here at the head table to  
22 introduce themselves, we're going to go around the room and  
23 ask you to just give your names, the organization or your  
24 affiliation, and your titles, and of course your location, so  
25 that we can have that as a matter of record. We realize that

1 those who show up later or are tardy in their appearance, we  
2 may not get them but, you know, it often happens that way.

3 So, I'm now going to start and ask Bob Knight from the  
4 Atlanta Office to start the introductions -- self-  
5 introductions.

6 **MR. KNIGHT:** Bob Knight, Civil Rights Analyst from the  
7 Southern Regional Office in Atlanta.

8 **MS. BROWN:** I'm Geneva Brown, a Commission member from  
9 Winston-Salem, North Carolina.

10 **MR. KIRK:** Wayne Kirk of Greensboro, North Carolina,  
11 Commission member.

12 **MR. STERN:** William Stern, Greensboro, North Carolina.

13 **MS. HOOKS:** Bettie Hooks, Jonas Ridge, North Carolina, a  
14 member of the Advisory Committee, North Carolina.

15 **REV. FERGUSON:** I'm Mazie Ferguson. I'm from Greensboro,  
16 North Carolina, and a member of the Advisory Committee.

17 **MR. SPAULDING:** Why don't we start to my left with the  
18 introductions?

19 **DR. BERRY:** Before you do that, I forgot to ask if my  
20 colleague, Mr. Anderson, wanted to say anything. Would you  
21 like to make any --

22 **MR. ANDERSON:** Not now.

23 **DR. BERRY:** Not now? Okay, thanks.

24 **MR. SPAULDING:** Okay.

25 **MR. KEESLER:** I'm David Keesler, Assistant United States



1 Attorney in Charlotte.

2 **MR. CALLOWAY:** I'm Mark Calloway, United States Attorney for  
3 the Western District, and I am here representing all three  
4 U.S. Attorneys in this State, Janice McKenzie Cole from the  
5 Eastern District and Walter Holton from the Middle District.

6 **DR. BERRY:** What was your name?

7 **MR. CALLOWAY:** Mark Calloway,

8 **MR. SIMMONS:** My name is William Simmons. I'm with the  
9 Charlotte-Mecklenburg Community Relations Committee.

10 **MR. MEADOWS:** Bob Meadows with the *Charlotte Observer*.

11 **MR. SUTTON:** Ozelle Sutton, Regional Director, Community  
12 Relations Service, U.S. Department of Justice.

13 **MR. PARKER:** I'm Ronald Parker, Fire Chief of the City of  
14 Lumberton, and I'm also the current past-president of the  
15 North Carolina Association of Fire Chiefs.

16 **MR. SHAW:** Robert Delane Shaw, Mayor Protem, City of  
17 Lumberton, and the way it looks, I'm evidently representing  
18 the County of Robeson, 170,000.

19 **MR. LOGAN:** Mark Logan. I'm the Special Agent in Charge for  
20 the Bureau of Alcohol, Tobacco and Firearms for North and  
21 South Carolina.

22 **MR. SPAULDING:** Mark, you've been getting a lot of media  
23 coverage.

24 **MR. LOGAN:** Yes, sir.

25 **MR. SPAULDING:** Whether you wanted to or not.

1 **MR. LOGAN:** Yes, sir.

2 **MR. MOORE:** I'm Richard Moore. I'm the Secretary of Crime  
3 Control and Public Safety for the State of North Carolina.  
4 I'm here today on behalf of my boss, Governor Hunt.

5 **MS. BONHAM:** My name is Mary Kay Bonham. I'm the Regional  
6 Director with the Appropriation for National Service, a  
7 federal agency that's putting together a district program of  
8 volunteers in community service.

9 **MR. TROY:** My name is Harold Gene Troy, Jr., I'm with the  
10 North Carolina Human Relations Commission. I'm a Human  
11 Relations Specialist.

12 **MS. PICKENS:** I'm Barbara Pickens, the Sheriff of Lincoln  
13 County, North Carolina.

14 **MR. MASTIN:** I'm Dane Mastin, Sheriff of Wilkes County, North  
15 Carolina.

16 **MS. VALENZUELA:** My name is Cindy Valenzuela, and I'm the  
17 assistant to Vice-Chairman Cruz Renoso.

18 **MS. DIAMOND:** I'm a little embarrassed that I don't have a  
19 title. I'm simply Joanie Diamond from Hilton Head Island.  
20 I'm an activist down there and I've been trying to help  
21 African-Americans get fair treatment for the past six or  
22 seven years. It's a pretty tough job. Thank you.

23 **MR. ROBERTSON:** Mike Robertson. I'm Special Agent in Charge  
24 of the Intelligence and Technical Services Section, State  
25 Bureau of Investigation, representing Mr. Coburn and the

1 Attorney General.

2 **MR. SKINNER:** I'm Brooks Skinner, Attorney General's Office  
3 in Raleigh, Citizen's Rights Section, here representing  
4 Attorney General Easley.

5 **MR. JESSET:** Torre Jessut, from Congressman Melvin Watts'  
6 office. My capacity is media liaison.

7 **MS. STUBBS:** My name is Pam Stubbs. I'm a member of  
8 Congressman Melvin Watts' district staff.

9 **MS. LOVE:** I'm Tracey Love, and I'm a member of Congressman  
10 Watts' district staff based in Durham.

11 **MS. HURLEY:** Carol Lee Hurley. I'm a member of the  
12 Commission staff in Washington, D.C.

13 **MR. KAPLAN:** My name is Stan Kaplan. I'm the Director of the  
14 North Carolina/Virginia Office of the Anti-Defamation League.

15 **MR. ENDERSON:** I'm Woody Enderson, Acting Special Agent in  
16 Charge of the FBI here in Charlotte.

17 **MR. JONAS:** Charles Jonas, District Coordinator for U.S.  
18 Representative Myrick. I'm here on her behalf.

19 **MR. PERKINS:** I'm Scott Perkins, Special Agent, FBI, here in  
20 Charlotte.

21 **MR. SHIRLEY:** I'm Bob Shirley, just a concerned citizen, and  
22 I just happen to be a Presbyterian minister.

23 **MR. SPAULDING:** Thank you as a concerned citizen for taking  
24 time out of your schedule to be here this afternoon.

25 **MS. SHIRLEY:** My name is Madge Shirley, and I'm from

1 Charlotte, and I'm also a very interested party.

2 **MR. PATTON:** My name is Ken Patton, and I'm a Supervisory  
3 Special Agent of the FBI here in Charlotte.

4 **MS. WILSON:** My name is Harriett Wilson, and I'm Regional  
5 Director of Senator Lauch Faircloth's office. I just wanted  
6 you all to know in the audience that Senators Faircloth and  
7 Kennedy last week signed the Arson Prevention Act, which will  
8 enlarge the term -- the time that a person will spend in  
9 prison, reiterated the Hate Act, and also made the time more  
10 available for prosecution.

11 **MR. SPAULDING:** Thank you very much, each one of you for  
12 taking the time off to be with us this afternoon for this  
13 community forum. The Atlanta Regional Office has compiled a  
14 list of invited guests, both from the federal category, the  
15 governor and state officials, the city and county mayors,  
16 police chiefs, fire chiefs, sheriffs' departments, and the  
17 religious community. Obviously, there are a great many of  
18 you who wish to have comments to make at this forum. Because  
19 there are so many of you here, we're going to ask you to keep  
20 your remarks to five minutes or less. Most recently, I was  
21 Chairman of the Finance and Zoning Commission for the City of  
22 Durham, I used to call time. I would hope that I would not  
23 find it necessary to do that on this occasion, because we do  
24 want everyone to have an opportunity to make what comments  
25 they feel compelled to make; at the same time, we want both

1 the members of the Committee and the Commission to have an  
2 opportunity to raise questions with you as they may feel  
3 inclined to do so. I'll ask you to keep your remarks to five  
4 minutes or less, if you will.

5 I have listed first Congresswoman Eva Clayton or  
6 her representative. I believe no one is here to represent  
7 her at this time. We will now move to the U.S. Attorneys for  
8 the Eastern, Middle and Western Districts. I believe Mark  
9 Calloway is going to be representing the U.S. Attorneys.

10 **MR. CALLOWAY:** That's correct.

11 **MR. SPAULDING:** Let me ask each of you once again, as you  
12 give your testimony or your comments, would you please  
13 identify yourself by name and your position and who or what  
14 you're representing, so that our court reporter might have  
15 that as a part of the record. These proceedings are going to  
16 be transcribed and they're going to be made available, but we  
17 want to make sure, to the extent possible, that we get an  
18 accurate representation of those people who are participating  
19 in the program. Thank you very much.

20 **MR. CALLOWAY:** Thank you, Mr. Chairman and members of the  
21 Commission. Again, I'm Mark Calloway, the United States  
22 Attorney for the Western District of North Carolina, and I'm  
23 here representing all of the U.S. Attorneys in North  
24 Carolina. There are two others, other than myself, Janice  
25 McKenzie Cole, who is the U.S. Attorney for the Eastern

1 District of North Carolina, based in Raleigh; and Walter  
2 Holton, U.S. Attorney for the Middle District of North  
3 Carolina, who is stationed in Greensboro and Winston-Salem.  
4 They are both on travel attending to other matters, and send  
5 their thanks for the opportunity to appear and their regrets  
6 that they cannot. We decided that I would represent all  
7 three offices, primarily since this meeting occurred in my  
8 district, they had to travel elsewhere, and I am the U.S.  
9 Attorney's representative on Governor Hunt's task force that  
10 I'll mention a little more in a few minutes. I would hope,  
11 realizing that it's almost impossible for a lawyer to say  
12 anything in only five minutes, that since I'm representing  
13 the other two districts as well, I might eek out a few --

14 **DR. BERRY:** You might get seven or eight minutes.

15 **MR. CALLOWAY:** I might get seven or eight? I've got a few  
16 things I want to cover. I'll try to talk fast but not too  
17 fast. If I'm going too fast, the court reporter will just  
18 kick me under the table and I'll slow down.

19           There are three areas I want to cover. First is  
20 briefly tell you what U.S. Attorneys do, because some members  
21 of the public may not realize what we do. The second is talk  
22 to you about the federal and state efforts from the U.S.  
23 Attorneys' Offices and federal, state and local law  
24 enforcement to combat and prevent church burnings; and lastly  
25 to give you a quick overview of some of the federal statutes

1 that are available for prosecutions of these crimes, and some  
2 of the considerations that U.S. Attorneys' offices take into  
3 account in determining whether to take a case federal or  
4 whether to work with the state prosecutor and have it  
5 prosecuted in state court.

6 First of all, as U.S. Attorneys what we do. All  
7 three U.S. Attorneys in North Carolina were appointed by  
8 President Clinton and took office in the first quarter of  
9 1994. It is our job as U.S. Attorneys to prosecute federal  
10 crimes that occur in North Carolina. In other words, we make  
11 the decision on whether a case is worthy of federal  
12 prosecution and set the federal prosecution policies within  
13 our respective district; and, of course, work closely with  
14 the Department of Justice and federal, state and local law  
15 enforcement agencies to carry out those prosecutions and  
16 investigations. In particular, on the church burning issue,  
17 we work closely with the Civil Rights Division of the  
18 Department of Justice and a task force set up that I'll talk  
19 about more in a minute to deal with those issues.

20 The federal government is using a full range of  
21 resources to respond to violent acts directed at houses of  
22 worship. Any sort of desecration or destruction of any place  
23 of worship is among the most despicable crimes, reaching to  
24 the most deeply felt of all American tenants, the freedom of  
25 religion. President Clinton has made it a top priority to

1 prosecute those responsible for these arsons, to prevent  
2 future damage to houses of worship, and to help communities  
3 and congregations in their efforts to rebuild.

4 Under the direction of the National Church Arson  
5 Task Force, we've deployed over 200 ATF and FBI  
6 investigators. Working together with state and local  
7 authorities, this is one of the largest federal criminal  
8 investigations of any kind, one of the largest arson  
9 investigations in history, and the largest current civil  
10 rights investigation.

11 The federal government has authority under several  
12 statutes to investigate and prosecute suspicious fires at  
13 houses of worship, and I'll deal with those in a few moments.

14 Assistant Attorney General Duvall Patrick and  
15 Assistant Treasury Secretary James Johnson are leading the  
16 national task force. They have brought together the FBI, the  
17 ATF, and Justice Department prosecutors, the United States  
18 Attorneys, and the Community Relations Service, a member of  
19 which is here today, and the U.S. Marshalls to forge a  
20 coordinated plan for investigating and prosecuting these  
21 crimes. We also coordinate very closely with state and local  
22 officials.

23 Each United States Attorney has been directed by  
24 the Attorney General to set up a task force on a local level  
25 in their districts to deal with church burnings. All three



1 U.S. Attorneys already had in place a Violent Crimes Task  
2 Force and we're using those task forces to deal with church  
3 arsons. Walter Holton, Janice Cole and I felt that there was  
4 an additional need for a task force; that we should  
5 coordinate our efforts on a statewide level, so that we were  
6 in constant communication and could coordinate our efforts on  
7 a statewide level so nothing fell through the cracks. So, we  
8 have formed a statewide task force to deal with church arsons  
9 and church burning issues. That's comprised of Acting  
10 Special Agent in Charge of the FBI, Woody Enderson; Mark  
11 Logan, Special Agent in Charge of ATF for North and South  
12 Carolina; all three U.S. Marshalls; a representative of the  
13 State Bureau of Investigation; and a member of the Community  
14 Relations Service as well, and we had our first meeting --  
15 planning meeting on the federal level last month. So, we did  
16 that as well. This statewide task force that we've set up  
17 through the Department of Justice and through the three U.S.  
18 Attorneys Offices is for the purpose of ensuring that our  
19 efforts at the federal level are coordinated, are  
20 comprehensive, and are pursued aggressively.

21 In any instance where a fire occurs, those three  
22 investigative agencies, the ATF, the FBI and the SBI will  
23 respond to the scene as quickly as possible and engage in a  
24 coordinated investigative effort with the local fire and  
25 police or sheriff's departments to determine three primary

1 questions. First, cause and origin of the fire. Was it an  
2 arson or was it an accident? Two, if it was arson, determine  
3 the identity of the individual or individuals responsible for  
4 setting that fire; and three, to determine what motivation is  
5 behind those individual's actions. Once these three issues  
6 are answered, which may be answered in a couple of days or  
7 sometimes it may take months to investigate a case, we'll  
8 then review the case in our office, and consult with the  
9 State District Attorney in each prosecutorial district to  
10 determine the best forum for bringing charges.

11           Within each of our U.S. Attorney's offices,  
12 there's a Victim-Witness Coordinator, and their names are  
13 listed on a hand-out that I've brought for the Commission and  
14 members of the audience. I encourage you, at any time, if  
15 you have any concerns or questions about what's taking place  
16 in a particular case or if you have general concerns or  
17 questions, to call the Victim-Witness Coordinator of the  
18 United States Attorney's Office in the district in which you  
19 reside. Our Victim-Witness Specialists are responsible for  
20 making sure that our offices stay in close communication with  
21 the victims of any type of crime, and that we maintain  
22 regular contact and notification of the status of the case as  
23 it proceeds through federal court. We, as United States  
24 Attorneys, and the United States Attorney General, Janet  
25 Reno, have specified that our Victim-Witness Specialists will

1 be key individuals in making sure that the United States  
2 Department of Justice and our offices are in regular  
3 communication with you, and are open and accessible to those  
4 of you who have been victims of these fires, and to  
5 communicate in general where there are great concerns about  
6 these fires. The hand-out that I have that I'll pass up when  
7 I get through with my remarks lists each U.S. Attorney's  
8 office, the phone number, the name of the Victim-Witness  
9 Coordinator, and the counties which each U.S. Attorney is  
10 responsible for. So, if you know you live in a particular  
11 county, you'll know which office you may call. Of course,  
12 you're free at any time to call any office for information.

13 I want to talk about, too, aside from the task  
14 force that we set up statewide, the other efforts the U.S.  
15 Attorney's offices have made to coordinate with local and  
16 state law enforcement and government officials to deal with  
17 these issues, not only on the prosecution level, but on the  
18 policy level as well. I was appointed to the Governor's Task  
19 Force on Racial or Religious Violence or Intimidation. As  
20 the U.S. Attorney's representative for that, that gives us  
21 input on a statewide level with that task force, and puts us  
22 in contact with statewide community and local leaders so that  
23 we can have input on that task force. All three U.S.  
24 Attorneys participated in an information and educational  
25 seminar protecting religious sanctuaries sponsored by North

1 Carolina Attorney General Mike Easley's office, that was held  
2 at North Carolina Central University in Durham several weeks  
3 ago. It was a half day seminar that about 300 persons  
4 attended. I have for the Commission, since you're finding  
5 facts and information, a copy of a program and materials that  
6 were handed out to each participant or member of the audience  
7 there. We presented some of what I'm doing here. Mark Logan  
8 of ATF spoke. Scott Perkins of the FBI spoke, and SBI and  
9 other -- we talked about how those fires were investigated,  
10 law enforcement positions, we got feedback from the audience  
11 there, and talked about the need to better communicate with  
12 victims of those fires. It's not just the board of trustees  
13 at a church or the elders, it's the entire congregational  
14 community that are victims in these cases. Law enforcement  
15 needs to be sensitive to that. That seminar, I thought, gave  
16 us an opportunity to talk, but also gave us an opportunity to  
17 listen, and sometimes what law enforcement needs to do is sit  
18 and listen as opposed to talk. This gives us an opportunity  
19 to do that here today.

20 I've got one more area to cover. I can't stay for  
21 the whole time. I've got a commitment at around 3:00, but I  
22 will stay until then. I regret I can't stay for the whole  
23 time.

24 Let me tell you this, aside from those statewide  
25 efforts. I'm going to touch on the federal statutes that are

1 available briefly. I won't get into a lot of technical  
2 detail. The guiding principle that federal law enforcement  
3 uses is what's best for the case. That is, is it a case that  
4 should go to federal court or is it a case that should go to  
5 state court? Who are the victims, who was the perpetrator of  
6 this, what sort of punishment as a policy matter are they  
7 deserving of, and those kinds of things.

8           What statute best addresses that conduct? We can  
9 prosecute cases under 18 USC 241, which is a federal civil  
10 rights statute. We can use that when churches used by  
11 African-Americans or other minorities or synagogues have been  
12 victims. That statute makes it a crime for two or more  
13 persons to conspire to injure, threaten or intimidate any  
14 person in any state, territory or district where free  
15 exercise or enjoyment of any right or privilege is secured by  
16 him or her by the Constitution and laws of the United States  
17 when a church or synagogue is attacked by persons intending  
18 to intimidate members because of their race or ethnicity,  
19 including Judaism. The guarantees set forth in 42 USC 1982  
20 to all citizens, that is the same right in every state and  
21 territory, is enjoyed by white citizens thereof to inherit,  
22 purchase, lease, sell, hold or convey personal and real  
23 property, we can use that statute.

24           We talk about the word conspiracy, and let me just  
25 in layman's terms tell you what that is, and that's an

1 agreement by two or more persons to do an unlawful act, and  
2 that's what we're talking about when a conspiracy statute is  
3 used. It requires at least two persons who have gotten  
4 together to do an unlawful act or to agree to do an unlawful  
5 act.

6           18 USC 247, this statute has just been revised, as  
7 was alluded to by Senator Faircloth's representative, to  
8 eliminate jurisdictional limitations in §B of that statute,  
9 that previously made it difficult to use. Under revised  
10 247(a), it's a crime for any person to intentionally deface,  
11 damage or destroy any religious real property because of the  
12 religious character of that property. We must prove that  
13 offense is in or affects interstate commerce, requiring proof  
14 that the church had an effect on interstate commerce --  
15 sometimes the fact that the church has electricity is enough  
16 -- or the defendant moved in interstate commerce to commit  
17 that offense; that is, the defendant crossed state lines.  
18 When the attack is motivated by the race of the persons  
19 associated with that facility, we can prosecute under this  
20 new §C of 247 that prohibits attacks committed because of  
21 race, color or ethnic characteristics of any individual  
22 associated with a house of worship. Those prosecutions,  
23 because of that new law, do not require proof that the  
24 offense had an effect on interstate commerce.

25           18 USC 844(i) is the federal arson statute.

1 **MR. SPAULDING:** You'll have to wrap it up. Thank you.

2 **MR. CALLOWAY:** All right. We can use that when fire by  
3 explosion has been used as well.

4 Briefly, you should be aware of two other statutes:  
5 threats by mail and threats by mail, so that if you receive a  
6 threat, you don't have to wait for that threat to be carried  
7 out. You can contact the FBI and we might perhaps be able to  
8 deal with that as well.

9 In closing, let me say that the three United States  
10 Attorneys' Offices, the Department of Justice, and the task  
11 force that I described earlier are all committed to pursuing  
12 the steps necessary to put an end to these fires. We remain  
13 open and welcome to your suggestions and your input as this  
14 process moves forward. Hopefully, out of the ashes of these  
15 tragedies, by working together, we can ultimately move our  
16 efforts forward to eliminate racism and discrimination in our  
17 state and nation. And I will say this finally: if there is  
18 ever a situation where local, state and federal law  
19 enforcement need to work together, and need to work with the  
20 community, it is to combat these church fires. Thank you  
21 very much. I'll be happy to answer any questions that you  
22 have.

23 **MR. SPAULDING:** Thank you very much, Mark. We would love for  
24 him to continue on so that he could reiterate the information  
25 about the statutes. Obviously, that information will not be

1 repeated again during this session today.

2 Mark, I would make one comment or observation, and  
3 I'm not going to volunteer either myself or any member of the  
4 State Committee, but I was saying to the Chairman and she  
5 concurred, that there are certain committees and commissions  
6 being formed in the state we're told, and it would be our  
7 belief, not that we're looking for additional work to do,  
8 that the North Carolina Advisory Committee to the U.S.  
9 Commission might be considered for having a representative of  
10 this body appointed to those since it is a fact-finding body  
11 and that is the responsibility of this committee. As I say,  
12 we're not looking for more work, but at the same time, and  
13 I'm sure my colleagues share this view, the issues and  
14 problems that we're dealing with now are of such magnitude, I  
15 don't think you can have too many people working on them.  
16 Thank you very much for your comments. I'll now open it up  
17 for any questions from my colleagues.

18 **DR. BERRY:** I have some. Let me just thank you for your  
19 statement, Mr. Calloway, but I have several questions.

20 **MR. CALLOWAY:** I'll be happy to try to answer them.

21 **DR. BERRY:** The first one is, how many hate crime  
22 prosecutions has your office pursued over the last five years  
23 or in the last year, or have there been any? Could you just  
24 give me some idea?

25 **MR. CALLOWAY:** I could only tell you -- I can't give you a



1 specific number. I've been there two years, but I will be  
2 happy to find that out and give you that information. I can  
3 tell you the ones that I'm aware of. I know that within the  
4 last two years, several individuals were indicted for cross  
5 burnings, and they received a nine year sentence apiece for  
6 those cross burnings. There's also been another indictment,  
7 I believe, up in the mountains with respect to such activity.  
8 I deem that a hate crime, and those have been aggressively  
9 pursued, and our office has worked with the Civil Rights  
10 Division of the Department of Justice to prosecute those  
11 crimes as well; but I'll certainly get that number and let  
12 you know. David Keesler who is here is sort of the  
13 designated civil rights attorney in my office who deals with  
14 that, and we deal directly with the Civil Rights Division in  
15 any prosecution that deals with civil rights.

16 **DR. BERRY:** Is there any evidence of Klan activity in North  
17 Carolina, or any other organized hate group insofar as you  
18 know from the prosecutions or any other activities?

19 **MR. CALLOWAY:** What I can talk about is public knowledge.  
20 Obviously, the people that committed those cross burnings  
21 that have been prosecuted had those sentiments, and obviously  
22 the Klan exists.

23 **DR. BERRY:** Does anybody have any data -- I'm going to ask  
24 other witnesses the same question. We just came from South  
25 Carolina and had a long discussion about the Klan with

1 numbers and everything else. Do you have any sense of how  
2 widespread Klan activity or any other activity is, based on  
3 your familiarity with prosecutions? I know you're not a  
4 pollster or an investigator. I understand what U.S.  
5 Attorneys do, but do you have any sense of it?

6 **MR. CALLOWAY:** I don't, and I don't know that I'm in the best  
7 position to answer that since we deal with the investigations  
8 that come into our office; but I believe there's a gentleman  
9 here from the anti-defamation league. He might be able to  
10 answer that question.

11 **DR. BERRY:** And the other law enforcement officials. Maybe  
12 the FBI knows. The other thing is, do you -- are you  
13 concerned, since your role is to prosecute, that some of  
14 these fires -- let's see, there was one March, 1995, if my  
15 information is correct, and October of 1995, where no arrests  
16 have been made. Are you concerned about the fact that --  
17 well, you may know more from being on the task force. Do you  
18 have concerns about the fact that these older ones have not  
19 been brought to you for prosecution, where some of the newer  
20 ones have, or is my information incorrect?

21 **MR. CALLOWAY:** Mark Logan would be in the best position to  
22 address any specific church fire. Obviously, any time we  
23 don't solve a crime, we're concerned about it, but I think  
24 you will find that in North Carolina, there have been great  
25 efforts made by the ATF and the FBI and others to investigate

1 these crimes and prosecute them. I know that Mark Logan has  
2 pretty much worked tirelessly since he's got responsibility  
3 for North and South Carolina. It has taken a large majority  
4 of his time to coordinate that effort and to investigate that  
5 on the part of ATF.

6 **DR. BERRY:** I'll ask him. The last question is, why has your  
7 task force only had one meeting? I was told at least two  
8 months ago that all U.S. Attorneys had these task forces that  
9 were operating. You said yours had met once, I think?

10 **MR. CALLOWAY:** We went to Washington about a month ago and  
11 met -- the U.S. Attorneys went and met with Duval Patrick and  
12 the head of ATF. We immediately came back and set that  
13 meeting up within about a week and a half of that meeting.  
14 We each have a task force -- that's a statewide task force  
15 that we formed in addition to the requirement that our local  
16 task forces handle it.

17 **DR. BERRY:** In other words, you didn't know until you went  
18 there that you were supposed to have this --

19 **MR. CALLOWAY:** Well, we already had a Violent Crime Task  
20 Force. Let me explain that. Each district has a Violent  
21 Crime Task Force. In this district, that Violent Crime Task  
22 Force, in association with the FBI -- the task force is  
23 housed in ATF -- got together and worked on the Matthews  
24 Mirkland fire and solve that crime, as you know, within three  
25 days or less. That task force -- we already had a task force

1 set up in this district and in every other district in North  
2 Carolina to deal with church burnings. So, we weren't going  
3 to reinvent the wheel. What we decided, as U.S. Attorneys,  
4 is aside from the directive from the Attorney General, that  
5 we have a task force in each district. We felt a statewide  
6 task force from each U.S. Attorney's Office was necessary.  
7 So, we formed that in addition to the requirement that the  
8 Attorney General handed down. It's something we wanted to do  
9 in addition to that, and that task force met. Obviously,  
10 Walter Holton and Janice Cole and I talk on the phone  
11 whenever we need to; but in terms of why we've only had one  
12 meeting, we got the directive to set up a task force. We  
13 already had task forces. We said, well, we think we need a  
14 statewide one. We immediately came back and formed it and  
15 met.

16 **DR. BERRY:** But you coordinate really well with all the  
17 members, so you don't have any problems with the  
18 coordination?

19 **MR. CALLOWAY:** I haven't found any problem with the  
20 coordination. In fact, I've been very impressed with the way  
21 local, state and federal law enforcement have come together  
22 on this issue, and the way the North Carolina Attorney  
23 General and the Governor have come forward to set up their  
24 commissions and other programs to keep not only law  
25 enforcement coordinated, but to try to keep the public

1 informed. As I said before, it's very important, I think,  
2 for law enforcement to listen to the public on these issues.

3 **DR. BERRY:** And do you have insurance problems? You know, in  
4 some of the other states, some of the churches had problems  
5 with insurance being taken away or -- has anybody complained  
6 to your office about that?

7 **MR. CALLOWAY:** I haven't had any complaints of that, although  
8 I think the church ministers are in the best position to know  
9 that as opposed to me, but I've not had any calls to say  
10 we're having -- you know, unfairly having our insurance taken  
11 away or anything like that.

12 **DR. BERRY:** Okay. I appreciate that. Thank you, Mr.  
13 Chairman.

14 **MS. BROWN:** May I?

15 **MR. SPAULDING:** Let me ask Mr. Anderson.

16 **MR. ANDERSON:** (Shakes head negatively.)

17 **MR. SPAULDING:** Now, I'll take questions from the North  
18 Carolina Committee.

19 **MS. BROWN:** May I sort of follow-up and ask you of the task  
20 force and the others that you had already set up, what basic  
21 mechanism do you have for giving the public the information?  
22 Thinking about the recent church burnings, how have you  
23 reported that from the task force?

24 **MR. CALLOWAY:** Well, I can tell you in this way. We have  
25 Victim-Witness Coordinators in our office, and they're there

1 to take calls and to keep victims informed. There are  
2 certain federal statutes that give victims rights. One is  
3 the right to be kept informed of key proceedings. So, their  
4 job is to make contact with those victims when the case is  
5 brought to federal court. For example, the Matthews Mirkland  
6 fire, because of the age of the victim (sic), was taken to  
7 state court. She was a 13 year old juvenile. But they're  
8 there. Mark Logan of ATF, I think, has been tirelessly at  
9 different meetings to address the public, as has each U.S.  
10 Attorney. When we went to the statewide forum, we made  
11 ourselves available to talk to the public and keep the public  
12 informed, and obviously, I'm here to do that as well. There  
13 are certain things -- we can't talk about aspects of things  
14 that are under investigation, and I think Mark will probably  
15 touch on this when he speaks. It's important for the public  
16 to understand that Department of Justice regulations prohibit  
17 us from talking about an investigation, really, prior to  
18 indictment. We can sometimes -- usually the standard is we  
19 can either confirm or deny the existence of an investigation.  
20 There's an exception to that when, for public good and  
21 safety, it's necessary to let the public know that there is  
22 an investigation. We can acknowledge the existence of an  
23 investigation. We, however, can't talk about, you know,  
24 who's been brought before the federal grand jury or what  
25 evidence we've collected. We have to wait, really, until

1 there's an indictment to announce who has been charged. We  
2 can't talk about who's under investigation, and we have to  
3 wait until there's a conviction to really talk about what  
4 evidence was presented in court.

5 **MS. BROWN:** So, it would be some time before the public even  
6 knew how many you had found out about?

7 **MR. CALLOWAY:** Could be, but obviously, with the amount of  
8 coverage and publicity that these fires are making in the  
9 news media, they see the ATF and FBI there, and as a matter  
10 of fact know that we're investigating. The investigators  
11 make contact with the ministers and other church members.

12 **MS. BROWN:** Give me one -- let me ask one more thing. Is  
13 there a feeling from your group, the task force, the U.S.  
14 Attorneys, that we're at a point where this is subsiding or  
15 are we still doing heavy investigation?

16 **MR. CALLOWAY:** I think we're still doing heavy investigation,  
17 I hope. As far as I know we are. I think -- it's certainly  
18 my hope that this is subsiding. I think it's everyone's hope  
19 here that it is subsiding, but I think it's very important  
20 that we follow through with the plans we've made, and not  
21 because media attention may drift away from something or we  
22 go on to other things that we give up our efforts here. I  
23 think there's something much more important here that needs  
24 to be done, and so we're trying to stay focused to complete  
25 our investigations and see that under the appropriate

1 circumstances that federal charges are brought.

2 Unfortunately, that doesn't happen overnight.

3 **MR. SPAULDING:** Any other questions from other members of the  
4 Committee of Mark Calloway? If not, thank you, Attorney  
5 Calloway for being here.

6 **MR. CALLOWAY:** Thank you. I'm going to hand up to you the  
7 packet of seminar information that we all participated in, as  
8 well as a description of the districts -- and I'll pass these  
9 out to the audience -- as well as an editorial that dealt  
10 with the federal and community response to the Matthews  
11 Mirkland fire. Thank you very much.

12 **MR. SPAULDING:** I think you can see from the inquiry made by  
13 my colleague a few minutes ago, that there is much concern  
14 and you'll probably be hearing this. Mark, I hope you'll  
15 address that -- much concern in the minds of the citizenry  
16 about just what is being done, if anything. Obviously, there  
17 are articles in the newspaper, but I think realistically --  
18 and not to talk about the print media versus the electronic  
19 media -- you know, what we see is what we hear and then what  
20 we believe; and I think the concern on the part of many  
21 people -- I know people with whom I talk -- is that attention  
22 is being given shortly around the time some dastardly act  
23 occurs, and after that the interest wanes because not enough  
24 is being said about it. So, I do hope you'll continue to  
25 keep it a high priority. I realize you have a lot of other



1 things you have to do. I hope your office will keep a high  
2 priority on this.

3 **MR. CALLOWAY:** We will and it certainly has dominated a large  
4 of my time in the last month.

5 **MR. SPAULDING:** I'm now going to call on Ms. Pam Stubbs, who  
6 works for Congressman Mel Watts, but I believe you are  
7 prepared to read a statement from Congresswoman Eva Clayton?

8 **MS. STUBBS:** Congressman Melvin Watts.

9 **MR. SPAULDING:** Melvin Watts, I'm sorry. Where did I get the  
10 impression that someone was speaking for her? Well, come  
11 ahead.

12 **MS. STUBBS:** Good afternoon. I have a statement that was  
13 prepared by Congressman Watts to be read to the Commission  
14 and the participants.

15 I regret that I am unable to attend today's forum  
16 on church arsons sponsored by the U.S. Commission on Civil  
17 Rights because of our legislative schedule in Washington.  
18 However, I commend the Commission's attention to this  
19 troubling issue.

20 The recent rash of church burnings across the  
21 south, many targeted at churches with predominately African-  
22 American congregations remind all of us that the flames of  
23 racism and hatred that we have battled for years have not  
24 been extinguished. On June 6th, these flames consumed the  
25 Matthews Mirkland Presbyterian Church in Charlotte. I am

1 proud that individuals and churches in the community have  
2 shown support for the pastor and congregation of Matthews  
3 Mirkland following this tragedy. However, it is all too  
4 clear that hatred continues to disrupt and divide communities  
5 throughout our country, and provide a climate for these  
6 cowardly acts.

7           On May 31st, the House Judiciary Committee, on  
8 which I sit, held a hearing on church fires. The  
9 Congressional Black Caucus followed with an additional  
10 hearing on June 20th. In response to these hearings, and the  
11 increase in burnings, the House and Senate unanimously  
12 approved House Bill 3525, the Church Arson Prevention Act, of  
13 which President Clinton signed into law on July 3rd. I co-  
14 sponsored House Bill 3525 and Continuing Resolution 183,  
15 which condemns church burnings.

16           I hope that our actions at the national level can  
17 help stop these senseless arsons and foster better  
18 communications. We must continue to make it clear that the  
19 burning of churches and other acts of lawlessness are  
20 unacceptable and will not, under any circumstances, be  
21 condoned.

22           I applaud the Commission for initiating forums and  
23 discussions which allow us to discuss these issue and express  
24 the kind of outrage which we all should have about these  
25 cowardly acts.

1           That's the end of Congressman Watts' statement. I  
2 also would like to share in closing with the Commission -- a  
3 lot of the members are probably aware of this, but for those  
4 who are not, as well as the participants -- the Congressional  
5 Black Caucus has established a task force on church burnings,  
6 and one of the items that they have addressed, and addressed  
7 immediately, is the item of insurance. They have submitted  
8 correspondence to the National Association of Insurance  
9 Commissioners asking for information on how the insurance  
10 coverage of African-American churches are being affected as a  
11 result of the burnings. Thank you.

12 **MR. SPAULDING:** Thank you very much, Ms. Stubbs. Mark Logan,  
13 your name has been invoked many times, so we'll now call on  
14 you as Special Agent in Charge of ATF based in Charlotte.

15 **MR. DOCTOR:** Could we introduce for the record a statement  
16 that was sent over from the staff of Senator Fairchild --

17 **MR. SPAULDING:** Faircloth.

18 **MR. DOCTOR:** Faircloth, I'm sorry, who is obviously one of  
19 the co-sponsors of the Church Arson Prevention Act, and  
20 they've asked that we make this a part of the record.

21 **MR. SPAULDING:** Do you want her to read it into the record?

22 **MR. DOCTOR:** No. We'll just make it a part of the record  
23 right now.

24 **MR. SPAULDING:** Thank you very much. At the request of  
25 Regional Director, Bobby Doctor, we will make a part of the

1 official record this statement of Senator Lauch Faircloth of  
2 North Carolina. Now, we'll call on Mr. Logan.

3 **MR. LOGAN:** I thank you for this opportunity to address all  
4 of you. I'd like to start out by saying that arson is a  
5 violent crime in the eyes of ATF and federal law enforcement.  
6 Although these church fires have not involved occupied  
7 churches at the time of the fires, the potential for violence  
8 is there against firefighters, as well as other people that  
9 are trying to extinguish these blazes. It is a violent crime  
10 towards those investigators. It is a violent crime towards  
11 the mental and spiritual beings of these people that are  
12 involved, and that ATF takes it as a top priority to  
13 investigate and solve these fires.

14 ATF is the federal law enforcement agency that has  
15 the investigative jurisdiction of arson. We have been  
16 involved in arson investigations since about 1970 on  
17 individual fires in areas, to working with our national  
18 response team in responding to your major fires and bombings.  
19 We have expanded that towards working internationally with  
20 our international response team, which I am a supervisor for.  
21 I had been a part of the national response team prior to  
22 January when I took this position in Charlotte.

23 I am the Special Agent in Charge for ATF for North  
24 and South Carolina. We have here made it the priority to  
25 respond to every church fire. It doesn't matter what racial

1 mix there is with the congregation. We have personally  
2 instructed all supervisors that on any fire relating to a  
3 church, that a supervisor calls an ordinance specialist, and  
4 a sufficient number of agents will respond to all of them  
5 immediately, and work with state and local investigators that  
6 we have been working with for all these years and have  
7 enjoyed a great working relationship with, and will conduct  
8 these investigations from the start of cause and origin to  
9 the follow-up investigations to solve it, and bring these  
10 persons to prosecution. Our relationships with state and  
11 local agencies, including the prosecutors, has been  
12 outstanding. We will investigate and then evaluate it, as  
13 Mr. Calloway has said, on where would the interest be best  
14 served to prosecute it, whether it be federal or state. It  
15 doesn't matter, we're going to investigate it the same way.

16 I have within this division 76 investigators for  
17 North and South Carolina. Every one of them is committed to  
18 investigating and working in relationship to this problem we  
19 have. We not only investigate the fires, we have also been a  
20 part of speaking with the public on ways that they may  
21 conduct themselves and set up their properties and their  
22 churches on preventing a lot of these activities. We have  
23 distributed a lot of material on preventing -- things that  
24 they can do to prevent vandalism, prevent fires, security  
25 precautions. We've given them literature. We've spoken at

1 different forums. I, myself, have spoken to the north and  
2 south contingents of the NAACP. I have spoken during an  
3 information forum that was sponsored by the Governor and  
4 Attorney General in Durham just recently. I have assisted in  
5 the last national convention with the NAACP in giving a  
6 presentation on federal efforts regarding church fires. I  
7 have spoken to various groups of ministers and parishioners  
8 throughout North and South Carolina. I was trying to assure  
9 them that the federal government and the federal law  
10 enforcement agencies together, along with state and locals,  
11 are doing everything they can in order to investigate these  
12 fires, investigate them completely, and bringing these people  
13 to justice. It doesn't matter whether the congregation is  
14 black or white, we're going to investigate all of these fires  
15 and we're going to do the best job that we only know how to  
16 do. I have informed the public that with these  
17 investigations, you have the best investigators for arsons  
18 and bombings in the world working on these cases. They are  
19 trained just that much to doing just this, investigating  
20 arsons and bombings. I have experienced investigators  
21 working very long hours -- not solicited to do this -- to go  
22 the extra step in talking with the ministers and the  
23 congregation and assuring them that we're going everything  
24 and asking them what else can we do? Would they like for us  
25 to address other people? Is there anything else that any of

1 us can do? And the response has been great. We've  
2 encouraged the public that we cannot do it ourselves. I am  
3 not going to be too proud to say that we can't do it all.  
4 I've gotten after the public about we need their help. You  
5 know, we cannot solve these fires ourselves. We have not  
6 solved the fires. We had the fire in Cerro Gordo and we had  
7 the one here where, if it was not for the public, we would be  
8 lost; and it was because of the public having confidence in  
9 law enforcement and not being afraid to come forward with  
10 information that we were able to solve these fires. We've  
11 spoken to various groups as far as our investigative  
12 techniques. Most of your investigative techniques will  
13 involve interviewing. We feel we want to make sure we cover  
14 all the bases on investigations, so we will interview people  
15 throughout the neighborhood, we will interview the pastor, we  
16 will interview congregation members; but I have heard the  
17 concern and we have addressed it as far as the sensitivity  
18 towards speaking with the pastor and church members and our  
19 investigative activity directed towards them. That has been  
20 conveyed to all of our investigators, I know for ATF. I know  
21 there have been other efforts with the other agencies to  
22 address this concern as far as sensitivity with speaking and  
23 conducting investigative activities when it involves the  
24 pastor of the church or the deacon or other church members.  
25 So, that's a big concern with us, that the public is

1 confident in our work, so that we can solve these.

2           You know, I've heard questions as far as  
3 investigative activity might be diminishing or slowing down.  
4 No, it has not. I recently had another fire on St. John's  
5 Island in South Carolina, and I have investigators there now.  
6 As soon as we hear of a fire, we will respond. We will  
7 continue to work these investigations with other agencies and  
8 the U.S. Attorney's Office until we solve them and stop this  
9 problem. We know no other thing to do but to investigate  
10 these things and make sure all the bases are covered.

11           I've heard questions and I've addressed it before  
12 about ATF's past activities, and I'll be specific and say the  
13 good old boys round-up. My response is, there has been bad  
14 in everything, all right, and ATF has addressed that issue.  
15 Sure, we've had our problems. We've addressed them, but in  
16 no way have those problems affected any of these  
17 investigations. I am quite sure of that. I get briefed on  
18 all investigations throughout the southeast every week. I am  
19 briefed on everything that goes on in North and South  
20 Carolina, and I know for a fact none of these negative  
21 activities that have been reported affect these  
22 investigations nor will they. Everybody is sensitive to what  
23 is supposed to be done. I can say we are criminal  
24 investigators. We take pride in our work. The investigators  
25 take pride in their work, and we'll continue to do that. So,



1 I want the public to be assured that we're going to work for  
2 the public like we're supposed to.

3           Some things that have been addressed about motive  
4 on these fires -- you know, the national conspiracy and all  
5 -- I specifically will say that we would not like to address  
6 motive. Motive is a part of doing our arson investigation.  
7 I would like it to be addressed in court, because if I were  
8 to say one thing, something else might change in the case,  
9 and I don't want anything to jeopardize the criminal  
10 prosecution of whoever we get for these fires. I can say  
11 that we have not found evidence of one particular group or  
12 one particular person being involved in all these fires.  
13 Okay, I can say that. I can say there are racial problems in  
14 this country, and some of them may involve these churches,  
15 but to specifically say about a motive for a specific case, I  
16 would choose not to address that, and would encourage others  
17 not to address it so as not to jeopardize an investigation,  
18 and that we can get these people prosecuted and be done with  
19 it and be comfortable in the community.

20           Again, I'd like to thank you for this opportunity.  
21 It is the top priority. You have seen it with our office,  
22 and you will continue to see it, because sure, we have  
23 feelings, too. We may not be able to express them. Our  
24 emotions and all, we have to set them aside to conduct the  
25 investigation, but we do have those feelings, and we're going

1 to act on it, and do the right thing in investigating these  
2 cases. I thank you.

3 **MR. SPAULDING:** Thank you, Mr. Logan. One question that I  
4 have here for you.

5 **MR. LOGAN:** Yes, sir.

6 **MR. SPAULDING:** You've indicated that you have on your staff  
7 now currently 76 investigators. Do you have adequate budget  
8 -- not that we could do anything about it -- to keep  
9 adequately staffed in order to handle the increase in  
10 investigations, and how are you dealing with that problem?

11 **MR. LOGAN:** Well, I have the resources of not only just the  
12 76, and I have used additional resources from other parts of  
13 the country. I have called in other investigators that I do  
14 have in this area as we speak.

15 **MR. SPAULDING:** So, basically what you're saying is -- not to  
16 put words in your mouth -- that your investigations are not  
17 being hampered by an inadequacy of resources to apply to the  
18 particular burnings as the case might be that you're faced  
19 with investigating?

20 **MR. LOGAN:** No. No, they're not, because of the other  
21 resources that we have and in working with state and local  
22 investigators.

23 **MR. SPAULDING:** Any questions from the Commissioners and then  
24 the Committee members?

25 **DR. BERRY:** I have some, but I'll wait on them this time.

1 **MR. KIRK:** Mr. Logan, what Attorney Calloway gave us as a  
2 definition of a conspiracy -- from what Attorney Calloway  
3 said earlier about what a conspiracy is, to your knowledge --  
4 the investigations to this date, there's been eight church  
5 burnings in North Carolina. Are they conspiracies or do you  
6 perceive them as conspiracies at any point?

7 **MR. LOGAN:** On some of these fires, you do have two or more  
8 involved. I count 13 investigations in North Carolina, just  
9 so you know, sir. Ten were considered arson or undetermined;  
10 three were electrical; six of those that were determined as  
11 arson or undetermined have resulted in arrests as of this  
12 date.

13 **MR. SPAULDING:** Any other questions?

14 **MS. BROWN:** How many of your 76 are minority?

15 **MR. LOGAN:** I have -- they've been moved around. I have  
16 three black male supervisors, all in North Carolina. I have  
17 one black female and six black male investigators. So, I am  
18 saying ten, not including myself.

19 **MS. BROWN:** I asked the question because I'm always wondering  
20 how we train our policemen, law enforcement officers, because  
21 I always hear there's a code of silence somewhere -- trained  
22 one way and you do something another way -- and I just bring  
23 that up because I hope that's not happening.

24 **MR. LOGAN:** I can tell you this: not on my watch; no, ma'am.

25 **REV. FERGUSON:** I'm wondering if the initial response in

1 North Carolina certainly has been, and it appears that in  
2 many places as well, to a lot of the church burnings has been  
3 to convene meetings of pastors, of churches, and particularly  
4 African-American pastors; and it strikes me as the supreme  
5 irony that the efforts to solve the problem of church  
6 burnings which people have prophecized may be due to hate  
7 crimes or racism, is focused on the victim. I'm wondering  
8 how many meetings have been held with white pastors to talk  
9 and discuss with them, in terms of investigations, what  
10 things are going on in their communities, and perhaps to try  
11 to find out some of the perpetrators.

12 **MR. LOGAN:** Well, I can say that in all the presentations  
13 that I've been involved in, which have been quite a few, it  
14 has not been just black congregational make-up churches. It  
15 has been a mixture, and when we address it -- when we address  
16 ways of protecting the churches, a lot of them are in rural  
17 neighborhoods and may be surrounded by a predominately white  
18 community, and we have stressed to the entire group about  
19 going out into the community and working with the community  
20 on keeping an eye on these churches and the problems that  
21 have come up. So, you know, pastors and parishioners who are  
22 white have not been excluded from this. In fact, they have  
23 been attending these meetings, you know, and have been privy  
24 to hearing all of this. So, when a meeting is called, we  
25 don't call the meeting. We leave it up to the pastors. I've

1 seen a mixture of races involved in those meetings.

2 **REV. FERGUSON:** May I ask you what percentage in terms of --

3 **MR. LOGAN:** Well, as far as percentage, I have to say from my  
4 recollection, that's it's been a very small percentage of  
5 whites attending, just from what I've seen in the audience.  
6 The last one that I was part of was in Durham. That was one  
7 site that we spoke at, and my understanding is there were 13  
8 remote sites and I'm not sure where those other sites were  
9 and who all participated; but the information that we're  
10 giving out is intended for everybody, and what we also had  
11 done and given out to everybody are these church threat  
12 assessment guides, and they've gone out to all the different  
13 communities as much as we can. We're asking the ministers  
14 throughout the states if they would assist us -- and the  
15 NAACP -- in getting a lot of this information out and just  
16 sharing it across the board, because it's a problem for  
17 everybody.

18 **MR. SPAULDING:** Would you leave some of those with us?

19 **MR. LOGAN:** Yes, sir.

20 **REV. FERGUSON:** When you say the ministers, Mr. Logan, are  
21 you speaking primarily of African-American ministers?

22 **MR. LOGAN:** No. I'm speaking of all.

23 **MR. SPAULDING:** I think one thing that we want to make clear  
24 and we've discussed this, is we don't see this as a black  
25 problem. We see this as a problem facing society and we

1 don't want the erroneous impression being conveyed that we're  
2 asking questions -- that our concerns are for one segment of  
3 the community. We, like you, are concerned about the care  
4 and well-being of all of the citizens and all of these  
5 churches and synagogues and other temples of worship.

6 **MR. LOGAN:** Absolutely.

7 **MR. SPAULDING:** With that, are there any further questions?

8 **DR. BERRY:** I have a number of questions. Let me say that I  
9 agree with what the Chairperson has said, but my information  
10 from the Justice Department and BATF is that at least 70  
11 percent of these fires at black churches appear to be or may  
12 be racially motivated; and we had testimony to this effect  
13 both in Washington and in the states where I've been before I  
14 came here from FBI agents that, in fact, at none of the white  
15 churches that have been burned has there been an intimidation  
16 or information that blacks burned them for racial reasons.  
17 That just doesn't happen. So, therefore, concern about black  
18 churches is because -- we're concerned about all churches,  
19 obviously, and we're concerned about religion and places of  
20 worship, but it would be wrong for us to try to deny or sweep  
21 under the rug the fact that in the case of black churches,  
22 the reason all this concern is expressed is because of the  
23 evidence of racial motivation. We want to get at it and we  
24 want to say that's unacceptable in addition to attacking any  
25 church. So, we're concerned about everybody.

1           Also, obviously, you're a law enforcement official,  
2 and you have to be concerned about not talking about  
3 motivation and so on until you go to court, but you have to  
4 be aware that there are other concerns that people who are  
5 not strictly law enforcement officials have a right to be  
6 interested in. You understand that?

7 **MR. LOGAN:** Sure, absolutely.

8 **DR. BERRY:** Some of the questions may appear to you to be  
9 over the line, and if they are, I expect you not to answer  
10 them.

11 **MR. LOGAN:** Okay.

12 **DR. BERRY:** But the first thing I want to know is how soon  
13 did BATF get involved in -- or were you called in or aware of  
14 or get involved in the fires that have not been solved yet,  
15 like the New Outreach Christian Center? My information is  
16 that they haven't been solved or no arrests, unless it  
17 happened after this was made up for me. One at Mount Pisgah  
18 Missionary Baptist in Raeford, North Carolina.

19 **MR. LOGAN:** To be honest, a lot of these fires, we respond  
20 when we're notified by the local departments, and a lot of  
21 times we have not been. Mount Pisgah, we were aware of it.  
22 I guess it happened October 31, 1995, and we were not  
23 notified until June of '96.

24 **DR. BERRY:** Okay. June of 1996?

25 **MR. LOGAN:** Right.

1 **DR. BERRY:** How about New Outreach Christian Center in  
2 Charlotte? My date is March 14, 1995.

3 **MR. LOGAN:** We have not been a part of that one. That was  
4 strictly the local department.

5 **DR. BERRY:** What about the one on December 25, 1995 in  
6 Hillsboro?

7 **MR. LOGAN:** The name of that church, please?

8 **DR. BERRY:** Mount Moriah. I just want to know when you got  
9 involved.

10 **MR. LOGAN:** I don't have that information, but we are  
11 involved in it and we were -- that one, we were aware of the  
12 investigative activity there, but actually physically getting  
13 involved, we did not until recently.

14 **DR. BERRY:** Also, the one at Wilson Light of the World in  
15 Wilson, North Carolina, February 10, 1996?

16 **MR. LOGAN:** We are not a part of that one.

17 **DR. BERRY:** So, how do you become a part and how do you not  
18 become a part?

19 **MR. LOGAN:** Okay. If the local department calls us for  
20 assistance, then we would get involved in a fire  
21 investigation. On major fires, because of the parameters  
22 that we have, if the fire is over \$5,000.00 and that type of  
23 thing, that's when we would get involved at the request of  
24 the local department, and being a part of arson task forces.  
25 With these church fires, as soon as we find out about them,



1 we get involved. A lot of the church fires, I can say for  
2 North and South Carolina, have been in rural neighborhoods.  
3 A lot of times fires will be extinguished and nobody will say  
4 anything, but as soon as we find out, we will get involved.  
5 What we have been doing is trying to make an effort to get in  
6 contact with different departments throughout North and South  
7 Carolina, advising them of our interest in responding to  
8 church fires and assisting in investigations, in hopes of  
9 getting that call. As soon as we get the call, we will  
10 commit -- you know, commit to doing an investigation.

11 **MR. SPAULDING:** Mr. Logan, let me follow-up on the Chairman's  
12 question there. In trying to listen to what you were saying  
13 clearly, you were saying that in a number of instances, you  
14 are called in and invited and asked to assist in certain  
15 locales and communities?

16 **MR. LOGAN:** Right.

17 **MR. SPAULDING:** On the other hand, you've stated that in many  
18 instances, when you hear about these, you get involved. I'm  
19 not clear on when you are reactive and when you are  
20 proactive, and what automatically triggers an action on the  
21 part of your office.

22 **MR. LOGAN:** When we saw the increase in -- well, brought more  
23 attention to churches being burned, we immediately got  
24 involved in it when we heard about the fire and responded.

25 **MR. SPAULDING:** So, you have the authority under your mandate

1 to be proactive and take the initiative to get involved in --

2 **MR. LOGAN:** -- church fires.

3 **MR. SPAULDING:** -- situations like this without the local and  
4 municipal or county people getting in touch with you?

5 **MR. LOGAN:** That is the direction I have now.

6 **DR. BERRY:** We were informed when we were in some of the  
7 other states that BATF finds out about fires from being  
8 informed by somebody in the local community who observed it  
9 or by local law enforcement officials, since you don't have  
10 agents in every spot standing out there watching for fire;  
11 otherwise you wouldn't let it happen.

12 **MR. LOGAN:** Right.

13 **DR. BERRY:** So that if no one tells you about it, you  
14 wouldn't know about it?

15 **MR. LOGAN:** We wouldn't know about it, no,

16 **DR. BERRY:** And of course you'd get involved with all the  
17 publicity in the news, but if you don't know, you can't?

18 **MR. LOGAN:** Absolutely.

19 **DR. BERRY:** So that to some extent, you're relying on local  
20 people and local law enforcement to inform you?

21 **MR. LOGAN:** Yes, the first responders, and who are your first  
22 responders? Persons from the fire or police departments.

23 **DR. BERRY:** Let me ask you this. The fires that have been  
24 solved -- let's turn to those. Barnesville, North Carolina,  
25 Ohova AME Church, January 6, 1996. How soon after that fire

1 did you get involved in that?

2 **MR. LOGAN:** I don't have the information in front of me.

3 **DR. BERRY:** Were you involved in that, Barnesville, North  
4 Carolina?

5 **MR. LOGAN:** Barneswell? No.

6 **DR. BERRY:** Barnesville, unless it's spelled wrong.

7 **MR. LOGAN:** When was that?

8 **DR. BERRY:** January 6, 1996. B-a-r-n-e-s-v-i-l-l-e.

9 **MR. LOGAN:** Oh, yes.

10 **DR. BERRY:** Were you involved in that?

11 **MR. LOGAN:** Yes. Just a moment, please.

12 **MR. SPAULDING:** The name of church is Ohova, and the  
13 community is Orrum/Barnesville.

14 **DR. BERRY:** North Carolina. That's what I have right here.  
15 I'm trying to find out whether you were involved. Was BATF  
16 involved in this, and if so, how soon after -- this isn't one  
17 that was solved -- how soon afterwards? If you don't have  
18 the information, I could move on to the next one.

19 **MR. LOGAN:** Would you, please?

20 **DR. BERRY:** Because I have a purpose in asking these  
21 questions. Maybe you could provide the information to us.

22 **MR. LOGAN:** Sure.

23 **DR. BERRY:** Pleasant Hill, East Howellsville, North Carolina,  
24 May 24, 1996. Was BATF involved in that?

25 **MR. LOGAN:** Yes.

1 **DR. BERRY:** How soon after the fire did you get involved or  
2 do you know?

3 **MR. LOGAN:** That was a little while afterwards.

4 **DR. BERRY:** May 24th is when it happened.

5 **MR. LOGAN:** Right.

6 **DR. BERRY:** And this is July the something.

7 **MR. LOGAN:** We got involved maybe a couple of weeks  
8 afterwards.

9 **DR. BERRY:** And do you know how you found out about that fire  
10 -- somebody called you up or how did you know about that  
11 fire?

12 **MR. LOGAN:** From the local department.

13 **DR. BERRY:** Okay. Matthews Mirkland Presbyterian, the one  
14 here in Charlotte, June 6, 1996. How soon after that fire  
15 did you get involved?

16 **MR. LOGAN:** Right away. We were there because we're part of  
17 a task force here.

18 **DR. BERRY:** My only point is, it seems to me, based on your  
19 testimony, that fires in which you got involved and got  
20 involved earlier have been solved.

21 **MR. LOGAN:** Yes.

22 **DR. BERRY:** When you count the numbers, the ones where you  
23 weren't involved, are still unsolved. They are by my count.  
24 New Outreach is unsolved. Mount Pisgah is unsolved. I mean,  
25 I just went down the list with you. The only one you didn't

1 remember was Ohova. That's the one that's been solved and  
2 you didn't know. So, I'm just wondering --

3 **MR. LOGAN:** Well, I knew it was solved, but as far as exactly  
4 what date we got involved --

5 **DR. BERRY:** So, there may be a relationship between how soon  
6 you know about it and whether you're involved or not and  
7 whether it's been solved?

8 **MR. LOGAN:** Well, it's been a factor, but I will not say  
9 because ATF was not involved in the investigation is the  
10 reason why it was not solved.

11 **DR. BERRY:** Why aren't they solved?

12 **MR. LOGAN:** That, I could not answer.

13 **DR. BERRY:** Are you involved in them now?

14 **MR. LOGAN:** Yes, we are. What helps an investigation to be  
15 solved, because arson is a difficult case to prove and to  
16 solve, is that we found when you do have a lot of  
17 investigators who have that expertise come together and share  
18 resources, we can cover the bases a lot faster, and that's  
19 what has happened with a lot of them, and especially, for  
20 example, the Matthews Mirkland where we committed the Violent  
21 Crime Task Force immediately, got the community involved, and  
22 the community law enforcement involved, and were able to  
23 resolve that one.

24 **DR. BERRY:** Now, you mentioned St. John's Island in your  
25 testimony. Is that a recent fire?

1 MR. LOGAN: Yes.

2 DR. BERRY: How recent?

3 MR. LOGAN: Days.

4 DR. BERRY: Oh, it's been a matter of days?

5 MR. LOGAN: Yes. St. John's, well, a week -- 6/30.

6 MR. SPAULDING: Madam Chairman, we understand that the Mayor  
7 of Charlotte is here. He has another commitment, but we do  
8 want to give him an opportunity -- he has some brief remarks.  
9 Let me sum it up, because I can sense --

10 DR. BERRY: I'm sorry, Mr. Chairman, I have two more  
11 questions I need to ask him.

12 MR. SPAULDING: Well, he isn't going any place. Mark's going  
13 to be here.

14 DR. BERRY: Are you leaving?

15 MR. LOGAN: I will be here for the duration.

16 DR. BERRY: Do you want to call him back?

17 MR. SPAULDING: If you want, that's fine.

18 DR. BERRY: Yes, because we need these questions so we can  
19 compare them with the record in the other states.

20 MR. SPAULDING: Mark, I ask your indulgence.

21 MR. LOGAN: Sure.

22 MR. SPAULDING: The Mayor -- His Honor, where is he?

23 MAYOR McCrory: Good afternoon. How are you doing? I  
24 apologize for my lateness. I just got word of this by  
25 telephone message late last night, and was working through

1 some other conflicts; but I would like to welcome each of you  
2 to Charlotte. We in Charlotte are constantly looking for new  
3 ways to prevent this type of event and tragedy from happening  
4 again, and we welcome your input and we welcome your ideas.

5 Just one brief comment I would like to make is that  
6 I think Charlotte can be used as a role model on how to deal  
7 with this sort of issue, and let me just tell you three or  
8 four things that we did when we had the tragedy of our church  
9 being burned down.

10 One thing we did, and probably the first step we  
11 did, was first we tried to get all the facts prior to jumping  
12 to all the conclusions, whether it be by the national media,  
13 the local media, the politicians, and so forth. So, we made  
14 an effort to try to first calm the community and get the  
15 facts.

16 Then second, what we're extremely proud of doing,  
17 including the gentleman who just left us a few minutes ago,  
18 we worked together as a team to solve this crime as soon as  
19 possible, because that's exactly what we considered it. We  
20 considered it a crime that a church was burned down in the  
21 City of Charlotte, and we considered that an extremely  
22 serious crime. We in Charlotte are proud in developing  
23 relationships with the state government and also the federal  
24 government and working in a true team effort to try to solve  
25 this crime as quick as possible. Something I was so proud of

1 here in Charlotte during the recent burning is there was  
2 absolutely no turf whatsoever between the local police, the  
3 firefighters, the state government and the federal  
4 government. We worked together as a team and I think you  
5 even saw that in the handshake. I appreciated very much his  
6 assistance to the Mayor's office in trying to deal with a  
7 very, very difficult situation, not only for the nation but  
8 my immediate concern was in this community and how we dealt  
9 with it as a community. So, I just wanted to let you know if  
10 there's any way we can help you in breaking down any turfs  
11 between state, federal and local governments, we, I think,  
12 can be used as a role model in how well our police and our  
13 fire officials and your federal agency worked together on  
14 this very, very difficult situation.

15           The third thing I want to stress to you is that we  
16 worked together as a community in dealing with this, all  
17 segments of our community. The churches consolidated  
18 together to try to help this wonderful denomination work  
19 through this tragedy of a very historical church. Although  
20 it was vacant for several years, it still had a lot of  
21 history that meant a lot to all segments of  
22 Charlotte/Mecklenburg. We as a community, both the black  
23 churches and the white churches, made an effort to do  
24 everything we can to work together. I also want to  
25 compliment Reverend Hill who is the minister of this church.



1 I can't stress to you the ability he had in order to  
2 communicate first with his congregation, and also with the  
3 public at large, and also the Mayor's office and the police  
4 department in making sure we stayed together as a community.  
5 He just did a wonderful job in working through this, even  
6 though the emotional attachment was there. I mean, he  
7 stressed the message that you can burn down a building, but  
8 you could not burn down his faith, and the congregation also  
9 firmly believed that, and I commend him for that. But the  
10 community came together. We had local banks here -- Nations  
11 Bank -- immediately put out an award or reward for any  
12 information leading to solving this crime, and so we saw that  
13 the private sector worked very well together.

14 And the other thing I'm extremely proud of is the  
15 ability we had to communicate between the police, especially  
16 at all levels -- both the local level and the federal level  
17 -- and the community at large in trying to stress to them how  
18 important it is for us to solve this crime. If you were  
19 around during those days, the agents -- ATF agents and others  
20 -- Mr. Logan and others made a point to meet with Reverend  
21 Hill and his congregation and even national NAACP  
22 representatives who were visiting our city because the  
23 upcoming conference was coming and they were here for the  
24 planning of it -- they made a point to meet with them and  
25 give them the most up-to-date information they had with

1 regard to this crime. It just showed a trusting relationship  
2 between the criminal justice system and the citizens who were  
3 so much impacted by this church burning. We've learned  
4 something through that; that we have to look at the big  
5 picture in communications. Our police department with Chief  
6 Nowicki and others did just a wonderful job in that  
7 communications.

8           And last and just as important is, we're constantly  
9 looking for ways to follow-up to make sure this does not  
10 happen again. Our police department representatives and our  
11 government representatives have made a point to go visit  
12 many, many other churches throughout our community who maybe  
13 have received threats, whether it be through phone calls or  
14 messages or other types of threats, to make sure we're doing  
15 everything we can to provide the proper security that  
16 churches ought to have in our city. We've developed a very  
17 strong coalition in this community among all segments of our  
18 community to make sure this doesn't happen again or to do  
19 everything we can to make sure it doesn't happen, so we can  
20 learn from what's happened in the past. That's something we  
21 are extremely proud of in Charlotte. I made a statement when  
22 this church burning occurred one week later, and that was, "I  
23 am not proud that this happened in Charlotte, North Carolina,  
24 but I'm very proud about the way the citizens of Charlotte  
25 handled this terrible tragedy, and I'm very proud about the

1 maturity that was shown among all segments: the law  
2 enforcement segments, the political environment, and also the  
3 church in the way we dealt with this in a team effort."  
4 That's the way I would recommend we now deal with this aspect  
5 in the future, try not to make it political, try not to make  
6 it an us-versus-them situation, but work together, because  
7 what we're talking about and to quote a local NAACP  
8 representative -- we weren't talking about just a black  
9 church or a white church being burned down. In Charlotte we  
10 saw it as a church being burned down and that is a very, very  
11 serious issue for us in Charlotte, North Carolina, and we  
12 made sure we worked together as a team to solve that; and you  
13 see part of that team effort right here in this room, and  
14 we're very proud of that. With that, I'll be glad to answer  
15 any questions that you might have.

16 **MR. SPAULDING:** Thank you, Mr. Mayor. Any questions from the  
17 Commissioners or Committee?

18 **REV. FERGUSON:** Mr. Mayor?

19 **MAYOR McCRORY:** Yes, ma'am.

20 **REV. FERGUSON:** Other civil rights matters and so forth in  
21 the Charlotte community are all well?

22 **MAYOR McCRORY:** Well, we have the same challenges that many  
23 other parts of the United States have. We have stress  
24 between races, between cultures. We are not exempt from that  
25 stress in Charlotte, North Carolina, but the one thing we do

1 have in Charlotte is we have an open line of communication.  
2 I'll just give you an example of that open line of  
3 communication. I was elected in November of this year and I  
4 ran against a very good friend of mine, a black Democrat; and  
5 just to show you the relationship we had at the end of that  
6 election, we hugged each other. We didn't just shake hands,  
7 we gave each other a hug. And by the way, since then, he's  
8 been re-elected to the County Board of Commissioners and I'm  
9 a strong supporter of his.

10 But we constantly are looking for communication  
11 lines and how to communicate with all segments of our  
12 community. Our city is known for its community relations  
13 committee. In fact, last year, the National Conference of  
14 Mayors named Charlotte, North Carolina the most liveable city  
15 in the United States because of our community relations  
16 involvement. We take it very seriously.

17 **REV. FERGUSON:** How would Councilwoman Ella Scarborough  
18 respond to that?

19 **MAYOR McCRORY:** I think she would agree. She would agree  
20 also that we still have challenges and we have problems.  
21 Ella and I are working peers and we disagree on how to solve  
22 some of those challenges, but Ella and I work very well  
23 together and communicate very well together. And by the way,  
24 she also, along with my other Council colleagues -- Democrat,  
25 Republican, conservative, liberal, black and white -- worked

1 extremely closely with our agencies and your agencies to try  
2 to solve this crime and trying to prevent future ones from  
3 occurring.

4 **MR. SPAULDING:** Ms. Chairman?

5 **DR. BERRY:** I hate to, as usual, rain on everybody's parade.

6 **MAYOR McCRORY:** That's fine, Ms. Berry.

7 **DR. BERRY:** These are all wonderful words that you've given  
8 us and I commend you, and I'm aware of the reputation of this  
9 city, but I'd like to ask you, first of all, what is the  
10 coalition that you referred to that came together as a result  
11 of the burnings? What is it doing? Of whom does it consist?  
12 And what does it plan to do to address tensions in this  
13 community or is some other body doing that?

14 **MAYOR McCRORY:** Well, the first we did is we sent, by the  
15 way, not the politicians, but our law enforcement officials,  
16 including our Chief of Police, to churches from throughout  
17 our community. That was the first thing we did, is we went  
18 out and personally visited, not only, by the way, city  
19 churches but churches throughout our region. That was the  
20 first thing we did, and it was the police department that did  
21 that. It wasn't based upon me pushing them. They took that  
22 initiative upon their own.

23           The other thing we've done is there are several  
24 churches -- we have formed a group, which, by the way, the  
25 government did not form this group -- and this group was

1 formed prior to the church burning, about two months prior to  
2 the church burning. We're trying to form a coalition of both  
3 black and white churches and business and government leaders  
4 to try to solve the problems of joblessness, especially among  
5 the inner-city youth in an area we call the City Within a  
6 City -- the CWAC area, a very important area. We're also  
7 trying to deal with public safety issues. We're also trying  
8 to deal with homelessness. This group met two months prior  
9 to the church burning, and now that group continues and this  
10 is one of the -- this is one of the groups that was in  
11 existence actually before the church burning, but it saw a  
12 need for this group. Hugh McCall, who is Chairman of the  
13 Board of Nations Bank, attended the church service, along  
14 with myself as Mayor, a month and a half prior to the church  
15 burning; and that group continues and they're going to be  
16 coming back with recommendations to both the business  
17 community and the political community on ways we address  
18 these types of issues.

19 **DR. BERRY:** Well, this morning, I did something that I always  
20 do when I go to a community, is go out and talk to the  
21 people. About 6:00 this morning, I went out and jogged and  
22 then I stopped down at the bus terminal down the street here  
23 to talk to all those black people who were sitting down there  
24 waiting for buses, and they were all black. I counted them.  
25 I asked them what they think about the situation here in

1 Charlotte and what they think about the churches; what do  
2 they think about their own situation; were they aware of  
3 anybody making any efforts to deal with issues of race  
4 relations and joblessness and all these things you talked  
5 about. I do that everywhere I go. I got some surprising  
6 answers -- surprising to me at least. One of them told me --  
7 I said, "This is a nice place you're sitting in down here  
8 with the terminal and all these buses coming together right  
9 here in this spot. Isn't that wonderful?" They said, "They  
10 didn't want us up there on the square. We used to catch the  
11 bus up on the square, and then when they fixed that all up up  
12 there, they thought it was too good for us with our worn out  
13 shoes and our backs bent trying to get this bus to get to  
14 work. So, they congregated us all down here where nobody can  
15 see. We're surprised you ran down here -- by here to come  
16 talk to us. Who are you anyway?" I just said, "I'm from out  
17 of town."

18 They aren't aware of these efforts that you're  
19 talking about, at least those people, to the extent that the  
20 black folks who sit and ride the buses early in the morning  
21 aren't aware of what's going on. So, maybe there's a need to  
22 -- maybe they're lying and maybe they didn't catch the bus up  
23 in the square and they all made it up, but I have a hunch  
24 they did not lie.

25 **MAYOR McCORRY:** Just to clarify that, they did used to catch

1 the bus up on the square until a year ago. They caught it up  
2 at the square where there was absolutely no shelter from rain  
3 or elements or cold. There was no restroom facilities.  
4 There were no restaurants to eat, and we thought we were  
5 providing a major disservice to a very important client,  
6 those people who are trying to get to and from work and do  
7 other types of activities, do shopping. So, we committed 13  
8 million dollars of city land -- I'm sorry -- eight million  
9 dollars of city land, and the private sector, including  
10 Nations Bank, committed over 12 million dollars to help build  
11 the building. We're extremely proud of that joint  
12 partnership. That transportation terminal has been quite a  
13 success. We understand some people's thoughts in that area,  
14 but if you had been here a year ago, you would have been very  
15 hot while interviewing those people and you would have had no  
16 restroom facilities.

17 **DR. BERRY:** Well, I was hot anyway and they were, too. They  
18 also told me about public housing and how when the stadium  
19 was built, they moved all those black folks. As I say, their  
20 perceptions may be unreal and they may be lying, but I'm just  
21 telling you that if you're not aware of this as Mayor of this  
22 city, there are -- and there were lots of folks, I'm not  
23 talking about five people, and if any of you don't believe  
24 me, you get up tomorrow morning and go down there to the  
25 terminal and stand there and talk to those people. I do that



1 wherever I go. I'm interested in talking to the people.  
2 They won't come in a room like this to talk to folks. I  
3 said, "Y'all want to come up there?" They said, "I be at  
4 work and I don't want to go up there anyway."

5 **MAYOR McCRORY:** You're absolutely right. I don't disagree  
6 with you. In fact, many of those people did not come to our  
7 joint church service that we had at out Sugar Creek Road  
8 where we had probably five or six hundred people. I doubt  
9 any of those people were at that joint church service. So,  
10 we have some challenges to try to get to these types of  
11 people, and if they're saying it and it's their perception,  
12 I've always agreed perception is reality and we have to try  
13 to change that perception. We have that challenge as in many  
14 other communities. I do not disagree with it. If people are  
15 saying it, we've got to do a better job in getting the word  
16 out.

17 **DR. BERRY:** Well, I don't know what you mean by these types  
18 of people.

19 **MR. DOCTOR:** I've got a question, Mr. Chairman. Thank you  
20 for coming.

21 **MAYOR McCRORY:** You're welcome.

22 **MR. DOCTOR:** We certainly appreciate your presence here  
23 today. I've worked in this area in the region for a long,  
24 long period of time, and Charlotte has a reputation of being  
25 one of the more progressive cities in this region, and

1 clearly in the initial days of school desegregation, you all  
2 led much of the way in terms of bringing about desegregation  
3 -- not with some kicking and screaming, I might add -- not  
4 without some -- but at least you all are much more  
5 progressive than some of these other cities here in the Deep  
6 South.

7           We have recently here in the Deep South done a  
8 number of projects designed to look at the question of racial  
9 tensions -- racial and ethnic tensions in Florida.

10 Invariably, we have received information which clearly  
11 suggests in Florida, in South Carolina, in Tennessee,  
12 Kentucky, and even in North Carolina, that racial tensions  
13 are on the increase. We have had a series of what we call  
14 briefing meetings here in the State of North Carolina,  
15 including here in Charlotte, and clearly the preponderance of  
16 the information we have received suggests that racial  
17 tensions are on the increase.

18           What is being done outside of some of the more  
19 traditional ways of dealing in the area of racial issues to  
20 deal with that particular problem?

21 **MAYOR MCCRORY:** Well, I would first agree with you that there  
22 is tension, and there's tension in Charlotte. We are not  
23 exempt from that tension. When I go out, by the way, as Ms.  
24 Berry has gone out, I hear the tension, I feel the tension.  
25 It's within groups, it's individuals within groups, and some

1 groups have a higher tension than other groups even within  
2 larger spectrums of groups, and it depends on what community  
3 you go to -- certain segments within public housing, certain  
4 segments within the bus area, for example. There is tension  
5 and I would not deny that.

6 I'll tell you the way we're trying to deal with it  
7 in Charlotte. One is the one we just mentioned, which it's  
8 not unique, but it's, I think, making progress. I think the  
9 other area is what we call our City Within a City program.  
10 We recognize that the two mile radius outside of downtown  
11 Charlotte is our biggest challenge. It's primarily minority.  
12 It's where our highest unemployment rate is. It's where,  
13 within the most economic vital area in the nation right now,  
14 which is Charlotte, North Carolina, we have some depressed  
15 areas. We have vacant and abandoned buildings. We have poor  
16 housing. We have the homelessness and so forth. So, what  
17 we've tried to do is identify a specific geographical area  
18 where we're going to concentrate our resources, and we're  
19 developing things like one-stop shopping, where we've  
20 consolidated our community policing, with social services,  
21 with many other government services, including neighborhood  
22 bus rides, which will go through neighborhoods, predominately  
23 poor neighborhoods, to try to get people to have access to  
24 the services that are being provided both by the public and  
25 private sector. We are literally pouring millions of dollars

1 in improving these inner-city neighborhoods -- by the way, to  
2 help them and to also help the entire city, because we know  
3 if we take the path of the larger urban areas throughout the  
4 United States -- if that decay continues to grow, we as a  
5 city are going to die. So, we want to deal with it before it  
6 becomes too big to handle. So, we call it our CWAC program  
7 -- our City Within a City program -- and we are pouring --  
8 well, we've got another bond referendum coming up in November  
9 to pour money into special corridors in which we're going to  
10 improve the sidewalks, the lighting, the roads, the storm  
11 water drainage, and it's almost all targeted toward the lower  
12 income neighborhoods, which is primarily being impacted by  
13 minorities at this point in time. So, that's one program  
14 that we're very proud of in Charlotte.

15 **MR. SPAULDING:** If there are no other questions of the Mayor  
16 --

17 **MAYOR McCRORY:** Welcome to Charlotte. We hope that you get a  
18 little cool breeze this evening to cool you off. Thank you,  
19 very much.

20 **MR. SPAULDING:** Mark? Mr. Logan, if you would come back. I  
21 guess that chair should have been a red chair so we could  
22 call that the hot seat for those who are going to be --

23 **MR. LOGAN:** Oh, no. It's not a problem. I would like,  
24 please, on the Ohova Church -- in reviewing my records, that  
25 fire occurred maybe a week prior to us getting involved, and

1 one person had been arrested, but that investigation is  
2 continuing and we are assisting in that investigation. Okay?

3 **DR. BERRY:** Okay. Well, the data you've given me confirms  
4 what I was saying before, that in asking you the questions,  
5 for whatever reason, one of the factors in the ones that have  
6 been solved, at some point BATF was involved and was informed  
7 about the fire; and the others that are not solved -- and I'm  
8 not saying it's cause and effect, you understand, but it's  
9 obvious that you either didn't know about it, weren't  
10 involved, and in some you're not even involved now.

11 **MR. LOGAN:** Right.

12 **DR. BERRY:** And those cases still remain open. I only asked  
13 that because in other states where I've been, the problem was  
14 with local law enforcement -- not the state law enforcement  
15 -- local law enforcement informing BATF or anybody else that  
16 a fire had happened or the local people informing anyone. We  
17 were also told that the longer you have to wait after the  
18 fire before the experts get in to look at it, that it's just  
19 really difficult.

20 **MR. LOGAN:** It is difficult. Could I ask you a question,  
21 please?

22 **DR. BERRY:** Yes.

23 **MR. LOGAN:** Would you repeat the names of those so that I can  
24 make sure if it's something I don't know about, that I will  
25 know about it when I walk out of here?

1 DR. BERRY: New Outreach Christian Center in Charlotte; Mount  
2 Pisgah --

3 MR. LOGAN: Right. I have that one.

4 DR. BERRY: -- in Raeford; Mount Moriah in Hillsboro.

5 MR. LOGAN: I have that one.

6 DR. BERRY: And you have Ohova. Wilson Light of the World.

7 MR. LOGAN: Okay. That's the one.

8 DR. BERRY: -- in Wilson, North Carolina.

9 MR. LOGAN: Where is that?

10 DR. BERRY: Wilson, North Carolina, February 10, 1996. I'll  
11 be happy to give you this list.

12 MR. LOGAN: That would be great.

13 DR. BERRY: The only other thing I wanted to ask you -- well,  
14 I had a lot to ask you, but I don't want to take up all the  
15 time -- is the role of rewards. Are rewards effective in  
16 getting people to come forward? Is that how you solve fires  
17 --

18 MR. LOGAN: No.

19 DR. BERRY: -- is to put out a reward and maybe somebody will  
20 come in and give you the information?

21 MR. LOGAN: We've put out a lot of rewards and I signed off  
22 on another one today for another church. I've gotten calls  
23 and all, but they haven't produced the fruit I need in order  
24 to solve the fire. It stimulates more calls, yes, it does;  
25 but to date, for North and South Carolina, the results have

1 come aside from the reward announcement.

2 **DR. BERRY:** And good old boys, you gave an answer without  
3 being asked, but does your answer mean, and I haven't read  
4 all the press clips on your appearances, so you may have  
5 answered this somewhere else -- does this mean that there are  
6 no people who participated in the good old boys involved in  
7 your investigations and that none have ever been involved?  
8 Is that your answer?

9 **MR. LOGAN:** No, it's not.

10 **DR. BERRY:** Oh, I misunderstood you.

11 **MR. LOGAN:** No. I'm saying that the involvement of those  
12 persons in the good old boys' outings -- and there have been  
13 several over the years -- those participants -- their  
14 investigative activity has not suffered because of them  
15 attending one or two of those outings well in the past. I  
16 know that personally, and I will say yes, there are two  
17 investigators in North Carolina that had quite some time ago  
18 attended -- and through the investigative activities of that  
19 good old boys round-up, it was found that the negative racial  
20 activities were not occurring at the times that they were  
21 there, and their involvement in those activities were very  
22 minimal, not deeming any other -- deeming anything  
23 disciplinary other than advising about an agent's conduct,  
24 whether he is working or not, how it can affect that agent  
25 and the agency; but my in my personal review of these church

1 fire investigations, both physically and by reading and  
2 knowing the investigators, it has not been a factor in these  
3 investigations at all.

4 **DR. BERRY:** Why wouldn't it be a factor in how people  
5 regarded them to whom they spoke, if this information were  
6 known?

7 **MR. LOGAN:** Well, that's another matter, okay. If you're  
8 going to stereotype them in saying that because they attended  
9 this good old boys thing, although there's evidence that at  
10 times the good old boys was very racial, which I did not  
11 agree with at all -- but if you didn't know that these  
12 investigators were there, it would not have any affect on the  
13 investigation or the perception that people would of those  
14 investigators that are out there doing these interviews and  
15 everything. I, myself, personally am assuring the public  
16 that it is in no way affecting the investigations here in  
17 North and South Carolina.

18 **DR. BERRY:** Well, I won't pursue this because I'm sure it has  
19 been aired here, but it would seem to me that your personal  
20 assurances would not necessarily negate an inference by a  
21 person who knew of these involvements and who was being  
22 questioned that they ought to have some sensitivity or feel a  
23 little uneasy about talking to a person, unless nobody knows  
24 who they are. I don't know if that's been made public or  
25 not.



1 **MR. LOGAN:** No.

2 **DR. BERRY:** Well, then if it hasn't been made public --

3 **MR. LOGAN:** Because there was no wrongdoing found against  
4 these persons.

5 **DR. BERRY:** Okay. Thank you, Mr. Chairman.

6 **MR. DOCTOR:** I have some questions along that same lines, but  
7 since the chair has already dealt with most of them, I'll  
8 move along to the next set of questions.

9 I'm concerned, Mr. Logan, as a federal bureaucrat  
10 here in the region, I read and followed with a great deal of  
11 interest some of the public statements you've made in  
12 connection with the church burnings, and am I  
13 misunderstanding or were you misquoted somewhere along the  
14 line, but I thought I picked up on it a bit here today -- a  
15 reluctance on your part to deal with the question of  
16 motivation. In some of these burnings, you've not dealt with  
17 the question of whether or not any of the churches have been  
18 burned as a result of racial motivation, whereas in some  
19 other states, some of your counterparts have not been  
20 reluctant to deal with that at all. Can you explain this  
21 difference or am I wrong?

22 **MR. LOGAN:** Well, I'm saying that the investigations are  
23 continuing, and that I have seen where someone may say there  
24 was no evidence that it was racially motivated and then later  
25 on down the line, you may find something where that person

1 did have some animosity toward a race, group or whatever, and  
2 then it's looked upon as contradicting. It causes people to  
3 be unsure of the law enforcement and their activities, and  
4 that is one thing that I'm trying to avoid here is less  
5 weight -- sure, it is an issue and we're going to address it.  
6 I don't care what the motive is, you know, that motive will  
7 be addressed; but I would rather it be addressed in court and  
8 be on public record then, and that's where it would count.  
9 By the time it gets to court, all activity involved in  
10 proving that case and developing all that information to be  
11 presented in court is done, and to avoid unnecessary  
12 confusion.

13 **MR. DOCTOR:** Well, I'm not talking about a response to a  
14 specific situation so much as I'm talking about a general  
15 kind of response, like for example, out of the burnings that  
16 have taken place in North Carolina, how many in your opinion  
17 are racially motivated?

18 **MR. LOGAN:** That, I don't know. I know that some are white  
19 persons involved in burning a black church. I know of white  
20 persons involving white churches. I know of blacks burning  
21 black churches. Okay, so there's a mixture there. I'm not  
22 saying that none of these fires are racially motivated;  
23 absolutely not. I will not say that. I've got a couple of  
24 people down in South Carolina who are card carrying KKK and  
25 they burned down two churches. That investigation is

1 continuing. What I'm saying is that we would rather -- I  
2 would rather it be addressed in court, and all the different  
3 motivations will be addressed, which will include race,  
4 profit, or just being out of their mind.

5 **MR. SPAULDING:** It sounds like what you're saying is, among  
6 other things, that you don't want to be guilty of either  
7 speculating or allowing your agents who are doing the  
8 investigations, either by word or deed, to compromise the  
9 investigation so that when the indictments are handed down or  
10 the case is tried, that it may be thrown out because of any  
11 actions or inactions on the part of your personnel.

12 **MR. LOGAN:** Absolutely. I don't want to risk -- I do not  
13 want to risk somebody getting off on some technicality.

14 **MR. SPAULDING:** Okay. But having said that, I guess one of  
15 the concerns that some of us have is that you and I both know  
16 that racism is alive and well across North and South  
17 Carolina.

18 **MR. LOGAN:** Yes.

19 **MR. SPAULDING:** Having said that, we know that there are  
20 still unsavory people serving in law enforcement and elected  
21 positions in many of these counties. Now, when the Chairman  
22 was asking the question -- and I didn't follow-up on it --  
23 about, you know, the process, one of the questions I had is,  
24 and I'll raise it here, both not only in terms of the people  
25 that you assign and who is assigned to which investigation,

1 because the assignment of a particular agent may have some  
2 bearing on your success in gleaning the information that you  
3 need as a part of that investigation, but beyond that, the  
4 matter of when BATF gets involved in an investigation. Let's  
5 assume, for example, you've got one county that is known to  
6 be -- and I don't mean this in a political sense -- but  
7 conservative. They're not likely to call you and they're not  
8 likely to call one of your investigators directly to come in  
9 and do the investigation. They would like to keep it amongst  
10 the good old boys to get it done their own way. So, the  
11 concern then becomes, you know, whether you and your staff on  
12 its own initiative, because you have concerns, quote,  
13 unquote, about such an investigation might be carried out,  
14 whether you get into that process, one, early enough, or at  
15 all.

16 **MR. LOGAN:** And what I'm trying to address -- we're trying to  
17 address also by -- and during speaking engagements, I have  
18 several with some -- okay, the South Carolina Firemen's  
19 Association and that type of thing where I'm supposed to give  
20 a presentation -- another thing down here is to let fire  
21 officials and law enforcement of the different counties and  
22 cities -- hopefully they would understand that because the  
23 federal government is coming in to conduct an investigation,  
24 we are coming there to work with them in conducting an  
25 investigation, and not just to take over and shove them

1 aside, because this is a concern, I know, in the local  
2 communities. All right. There may or may not be other  
3 motivations why they would not like us there, but I have  
4 heard concerns about we would come down and we would have a  
5 lot of investigators and they may feel overwhelmed or they  
6 may not want the attention brought to their city or town, and  
7 therefore would be reluctant on calling us.

8           That is a big concern that I have, that we, as  
9 investigators, whether its state, local or federal, cannot do  
10 everything. We need to work together. We need to not be so  
11 proud as not to call in for help when it is needed. The more  
12 people involved, the better we're able to investigate. From  
13 our standpoint with ATF, a lot of people are stuck on who is  
14 going to get the credit for this, okay. What we come out  
15 with and what I come out with right off is that everything  
16 involving notification of the public, as far as media  
17 relations, we do it together -- just trying to assure them  
18 that we're not going to come in there and just sweep them  
19 aside, and that's been a concern that's been brought to my  
20 attention. There may be other hidden agendas also, but once  
21 we identify them, we're trying to address them so that we can  
22 come together and deal with these and we can be notified  
23 right away. You know, I tell the investigators, I don't care  
24 if it's 1:00 in the morning or 2:00 in the morning, if  
25 there's a fire, I want to know about it; and I'm trying to

1 encourage other law enforcement agencies to do the same thing  
2 so that we can come together. Nobody will be swept aside.  
3 We can attack this problem, deal with it, and get it over  
4 with.

5 **MR. SPAULDING:** Mr. Logan, we have had you on long enough.  
6 What I'm going to do, because we've got several people who  
7 are in and out -- you said you were going to be here for the  
8 duration?

9 **MR. LOGAN:** Yes, sir.

10 **MR. SPAULDING:** What I'd like to do is I'm going to have to  
11 amend the schedule, if you don't mind. We may call you back  
12 or talk with you informally about some of the questions we  
13 have.

14 **MR. LOGAN:** Sure.

15 **MR. KIRK:** I'd like to get a copy of the brochure he was  
16 showing.

17 **MR. SPAULDING:** Yes. If you could either leave enough copies  
18 or have them sent to the Atlanta Office for distribution so  
19 that we might have them.

20 Mr. Enderson is the Acting Special Agent in Charge  
21 of the FBI here in Charlotte, and he's agreed to allow us to  
22 recognize the Honorable Richard Moore, Secretary of North  
23 Carolina Crime Control and Public Safety. Richard, I'm going  
24 to let, at your request, do that and I'll see you when I come  
25 back to Raleigh. He does have a plane to catch and we did

1 not want him to get away without having an opportunity to  
2 make some comments so that our good Chairman here can  
3 interrogate him to the extent that she feels inclined to. We  
4 wanted this as a matter of record.

5 **MR. MOORE:** Thank you, Mr. Chairman, members of the  
6 Commission, and members of the Committee. I am here today  
7 representing our Governor, Jim Hunt, in several capacities,  
8 the first of which is in my capacity as Secretary of the  
9 Department of Crime Control and Public Safety. I would like  
10 to thank you for this opportunity to change places. We have  
11 been extremely busy in the last week with Hurricane Bertha.  
12 I have Emergency Management, the National Guard, the Highway  
13 Patrol, and numerous other divisions that have been working  
14 around the clock.

15 We also have in our department a division called  
16 Crime Prevention, and I wanted to talk to you today about  
17 things that we are doing in the short term for preventing  
18 these crimes. So far today we've talked about what do we do  
19 once they happen -- the things that North Carolina is doing  
20 in a proactive way to stop future tragedies from happening,  
21 both short term and long term.

22 The short term solutions have been two-fold, the  
23 first of which our Governor, under Executive Order 96, Racial  
24 or Religious Violence and Intimidation, has put together a  
25 task force that has been referred to earlier today that is

1 comprised of myself, the State's Attorney General, our SBI  
2 Director, the Chairman of the North Carolina Human Relations  
3 Commission, the Chairman of the Martin Luther King, Jr.  
4 Commission, and 16 others made up from law enforcement,  
5 general assembly, the religious community, and the general  
6 public. We have had our first organizational meeting about  
7 two weeks ago. The Chairman and the Co-Chairman did a  
8 wonderful job of breaking us up into four specific  
9 committees, one of which will focus on future legislative  
10 changes; one will focus on awareness and prevention; one will  
11 focus on what we need to do as far as race relations, how we  
12 can open better channels of communication, what steps we can  
13 take as far as the big picture goes.

14 Our subcommittee -- I am on the prevention  
15 subcommittee. We have already met and we have made great  
16 strides in what we're trying to do, and I want to tell you  
17 about what we're doing. We have taken a program that we've  
18 had in North Carolina for a long time called Community Watch.  
19 It's focused primarily on rural areas and trying to teach  
20 them how to look out for themselves, and patterned it -- and  
21 I brought just one of the examples today of a Church Watch  
22 sign that is going up. The response to this has been  
23 tremendous. We've already sent out over 100 of these. This  
24 goes out in a packet telling any church that requests this  
25 information how to protect themselves. How to look into



1 lighting, how to look into organizing someone to be at the  
2 church at all times, just a vast array of practical things.  
3 What we're also doing is we have a 1-800 number that we have  
4 worked very hard to get out. It's 1-800-990-CRIME and you  
5 don't dial the "E." But we will make available, to any  
6 congregation that asks us, a member of our crime prevention  
7 staff to physically go out and look at the church and decide  
8 anything that we can do; and along with this question -- with  
9 this expertise, we are going out to seven locations in North  
10 Carolina, primarily rural locations -- I think Raleigh is  
11 probably the only metropolitan location -- over the next  
12 three weeks to bring in people from the community and let  
13 them know that these resources exist. We're also attempting  
14 to educate folks. Every time I turn around, I'm made aware  
15 of a new federal program that's making money available to  
16 this program -- to this problem through different means.

17 We are also, as a part of that procedure, asking  
18 people to pull their insurance policies out, to think about  
19 the merits of buying a policy if they don't have one, and  
20 specifically -- Madam Chairwoman, to your request earlier --  
21 we have had no requests, and this is something the Governor  
22 has tasked me to look very closely to -- we have had  
23 absolutely no information that anybody has even threatened to  
24 cancel a policy here in North Carolina. We are familiar with  
25 it supposedly happening in other places, but I've consulted

1 with the Insurance Commission. If it's not legal, we're  
2 going to prosecute them. If it's legal, we're going to try  
3 to shame them into putting it back into place.

4 We have also, as a part of my department, we have  
5 ordered and the North Carolina State Highway Patrol is  
6 currently making special trips by every rural church in North  
7 Carolina. I've gotten numerous phone calls that people have  
8 already noticed the heightened profile of the Highway Patrol.  
9 Hopefully, these measures will prevent tragedies from ever  
10 happening.

11 Now, the long term solution. There's a lot to be  
12 done. Hopefully, whether there is a conspiracy involved in  
13 these church burnings, hopefully where there is or is not  
14 racial motivation in any of these church burnings, we can use  
15 this to focus on some cracks and some problems that we have  
16 in our society that far too often get swept under the rug;  
17 and as someone who is part of the first generation of  
18 leadership in North Carolina who's a graduate of the  
19 integrated schools of North Carolina, it's not particularly a  
20 side that I'm very proud of at times, and hopefully we can do  
21 a better job and all work towards a more understanding  
22 society. Thank you.

23 **DR. BERRY:** Since Mr. Spaulding is not here, does any member  
24 of the committee have any questions for Mr. Moore? I have  
25 just one or two.

1           The one or two I have is, first of all, do you  
2 think it would be possible for either the Chair of our State  
3 Advisory Committee or some member of the Committee chosen by  
4 them to serve as an observer of the work of either your  
5 subcommittee on prevention or the task force? It would be  
6 very useful to us if you could do that.

7 **MR. MOORE:** I meant to mention that during my remarks. At  
8 our first meeting of the full task force, it was brought to  
9 our attention that there were others that could bring  
10 constructive knowledge to what we were trying to do, and the  
11 last that I heard from the Governor's office, we will try to  
12 do better than just observing. I think we're going to try to  
13 expand, and I am going to take back -- I had already made a  
14 note to myself to make sure that any expansions, either  
15 formal or informal, include members of the North Carolina  
16 Advisory Committee.

17 **DR. BERRY:** Because that would be very useful for us at the  
18 national level, since they're our eyes and ears. He's just  
19 agreed that someone will be on the task force.

20 **MR. SPAULDING:** I'm glad you raised the question. It saves  
21 me the embarrassment of not -- but he and I will be talking  
22 in other regards as well.

23 **DR. BERRY:** The other thing I wanted to ask you, is there any  
24 evidence of Ku Klux Klan activity in North Carolina?

25 **MR. MOORE:** We do not have any prosecutorial authority as a

1 department. I can tell you as a human being that I live in a  
2 county where the Klan has an 800 number, and I'm ashamed of  
3 that number. It is also though -- as a former federal  
4 prosecutor, I am also quite aware that such activities are  
5 legal in our country.

6 **MR. SPAULDING:** The number is probably all right. It's the  
7 message that's on it.

8 **MR. MOORE:** The message is -- and once again, I'm not  
9 speaking in my official capacity. It's a disgusting message.

10 **MR. SPAULDING:** A lot of us have called that number just to  
11 hear the message and laugh at it, but that's neither here nor  
12 there.

13 **MR. DOCTOR:** Mr. Moore, I'm concerned about other hate groups  
14 in the State of North Carolina. I remember some years ago,  
15 clearly there were Neo-Nazis and Skinheads and some other  
16 groups as well, having been very closely involved in that  
17 Greensboro situation several years ago. Are there other hate  
18 groups in the State of North Carolina, including some  
19 factions of the militia, that you are aware of, and can you  
20 say some numbers for us if you will?

21 **MR. MOORE:** I am not aware. I would be shocked if they did  
22 not exist, but I'm not aware.

23 **MR. DOCTOR:** Very good. Thank you.

24 **REV. FERGUSON:** Mr. Moore, I was interested in the task force  
25 on the church burnings. The church burning issue seems to be

1 such a marvelous opportunity for political posturing -- you  
2 know, a safe issue for politicians and social workers to harp  
3 on because it gives you a safe place to posture from; but I'm  
4 wondering in light of the number of burnings that have  
5 existed in the State, if that number anywhere closely  
6 approximates the number of complaints about racism in this  
7 State, and if the complaints about racism have been greater,  
8 is there a task force on racism? Has the Governor set up a  
9 task force on racism? Are you aware of any task force that  
10 has been set up on racism in light of any outrageous number  
11 of complaints that may exist in excess of the complaints we  
12 have on the church burnings?

13 **MR. MOORE:** Well, I'm not aware of the numbers of complaints.  
14 I do know that I serve on the task force with the Chairman of  
15 the North Carolina Human Relations Commission, and it is a  
16 very active commission, and that is its role by definition,  
17 to constantly explore these types of issues in our society,  
18 and that is something that was in place long before this  
19 unfortunate wave of church burnings.

20 **REV. FERGUSON:** I asked that because I'm certain that, in  
21 fact, that commission could have been delegated the church  
22 burning issue; but, in fact, a task force has been set up and  
23 meetings have been held with preachers. So, I'm wondering in  
24 light of that kind of concern, has there been any discussion  
25 perhaps of setting up a separate task force on churches in

1 light of the fact that any of them could have been delegated  
2 to the Human Relations Commission?

3 **MR. MOORE:** I'm not quite sure what the administrative  
4 structure this last task force will take on. I can assure  
5 you that I feel very comfortable in speaking for Governor  
6 Hunt that he will not rest until we feel like everything that  
7 could possibly be done as a government -- and I think it's  
8 important to realize that there may some limitations on what  
9 the government can do, it's what we as people have got to do  
10 -- that we will continue to put resources towards trying to  
11 get folks together to come up with solutions.

12 **REV. FERGUSON:** I'm glad to hear that, particularly because  
13 I'm part of a group of 10,000 people that have written the  
14 Governor about an outrageous situation where a young African-  
15 American in Greensboro, North Carolina got two life sentences  
16 for a non-violent, weaponless crime. For five burglaries, he  
17 was given two life sentences. The Governor has been written  
18 repeatedly because everyone involved has indicated that this  
19 appears to be a travesty of justice; and certainly in light  
20 of the great number of African-Americans that have been  
21 incarcerated unfairly, this is a case where the Governor has  
22 been asked to commute the sentence of this young man because  
23 it is typical of the kind of racist activities that are going  
24 in the State. I'm glad to hear that he's interested, and I  
25 would like for you to mention to him the name of Quammi

1 Cannon, and that it came up today.

2 **MR. MOORE:** That's exactly what I'm going to do, I promise  
3 you.

4 **REV. FERGUSON:** Thank you.

5 **MR. KIRK:** Mr. Moore, given the task of your committee or  
6 task force in North Carolina, what is the Governor's Office  
7 doing with respect to the racial problems at Fort Bragg, and  
8 how is he involved in that, and what does he intend to do,  
9 can you tell the Commission here today?

10 **MR. MOORE:** Well, I can tell you as the -- I guess as the  
11 figure head commander of the North Carolina National Guard  
12 that we have absolutely no say-so on the base at Fort Bragg.

13 **MR. KIRK:** What kind of pressure is the Governor's Office  
14 bringing to that situation to ease the tension?

15 **MR. MOORE:** Well, it is my understanding, through  
16 conversations that I had not too long ago with Secretary  
17 West, the Secretary of the Army, that he is very pleased with  
18 the progress that has been made at Fort Bragg, and I know he  
19 personally was there not too long ago in trying to look into  
20 a lot of problems that are just below the surface and in the  
21 last year or two have not stayed below the surface; but I am  
22 not aware of any specific effort made by the Governor to  
23 pressure federal authorities at Fort Bragg because I wasn't  
24 aware that there needed to be more pressure placed; perhaps  
25 there is.

1 **MR. SPAULDING:** Any further questions? Thank you, Mr.  
2 Secretary. We appreciate your being with us this afternoon.

3 **MR. MOORE:** Thank you again for your courtesies.

4 **MR. SPAULDING:** Mr. Woody Enderson, we're going to call on  
5 him. He's the Acting Special Agent in Charge of the FBI, and  
6 we thank you for your indulgence.

7 **MR. ENDERSON:** Mr. Chairman, Madam Chairman, I am pleased to  
8 be here today representing the FBI in North Carolina. As the  
9 Mayor mentioned, I did not receive word of this until this  
10 morning, as a matter of fact, so I have no prepared  
11 statement, but I just wanted to highlight a couple of things  
12 that I thought might be of interest to you.

13 First of all, the FBI has long been involved in  
14 investigating civil rights violations across the country. In  
15 North Carolina, historically over the last several years, our  
16 efforts have been primarily directed towards excessive use of  
17 force by law enforcement officials, discrimination in housing  
18 matters, and we've even obtained convictions in involuntary  
19 servitude and slavery cases here in North Carolina.

20 When the fires seemed to start to the proportion  
21 that we have now seen, we redirected the resources from those  
22 types of cases, and have placed all of our available agents  
23 directed towards these fires. Now, unlike other federal  
24 agencies, we have a broad spectrum of violations that come  
25 under our investigative jurisdiction. In this State, we have



1 approximately 100 agents total. We have the responsibility  
2 for foreign counter-intelligence investigations. We have  
3 responsibility for organized crime and drug investigations.  
4 We have responsibility for white collar crime investigations,  
5 as well as civil rights investigations. So, we have taken  
6 the resources that we have allocated for civil rights and  
7 have augmented those with as many agent personnel and other  
8 support personnel as we need to try to address each and every  
9 one of these fires as they've occurred. I am also a member  
10 of the Governor's Task Force, along with Mr. Calloway, and  
11 one of the things that you have highlighted here today that  
12 that task force is addressing, and I think it's something  
13 that really needs to be addressed, is that in the State of  
14 North Carolina -- and one of the reasons that I think some of  
15 the fires that you mentioned Madam Chairwoman that we might  
16 not have been aware of is because I learned at our meeting of  
17 the task force that there are many fires that may never be  
18 reported to law enforcement. In the State of North Carolina,  
19 we have State Fire Marshalls that frequently go out and  
20 investigate these fires, and it may never be reported to a  
21 police agency or a sheriff's department. So, what we are  
22 doing -- and I'm on a subcommittee as part of that task force  
23 to try to develop a uniform system of reporting and recording  
24 each of these church fires. We have met a couple of times.  
25 We have another meeting scheduled next week in Raleigh to try

1 to centralize the reporting and the maintaining of these  
2 records in the State through the State Bureau of  
3 Investigation. I think that that will certainly expedite any  
4 kind of reports that we might need and it will provide us  
5 with a more uniform method of ensuring that we receive timely  
6 notification of these.

7           At the present time, the FBI has been working with  
8 the Bureau of Alcohol, Tobacco and Firearms on all of the  
9 fires that you have mentioned. Unfortunately, as Mr. Logan  
10 has mentioned, some of those we did not receive timely  
11 notification of. Two that you specifically mentioned, the  
12 one in Orrum and the other one in Raeford, we only received  
13 notification last week, July the 12th. So, it's imperative  
14 that if we're going to be involved and try to work from a  
15 civil rights standpoint, we need to receive timely  
16 notification. I have a coordinator in this State of all of  
17 our civil rights investigations, and that is Scott Perkins,  
18 who has been introduced here earlier. He has attended  
19 meetings throughout the city and throughout the State to try  
20 to make sure that the citizens of this State understand the  
21 commitment of the FBI to solving each of these crimes.

22           My policy is that if a church fire is reported to  
23 us, I make a presumption that it is going to be a civil  
24 rights case, and I immediately direct that a civil rights  
25 case is opened. If it turns out that it's an electrical fire

1 or some natural cause or it's not a civil rights case, but  
2 it's just a straight arson case, we can close it; but I would  
3 rather open it immediately and then be able to close it later  
4 than come in at a later date. So, we are absolutely  
5 committed to these cases and are redirecting whatever  
6 resources we need to redirect to solve them.

7 I personally appreciate the efforts of Mr. Logan  
8 and ATF and the U.S. Attorneys' offices throughout this  
9 State. We have received superb cooperation at all levels,  
10 and I think that if we get that continued cooperation that we  
11 can certainly be more effective in solving all of these.

12 As I said, I have no prepared remarks, but I'm open  
13 for any questions that you might have.

14 **MR. SPAULDING:** Thank you Agent Enderson. Are there any  
15 questions by the Commission or the Committee?

16 **MR. ANDERSON:** Special Agent Enderson, could you just  
17 describe for me briefly when the FBI is called into a case  
18 where ATF is already working and local law enforcement has  
19 already investigated the situation? Is there one agency or  
20 one agent that takes over all direction of the investigation,  
21 or just how do the various law enforcement officers from the  
22 different agencies relate to each other?

23 **MR. ENDERSON:** Well, in most recent instances, I think that  
24 the Bureau and ATF have pretty much responded to these at the  
25 same time or within hours. Normally, ATF will be notified

1 before us and they will notify us, and we will get there as  
2 quickly as we can.

3 My experience has been that as Mr. Calloway has  
4 mentioned and as Mr. Logan has mentioned, we really don't  
5 care who runs the thing. The most effective task forces that  
6 I've ever seen are those that are not run by anybody, but  
7 that everyone understands their role and understands that  
8 they have a unique function. When assignments are made,  
9 they're made together regardless of agency. That is the kind  
10 of case, for example, that we're working right now on the  
11 Mount Moriah Baptist Church in Efland, North Carolina, where  
12 there is a task force made up of ATF, local officials, and  
13 the FBI. When assignments are made, if there are interviews  
14 to be conducted, we go out as teams regardless of who makes  
15 up that team. When a report is done, each member agency of  
16 the task force gets a copy of that report. Those are the  
17 kinds of cases, I think, that we can be most successful in.  
18 I don't consider either the ATF or the FBI to be lead  
19 agencies.

20 Now, from a national perspective, as Mr. Calloway  
21 has mentioned, the task force that was formed a couple or  
22 three weeks ago back in Washington, D.C. -- at that time it  
23 was decided from a national perspective that ATF and FBI  
24 would be co-lead agencies in these matters if they're  
25 prosecuted federally. We clearly recognize that many of them

1 may never be prosecuted federally. So, it's imperative for  
2 us, and I think we've been pretty successful, to ensure that  
3 everything we do -- if a case ultimately is prosecuted in the  
4 State, that we have done the things that need to be done to  
5 bring about a successful prosecution.

6 **MR. ANDERSON:** Thank you. The reason I asked that is now I  
7 want to ask you what I consider to be a sensitive question,  
8 and that is, in terms of the uncleared investigations that  
9 we've been hearing about where there has not been, you might  
10 say, timely notification of federal investigators, or at  
11 least a long delay -- five months, six months, et cetera --  
12 do you have any indication or do any of your agents have any  
13 indication that there is anything other than what you might  
14 call a good faith reason for that delay in notifying federal  
15 investigative officials?

16 **MR. ENDERSON:** Mr. Anderson, I have seen nothing like that.  
17 The ones that we did not receive timely notification on are  
18 the ones that I believe just the local agencies -- in one  
19 case, it was handled primarily by a fire marshall as I said  
20 instead of a law enforcement agency; and I think that that  
21 kind of situation will be resolved when, at a state level,  
22 through the Governor's Task Force, we promulgate rules that  
23 say this is what you're supposed to be doing, this is how  
24 you're supposed to report them.

25 Our plan is to work through the North Carolina

1 Association of Fire Chiefs, the North Carolina Chiefs of  
2 Police Association, and the North Carolina Sheriff's  
3 Association so that we get the same message out to anyone who  
4 might be involved in these. So, if we can get out the  
5 message on how they need to be reported and set up a  
6 telephone tree, more or less, so that when we're notified or  
7 when ATF is notified, then the other appropriate agencies are  
8 immediately contacted, I think that any confusion will be  
9 resolved.

10 I clearly understand where you're coming from, but  
11 I personally am not aware of any instance in which a fire has  
12 been deliberately not reported to try to conceal it from  
13 federal investigators. I'm just not aware of that, nor am I  
14 aware of any instance in which there was not timely  
15 notification that we've gone in and received less than full  
16 cooperation by the county and local officials involved.

17 **MR. ANDERSON:** Thank you. I wanted to ask Agent Logan this,  
18 but I didn't have the opportunity yet, but perhaps I could  
19 ask you. What is a reasonable expectation on the part of the  
20 public for an arson case to be cleared or solved or someone  
21 arrested in response to that, and what is a reasonable  
22 expectation when there has been a six or seven month delay in  
23 notification, say, to ATF? Now, obviously, we all want all  
24 of these cases to be solved, but what should be a reasonable  
25 expectation on the part of the public, 100 percent, 90

1 percent? Is it fair to ask you that question?

2 **MR. ENDERSON:** Well, maybe Mr. Logan would be a more  
3 appropriate person to ask. I can tell you that I'm not sure  
4 that he or anyone in federal law enforcement could answer the  
5 second part of your question on what impact would less than  
6 timely notification have.

7           The Uniform Crime Reports, which are maintained by  
8 the FBI based on input from all law enforcement agencies  
9 across the country, reflect that arson -- I believe the  
10 figures that I've read indicate that arson cases are solved  
11 about 20 percent of the time, and that's a rough estimate. I  
12 don't claim to give you an exact figure. I know for the  
13 Uniform Crime Report for 1994, about 48 percent of all of the  
14 cases of arson that were solved were people under 18 years of  
15 age that committed them. So, it's that kind of figure that  
16 we're dealing with, and it's a difficult crime to solve --  
17 not impossible, but it's difficult and because of the nature  
18 of the crime, there's frequently very few witnesses.

19           Mr. Logan was asked a question about the benefits  
20 of rewards, and I agree that in the cases of these arsons, as  
21 yet, we have not seen a significant impact of the rewards  
22 that are being offered. I can, however, say that  
23 historically, the FBI has worked with the banking industry in  
24 solving bank robberies, and in those case, rewards have been  
25 very effective; and I think that maybe in this case, it might

1 be a matter of publicizing a little more. The bankers have  
2 publicized their offering of rewards for years, and people  
3 pretty well assume that if they furnish information that  
4 leads to the successful arrest and conviction of a bank  
5 robber, they might get a reward. Perhaps because this is a  
6 new type of reward that's just being offered, people just  
7 don't know about it at this point.

8 **MR. ANDERSON:** I don't want to monopolize all the time here,  
9 but I have two more questions if that would be all right.  
10 The first is that based on your experience -- and I assume  
11 you're having some kind of coordination with the  
12 investigations in various states, if it's a weekly briefing  
13 or whatever so you know what's happening somewhat -- are you  
14 able to see, based on your experience here in North Carolina,  
15 whether there tends to be a difference or a distinction  
16 between states in this problem, or do you see just sort of a  
17 uniform problem occurring?

18 **MR. ENDERSON:** Well, actually I don't get a briefing as the  
19 Acting Special Agent in Charge here. My full-time job is the  
20 Assistant Special Agent in Charge, and at this present time,  
21 we're between Special Agents in Charge. Our new one will be  
22 in about mid-August. I've been here for about a year now and  
23 I'm well aware of what's going on in North Carolina, but we  
24 don't routinely get briefed on a weekly basis on this type of  
25 matter throughout the southeast.



1 **MR. ANDERSON:** Okay. Then let me ask you two brief things.  
2 One, the Special Agent in Charge for South Carolina on  
3 Tuesday indicated that he had no evidence that there was  
4 either an interstate conspiracy or a national conspiracy or a  
5 statewide conspiracy in South Carolina. He would not go on  
6 to say whether there was a localized or regional conspiracy  
7 within the State. Would you care to comment in terms of  
8 North Carolina in those terms, based on what you've found so  
9 far?

10 **MR. ENDERSON:** Well, I think I agree with what Mr. Logan  
11 said. When you define conspiracy as an agreement between two  
12 or more persons, clearly we have found some individual fires  
13 in which two or more persons have been involved that would  
14 meet the conspiracy definition. I would be, I think,  
15 premature to discuss whether in the grand scheme of things  
16 when all of these are solved -- and I certainly trust that  
17 all of them are going to eventually be solved -- that there  
18 may -- I can't answer it, because we don't know for sure  
19 who's involved in all of this at this point.

20 **MR. ANDERSON:** Okay. In one of the cases he cited in South  
21 Carolina, they tracked down the suspects by following their  
22 bicycle tracks, and it turned out to be four teenagers. Now,  
23 I don't know whether you file federal conspiracy charges  
24 against four 16 year olds or not, but that's not the kind of  
25 conspiracy I think people have been talking about.

1 **MR. ENDERSON:** Right.

2 **MR. ANDERSON:** The FBI and the South Carolina Law Enforcement  
3 Division on Tuesday both indicated they thought there was  
4 some Klan involvement in this, at least in South Carolina.  
5 Can you comment on that here in terms of North Carolina?

6 **MR. ENDERSON:** I'm aware, as Mr. Logan has already indicated,  
7 of the possible Klan involvement in South Carolina. I would  
8 not want to characterize or comment on who might be involved  
9 in the unsolved ones in North Carolina at all. It would be,  
10 I think, premature and possibly presumptuous. One of the  
11 things that I appreciate that Mr. Logan mentioned -- and it's  
12 important that we understand this and goes to another  
13 question that was asked, I believe, about our approach to the  
14 members of these churches. Certainly, we're sensitive, but  
15 in any investigation, if we in law enforcement are going to  
16 do what we should do, we go into a case with no preconceived  
17 ideas whatsoever about who might have done it, how it might  
18 have been done, what the motive was, or anything like that,  
19 because if we have any ideas or any preconceived ideas, we  
20 tend to work towards those ideas, and we must maintain an  
21 open mind. As I maintain that open mind, I'm certainly not  
22 prepared to say that I don't anticipate that we'll find any  
23 Klan involvement, but I certainly can't say that we have  
24 found any at this point.

25 **MR. ANDERSON:** Thank you.

1 **MR. KNIGHT:** Mr. Enderson, does your office have any  
2 involvement in the Federal Hate Crime Reporting Act and if  
3 so, do you have any comments on its effectiveness or how it's  
4 working now?

5 **MR. ENDERSON:** We don't have any involvement in that, no.

6 **MS. BROWN:** Glad to hear you say that evidently through these  
7 task forces, there's going to be some connection in terms of  
8 reporting fires. It's amazing to me that you can pick up *USA*  
9 *Today* and they've got them all listed, or you could ask the  
10 Klan and they would have them all listed. I guess it says  
11 throughout this country, we don't have the networking in law  
12 enforcement and in the justice system that we should have. I  
13 hope that gets back to the FBI, SBI, and the other groups.

14 **MR. ENDERSON:** It's already there.

15 **MS. BROWN:** It is there?

16 **MR. ENDERSON:** It's already there and we're taking --

17 **MS. BROWN:** But it only came there as a result of all of  
18 this, right?

19 **MR. ENDERSON:** Well, as a result of a realization that when  
20 we started trying to go back to identify specifics on fires  
21 in this State back to 1990, we could not do that. There's no  
22 one agency within the state government that has been tasked  
23 with maintaining that type of record. We have learned  
24 through the meetings of the committee that I'm on the  
25 Governor's Task Force that the State Bureau of Investigation

1 not only has the facilities but also has the capability at  
2 the present time to very easily maintain those records. So,  
3 that's the direction we're working toward at this time -- not  
4 only, I might mention, involving fires, which really will be  
5 relatively easy to report because it's something that clearly  
6 happens. The difficulty is going to be -- and this is  
7 something that the FBI is involved in also -- in threats  
8 because those may never be reported to anyone; or in  
9 vandalism, and the FBI for years has been very active in  
10 investigating and has been pretty successful in many areas of  
11 the country with vandalism against churches and synagogues.

12 **MR. SPAULDING:** If there are no further questions --

13 **DR. BERRY:** I have some questions.

14 **MR. SPAULDING:** All right, Madam Chairman.

15 **DR. BERRY:** Mr. Enderson, first of all, aside from the church  
16 burnings or before the church burnings -- you say you've been  
17 in office about a year? I guess you've been here about a  
18 year?

19 **MR. ENDERSON:** That's correct.

20 **DR. BERRY:** So, you wouldn't know, I guess, but I want to  
21 know whether, aside from that, there's any evidence of KKK or  
22 organized hate group activity in North Carolina to your  
23 knowledge.

24 **MR. ENDERSON:** There has been none that I'm aware of during  
25 my tenure here. Before that, I really don't have those

1 records available. Obviously, because of Attorney General  
2 guidelines on the way we conduct investigations, we focused  
3 our investigations on crimes not on the nature of any  
4 particular group. We don't conduct intelligence activities  
5 on groups that are lawful, and regardless of how all of us  
6 may feel about some groups, if they're not committing a  
7 crime, then we are prohibited under Attorney General  
8 guidelines from looking at them.

9 **DR. BERRY:** The U.S. Attorney told us about arrests for cross  
10 burnings and federal prosecution of cross burnings. Was the  
11 FBI not involved in any of those?

12 **MR. ENDERSON:** No, we were.

13 **MR. CALLOWAY:** They were. They were the investigative agency  
14 on them.

15 **MR. ENDERSON:** Those were our cases.

16 **DR. BERRY:** Were any of the defendants in those cases  
17 involved in any organized hate group activity?

18 **MR. ENDERSON:** Not that I'm aware of, no.

19 **DR. BERRY:** Do you recall who burned the crosses, just in  
20 general? I mean, what kind of crimes were these, if your  
21 office was involved?

22 **MR. ENDERSON:** Let me ask my supervisor. I don't remember  
23 the names.

24 **DR. BERRY:** No, no, no. I don't want the names of the  
25 people. I'm just trying to see if they were totally

1 unconnected from any kind of organized hate group activity.  
2 Was it the case that none of the cross burnings were related  
3 to any organized hate groups?

4 **MR. CALLOWAY:** The one that I recall being prosecuted while  
5 I've been U.S. Attorney involved two or three individuals  
6 that burned a cross in front of the trailer of a racially  
7 mixed couple. As I said, they were prosecuted and they got  
8 nine years apiece for that crime.

9 **DR. BERRY:** Well, the U.S. Attorney -- I thought what we  
10 heard this morning -- I thought what we heard was that there  
11 were several cross burnings that were prosecuted. You only  
12 mentioned one. There was only one?

13 **MR. CALLOWAY:** There have been several. That's the one I can  
14 give you specifics on.

15 **DR. BERRY:** Okay, but there have been others?

16 **MR. ENDERSON:** There have been others and unfortunately, I  
17 don't have the specifics on who those were. I can certainly  
18 get those for you over a period of whatever years you would  
19 want.

20 **DR. BERRY:** In the last five or six years.

21 **MR. ENDERSON:** All right.

22 **DR. BERRY:** The other thing is, have there been episodes of  
23 graffiti on churches or synagogues or other kinds of indicia  
24 of vandalism of that time?

25 **MR. ENDERSON:** Here in Charlotte and in this State, we've not

1 had a lot of that reported, which is a little bit surprising  
2 because I spent 12 years in Chicago, and there was a great  
3 deal of that up there; but here, not a great deal of  
4 vandalism of the type you describe. We've had some threats  
5 that we are actively investigating at this time, but not a  
6 great deal of vandalism that I'm aware of.

7 **DR. BERRY:** The last thing I want to know is under the laws  
8 of North Carolina, Article 7958-79-1, and the provisions of  
9 the law require that when a fire occurs, any local law  
10 enforcement officer or any official who is aware of the fire  
11 shall forthwith notify the Attorney General, and must within  
12 one week of the occurrence furnish the Attorney General a  
13 written statement of all facts relating to the cause and  
14 origins of the fire. Now, if local law enforcement officials  
15 reported fires to the Attorney General through the SBI, why  
16 wouldn't there be a record of all the fires that at least the  
17 local law enforcement officials were aware of? Now, I could  
18 see if they weren't aware, then this would not apply; but if  
19 they were aware, then if the statute is enforced, which I  
20 believe it is, there would already be a reporting  
21 requirement, and somebody would have a record somewhere of  
22 all the fires that took place.

23 **MR. ENDERSON:** I don't disagree with you. Unfortunately, the  
24 reasons why that is not being enforced fall outside of my  
25 areas of jurisdiction. One of the things that came to our

1 attention when we met as a committee of the Governor's Task  
2 Force is the existence of that requirement. It may very well  
3 be, Madam Chairman, that it's just one of those things that  
4 over a period of time has been allowed to slip through the  
5 cracks. I don't know the answer to that, but obviously, SBI  
6 is the agency that we're working to get as the repository of  
7 this kind of information. It's the most logical and they  
8 have been very cooperative, and said that they would like to  
9 be that repository.

10 **DR. BERRY:** Okay. Thank you, Mr. Chairman.

11 **MR. SPAULDING:** Any further questions? If not, thank you,  
12 Special Agent Enderson.

13 **MR. ENDERSON:** Thank you, sir.

14 **MR. SPAULDING:** We'll move now to Mr. Ozelle Sutton of the  
15 Community Relations Service, U.S. Department of Justice.  
16 After Mr. Sutton has completed his comments and our  
17 questions, we're going to take a two minute stand-up stretch  
18 break, and maybe do some exercises led by our Chair.

19 **MR. SUTTON:** Madam Chairperson, Mr. Chairperson, to the  
20 members of the SAC, as I call it, staff, ladies and  
21 gentlemen, I am pleased to represent the Community Relations  
22 Service, U.S. Department of Justice here at this hearing  
23 today. I want to express appreciation for the work that the  
24 U.S. Commission on Civil Rights does, both in hearing type  
25 situations and reporting type situations. I had the great



1 honor at one time to be a consultant for you for two long  
2 years before I became a government employee coming out of  
3 Arkansas. I used to set up and conduct the hearings in  
4 Arkansas and East Texas and North Louisiana coming out of  
5 there for two long years. I actually had the experience of  
6 going through those parts of those three states and making a  
7 determination of need for federal registrars back in those  
8 critical days working with the Commission. So, I can have  
9 full appreciation for what you do. I also have full  
10 appreciation for the cooperation that my agency has received  
11 from you all of these years. Bobby Doctor and I was in  
12 Memphis when Martin was killed. Martin was in 306 of the  
13 Lorraine and I was in 308. We worked very closely with the  
14 Commission and its staff during those days, so I have full  
15 appreciation for you, and I thank you for bringing this issue  
16 to head. Somebody needed to do what you're doing, and I  
17 thank you for getting on it.

18           The Community Relations Service was established  
19 under Title X of the Civil Rights Act of '64, as all of you  
20 know; and under that Title, we are mandated to assist  
21 communities, institutions, agencies, what-have-you, with  
22 resolving racial and ethnic conflict. So, we're in the  
23 business of conflict resolution when that conflict is rooted  
24 in race or ethnic origin. We've had our ups and downs since  
25 that time, and I've been with the agency a good long time. I

1 came with the agency in 1966, shortly after it was formed --  
2 about a year and a half after it was formed. I left the  
3 agency in 1968 to become Special Assistant to the late  
4 Governor Winthrop Rockefeller of Arkansas. I stayed with Win  
5 from '68 until '70 when he lost to Dale Bumpus, and I came  
6 back to the agency as State Director for Arkansas, and I've  
7 been in Atlanta as Regional Director since 1972 -- a long  
8 tenure in that position.

9 In our agency, we have the regular conglomerate of  
10 national regions. I have Kentucky, Tennessee, Mississippi,  
11 Alabama, Georgia, North and South Carolina, and Florida. In  
12 this case, the case of the church burnings, I am chair of the  
13 agency's task force to direct the agency's work all across  
14 the country as relates to the church burnings; and you know  
15 how it is, I became chair because I raised so much hell about  
16 doing more and being more involved, aware of the fact that  
17 simple law enforcement cannot resolve the deep-seated racial  
18 problems that are involved -- insisting upon it, and when you  
19 start doing that, whether it's with the federal government or  
20 with private organizations, you end up as chair, right? So,  
21 I accepted the chair of the task force of the Community  
22 Relations Service on church burnings.

23 We have come forth with several things that we must  
24 do. I told you what our mandate is. I have not talked about  
25 our method. Our method is conciliation and mediation of

1 racial conflict. We go into a community first and assess the  
2 level of racial tensions involved and what kind of activity  
3 that's going on, both good and bad as relates to race, and  
4 then try to address those problems as best we can in respect  
5 to it. We go about pulling communities together and people  
6 across racial and ethnic lines to try to work to resolve  
7 whatever problems that are involved. We are fairly decent,  
8 if I might say, in assessing the level of racial tension in a  
9 community. We have our methods and we know how to work them  
10 to do that in respect to that, and I can say in these cases,  
11 we are concerned about the level of racial tension that is  
12 involved.

13           The black community is very suspicious of all of us  
14 -- when I say all of us, all federal agencies, state agencies  
15 and what-have-you -- as to our intent and our devotion to and  
16 our commitment to this cause; but, you see, you have to  
17 understand that the black church is a different instrument in  
18 the black community from what a regular church is to the rest  
19 of the community. The black church is to blacks their  
20 shelter. It is their keeper of the faith and of the culture.  
21 It furnishes the opportunity to be somebody, quote; and thus  
22 it serves more than just a place of worship. When you attack  
23 the black church, you're attacking the very heart of the  
24 black community.

25           Now, we can say that there is no conspiracy, but

1 you know one thing? They don't believe that. What I say is,  
2 it really makes little difference there's a conspiracy at  
3 all, racism is involved. We know that to be so. And even if  
4 there's not a conspiracy, it's a worse situation because a  
5 conspiracy can involve just a small little group of people,  
6 and you can investigate and find who they are and deal with  
7 that; but if it's not a conspiracy, that means racism is just  
8 that pervasive. Without any suggestions from anybody or  
9 without any notions from anybody, it's just out there very  
10 extensively, and that's hard to deal with in respect to that.

11 Now, you and I know that racism is very extensive  
12 in our nation. I have no reservation about saying that, and  
13 there is increased tension among races in this country.  
14 There are many reasons for that that I don't have the time to  
15 deal with, but let us just say that there is. This issue is  
16 personified because of -- or even came into being because of  
17 the extensive racism that exists out there. In some kind of  
18 way, we in the Community Relations Service try to apply our  
19 skills to the reduction of racism, to the reduction of  
20 tension caused by racism, and to resolving the problems that  
21 face us in respect to that.

22 Now, as you know, we lost half of our staff --  
23 well, lost half of our funding just recently. Our funding  
24 for 1996 fiscal year is only half of what it was in 1995,  
25 despite the increased racial tension that exists in this

1 country. When we lost one-half of our funding, we lost 60  
2 percent of our staff. I try to operate in eight states with  
3 four people. Ridiculous, plain ridiculous; but I won't deal  
4 with that. One of the things that we have just experienced  
5 recently, based upon a paper which I wrote as chair of the  
6 task force, the Attorney General has directed that all  
7 Justice Department agencies, to which our staff went when  
8 they were cut from our agency, be returned to CRS on detail  
9 to us. One of the good things about it, since she knows that  
10 we don't have any money, they detailed them back to us and  
11 remained on the payrolls of the agencies from which they  
12 come. So, I now have a staff, believe it or not, of 20  
13 people in this area with which to deal with that. Staff has  
14 been assigned to each of the states that we have so many  
15 problems in. They are five states out of my region:  
16 Tennessee, Mississippi, Alabama, and North and South  
17 Carolina, where most of the burnings have taken place.

18 As you know, 75 percent of all of the burnings have  
19 taken place in this region, the southeast region; and we're  
20 most concerned about that in respect to it. So, we work in  
21 these fire clusters and I have staff assigned to the  
22 clusters.

23 The first thing we are doing, we will do a thorough  
24 assessment of the level of tension and the level of racism in  
25 every area where there has been a burning. That comes

1 because I put that in the direction as to what we would do in  
2 respect to that -- every single area where there's been a  
3 burning. We will work in cooperation with all federal  
4 agencies. We are on, by the Attorney General's direction and  
5 by our own proposal, every U.S. Attorney task force within  
6 this region. Now, that's crazy for me to accept that kind of  
7 assignment. Actually, I was in three different cities last  
8 week and will be in three different cities this week. I  
9 expected to be able, by this time, to be settling down into a  
10 more comfortable position in this struggle, but that has not  
11 been my lot, and it seems that it won't be.

12 But what I'm worried about, if you will, they're  
13 detailed for the rest of this fiscal year. Now, what's going  
14 to happen all of a sudden on October 1? Unless we get some  
15 more money, I don't know; but I won't worry about that right  
16 now. I take what I have and deal with what I have to deal  
17 with as best I can with the hope that when the time comes,  
18 that other resources will be provided. I know I'll be  
19 fighting for it. I get in trouble because I do some things  
20 that staff persons are not supposed to do, politically that  
21 is. I know I'm going to get in trouble with it one of these  
22 days and they're going to fire me. That's all right. I  
23 never had a job that was good enough to worry about. One of  
24 these days, maybe I'll get one good enough to worry about.  
25 I'll worry about it then, but I've never had one that good in

1 that sense; plus the fact, Bobby, they've messed around and  
2 let me get enough age and enough time to retire. The worse  
3 thing they can do to me is fire me or make me retire -- force  
4 me to retire, and then I'll get involved as a civilian just  
5 as much as I am -- I say this -- all of that just to say  
6 this: we bring concern, we bring you commitment, and we bring  
7 you know-how to this whole area, and we do appreciate all of  
8 the work that the Commission does. I'm familiar with the  
9 SAC's all over this region. I'm familiar with the staff all  
10 over this country, because you don't have any more staff than  
11 I do. That's being funny, isn't it, Bobby?

12 **MR. DOCTOR:** A lot more.

13 **MR. SUTTON:** You don't have any more money than I do. Let me  
14 just say this and I shall be finished, Mr. Chair. I've known  
15 you for a long time and I appreciate your great commitment  
16 and involvement all of these years. The country has to  
17 rekindle its concern about the level of racism, and I will go  
18 so far as to say that the fires are but a manifestation of  
19 the lack of concern and the lack of attention to these  
20 problems that are so critical at this time. Those of us who  
21 work in the field are going to have to somehow generate or  
22 re-generate that concern and that commitment to eliminate  
23 racism in this country and extending justice and freedom to  
24 all of our citizens.

25 Let me just stop right there, and if there are any

1 questions of me -- again, I say I appreciate your  
2 cooperation. I appreciate working with you all these years.  
3 I appreciate working with the FBI and with all of the  
4 agencies of the Department of Justice that are assisting us  
5 and we are trying to assist them, because we have to, oft  
6 times, go into a community to make it possible for them to  
7 work in the community without suspicion and without the  
8 community totally withdrawing from even talking with them.  
9 So, we have a tremendous job and we will do it as best we  
10 can. I know I didn't have but five minutes, and I have a  
11 habit of talking on and on, and I'll stop.

12 **MR. SPAULDING:** Thank you, Mr. Sutton. Any questions? Yes,  
13 Mr. Anderson.

14 **MR. ANDERSON:** Thank you, Mr. Sutton. The first question I  
15 have is whether you can relate to us in some specificity what  
16 CRS has done in particular communities related to church  
17 burnings.

18 **MR. SUTTON:** I'll be glad to do that. For example, we went  
19 into Boligee -- that's Alabama. Four churches were burned in  
20 that little community of less than 1,000 people. We went  
21 into Boligee and the community was all upset and concerned  
22 about the burnings, both the black and white community, but  
23 nobody knew what could be done and how it could be done.  
24 They didn't even know how to begin to work with the FBI or  
25 begin to work with other federal agencies. So, we had to be



1 their source of information of who to contact and what to do  
2 and this kind of thing; but the first thing we had to do was  
3 do an assessment identifying the forces that were working for  
4 good, identifying the forces that would give us trouble, and  
5 how to address these forces as best as the federal community  
6 could do, how to generate the best kind of law enforcement  
7 cooperation between the federal agencies, the state agencies  
8 and the local agencies in the sense of that.

9 Now, I know that the FBI was correct in saying that  
10 quite often no particular agency is in charge. That offers  
11 both a danger as well as an asset -- everything does in that  
12 sense. We have to be working with all trying to make sure  
13 that the best thing is done in the community -- gaining the  
14 community's respect and working with the ministers, the local  
15 leadership, and we bring that.

16 See, the black community quite frequently is  
17 skeptical about investigations. When I got into Boligee,  
18 they were concerned because law enforcement was questioning  
19 parishioners, in their perception, more than they were  
20 questioning anybody else about the fires, as if parishioners  
21 had burned the churches, if you get what I mean in that  
22 sense. So, we had to clear that up and work with those  
23 communities in doing that. So, we just sort of worked  
24 between all forces assessing the level of tension and the  
25 potential for racial difficulty, and working to prevent the

1 rise of tension and preventing racial difficulty. It's a  
2 multiplicity of things we try to do in a community.

3 **MR. ANDERSON:** Perhaps you heard the FBI Special Agent in  
4 Charge say that he had not seen or experienced or had  
5 reported to him anything other than really a good faith  
6 effort on the part of local law enforcement in investigating  
7 church burnings here in North Carolina, which is where he has  
8 direct experience. Now, based on your experience, in North  
9 Carolina specifically because that's what we're here talking  
10 about, but in addition perhaps in other states, would you  
11 concur in that assessment?

12 **MR. SUTTON:** I would concur on that. I have seen nothing but  
13 good faith in that sense on the part of all law enforcement  
14 agencies. As the lady, Ms. Ferguson, said, church burnings  
15 is an issue that everybody can get aboard on. It's not like  
16 many other racial questions. We all abhor church burnings.  
17 That's really against the whole nature of this country. So,  
18 we can pretty well come together on church burnings across  
19 racial lines. It's just a matter sometimes of having the  
20 cultural awareness of how to deal with various racial and  
21 ethnic groups -- best deal with them in addressing what it is  
22 you're trying to address.

23 **MR. SPAULDING:** Anything further?

24 **MR. ANDERSON:** No.

25 **MR. SPAULDING:** Okay. It's break time, folks. Two minutes,

1 and when we come back, I'm going to have to adhere more  
2 rigidly to the time schedule. We're supposed to be out of  
3 here by 5:00 and I know it's going to be a little after that.

4 (WHEREUPON, a short break was taken.)

5 **MR. SPAULDING:** We're now going to call on the representative  
6 of the Attorney General, Brooks Skinner, Jr. Brooks, I hate  
7 to be unfair or prejudicial, but we're going to hold you to  
8 that four or five minutes.

9 **MR. SKINNER:** I'll do my very best.

10 **MR. SPAULDING:** And we're going to do everybody else the same  
11 way to move ahead.

12 **MR. SKINNER:** Mr. Chairman, I'd first of all like to say on  
13 behalf of Attorney General Easley how pleased we are to be  
14 represented here and how important we believe this Committee  
15 and the Commission's work to be.

16 I was asked to provide generally an overview of  
17 hate crime laws in North Carolina. Obviously, that would  
18 take longer than five minutes, but I have provided for you  
19 much of the hand-outs that were included in the educational  
20 and information seminar that the Attorney General sponsored  
21 in Durham two weeks ago. Included in that is a hate crime  
22 statutes overview in North Carolina and some information on  
23 fire laws in North Carolina, some information on the  
24 insurance situation, and I'll be happy to address any  
25 questions that any of you have about those hate laws and

1 about any of those statutes.

2 Suffice it to say that North Carolina has four that  
3 I will talk about. Primarily the Ethnic Intimidation Statute  
4 and then the two sentence enhancement statutes, one for  
5 misdemeanors and one for felonies, and I'd like to just  
6 mention the church burning statute which has recently been  
7 taken out of the church and school statute, and then penalty  
8 for that has been increased from a Class F felony to a Class  
9 E felony.

10 All these statutes, except for the church burning  
11 statute, say that if a person shall because of race, color,  
12 religion, nationality or country of origin, assault or  
13 intimidate or whatever the underlying crime is -- those are  
14 the categories that are included in North Carolina hate  
15 crimes, and that's what we're working with.

16 The church burning statute, it is a Class E felony  
17 to burn a church, regardless of your motivation, and the  
18 sentence enhancement statutes can be used in addition to the  
19 church burning statute to up that if the motivation is  
20 determined to be because of race, religion, ethnicity or  
21 country of origin.

22 We also do some reporting and do some coordination  
23 through the Attorney General's Office and the State Bureau of  
24 Investigation of hate crime information that is sent to the  
25 Federal Bureau of Investigation, pursuant to the Hate Crimes

1 Statistics Act of 1990. In that information, we do gather  
2 information regarding sexual orientation in addition to the  
3 information that's included in our own statutes, but it is  
4 not -- as with the civil rights statutes -- the federal civil  
5 rights statutes -- sexual orientation is not included in the  
6 North Carolina statutes.

7 That's really all I'm going to say about the hate  
8 crime statutes. I'm sure there will be some questions, and I  
9 will be happy to answer them. I would just like to share  
10 with some of the words that the Attorney General -- some of  
11 the things the Attorney General has done proactively, we  
12 believe, and in addition, some of the words that he shared  
13 with the participants of the conference -- the educational  
14 and information conference that was held at North Carolina  
15 Central University, and which was simulcast via satellite to  
16 17 community college sites across the State.

17 That seminar was primarily to provide information  
18 to clergy and law enforcement about prevention and practical  
19 things. The Department of Crime Control and Public Safety's  
20 church watch program was unveiled by the Attorney General at  
21 that seminar, and there were representatives of the SBI, the  
22 FBI, ATF, Agent Logan was there and gave a wonderful  
23 presentation. We had arson investigators, we had people who  
24 have specialties in alarm systems, and it was an all  
25 afternoon conference, and I think there was a lot of good

1 information provided.

2 Obviously, the SBI has been very involved. You're  
3 going to hear from them immediately after me. We have worked  
4 in facilitating the process of beginning to rebuild burned  
5 churches by connecting interested donors with the National  
6 Council of Churches. As you've heard several times today,  
7 the Attorney General is serving as the Chair of the  
8 Governor's Task Force on Racial and Religious Intolerance and  
9 Intimidation. I would just like to note that the name of  
10 that task force is not the Governor's Task Force on Church  
11 Burnings. I think one of the charges that that task force  
12 has, and I know that one of the commitments that the Attorney  
13 General has, is to talk about the underlying issue of racial  
14 intolerance and religious intolerance and hatred in this  
15 State and this nation. As he has said, we cannot be afraid  
16 to confront racism because we can never win the battle if  
17 we're afraid to confront the enemy. How we protect our  
18 houses of worship is a statement about who we are. It  
19 defines us as a society and it defines us as a people.

20 Equally important, however, is the message that we  
21 send to those who seek to destroy our churches. Our message  
22 to those individuals who do that in North Carolina is very  
23 clear. If you burn a church in this State, we will  
24 investigate you, we will catch you, we will prosecute you,  
25 and we will put you in jail, period. That is our message.

1           But I think the words of the Attorney General in  
2 Durham that speak most to me and most to that group who was  
3 gathered there -- that assembly -- that it is our duty, black  
4 and white, Native American, Asian and Hispanic, to rebuild  
5 not only our houses of worship with board and beam, but to  
6 rebuild our relationships among all races with care and with  
7 tolerance.

8           That's it as far as my prepared statement. Any  
9 questions you have, I'll be happy to entertain those.

10 **MR. DOCTOR:** Thank you so very much, Mr. Skinner. I  
11 certainly have a couple of questions I'd like to raise with  
12 you, but at this point, I'll defer to the members of the  
13 Committee.

14 **MR. KIRK:** Where is Mr. Skinner from?

15 **MR. DOCTOR:** He is with the --

16 **MR. SKINNER:** I am with the State Attorney General's Office,  
17 Attorney General Easley.

18 **MR. KNIGHT:** Mr. Skinner, I don't know whether your office  
19 attended the meeting in Washington, D.C., where they had some  
20 State Attorney Generals --

21 **MR. SKINNER:** With President Clinton?

22 **MR. KNIGHT:** Well, I think there was one at Howard  
23 University.

24 **MR. SKINNER:** The Governor and the Attorney General both met  
25 with President Clinton. I'm not aware of his other meetings

1 in D.C.

2 **MR. KNIGHT:** I followed one on C-Span where some State  
3 Attorney General, which was initiated by the State Attorney  
4 General from Virginia -- but they indicated that some states  
5 have initiated additional legislation or laws that deal with  
6 these hate crime groups more extensively. In North Carolina  
7 is there any contemplation of that, or is there legislation  
8 that's being considered now in that area? Some indicated  
9 that they are even working toward barring their activities in  
10 certain states, and they gave some number. I was just  
11 wondering if you had any -- were aware of that or had any  
12 comments on it?

13 **MR. SKINNER:** I don't have any information about any current  
14 initiative to strengthen those statutes as they exist now in  
15 North Carolina. There very well may be something of which  
16 I'm not aware. I will call your attention to Article 4(a) of  
17 the North Carolina General Statutes, Chapter 14, which is the  
18 criminal code, that talks about prohibitive secret societies  
19 and activities. Some of those are -- some secret societies  
20 are prohibited. In particular, those which organize or  
21 encourage, aid or assist in any way any secret political  
22 society or secret military society having for a purpose the  
23 violating or circumventing of the laws of this State. So,  
24 you know, any of these societies that are meeting and  
25 advocating illegal activity, they're already illegal in this



1 State anyway. I certainly know that the State Bureau of  
2 Investigation and the Attorney General will pursue those  
3 individuals very vigorously.

4 **MR. DOCTOR:** Okay, Mr. Skinner. I have a couple of questions  
5 I'd like to raise with you if I may. I think it was back in  
6 the '80's, there were five people shot up in Greensboro,  
7 North Carolina by members of the Klan and the Nazis. In the  
8 aftermath of that incident, this Advisory Committee went into  
9 Greensboro with an informal hearing designed clearly to look  
10 at the question of racial tensions and race relations in the  
11 City of Greensboro. Clearly, the Klan and the Nazis were  
12 very actively involved in North Carolina during that  
13 particular decade. Is there any evidence that you have at  
14 your disposal which suggests the extent to which hate groups  
15 in North Carolina are active?

16 **MR. SKINNER:** I don't have -- I'm not an investigator and I'm  
17 not even a member of the investigative arm of the Attorney  
18 General's Office, so as far as any intelligence information,  
19 I'm simply not privy to that; but I will say that I think as  
20 is evidenced throughout this country, these groups are  
21 certainly more vocal than they have been in the last few  
22 years. They are shrouding themselves with legitimacy -- home  
23 pages, on the internet and those kinds of things. So, I  
24 don't think I'm saying anything out of school to say that I  
25 do believe that there is activity going on, sure.

1           What I can speak to is through our Justice Academy,  
2 which is the entity which trains our law enforcement agents  
3 -- provides them with training -- we have a two day hate  
4 crime recording and training course that law enforcement  
5 officers can go through as part of their basic law  
6 enforcement training. I have attended that training on a  
7 couple of occasions, and I know that there's a large portion  
8 of that training dedicated to explaining to law enforcement  
9 agents the history of hate crime activity in North Carolina,  
10 some of the signs to look for, some of the dates to be  
11 concerned about, and that kind of thing. I know that there's  
12 a staff member at the Justice Academy in North Carolina who  
13 is available to law enforcement, as are we in the Attorney  
14 General's Office, to help them if they begin to suspect that  
15 that kind of activity is going on. But as to the actual  
16 intelligence information, I'm simply not privy to it.

17 **MR. DOCTOR:** Okay, very good. Thank you. Mr. Kirk, do you  
18 have a question?

19 **MR. KIRK:** Maybe you can answer just yes or no. What about  
20 paramilitary activity in North Carolina? Does the Attorney  
21 General's Office know anything about that?

22 **MR. SKINNER:** I'm not aware of the level of that. I think  
23 that probably is again -- would be better asked of an  
24 intelligence officer.

25 **MR. DOCTOR:** Thank you very much, Mr. Skinner. We appreciate

1 your being here. Okay.

2 Mr. Robertson, Special Agent -- no, I'm sorry.  
3 Yeah, Mr. Robertson, Special Agent in Charge, North Carolina  
4 Bureau of Investigation. Thank you so much for being with  
5 us. We certainly appreciate that.

6 **MR. ROBERTSON:** On behalf of Mr. Coburn and again, the  
7 Attorney General, we're glad to be here and share what  
8 information we have.

9 I am the Special Agent in Charge of the  
10 Intelligence and Technical Services Section of the Bureau,  
11 and I was asked specifically to provide an overview of the  
12 North Carolina fires, particularly the fires that occurred at  
13 African-American black churches.

14 Since 1995, there have been more than 70 fires  
15 throughout the South. This has certainly attracted the  
16 attention of the public, of law enforcement, and the national  
17 news media. In North Carolina, we have information on 12  
18 fires, now 14, because Chairman Berry came up with two more  
19 that I was not familiar with. I'd like to just touch those  
20 briefly, if I can.

21 July 7, 1990, there was a fire at the Mars Chapel  
22 Church in Boger City, North Carolina, which is in Lincoln  
23 County. There was an accelerant thrown through the window of  
24 the church. In this particular instance, there were racial  
25 slurs. There were arrests made of some white males in this

1 case, and I would call that case a racial fire.

2 December 2, 1994, at the Brown Chapel Church in  
3 Wilson, North Carolina, there was an arson type fire that was  
4 investigated by the Wilson Police Department only. Arrests  
5 were made in that case, and I think I could state  
6 unequivocally that was not a racial fire.

7 The October 31, 1995 fire at Mount Pisgah Church in  
8 Raeford, North Carolina, is an attempted arson. There is a  
9 suspect developed by the Hoke County Sheriff's Department,  
10 and the information is that this is not a racial situation.

11 December 25, 1995, the Mount Moriah Church in  
12 Mebane, North Carolina, which has been discussed earlier  
13 today, flammable liquid was poured on the floor of the  
14 sanctuary. The investigation was begun by Orange County,  
15 then the SBI, and then at later stages, Alcohol, Tobacco and  
16 Firearms. This is still a very active investigation. There  
17 has been media coverage on it, and I won't comment on motive  
18 on that one.

19 January 2, 1996, the Ohova AME Church in Orrum,  
20 North Carolina, which is in Robeson County, has been  
21 discussed here today. The fire was actually started within  
22 the church. There was an elderly white male arrested at the  
23 scene, who was intoxicated. I have no information on racial  
24 motivation of that particular fire.

25 May 23, 1996, at Mount Tabor Baptist Church in

1 Cerro Gordo, which is in Columbus County, there was an arson  
2 type fire of a church that was being remodeled. This is a  
3 Columbus County Sheriff, SBI, ATF, fire department -- it was  
4 a multi-jurisdictional case. Arrests have been made. It was  
5 a contractor and an accomplice. They were charged with arson  
6 and conspiracy counts. It does not appear to be a racial  
7 fire.

8           May 24, 1996, at the Pleasant Hill Baptist Church  
9 in Lumberton, which is in Robeson County; this fire  
10 originates in the doorway of the church. Robeson County  
11 Sheriff's Department, several fire departments, the SBI, and  
12 ATF arrested a white male volunteer fireman. This man's  
13 public statements to the media indicate no racial motivation.

14           June 6, 1996 is the Matthews Mirkland fire here in  
15 Charlotte. This was an arson type fire to an historical  
16 chapel. It was actually not being used as a sanctuary,  
17 possibly under renovation. A 13 year old white female has  
18 been arrested and pled guilty in this particular  
19 investigation. This is the one that everybody's talked about  
20 today. It was absolutely the best cooperation between local,  
21 state, fire, law enforcement that I'm familiar with. I've  
22 worked a lot of drug cases where agency cooperation has led  
23 to arrests, but in this particular fire case, everybody  
24 worked together to a common end.

25           June 17, 1996, at the Hills Chapel Church in Rocky

1 Point, fire totally destroyed the sanctuary. We had an  
2 immediate response by local law enforcement, fire department,  
3 the SBI, ATF, and it was an electrical fire -- faulty wiring  
4 circuits to a fluorescent light.

5 June 30, 1996, at the Saint James AME Zion Church  
6 in Maysville, North Carolina, in Jones County. This is a  
7 definite arson fire. There were eight Molotov cocktails  
8 within the church; accelerant distributed throughout the  
9 church; took a lot of time in there; had no previous threats.  
10 This is a very active investigation. I will go so far as to  
11 say that there are suspects. We have no motive.

12 There are two fires that I have no information on,  
13 one in Winton, North Carolina, at Jordan Grove Baptist Church  
14 on 6-25-93; and one at Hillside Baptist Church in Hickory on  
15 August 10, 1995; and the two fires that Chairman Berry  
16 mentioned.

17 Now, out of all these reported fires throughout the  
18 South, fewer than 20 percent show racism as a clear  
19 motivation. A lot of these fires are things that we in law  
20 enforcement are overwhelmingly familiar with, drunken  
21 teenagers. I think the national standard, and I wrote the  
22 numbers down, for juveniles and arsons is 55 percent  
23 nationally. North Carolina is running 44 percent of persons  
24 under the age of 18 committing arsons. We've got a devil  
25 worshipper. We've got burglars breaking into churches to

1 hide their crimes. Churches now have got computer systems,  
2 they've got elaborate sound systems, and thieves actually  
3 break in to steal this. They burn the church to hide it.  
4 Then, again, we've got in a very few instances, firefighters  
5 who themselves have been accused of setting fires.

6 Another thing that's apparent to law enforcement  
7 now. If you notice the dates I gave you, everything has  
8 happened recently or a lot of it. 25 percent of our fires  
9 have happened since President Clinton made the first  
10 spotlight issue of arson fires. It's a copycat crime, and  
11 any veteran law enforcement officer will tell you that  
12 copycats commit the same crime but not for the same  
13 motivation. It's just another sick person committing a  
14 criminal act.

15 It's our position, along with the Attorney General,  
16 that every suspicious fire is going to be investigated to the  
17 fullest extent. We're going to use every resource that we  
18 have, and that the perpetrators of arson against any church  
19 is going to be arrested and vigorously prosecuted. Listening  
20 to Mr. Logan, it was actually an informal agreement very  
21 early in 1996 between Jim Coburn, our director, and Mark  
22 Logan, who's the SAC for ATF North Carolina/South Carolina.  
23 They did their own informal task force agreement: you tell me  
24 when they call you about a fire; I'll tell you when they call  
25 me about a fire. We've had that agreement going with federal

1 law enforcement, and it works. The Attorney General has  
2 sponsored these public awareness programs, and branching from  
3 these, I've provided people to give talks and informational  
4 series at smaller meetings across the State. We've done one  
5 in Wilson, done one in Fayetteville, and have some others  
6 planned for the coast. These are basically to give methods  
7 regarding protection against arson. These programs have been  
8 very well received by the community.

9 We concur with the opinion of other law enforcement  
10 agencies, local, state and federal, that there's no  
11 commonality, there's no link. I don't have a group name that  
12 I can give you responsible for these fires. I don't think it  
13 exists at the present time, but we will assure you that every  
14 fire will be investigated to its appropriate end.

15 From my particular section of the SBI, the  
16 intelligence section, along with the district field  
17 operations, we proactively gather criminal intelligence on  
18 individuals and organizations that could be responsible for  
19 these arsons or any other criminal activity and we share this  
20 information with all law enforcement, local, state and  
21 federal.

22 Now, I'll take the questions.

23 **MR. DOCTOR:** Thank you. The Commission, members of the  
24 Committee, staff? Okay. Well, perhaps I will come up with  
25 one, Mr. Robertson. We spoke with the people in SLED over in



1 South Carolina -- South Carolina Law Enforcement Division --  
2 and like you, they were fairly candid about describing the  
3 motives underlying a lot of these fires. Some federal  
4 officials have been a little reluctant to do that. Can you  
5 explain it? I know I'm putting you on the spot but --

6 **MR. ROBERTSON:** I don't know that I'm any more willing to  
7 discuss the motive. I don't mind giving you the facts that I  
8 have. The ones where I told you -- the 1990 fire, that's an  
9 old case.

10 **MR. DOCTOR:** Well, they would have those same facts, wouldn't  
11 they?

12 **MR. ROBERTSON:** I really don't know. We've got a problem  
13 with the reporting system on arsons in this State, and I'll  
14 be the first to admit it. There's two statutory requirements  
15 that arson fires be reported. I think that there is a  
16 misconception or a falling through the cracks as it was said  
17 earlier between 5879.1 and maybe 5879.45, because the AG gets  
18 some reports and the Insurance Commissioner gets some  
19 reports, and I'm not sure they ever get together; but I  
20 assure you that in the very near future, they're going  
21 together. We've got the computer system in place. DCI can  
22 do it. It's a matter of feeding that information in and  
23 collating it.

24 I'll share a personal story with you. I got a  
25 report from -- well, some of the news media first. I got an

1 insurance report on fires. The report said that it was one  
2 of these racial type fires. This is a news media report. I  
3 looked through it and see the church that I go to. This is a  
4 true story. I called my pastor and I said, "John, can you  
5 tell me about this church fire we had last night?" And the  
6 pastor said, "What fire?" I said, "Well, we've got a fire  
7 reported at the church, May the 31st, 1995 -- our church."  
8 So, he asked his wife, who was the principal of the school  
9 that is next door to the church. It so happens that the fire  
10 department responded to a fire set by a child playing with  
11 matches. It caught some material for one of the church  
12 groups on fire. It was actually a parachute within the  
13 building. They called them because it was still smoldering.  
14 It was sprayed and it was put out with absolutely no damage,  
15 and it was reported as an incendiary fire to the North  
16 Carolina Insurance Commission. Then it made the newspaper  
17 because somebody misinterpreted that "10" code over there  
18 that caused an incendiary fire. Not to make light of the  
19 situation, but that is one that I am familiar with it.

20 **MR. DOCTOR:** Okay, very good. Mr. Knight?

21 **MR. KNIGHT:** Do you have an opinion on the Federal Hate Crime  
22 Reporting Act -- any problems with it or do you have any  
23 involvement with that?

24 **MR. ROBERTSON:** I don't have any involvement at all with that  
25 statute. The intelligence section, for lack of a better

1 definition, I gather information on persons who have  
2 committed crimes, who are committed crimes at the present,  
3 and who we have information are about to commit a crime.

4 **MR. KNIGHT:** The reason I asked is because there seems to be  
5 varying opinions as to what constitutes a hate crime, and I'm  
6 wondering whether that's a consistent idea among law  
7 enforcement? At least are they together on it or does it  
8 pose problems in your operation or that type of thing?

9 **MR. ROBERTSON:** I don't have an opinion on that.

10 **MR. DOCTOR:** Mr. Robertson, thank you very much. We  
11 certainly appreciate your coming out today.

12 Next on the agenda we have Jim Long, who is the  
13 Commissioner, North Carolina Insurance Department. Is Mr.  
14 Long here? (No response.)

15 Okay. We have next Mr. Troy -- Gene Troy, Jr. He  
16 is a Human Relations Specialist for the North Carolina Human  
17 Relations Commission. Thank you, Mr. Troy, for being here.  
18 Are you, by the way, related to Jim Troy?

19 **MR. TROY:** Yes, sir. I am the nephew of Jim Troy -- James  
20 Troy.

21 **MR. DOCTOR:** Very good. Mr. Troy was with that agency for a  
22 long period of time. I know him personally, and would  
23 appreciate your giving him my regards.

24 **MR. TROY:** Well, Mr. Troy passed in April of this year.

25 **MR. DOCTOR:** Oh, did he really? I'm sorry to hear that.

1 **MR. TROY:** Yes. He passed of cancer.

2 **MR. DOCTOR:** This past April?

3 **MR. TROY:** Yes, sir.

4 **MR. DOCTOR:** I'm sorry to hear that. Please give our  
5 condolences to the family.

6 **MR. TROY:** I will. First of all, I want to give greetings on  
7 behalf of my Director, Eddie Lawrence, who was unable to  
8 attend. He had committed to a prior engagement, and when he  
9 had gotten the news that the U.S. Commission on Civil Rights  
10 wanted him to be here, he called me because I am somewhat the  
11 information person for him dealing with these church  
12 burnings. My name is Gene Troy. I'm with the North Carolina  
13 Human Relations Commission. We are based out of Raleigh,  
14 North Carolina.

15 Our office deals with two sections. My section  
16 deals with community relations, where we deal with assisting  
17 local human relations commissions throughout the State trying  
18 to establish local human relations commissions throughout the  
19 State. We also deal with fact-finding based on hate crimes.  
20 We have an information network called the Hate Against  
21 Violence Information Network, where we basically go out to  
22 areas that we either have a call from someone or we see  
23 something in the paper or we hear something on TV or some  
24 kind of information has been told to us about hate crimes.  
25 So, what we do is once we get that information, we take it

1 upon ourselves and do some fact-finding on our own. We don't  
2 have any law enforcement powers. We just basically find out  
3 some of the details on persons who are particularly involved.  
4 Throughout the State, we do have what we call HAVIN  
5 affiliates, where some of the affiliates are law enforcement,  
6 some are organizations throughout the State, some are human  
7 relations commissions in the counties and in the cities. So,  
8 we do have some kind of an involvement dealing with hate  
9 crimes.

10 In this particular situation dealing with the  
11 church burnings, we have been involved with the Governor's  
12 Office with the task force that he has developed. We also  
13 have taken a look at the situation as far as we train police  
14 departments and sheriff's departments across the State as far  
15 as police community relations are concerned, and what we are  
16 now looking at is trying to go back into our training program  
17 to include hate crimes and hate crime law in that. Basically  
18 what was happening prior to that was how to treat people with  
19 respect, dealing with the beatings in California and some  
20 other beatings. We've been teaching them how to basically  
21 respect people; but now with the situation dealing with the  
22 hate crimes of the church burnings, we're looking at our  
23 program to include the North Carolina hate crime law and also  
24 to make them aware of some things or some items where they  
25 can identify and see if this person has some kind of

1 involvement as far as hate crimes are concerned in their  
2 areas.

3 Like I said earlier, we are partially staffed with  
4 the Attorney General's Office as far as the task force is  
5 concerned -- the Governor's task force. They're going to  
6 meet next week like somebody said earlier. I can't remember  
7 who.

8 I didn't have anything prepared because everything  
9 has been basically said, but my involvement got involved back  
10 in May when in Durham, North Carolina they had bomb threats.  
11 The NAACP, the chapter in Durham, the president had received  
12 bomb threats on churches. The message was, and I'm just  
13 quoting, "I'm tired of blacks. We're going to bomb some  
14 churches." It didn't indicate any names of the churches. It  
15 did not state when. It just said three weeks from now. So,  
16 what happened was, we, at the Commission, looked at it as a  
17 hate crime. We went and did our fact-finding. We talked to  
18 the Director of the Human Relations Durham Commission, which  
19 is Chester Jenkins, and he said that there was going to be a  
20 meeting with the NAACP on that Saturday. He told me that I  
21 should be there, which I told him I would be there, and also  
22 that I would get a chance to talk to the NAACP chapter  
23 president, and also another church that had been threatened,  
24 which was Orange Grove Baptist Church. I went to the  
25 meeting. Mark Logan was the speaker and he basically said

1 some of the same things he said here. He's been very  
2 consistent, because I've seen him about two or three times.  
3 That's my involvement. I informed Reverend Gatewood and  
4 Reverend Kinney that our office is available for him, and  
5 that has been to every other community that our office has  
6 been available for them as far as trying to see if we can  
7 give them any kind of training concerning -- helping out with  
8 the training concerning prevention of church fires and  
9 arsons.

10 So, that's how our office got involved, and since  
11 then, Reverend Kinney and Reverend Gatewood demanded to see  
12 the Governor. My boss, Eddie Lawrence, went to that meeting  
13 with the Governor and since then, that developed into the  
14 Governor's task force, and now we're part of the staff with  
15 the task force of the Governor. So, that's where we are at  
16 this point, and a lot of the information we have is basically  
17 some of the same information that the SBI has, although we do  
18 have feelers out with every commission in the State to let us  
19 know if anything in their areas are occurring so that we can  
20 notify the SBI, the ATF, the FBI. We have also contact with  
21 the FBI, with Mike Robertson's office, and I have  
22 specifically spoken with Mark Logan on many occasions and he  
23 has told me that the communication lines have been opened.  
24 And that's where we are right now.

25 **MR. DOCTOR:** All right, very good. Before we turn it back

1 over the Chair, I'd like to ask you a quick question, if I  
2 may; and we've found this to be the case in a number of other  
3 states as well. Your agency obviously already existed -- not  
4 only already existed, but has a rather noteworthy track  
5 record in the area of human relations and race relations.

6 **MR. TROY:** Yes, sir.

7 **MR. DOCTOR:** Why do you think the Governor decided to come up  
8 with his special task force to deal in the area of church  
9 burnings, as opposed to giving that assignment to your  
10 agency?

11 **MR. TROY:** Well, actually it's called the Racial and  
12 Religious Hate Task Force. As far as I know, our office was  
13 somewhat of a spearhead of that idea to develop a statewide  
14 task force. Now, we don't necessarily have our Director  
15 named as a member, but he is a very active participant with  
16 the task force.

17 **MR. DOCTOR:** Let me make sure I understand you. So, none of  
18 your staff or none of your commissioners are members of the  
19 task force?

20 **MR. TROY:** Yes, sir, two of them are: Dr. Jerry Dreighton,  
21 who is the Chairperson of the Commission, and Dr. Harold  
22 Gates, who is the Chairperson of the Martin Luther King  
23 Commission, which our office has jurisdiction over.

24 **MR. DOCTOR:** Okay, very good. Thank you. Mr. Chair?

25 **MR. SPAULDING:** Thank you very much. Any questions? Thank



1 you.

2 Let me go through and ask who is here so we can  
3 make some assessment as to who is to speak. We've heard from  
4 the Mayor. Luther Fincher, Chief of the Charlotte-  
5 Mecklenburg Fire Department? (No response.) Dennis Nowicki,  
6 Police Chief? (No response.) Al Rousso, City Council? (No  
7 response.) Billy Wireman, Chairperson of the Mecklenburg  
8 County Community Relations Committee? (No response.)  
9 Williams Simmons?

10 **MR. SIMMONS:** Yes.

11 **MR. SPAULDING:** Okay. Ann Schrader's not here. Johnny Hunt?  
12 (No response.) Sheriff Glen Maynor?

13 **MR. CAMPBELL:** Yes.

14 **MR. SPAULDING:** Mayor Raymond Pennington?

15 **MR. SHAW:** Yes.

16 **MR. SPAULDING:** Chief Harry Dolan? (No response.) Chief  
17 Ronald Parker?

18 **MR. PARKER:** Yes.

19 **MR. SPAULDING:** Mayor Bob Gentry? (No response.) Chief  
20 James McNeil? (No response.) Chief Crawford Thomas? (No  
21 response.) Sheriff Dane Martin (sic)?

22 **MR. MASTIN:** Yes.

23 **MR. SPAULDING:** We will now move to Mr. Simmons.

24 **MR. SIMMONS:** Chairperson Berry, Chairperson Spaulding, and  
25 the rest of the Committee, welcome to Charlotte. You've

1 already received that greeting, but I wanted to take the  
2 opportunity to welcome you myself.

3 **MR. SPAULDING:** Thank you.

4 **MR. SIMMONS:** My name is William Simmons. I'm a Community  
5 Relations Specialist for the Charlotte-Mecklenburg Community  
6 Relations Committee. CRC was created over 35 years ago to  
7 work in the area of improving race relations in this  
8 community. Its initial efforts were in the areas of public  
9 accommodations, but since that time, we've also dealt with  
10 issues relating to education, fair housing; and my immediate  
11 responsibility is to work in the area of police community  
12 relations, and it is in that regard that I'll make a few  
13 comments -- very brief comments. In particular, in reference  
14 to the Matthews Mirkland fire, some of what I would say has  
15 already been said, so I'm going to be extremely brief.

16 On the morning following the fire, I visited the  
17 site with four primary purposes in mind. One was to get a  
18 sense as to whether or not the fire was intentionally set;  
19 two was to get an idea as to whether this fire was connected  
20 to any others; three, to offer support to the pastor and his  
21 congregation; and four, to ensure that law enforcement was  
22 doing all that was possible to bring this issue to closure.

23 In my responsibilities with the CRC -- like I said,  
24 I deal with police community relations, and I'm often  
25 involved with handling complaints relative to allegations of

1 police misconduct. I oftentimes review policy changes and  
2 various training techniques that the Charlotte-Mecklenburg  
3 Police Department is involved in. So, I had a particular  
4 interest, and we had a particular interest, as to what was  
5 going to be happening in this situation. The observations  
6 that I made and the conversations that I had with various  
7 individuals left me with the impression that law enforcement  
8 -- and I'm talking about local, state and national -- was  
9 doing everything that was possible to bring an end to this  
10 situation. They performed their duties and responsibilities  
11 in an exemplary fashion, and I noticed in particular when I  
12 was walking through the burn site that morning, that there  
13 were a number of individuals -- and I heard estimates on that  
14 morning of up to 60 different people from various agencies,  
15 including the fire department -- who were just going about  
16 their responsibilities, utilizing their skills and abilities  
17 and what-not, and the issue of turf was not an issue. I got  
18 the impression it was more geared towards trying to, like I  
19 said, bring it to some type of closure.

20 I was also impressed with the sensitivity that was  
21 exhibited by Mark Logan and his staff, the Charlotte-  
22 Mecklenburg police, and what-not in keeping the pastor and  
23 his congregation and the general public informed and updated  
24 on issues relating to this situation without compromising  
25 their abilities to prosecute this case at the appropriate

1 time.

2 Those are my general comments about that situation,  
3 and like I said, much of what I said has already been stated;  
4 but I appreciate the opportunity to address you. Do you have  
5 any questions?

6 **MR. SPAULDING:** Thank you, Mr. Simmons. Any questions of any  
7 members of the Committee?

8 **MR. DOCTOR:** I have some, but I'll reserve them for  
9 afterwards.

10 **MR. SPAULDING:** Thank you very much.

11 **MR. SIMMONS:** Okay.

12 **MR. DOCTOR:** Wait a minute. Is he leaving?

13 **MR. SPAULDING:** Bet you thought you got away.

14 **MR. DOCTOR:** You almost made it. One quick question.

15 **MR. SIMMONS:** Yes, sir.

16 **MR. DOCTOR:** Have you noticed any increase in racial tensions  
17 here in the Charlotte area in recent years?

18 **MR. SIMMONS:** Yes, I do. I don't think Charlotte is any  
19 different from any other community, and in the aftermath of  
20 this situation, I think the community was poised to do some  
21 things, and I think some things probably did not happen as a  
22 result of the way this entire situation was handled; but  
23 there is some tension out there, and this goes beyond my  
24 responsibilities with police community relations, but there  
25 is some tension out there.

1 **MR. DOCTOR:** One other final question. Have you noticed any  
2 increased activity on the part of hate groups here in North  
3 Carolina or the Charlotte area?

4 **MR. SIMMONS:** Not as far as groups. I think there have been  
5 some individual acts that have happened here. I know in the  
6 earlier part of this year, I got involved in a situation  
7 involving one of our schools where some writings had occurred  
8 on one of the outside walls. We got involved and asked some  
9 questions and tried to be constantly updated as to what was  
10 going to happen with that situation. Fortunately enough, the  
11 police did apprehend two young people who were responsible  
12 for those writings, but again, they were not -- at least the  
13 information that was given to me and shared with others, it  
14 did not indicate that they were any part of any type of  
15 group. It appeared that they had some type of vindictive  
16 motives towards some people that were inside of that school.  
17 There were definitely some writings that would normally be  
18 associated with a group or some type of hate group or that  
19 type of thing.

20 **MR. DOCTOR:** Okay. Thank you very much.

21 **DR. BERRY:** I hadn't planned to ask anything, Mr. Chair, but  
22 you said you thought tensions were a problem. Are there any  
23 particular issues, that you could just tick off without going  
24 into any detail, that would be something that in the  
25 community generates tensions?

1 **MR. SIMMONS:** I think a lot of the tensions that I've dealt  
2 with, and I try to associate with a number of people of  
3 various economic backgrounds -- I think issues relating to  
4 economics, jobs, and that type of thing, the lack of, if you  
5 will -- and then you have situations such as the ones that  
6 we're all very much aware of. I think that just adds another  
7 layer and causes more tension. But it's a number of  
8 different issues, and I think you're probably very much  
9 familiar with. I don't think it's just one issue, it's a  
10 combination of several.

11 **DR. BERRY:** For the sake of the record, we have to list some  
12 kind of issue even though I know what --

13 **MR. SIMMONS:** What I'm speaking of, to be more specific, are  
14 jobs, economics, there are some housing issues. You spoke  
15 earlier -- when the Mayor was here, you were talking about  
16 some of the conversations that you had with some folks. I  
17 think another problem is the lack of information. I know  
18 prior to coming to CRC, I spent almost 16 years working in  
19 public housing, and I'm familiar with some of the problems  
20 there; and some of the problems come from a lack of  
21 information, assuming certain things, and it goes from there.

22 **DR. BERRY:** Thank you, Mr. Simmons.

23 **MR. SPAULDING:** Please give your Chairman, Billy Wireman, my  
24 regards.

25 **MR. SIMMONS:** I will.

1 **MR. SPAULDING:** Chairperson of Robeson County Commission,  
2 Johnny Hunt, your representative?

3 **MR. CAMPBELL:** Mr. Chairman, Madam Chairman, I'm here today  
4 at the request of Johnny Hunt, the Chairman of our Board of  
5 Commissioners. I'm John Campbell, the Executive Director of  
6 the Robeson County Human Relations Commission, and also serve  
7 in Robeson County as a rural Baptist pastor. So, I bring  
8 concern and interest and involvement. Mr. Hunt could not be  
9 here, so he invited me to come and share with you, and I'm  
10 pleased to be here.

11 **MR. SPAULDING:** You also bring a captive audience, which I'm  
12 delighted to see you have with you today.

13 **MR. CAMPBELL:** Right. He's here chaperoning me in Charlotte.  
14 Robeson County is a unique county bordering South Carolina of  
15 about 110,000 citizens; a tri-racial county, unique in the  
16 way that we are the home also of the Lumbee Indian. Pembroke  
17 is their native home and has a State University, which was  
18 recently changed to the University of North Carolina at  
19 Pembroke. So, we a have tri-racial setting that adds some  
20 interesting challenges to human relations and race relations  
21 and just getting along, and we've been dealing with that.

22 The Commission that I serve came about in 1988  
23 after many years of citizens advocating and lobbying and  
24 promoting the idea that government has a role to promote good  
25 human relations, and local leaders such as Dr. Adolph Dowell

1 -- and some of you may know Dr. Joy Johnson and Dr. E.B.  
2 Turner and other right thinking citizens across the racial  
3 spectrum were involved down through the years in saying we  
4 need to be more intentional about creating environments that  
5 promote folks living together and working together and who  
6 have equal access to a good quality of life. That went  
7 unheeded by elected officials and decision makers in  
8 government to resource that kind of idea until in 1988 we had  
9 the take-over of a local newspaper down there by Eddie  
10 Hatcher and another individual of *The Robesonian*, and that  
11 promoted folks to get together and put resources where talk  
12 had been. So, the Robeson County Human Relations Commission  
13 was formed, and we've been in existence ever since.

14 Our challenges have been many as we've tried to  
15 promote inclusiveness and equal opportunity for all of our  
16 citizens. The Board of Commissioners would have me say to  
17 you that they stand with the efforts to reject racial and  
18 religious and ethnic intolerance. We had two fires in our  
19 county.

20 **DR. BERRY:** Which churches were they?

21 **MR. CAMPBELL:** Pleasant Hill Baptist Church where Reverend  
22 Winston Rozier is the pastor, and also Ohova AME Church in  
23 Barnesville. One church is in Lumberton and the other is in  
24 Barnesville/Orrum. We had those two fires and we've been  
25 involved with city officials, county officials -- glad to



1 have several of our officials here with us today who will be  
2 coming: City Councilperson Elaine Shaw representing the Mayor  
3 and others. We have attended public occasions where this has  
4 been addressed. I, as a staff person, as the Director has,  
5 have met with pastors in individual churches to talk about  
6 the church watch program and other things that, as an  
7 association -- our Lumber River Baptist Association with the  
8 moderator E.B. Turner is also promoting awareness of some  
9 preventive things that local congregations can claim  
10 ownership of and be involved in to deter, such as all of  
11 those things included in the packet that you've seen and are  
12 aware of.

13 But I'm glad to report that instead of dividing  
14 further and alienating further, these two fires in our county  
15 have been positive -- hard to believe -- in bringing folks  
16 together; maybe just for these incidents, but after coming to  
17 the table, we are expecting and believe that there's an  
18 increasing willingness to address underlying issues that  
19 contribute to this kind of thing. So, we are optimistic that  
20 that will take place. It also gives me, as staff with the  
21 Human Relations Commission, increased opportunity to argue  
22 with my bosses, the Board of Commissioners, that we need  
23 resources to continue to do what we're called to do. I'm so  
24 glad that we've got federal and state agencies, but where the  
25 rubber meets the road is on a local level, and so often you

1 find local level decision makers who aren't as committed to  
2 providing resources, especially in this era of downsizing and  
3 cutting back and fiscal conservatism. As a matter of fact,  
4 in this budget year, we have been given another staff person,  
5 and we think some of that may be -- I don't know if any of  
6 them would say so, but some of that would be attributable, I  
7 think, to the recent attention to the climate in the country  
8 that folks have turned their back on: the war against  
9 intolerance and indifference. Because of that, locally maybe  
10 we can help increase awareness about the need for tolerance  
11 and the need for equal opportunity.

12           So, I thank you for the opportunity to be here, and  
13 anything that you can do from your levels to let local  
14 decision makers know that we are necessary. Just like  
15 economic developers are necessary in a region, human relation  
16 workers are important also when they're looking at the  
17 budget. It's not an afterthought as we see it, it's just as  
18 integral to quality of life as economic development and tax  
19 departments, et cetera.

20 **MR. SPAULDING:** Thank you, Mr. Campbell. Any questions for  
21 Mr. Campbell?

22 **MR. DOCTOR:** Thank you, Mr. Campbell. Please give our  
23 regards to the Locklears and others up in that area.

24 **MR. CAMPBELL:** I'll do it. Thank you.

25 **MR. SPAULDING:** The representative for Mayor Pennington, and

1 that's Mr. Shaw.

2 **MR. SHAW:** Madam Chair Berry, Chair Spaulding, and members of  
3 the Commission, thank you for the opportunity to be exposed  
4 to such information that I have been exposed to. My name is  
5 Robert Delane Shaw. I am Mayor Pro-tem for the City of  
6 Lumberton, representing Mayor Pennington. I serve at his  
7 pleasure. It was his pleasure that I travel here today to  
8 receive this information, and hopefully I will impart to him  
9 a beautiful report of which I would specifically ask that you  
10 provide a copy of your final report to us, that we might  
11 extract information and apply it at the grassroots level.

12           Aside from being a City Council member, I am a man  
13 of the streets. I am one of the individuals that you  
14 addressed this morning that sat down at the bus station. I  
15 hear comments and I try to, in some way, compile that kind of  
16 information, impart it with our City Council and other  
17 responsible individuals to try and bring about a change.

18           We have had these unfavorable situations and  
19 surprisingly enough, all that has been said by the Reverend  
20 is true. I'm happy to endorse that. We have been in a  
21 position that we have travelled to the churches. We have  
22 spoken with members of the church, and I'm happy to say that  
23 they are very pleased. In one example, it has been an  
24 overwhelming response of unusuality, if there's such a word.  
25 One of the churches, they decided to invite in the individual

1 that has been alleged to have started the fire -- invited him  
2 into the congregation, and the individual has been and served  
3 with the members of that church in prayer meetings and prayer  
4 sessions, and actually attended work sessions for the  
5 reconstruction of the damage that was done. There has been  
6 an outpouring of affection within the community as a result  
7 of this. In speaking with one of the deacons, he said that  
8 it has served to bring us closer together because we only had  
9 60 active members out of a total of 140 so-called members --  
10 you know how we do. But he said it has brought us together  
11 and we're somewhat proud of that, but we are not in the  
12 position of condemnation. Instead, we want to do the right  
13 thing.

14           The city, along with the county, wanted to make  
15 this an awareness program, and on the 4th of July, in the  
16 City of Lumberton, we always have a big celebration --  
17 fireworks and the whole bit. This year, the pastor of the  
18 church was invited to serve in the opening session of the  
19 fireworks program to the tune of some 12,000 viewing that.  
20 The condition surrounding the fire was made known, and a  
21 proclamation or a special letter given at that fireworks  
22 ceremony in the presence of 12,000 people to say we condemn  
23 it and we praise you for the efforts of moving forward. I  
24 have a copy of *The Robesonian* which verifies this event, to  
25 include the presentation to the pastor of that church. I'd

1 like to leave that with you if at all possible.

2 I'm very pleased to see so much activity going on  
3 in this arena, and I'm sad to report that there is still fear  
4 out there. There is a concern in the black arena that all  
5 appears to be well, but all isn't well. There is that area  
6 of distrust. We have had heard it and it sounds good, but Oh  
7 Lord, when will it come? It makes it difficult to impart  
8 with your beliefs based on your exposure to these kinds of  
9 sessions to convey those messages to the people, but we're  
10 trying, and we're doing our very best.

11 Good luck to you, and please continue what you're  
12 doing. We didn't come here with a prepared message, but  
13 there is a lot of hope. Thank you very much.

14 **MR. SPAULDING:** Thank you very much. Questions, comments?

15 **DR. BERRY:** I just want to thank you for telling us about the  
16 reaction in Lumberton. That's a very positive reaction. As  
17 you were talking, I was thinking that I had thought this  
18 morning that we were at the end perhaps of these episodes,  
19 but according to what Mr. Logan told us when he was  
20 testifying, if I followed him, there have been two very  
21 recent incidents, at least one or two that I hadn't even  
22 heard about. I was about to say that it was all over. He  
23 mentioned something about St. John's Island, North Carolina  
24 -- South Carolina -- and then he mentioned, I think, also  
25 he's looking into something at St. James AME Zion Church in

1 Maysville, North Carolina, which was June 30th. So, I don't  
2 know. I was hoping that with all the publicity and all of  
3 the discussion of these events, we'd come to the end. Now,  
4 I'm a little bit worried.

5 Mr. Chairman, without displacing the witness, could  
6 Mr. Logan just come here and say yes, that I was correct when  
7 I read those two there, and that's all? Will he just do  
8 that?

9 **MR. SPAULDING:** Sure.

10 **DR. BERRY:** So we won't just be relying on my reading this.

11 **MR. SPAULDING:** You can just share the microphone with him  
12 for a minute.

13 **DR. BERRY:** Mr. Logan, was that correct? Was I reading the  
14 right information?

15 **MR. LOGAN:** Yes. St. John's Island, South Carolina, there  
16 was a fire at a dwelling. It was my understanding that it  
17 was not a church, but it was used for storage of pews and  
18 all, and that a church might have been intended to be there,  
19 but because of some local things it was not. The fire was  
20 discovered to have destroyed that dwelling.

21 **DR. BERRY:** You investigated that?

22 **MR. LOGAN:** Yes, I've had investigators on that for the past  
23 several days.

24 **MR. KIRK:** Where was the other one?

25 **MR. LOGAN:** That was on St. John's Island. That had not been

1 named a church. It was used to store pews and all, and it  
2 was my understanding that they were intending for it to be a  
3 church, but for some reason it had not become a church and no  
4 worship had been practiced there; but that was destroyed by  
5 fire just recently and investigators are at that scene right  
6 now. Then on the 30th of June, this other one, St. James AME  
7 Zion in Maysville, where some folks used Molatov cocktails to  
8 commit the arson of that church. Investigators are  
9 continuing their efforts on that as we speak.

10 **DR. BERRY:** Okay. Thank you. I just wanted to make sure we  
11 didn't rely on my reading of it into the record. Thank you.  
12 So, let's just all hope and pray, Mr. Shaw, that this is all  
13 over; and that in the cases where it has happened, that  
14 people come together the way they did in Lumberton. Thank  
15 you very much.

16 **MR. SHAW:** Thank you.

17 **MR. SPAULDING:** Chief Ronald Parker?

18 **DR. BERRY:** Chief, you've been very patient. You've been  
19 here all day.

20 **MR. PARKER:** Thank you, Mr. Chairman and Madam Chairperson.  
21 I'm Ronald Parker, Fire Chief, City of Lumberton. I received  
22 your mail-out request to attend. I'm not really sure why I  
23 was on your mail-out, unless there was a misunderstanding  
24 about the two fires in Robeson County. They were not within  
25 the city limits of my jurisdiction of my city. It was out in

1 the rural area, which was in the jurisdiction of both  
2 volunteer fire chiefs and the county fire marshall. So, it  
3 was not within my city jurisdiction.

4 You won't burn inside my city if I can help it.  
5 You're going to jail. I have an arson task force that was  
6 created in 1989 when I was appointed Fire Chief. It is made  
7 up of fire department officials and also the police  
8 department, and we have over a 60 percent conviction rate of  
9 arsons inside my city. You burn inside my city and if I can  
10 prove it, you're going to jail. I'm very serious.

11 Now, what I am concerned about today, and I agree  
12 with everyone here about church burnings. It is appalling.  
13 What I am not hearing is the concern that I, as a Fire Chief,  
14 and the fire chiefs in this State have a concern about, all  
15 fires are illegal, whether they're a church or whatever. We  
16 are in three region county area that is paying outrageous  
17 fire insurance premiums -- Robeson County, Columbus County  
18 and Brunswick County -- because of arson. There seems to be  
19 a lack of -- and I do not know or have proof to say for sure  
20 what the real problem is -- there seems to be a lack of  
21 priorities to get arson cases investigated from the fire  
22 service standpoint. Law enforcement has a plate full with  
23 murders and drugs and so forth. We sometimes become very  
24 frustrated as fire service personnel that a lot of fires do  
25 not get the priorities as far as investigations as we would



1 like for them to have through law enforcement and DA's, and  
2 then when they get to court, sometimes it appears to be a  
3 slap on the wrist by judges and juries. That is a  
4 frustration.

5           So, if there's anything that your Commission can do  
6 to help the fire service in North Carolina and Eastern North  
7 Carolina to get some additional DA's or Assistant DA's  
8 elected or appointed, or some funding for full-time arson  
9 investigators in this State, or some funds for law  
10 enforcement to have more people to make arson a priority,  
11 please do it for us. We need that help.

12           Arson of any kind, whether it's a car fire, grass  
13 fire, house fire, church fire, is a crime; and we want to put  
14 all of them behind bars, not just the ones that burn  
15 churches. The people, in our opinion, who burn churches have  
16 also burned other things and have not been caught. That  
17 church fire probably was not the first fire they set. They  
18 probably set some other fire and just never got caught, and  
19 they got nerve up and got brave with it, and then maybe the  
20 racial issue came into, and then set the church fire. We  
21 want to catch them and put them in jail for all arson fires  
22 -- all of them. Please help us if you can.

23           I do not have a prepared statement, but I'll be  
24 glad to answer anything for you.

25 **MR. SPAULDING:** Thank you very much, Chief Parker.

1 **MR. KNIGHT:** Have there been any deaths attributable to any  
2 of these fires?

3 **MR. PARKER:** Not in my jurisdiction that I know of. We've  
4 had some accidental fires, that were proven to be accidental,  
5 where we've had a death or two over the last ten years; but  
6 they were not racial as far as deaths. To be honest and  
7 frank with you, we're worried, you know, that if we don't get  
8 a handle on these things -- and I'm sure y'all agree -- that  
9 it's going to lead to that.

10 **DR. BERRY:** If I understood you correctly, there are a lot of  
11 arsons of various kinds in this three county area?

12 **MR. PARKER:** Sure.

13 **DR. BERRY:** To what do you attribute this? I mean, who  
14 engages in arson? I mean, what is the profile of the  
15 arsonist?

16 **MR. PARKER:** There's a lot of different profiles, as law  
17 enforcement will tell you, and ATF and SBI work wonderfully  
18 with us in working these cases. However, because there are  
19 so many, and based on the insurance premiums, that'll tell  
20 you there's a lot of them. If you want to see how many fires  
21 are going on, those fire reports are sent to the State Fire  
22 Marshall's Office and Jim Long's office, the Insurance  
23 Commissioner. We do not send -- I have never had it  
24 requested by law enforcement as far as my number of fires  
25 each month. I always send mine, and have always sent them,

1 to the Insurance Department, State of North Carolina. So,  
2 I'm not aware of any tracking that they do of my fires or my  
3 number of fires.

4           There's a lot of reasons for fires. It may be for  
5 jealousy, it may be domestic, fire for hire was very popular  
6 in the '70's and 80's for profit.

7 **MR. SPAULDING:** Didn't you have some tobacco warehouse --

8 **MR. PARKER:** Not in our area. That was in Columbus County.

9 **DR. BERRY:** I'm just trying to find out why in this three  
10 county area you would have -- I mean, I could see somebody  
11 being mad at somebody or jealous or whatever, but the profile  
12 of the arsonist -- who chooses arson?

13 **MR. PARKER:** For economic reasons, they can't make car  
14 payments, house payments and they, you know, burn them for  
15 those reasons. Some of them are burnt by themselves.

16 **MR. SPAULDING:** I was going to say that another aspect of  
17 that too that is unique, not only to that county but that  
18 region, is you have a tri-racial area. I'm not enough of a  
19 sociologist or what-not to be able to make an assessment as  
20 to why or a political scientist, but I'm sure that brings  
21 with it some unique relationships, not all of which are good.

22 **MR. PARKER:** But we also have some fantastic people in our  
23 community, and unfortunately, too often, we hear the negative  
24 or the negative gets publicized.

25 **MR. SPAULDING:** I know you're right about that. My relatives

1 were born in Robeson County.

2 **MR. PARKER:** Robeson County. Thank you.

3 **MR. SPAULDING:** Thank you very much. Let's see. I want to  
4 make sure I didn't miss anybody. Chief Harry Dolan? (No  
5 response.) Mayor Bob Gentry, Raeford? (No response.) Chief  
6 James McNeill, Raeford? (No response.) Chief Crawford  
7 Thomas? (No response.) Sheriff Dane Martin (sic)? In a  
8 different section of the State.

9 **MR. MASTIN:** Mr. Chairman, members of the panel, I am Sheriff  
10 Dane Mastin. There's a misprint. It's M-a-s-t-i-n.

11 **MR. SPAULDING:** Oh, sorry about that. M-a-s-t-i-n?

12 **MR. MASTIN:** Yes, sir.

13 **MR. SPAULDING:** Thank you very much.

14 **MR. MASTIN:** I'm the Sheriff in Wilkes County in the --

15 **DR. BERRY:** What's the county seat?

16 **MR. MASTIN:** Wilksboro, in the northwest region of the State.

17 **MR. SPAULDING:** Where they have the car races, among other  
18 things.

19 **MR. MASTIN:** We do to this point; maybe not next year. My  
20 understanding of the memo that was sent, what you pretty much  
21 wanted from myself, as I took it, was our response to the  
22 church burning, particular that occurred in our county at the  
23 Beulah Land Baptist Church in Roaring River. That occurred  
24 on July the 1st. It actually was not a church in itself. It  
25 was a fellowship hall that was approximately half a mile down

1 the road from the church, even though it was affiliated with  
2 the church and posted with signs. It is in a racially mixed  
3 community, and our response to that has been -- of course, in  
4 the light of that, we have attempted to increase our patrols  
5 in the areas of churches. We have a lot of rural counties,  
6 as opposed to any urban or city type area. The majority of  
7 the population, around 60,000, lives outside the city limits  
8 in the county, so it is very rural. The majority of the  
9 churches would be outside.

10 To be totally honest with you, the greatest concern  
11 that I had upon notification of the fire was what the media  
12 would do to the investigation. I must agree with my fellow  
13 law enforcement officers that have already spoken on the  
14 state and federal level that we needed to, for our purposes  
15 of investigation, find facts and not look at any preconceived  
16 notions or ideas that might be interjected into either the  
17 detectives involved in that case or my mind or any of the  
18 people we would be interviewing as witnesses; and that became  
19 very easily done because the news media, particularly the  
20 electronic media was there on the spot wanting to interview  
21 everybody right then. That was one of the greatest concerns  
22 I had.

23 I do agree that it is a copycat crime. I do agree  
24 that the media fans that fire, and it does make it more, I  
25 think, easy to avoid prosecution or detection when you have

1 so many different people that are looking at a particular  
2 motivation, when the motivation can be something totally  
3 different. Some people light these fires, like a pyromaniac,  
4 for some type of gratification. Other people light these  
5 fires for revenge or for money or for whatever reason. In my  
6 particular scenario, the guy was striking out at the  
7 community who he felt had turned their backs on him. It was  
8 a mixed community; however, the membership of the  
9 congregation was all white. They did have occasional black  
10 visitors. Never, to my knowledge in my 17 years of law  
11 enforcement in that county, have there ever been any racial  
12 confrontations in that particular community. They seem to  
13 get along well together and live well together. The  
14 gentleman that started the fire was also a white male, and as  
15 soon as he was arrested on July the 4th, the first appearance  
16 hearing he had, which would have been on Friday the 5th, he  
17 was immediately sent for mental evaluation, if that gives you  
18 an idea of his possible motivation. I'm not a psychologist,  
19 but I would venture a guess that it's some type of paranoia  
20 disorder, from my conversation with him because I personally  
21 interview him.

22           Again, let me reiterate to you that I think that  
23 some of these other law enforcement officers in the room  
24 would agree with me that media attention -- I realize the  
25 public has a right to know; however, sometimes it does

1 interfere. They should know what's going on with their law  
2 enforcement and crime and so forth, but it does tend to bind  
3 us when we're attempting to work a case and you have a camera  
4 or a microphone shoved in your face trying to get you to  
5 explain something that at this point you have no idea about.  
6 We need to go in there open-minded, work to find a cause and  
7 origin in the case of a fire, find a suspect, then when we  
8 got a hold of the suspect, maybe we can get to a motive.

9           With that, I would end our scenario, and if you  
10 have any questions of me, I'll be happy to respond.

11 **MR. SPAULDING:** Thank you, Sheriff Mastin. Any questions or  
12 comments by the --

13 **DR. BERRY:** I only have one question.

14 **MR. MASTIN:** Yes, ma'am.

15 **DR. BERRY:** That is, have you had a lot of arsons, too? The  
16 fire chief was talking about a bunch of arsons over in his  
17 area. Is arson a crime that happens frequently in your area?

18 **MR. MASTIN:** More frequently than we like. Probably, the  
19 solution rate, as I heard the SBI Special Agent in Charge  
20 mention, is a very low percentage for clearance. I think he  
21 said 20. I believe it's closer to 10. We had 20 last year  
22 and were able to solve four, if that gives you an idea. A  
23 lot of them are cars, out buildings -- not necessarily  
24 dwellings or churches. We've only had one church in recent  
25 memory that there was any burnings of, but breaking and

1 enterings and larcenies and vandalism are a common thing. It  
2 is nothing new.

3 I would say this on a personal note, and in my  
4 opinion totally, that you are not going to stop church  
5 burnings. Just as when God commanded, "Thou shalt not kill,"  
6 you have not stopped murders. But we in law enforcement must  
7 be vigilant to solve those crimes and to educate people to  
8 hopefully keep them from trying to injure each other,  
9 themselves, and each other's property. What we see in this  
10 nation at this time -- and I'll preach for one minute and  
11 then I'll leave -- is a symptom of a problem; that is a lack  
12 of love and a lack of respect. That starts in the home, that  
13 starts in the church, that starts in the community. It has  
14 to be shown between people, between families, between  
15 husbands and wives, brothers and sisters, and therefore  
16 neighbors. When Jesus commanded, "Thou shalt love thy  
17 neighbor as thyself," we left off as thyself. You can have  
18 no love or no respect for anyone if you do not care for  
19 yourself. One of the greatest programs that we have, and I'm  
20 very fond of, is the DARE program. One of the key factors of  
21 that is self-esteem.

22 With that, I would leave you. I snuck my part in  
23 for the day, and I'm not running for an election this year;  
24 I'm there.

25 **DR. BERRY:** Thanks very much.



1 **MR. SPAULDING:** Let me call on now Samuel Kaplan, the  
2 Director of the North Carolina/Virginia Anti-Defamation  
3 League.

4 **MR. KAPLAN:** Good afternoon. My name is Samuel Kaplan. I'm  
5 the Director of the North Carolina/Virginia Office for the  
6 Anti-Defamation League.

7           This past year has been the best of times and the  
8 worst of times. Last year in our annual audit of anti-  
9 semitic incidents, we showed a slight decrease nationally.  
10 However, this was not the case in the Tarheel State. The  
11 same period showed a dramatic increase of anti-semitic  
12 incidents. If the current trend continues, we will  
13 unfortunately surpass last year's numbers before the end of  
14 this year.

15           North Carolina is the home to a number of national  
16 hate groups and icons of the hate movement. These  
17 individuals and entities have continued to aggressively  
18 recruit new members and peddle their messages of hate.

19           The National Alliance, the nation's largest and  
20 most active Neo-Nazi organization has been particularly  
21 aggressive in North Carolina. At Fort Bragg, for instance,  
22 our research told us that in April '95, they advertised in  
23 their membership bulletin; that they were so brazen in their  
24 recruitment efforts of military personnel that they had a  
25 bulletin board outside of Fort Bragg on Bragg Boulevard

1 advertising "take our country back, join the National  
2 Alliance" with an 800 number. In mid-December of last year,  
3 one of their members was arrested for carrying a concealed  
4 weapon. Earlier that day, he had reportedly been  
5 distributing racist and extremist literature on the campus of  
6 Laney High School in Wilmington, North Carolina. Also in  
7 December, our State was rocked by the heinous racial murder  
8 of an African-American couple in Fayetteville by an active  
9 duty military personnel stationed at Fort Bragg with  
10 extremist ties.

11 As a result of these activities, the Anti-  
12 Defamation League, on a national level, has worked with the  
13 Secretary of the Army's task force in reviewing and  
14 addressing this most serious issue of extremism in the  
15 military.

16 On a local level in an unprecedented effort, the  
17 North Carolina/Virginia Office of the Anti-Defamation League  
18 and the Provost Marshall's Office for the U.S. Army's  
19 Training and Doctrine Command, TRADOC at Fort Monroe,  
20 sponsored a seminar for military law enforcement personnel on  
21 extremism and hate crimes for the military installations in  
22 North Carolina and Virginia, the nation's largest  
23 concentration of military bases. Virtually every  
24 installation was represented with 85 people in attendance.  
25 The seminar dealt with national extremist groups, local

1 extremist activity, and hate crimes -- a positive effort as a  
2 result of these unfortunate incidents.

3           The wave of fires directed at religious  
4 institutions has been devastating. On a national level, the  
5 Anti-Defamation League and the National Urban League joined  
6 forces in establishing a Rebuild the Churches Fund.

7 Yesterday, July 17th, a check in the amount of \$100,000.00  
8 was presented by our two organizations to the Congress of  
9 National Black Churches.

10           The fires of hate ring an all too familiar bell of  
11 one of the ugliest periods of humankind, when on November 9,  
12 1939, Jewish houses of worship were attacked and the silence  
13 was deafening. We will not be silent and we will not sit  
14 idly by during this time of anguish within our community.

15           In addition, the Anti-Defamation League, along with  
16 the National Urban League, the National Council of Baraza,  
17 and the National Conference have launched a cooperative  
18 effort known as Bigotry Watch, which among other things has  
19 called for a national conference on pluralism. On a regional  
20 level, along with the Virginia State Conference of the NAACP,  
21 we co-sponsored a security seminar for religious institutions  
22 held in June. It was a positive response to deal with a  
23 traumatic effort the community was going through. What we  
24 can do is work together as a community to address these  
25 problems, and what this conference did is it addressed what

1 these community institutions can do to protect themselves  
2 first; secondly, it brought the groups together, because we  
3 had members of the Jewish community, we had members of the  
4 African-American community, we had members of the gay and  
5 lesbian community, we had members of the Islamic community,  
6 all there together and they realized it was not just one  
7 particular group, it was not one particular race, it was not  
8 one particular religion. There was a pattern that was  
9 erupting in our area that needed to be addressed, and they  
10 shared common issues and concerns. What we accomplished in  
11 this session was that we helped build bridges of  
12 understanding and cooperation between not only the different  
13 groups in the community, but the government entities and law  
14 enforcement communities. What we find in many cases is that  
15 certain relationships that exist between some communities are  
16 not shared by other communities with the government agencies,  
17 and that needs to be improved; and these sort of seminars and  
18 these workshops address that. We are planning on having a  
19 similar community seminar for religious institutions for the  
20 Charlotte-Mecklenburg area to take place in August.

21 That's just a brief statement. I could go on. I  
22 know we're short on time and I have a plane to catch at 7:00,  
23 but I'm delighted to be here. I think we're doing good work.  
24 I think we've got a lot of work to do. We're touching the  
25 surface, and that's one of the things that came out of the

1 seminar for religious institutions in Richmond, and I know it  
2 will come out of the seminar we're going to have here in  
3 Charlotte. This is only a first step. It's not an end  
4 result, it's not the final result, it's addressing a problem,  
5 it's bringing people together; but it's only a first step.  
6 Unfortunately, as many times as we see these organizations in  
7 place, there seems to be a void when an incident happens that  
8 people have to come to terms with, and then they deal with  
9 these issues when it should be an ongoing process. So, like  
10 I said, this is a first step. I think if there's a silver  
11 lining in this situation, it has brought a lot people  
12 together who may have been apart for a number of years but  
13 have realized that there's an issue that needs to be  
14 addressed.

15 I've brought some of our bumper stickers that we  
16 have, "Fight the Fires of Hate," which are available at the  
17 back of the room.

18 The incident reporting, I'm absolutely convinced  
19 that the numbers of incidents are far greater than we're  
20 having. We talked about hate crimes reporting and the need  
21 for better reporting, and that's really the issue. We were  
22 questioned about the number of incidents that took place in  
23 North Carolina and Virginia, and I said I don't think really  
24 the issue is the police and their reporting system. I think  
25 the issue is getting the numbers reported to the police,

1 because people are embarrassed or humiliated and a lot of  
2 times don't report things. So, we developed a campaign -- an  
3 awareness campaign to get people to report the incidents, and  
4 we've got these little brochures available in the back; and  
5 I'm convinced that that's been part of the increase in  
6 numbers. The other reason I think the numbers have increased  
7 is there's -- and the gentleman who spoke before me sort of  
8 addressed it -- there's a mood of intolerance that is  
9 pervasive in this country, and it's set at different levels  
10 of the community and the government. We have to be more  
11 civil to each other. We have to be more caring and more  
12 sharing, and it all starts with us as individuals, and it's  
13 got to be at the grassroots level, not just the leadership  
14 level. In my capacity, I know all too often leadership gets  
15 along great together, but not when you take it down to the  
16 grassroots level. That's sort of what we're working at.

17           So, I thank you and I commend you, and I'll be  
18 happy to address any questions that you might have about any  
19 part of our activities.

20 **MR. SPAULDING:** Thank you, Mr. Kaplan.

21 **MR. KNIGHT:** Mr. Kaplan, I thank you for coming at the last  
22 minute, but we do want to get that information and we will be  
23 working with your other counterparts in the other states.

24 **MR. KAPLAN:** Good. You asked about extremist groups earlier,  
25 there are a number of Klan groups that are active in North

1 Carolina and a number of extremist groups. I talked about  
2 the national groups earlier.

3 The Confederate Knights of America are active.  
4 They're based in Huntersville, North Carolina.

5 The Christian Knights of the Ku Klux Klan, based in  
6 Charlotte and Mount Holly, they've had a couple of marches.  
7 One march they had was in Black Mountain this past year.

8 The National Association for the Advancement of  
9 White People -- a gentleman from Louisiana. He may be  
10 running for office so I won't mention any names, but they  
11 have a group here and they were so brazen that they marched  
12 in the annual holiday parade in Yadkinville, North Carolina  
13 this year. People were in a quandary. They said, "Well,  
14 should we let them march or should we not let them march  
15 because some people find it offensive." So, they said,  
16 "Okay, we'll put them in the back of the parade," but they  
17 marched. So, they participated in that.

18 I mentioned the National Alliance and some of their  
19 activities.

20 Harold Covington who --

21 **MR. SPAULDING:** -- ran for Attorney General.

22 **MR. KAPLAN:** That's right, and received quite a few votes --  
23 more than anybody thought he would. Harold Covington  
24 recently moved back to North Carolina. He was out on the  
25 west coast in Seattle for a number of years, and he's now in

1 Chapel Hill. Some of his hate literature has been turning up  
2 not only in North Carolina, but also in Virginia in the  
3 Hampton Roads area of Virginia.

4           There are a number of militia groups that are  
5 active in North Carolina.

6 **MR. KIRK:** Are they on the increase?

7 **MR. KAPLAN:** I'm sorry?

8 **MR. KIRK:** Are they on the increase?

9 **MR. KAPLAN:** Yes, they are, they absolutely are. Some of  
10 them use the computer network to recruit membership, and  
11 that's been the mixed blessing of the information age, is  
12 that it's been helpful as far as technology is concerned, but  
13 it has also been a good vehicle for recruiting people because  
14 you've got the anonymity factor. You don't know who's on the  
15 other end, so you get somebody active, and you never know  
16 that this may be somebody that if you saw them in person, you  
17 wouldn't care to socialize with that person, but they hit the  
18 right buttons.

19 **MR. SPAULDING:** Is the band leader back, Glenn Miller?

20 **MR. KAPLAN:** He's gone but not forgotten. His presence is  
21 still there. We've got Knorr Davis, Jr. out in the western  
22 part of the State with North Point Tactical Teams, which  
23 sponsored a seminar this past year that had possibly 250  
24 people there, and there keynote speaker was Bo Greitz from  
25 Idaho. Who is Bo Greitz? Colonel Bo Greitz was a former



1 Green Beret. He was one of the negotiators at Montana. He  
2 was portrayed as a do-gooder, but he's extreme in his own  
3 right, and I think it was a disservice to present him in any  
4 other fashion.

5 **MR. KIRK:** The computer can be a blessing in disguise because  
6 you don't know who the other person is on the other end. You  
7 can give out information to anybody.

8 **MR. KAPLAN:** Yes.

9 **MR. KIRK:** And we found out what kind of information is  
10 coming out.

11 **MR. KAPLAN:** Correct; but Harold Covington and his group, the  
12 National Socialist White People's Party is back active here.  
13 I mentioned the National Alliance, and there are a number of  
14 Skinhead groups that are also active throughout the State,  
15 both in Fayetteville as well as in Asheville. So, you know,  
16 there's a lot of activity there. Unfortunately, we all have  
17 our work cut out for us.

18 We've published a report talking about the  
19 Internet, "The Web of Hate." We believe the best way to defy  
20 extremism on the Internet is not to censor it because people  
21 have a First Amendment right, but to inform people who these  
22 people are. So, that's the avenue that we took. Even though  
23 we find it offensive, they have certain First Amendment  
24 rights; but we have the right to let people know who they are  
25 and what they do, and this documents some activity on the

1 Internet.

2 We also published another report to assist parents  
3 in guiding their children in navigating the Internet because  
4 of these perils that face them.

5 I guess that pretty well covers it. So, I thank  
6 you and I look forward to working with you in the future.

7 **MR. SPAULDING:** You have a lot of data and we'll certainly be  
8 looking forward to working with you.

9 **MR. DOCTOR:** One quick question, if I may, Mr. Chair. I know  
10 we're late here, but Mr. Kaplan, certainly we appreciate and  
11 are indeed impressed by your information. I knew you would  
12 have it because I know they're here; but can you explain --  
13 and perhaps you can and perhaps you can't -- why it is that a  
14 lot of these state officials either won't comment or won't  
15 share the information that they obviously have on those  
16 groups here in this State? Why do you think they chose not  
17 to do that today? We asked that question several times.

18 **MR. KAPLAN:** I don't know. I can't speak for them.

19 **MR. DOCTOR:** I understand, but do you have opinion just off  
20 the top of your head?

21 **MR. KIRK:** I can't really speak for them, but I know that in  
22 some cases, if a situation is involving an active  
23 investigation, people may be reluctant to speak about an  
24 active investigation that may imperil that investigation.

25 **MR. SPAULDING:** They don't want to queer the investigation.

1 **MR. KAPLAN:** I'm just speculating. I don't know. I can't  
2 speak for somebody else.

3 **MR. SPAULDING:** Thank you very much, Mr. Kaplan. Before  
4 closing, I'm going to ask our National Chair -- Chairwoman --  
5 I'm tired -- Dr. Berry to make a wrap-up or summary comment  
6 before we close.

7 **DR. BERRY:** Let me just say that I am pleased to have been  
8 here, and I have listened with great interest and asked a few  
9 questions, and I've been informed. I want to thank the Chair  
10 of the State Advisory Committee, Mr. Spaulding, and his  
11 Committee members, and the Regional Director, Bobby Doctor,  
12 and Mr. Knight for putting on this forum, and the witnesses  
13 who came. I very much appreciate it, again, and it will  
14 greatly inform the National Commission and the public. Thank  
15 you very much.

16 **MR. SPAULDING:** Thank you. I want to thank our court  
17 reporter service. I never got your name. You didn't stop to  
18 tell us your name.

19 **COURT REPORTER:** Pennie Leas with Westmoreland Reporting.

20 **MR. SPAULDING:** Please put in the record that we expressed  
21 grateful appreciation to you for your assistance on today's  
22 program.

23 (WHEREUPON, the foregoing proceeding  
24 concluded at 5:45 p.m.)

25 \* \* \* \* \*

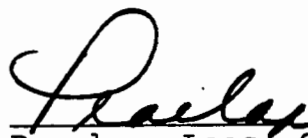
STATE OF NORTH CAROLINA  
COUNTY OF ONSLOW

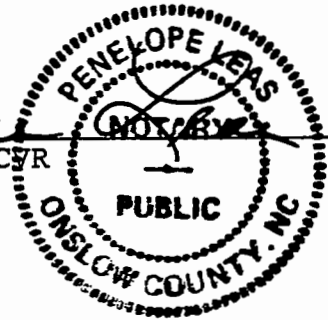
C E R T I F I C A T E

I, PENELOPE LEAS, CVR, Certified Verbatim Reporter and Notary Public, do hereby certify that said Hearing was taken and transcribed under my supervision; and that the foregoing 171 pages are a true and accurate transcription of said Hearing.

I further certify that I am not of counsel for or in the employment of any of the parties to this action.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 22nd day of July, 1996.

  
Penelope Leas, CVR  
Notary Public



My Commission Expires  
January 31, 1998

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