

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

\* \* \* \* \*

TASK FORCE ON HATE CRIMES, TERRORISM & ARSON

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HOUSE JUDICIARY COMMITTEE

Mayor's Reception Room 202  
City Hall, Broad and Market Streets  
Philadelphia, Pennsylvania

Thursday, November 21, 1996 - 10 a.m.

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BEFORE:

- Honorable Jere W. Schuler, Majority Chairman
- Honorable Timothy F. Hennessey
- Honorable Dennis M. O'Brien
- Honorable Thomas Caltagirone, Minority Chairman
- Honorable Andrew J. Carn
- Honorable Harold James
- Honorable Kathy M. Manderino
- Honorable W. Curtis Thomas

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**ALSO PRESENT:**

**James Mann**  
Majority Legislative Assistant

**Galina Milohov**  
Minority Research Analyst

**Harriett Washington**  
Administrative Assistant to Representative  
James

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1                   CHAIRMAN SCHULER: The Pennsylvania  
2                   State House of Representatives Judiciary  
3                   Committee's task force on hate crimes, terrorism  
4                   and arson is now called to order.

5                   I am a member of the house judiciary  
6                   committee representing the 43rd District of  
7                   Lancaster County, so I first would like the  
8                   members and staff to introduce themselves for  
9                   the record so the court reporter is aware of the  
10                  people talking.

11                  We will start down here with you,  
12                  Dennis.

13                  REPRESENTATIVE O'BRIEN:  
14                  Representative Dennis O'Brien, Philadelphia  
15                  County.

16                  REPRESENTATIVE JAMES: Harold James of  
17                  the 186th District representing south and  
18                  southwest Philadelphia.

19                  MR. MANN: My name is James Mann. I  
20                  am a legislative research analyst for the house  
21                  judiciary committee and in the majority.

22                  CHAIRMAN SCHULER: I am sure the other  
23                  members will be coming and when the other  
24                  members of the committee arrive, we will  
25                  introduce them. They will be coming and going

1 as we proceed for the day.

2 First, I would like to thank the mayor  
3 of Philadelphia, Mayor Rendell, for the  
4 opportunity to hold this in these beautiful  
5 facilities; secondly, to Representative James  
6 and his staff for arranging this, doing all the  
7 logistical work to make this possible for us  
8 today.

9 First, I am going to read a prepared  
10 statement. Then we will get down to the  
11 hearing, our first person to testify.

12 On behalf of the special task force on  
13 hate crimes, terrorism and arson I would like to  
14 welcome you to the second public hearing on the  
15 subject of hate crimes. The first hearing  
16 before this task force was held in Harrisburg on  
17 October 22nd, 1996. The task force heard  
18 testimony from 14 witnesses within an eight-hour  
19 period and we dealt with the issue before us in  
20 very broad terms.

21 In this second hearing the members of  
22 the task force have expressed a desire to  
23 explore more specific areas. It is with this  
24 intent that we proceed this morning. We will  
25 concentrate our efforts on people involved in

1 and affected by the commission of a bias  
2 motivated criminal act.

3 We hope to find out more information  
4 on both organized and individual perpetrators to  
5 find out what motivates them to act as they do.  
6 We will be looking at the communities' reaction  
7 to hate crimes, the victims and neighbors of  
8 victims of bias motivated criminal acts.

9 The task force is fortunate to have  
10 testify an expert on the issue of cyberhate, or  
11 hate groups on the Internet, and on the  
12 identification of markings and signs most often  
13 found around the scene of bias motivated crimes.  
14 Also, we have a former recruiter for the Aryan  
15 Nations, and that is one of the more unique  
16 perspectives before the task force today.

17 Finally, we will hear from two  
18 individuals who feel that the previous hearings  
19 failed to adequately represent the focus and  
20 view to those, some of the witnesses from the  
21 October 22nd hearing.

22 At this time, I have already  
23 identified the members of the task force. I  
24 believe Representative James has an opening  
25 statement.

1 Representative James?

2 REPRESENTATIVE JAMES: Thank you,  
3 Chairman Schuler.

4 I also would like to take the  
5 opportunity to thank Mayor Rendell and his  
6 staff. I also thank Harriett Washington from my  
7 staff, and also Mr. Mann from the Republican  
8 staff for all the hard work in putting these  
9 hearings together.

10 I would have just a brief comment,  
11 Chairman Schuler, and also I believe we have  
12 been joined by Representative Andy Carn from  
13 District 197.

14 REPRESENTATIVE CARN: Good morning.

15 REPRESENTATIVE JAMES: That is North  
16 Philly.

17 Chairman Schuler, special task force  
18 committee members, good morning. I am Harold  
19 James, chairman of the Pennsylvania Legislative  
20 Black Caucus and state representative from the  
21 186th District, which encompasses parts of south  
22 and southwest Philadelphia.

23 As a native of Philadelphia and having  
24 grown up in the legislative district that I  
25 serve, educated here in the public schools,

1 served and retired after 22 years as a  
2 Philadelphia police officer, needless to say I  
3 am a proud Philadelphian. I welcome you all to  
4 the City of Brotherly Love.

5 This motto, City of Brotherly Love,  
6 along with the commonly adopted adage of, And  
7 Sisterly Affection, was adopted, I believe,  
8 because of the strong sense of community which  
9 exists throughout this fine city, a spirit which  
10 stretches across this vast city, touching the  
11 lives of each of us, whether it be in times of  
12 crisis by uplifting the spirit of a neighbor, or  
13 cheering any of our professional athletic teams.

14 As a whole, the City of Philadelphia  
15 has been home to many outstanding contributors  
16 to society, ranging from the home of the African  
17 Methodist Episcopal Church to internationally  
18 acclaimed artist, Henry O. Tanner, a real  
19 talent, and in particular from my own district  
20 and community reigns Marian Anderson, a world  
21 renowned opera singer and a professional black  
22 basketball player, Earl "The Pearl" Monroe, who  
23 as a child, played at the Christian Street YMCA.

24 I present this brief commentary so it  
25 is clear that we are here today not to honor the



1 accomplishments nor cheer the success of any  
2 particular group or person, but rather we are  
3 here on a fact finding mission to learn through  
4 testimony just how dominant hate activity and  
5 hate crimes are in our community.

6 Instead of being here to give honor,  
7 we are here to learn the horror of what happens  
8 when people of good conscience ignore the  
9 problem. Throughout history we can point to  
10 events which lead to the destruction of a  
11 society because the majority of the population  
12 refused to accept evidence before them that the  
13 evil forces of hate were on the rise.

14 Spearheaded by what appears to be the  
15 third racial incident this year alone in my  
16 legislative district, this past week we  
17 witnessed yet another act of racial intolerance  
18 and insensitivity. And in response to this  
19 ugliness, I called a meeting of elected  
20 officials, agency representatives and community  
21 leaders. As a result of this meeting, we agreed  
22 to establish a multiracial, multi-ethnic body to  
23 formulate and institute means by which we can  
24 address the development of multi-ethnic programs  
25 which will, we hope, alleviate problems of

1 racial intolerance and insensitivity.

2 We are here today to learn what we can  
3 do to better educate and assist our communities  
4 in building strong coalitions against the  
5 ugliness of hate activity and racism.

6 We are here today because the house  
7 judiciary committee leadership agreed with my  
8 recommendation, at least in part, that we gather  
9 information in order to make an intelligent,  
10 educated recommendation to the committee as a  
11 whole.

12 Today we will hear testimony from  
13 various experts, some of which we may not  
14 necessarily agree with, but it is their First  
15 Amendment right to air their position. Thus, I  
16 hope, Mr. Chairman and the task force members,  
17 that the testimony of those who espouse unkindly  
18 views do not overshadow the countless victims  
19 who are not represented here.

20 Mr. Chairman, thank you for selecting  
21 Philadelphia as a site for this public hearing.

22 I just want to give you a couple  
23 quotes from a newspaper article which I will  
24 submit for the record from the Philadelphia  
25 Tribune, 11-19. It is an article about Deval

1 Patrick, who is the Assistant U.S. Attorney  
2 General over civil rights who has resigned from  
3 his position.

4 And he said that the success of  
5 American democracy depends on people coming  
6 together across racial and ethnic lines and  
7 holding common civic values. "Race is with us,  
8 and it is with us in the context of attacks on  
9 black churches. There is absolutely no question  
10 about that and that has to be faced."

11 He said, "As we have continued this  
12 investigation, we have seen many instances of  
13 racial hostility or religious bigotry driving  
14 the fires." However, he said such racial  
15 violence must be faced if American democracy is  
16 to survive.

17 "We are a deeply diverse American  
18 society. American democracy is going to depend  
19 on people coming together across all those  
20 differences and being united by common civic  
21 values. The way that happens is by our  
22 overcoming the suspicion and occasionally even  
23 the hatred that we bring to the table by virtue  
24 of those differences."

25 He said it is the ability to see

1 across racial and ethnic lines "that makes the  
2 difference in the ability to see and imagine  
3 each other as fellow citizens with a stake in  
4 each other's struggles."

5 "That issue will become even more  
6 significant as this country continues to become  
7 more diverse and more culturally complex."

8 Those are his comments with that  
9 article and I would like to submit that for the  
10 record.

11 Thank you, Mr. Chairman.

12 CHAIRMAN SCHULER: Thank you.

13 I would like to welcome Representative  
14 Carn. Thank you.

15 The ground rules for today basically  
16 are that each presenter will have approximately  
17 20 minutes to make their presentation and then  
18 the remaining time will be for questions, if  
19 any, from the members of the panel. We will  
20 have, I think, about total 45 minutes. Twenty  
21 minutes will be devoted to the person giving the  
22 testimony and the remaining will be for the  
23 panel to ask questions.

24 Representative Hennessey has joined  
25 us. From Chester County, right?

1 REPRESENTATIVE HENNESSEY: Right.

2 CHAIRMAN SCHULER: All right. Let us  
3 proceed then.

4 Our first person to testify is Dr. Dan  
5 Romer from the Center for Community  
6 Partnerships, University of Pennsylvania.

7 Welcome, Doctor.

8 DR. ROMER: Good morning. Thank you  
9 for inviting me. I will try to say what I can  
10 in 20 minutes.

11 We at the University of Pennsylvania  
12 worked with the Human Relations Commission of  
13 the City of Philadelphia for a number of years  
14 trying to understand what was going on in  
15 Philadelphia, a city of one and a half million  
16 folks, half white and half non-white. And  
17 Philadelphia is really like any other large city  
18 in this country. It is very diverse but very  
19 segregated. And as a result of that, there is a  
20 lot of tension. On any given month in  
21 Philadelphia, and you probably already heard  
22 this in the earlier testimony, there is between  
23 20 and 25 acts of what you call bias crimes  
24 reported to the police and there is an equal  
25 number of tension reports to the Human Relations

1 Commission.

2 And we try to figure out why is that  
3 happening in a large city like Philadelphia.  
4 And in working with the Human Relations  
5 Commission and other organizations, we got a  
6 grant from the Ford Foundation to try to study  
7 this problem in Philadelphia to see if we could  
8 come up with any strategies.

9 I am going to try to tell you what we  
10 found and do it as quickly as I can. Let me  
11 tell you what we did.

12 We did interviews in lots of  
13 neighborhoods in Philadelphia, many of which  
14 were experiencing tension, some of which were  
15 not. We did over 125 interviews face to face  
16 with folks, ordinary folks, not politically  
17 important people. We did a large survey of  
18 Philadelphia residents, over 500 phone  
19 interviews that lasted about 45 minutes that ran  
20 in depth and we looked at what the media was  
21 doing, particularly television, and how it  
22 reports on what is going on in Philadelphia. I  
23 am going to, I will tell you more about the  
24 surveys. I think that is more relevant to what  
25 you are doing.

1                   When we look at where these incidents  
2                   that happen every month, everyday, the ones that  
3                   get blown up in the media, the ones that happen  
4                   to get blown up in the media, when you look at  
5                   where they are, we see a pattern. The very  
6                   poorest neighborhoods in Philadelphia, they are  
7                   the ones that form the core of the city, are  
8                   very concentrated in their poverty, are mostly  
9                   non-white. The neighborhoods surrounding those  
10                  that are mostly white, and although they are  
11                  changing, are also poor. They are not as poor.  
12                  And if you look at where these incidents are  
13                  occurring, that is primarily where they are.

14                 I have maps and so on that you already  
15                 have. I have given those to Mr. Mann and you  
16                 will see those. If these areas were heavily  
17                 infiltrated with hate groups I think we would  
18                 have heard evidence of that, even seen evidence  
19                 of that. We don't think that these activities  
20                 are driven, the hate crimes we see in the  
21                 neighborhoods, are driven by organized hate  
22                 activity. This is how we feel based on our  
23                 interviews and also the experiences of other  
24                 people who work in Philadelphia.

25                 Instead, what we find is that the

1 residents in these neighborhoods experience a  
2 lot of tension as a result of the influx of  
3 people who they are not used to seeing living in  
4 their neighborhoods. And this is a legacy of  
5 fact that Philadelphia is a highly segregated  
6 city, just like other large cities in the  
7 country. And it is also a legacy of fact that  
8 we haven't learned how to live together.

9 There is also tension in other parts  
10 of the city. I don't want to say it is all in  
11 these neighborhoods. There is tension in other  
12 areas, especially places that are newly  
13 integrated, although it is less severe. And the  
14 story of why there is so much tension in these  
15 neighborhoods is not so simple. And I will just  
16 try to give you a thumbnail sketch of how it  
17 works from the way we understand it.

18 We found that the tension occurs  
19 because the residents that live in these  
20 neighborhoods are basically afraid of the folks  
21 who are coming in. They think the housing  
22 values in the neighborhood are going to decline.  
23 Where they are living in a poor area, they think  
24 that their property is going to get neglected.  
25 They think that young people will get into



1 fights and that the neighborhood will go  
2 downhill even further.

3           These fears get transmitted in the way  
4 that people talk about the newcomers: The  
5 newcomers are dirty; they are noisy; they don't  
6 watch their kids; they are going to cause  
7 problems. The newcomers, on the other hand, are  
8 really there because they want a better life.  
9 They are moving up in the world. They have left  
10 the poorer neighborhood and want to step up.  
11 They are able to buy a house, possibly in a  
12 neighborhood that was once all white, and want  
13 to live there as well, just like the folks that  
14 are living there. So to them their future is  
15 getting better. To the folks who are living  
16 there, they are worried.

17           Now, this is not a very congenial  
18 place for folks to move into. So the newcomers  
19 get a lot of complaints lodged against them  
20 having to do with things that they are doing  
21 that are annoying to the people that are living  
22 there. They are told that they don't care about  
23 the neighborhood; that they make too much noise,  
24 and it is primarily phrased in terms of the fact  
25 that they are ethnically different. They are

1           either black or Latino or they are Asian. You  
2           know the story.

3                           And that makes it very hard for the  
4           neighbors in these kinds of environments to talk  
5           to each other and negotiate. Imagine an  
6           experiment in which a newcomer moves into a  
7           neighborhood, does something that the neighbors  
8           don't like but is of the same race and ethnicity  
9           that the people that live there. Imagine an  
10          experiment like that. The chances are that the  
11          neighbors, the established residents would be  
12          able to talk to the person, say hey, I don't  
13          like where you put your garbage; why don't you  
14          put it over here, or hey, I don't like the fact  
15          that you have the radio on at 11:00 at night;  
16          could you turn it down; I don't like whatever it  
17          is.

18                           But when it turns out that the people  
19          that are moving in are of a different race or  
20          ethnicity, the conversation gets very difficult  
21          and tensions rise. We found in our surveys that  
22          over 60 percent of the people in Philadelphia  
23          are exposed to this kind of talk, the talk that  
24          says problems in our neighborhoods are due to  
25          the people who are moving in are ethnically

1 different or the problems in our neighborhoods  
2 are due to the people who already live there who  
3 are ethnically different from us who are moving  
4 in and this widespread talk creates a lot of  
5 tension. We found out in our surveys that the  
6 talk is directly related to the tension and it  
7 creates an environment that is not very  
8 supportive for people to get along.

9 Now, if somebody wants to resist a  
10 newcomer and he or she thinks that the neighbors  
11 support that, they are more likely to do it.  
12 This is particularly true of our young people  
13 and a lot of these neighborhoods who are at risk  
14 for bias crimes, there is an awful lot of crime  
15 to begin with. There is a lot of people, young  
16 people fighting everyday, just because it is a  
17 neighborhood in which that happens. That is how  
18 disputes get settled. So it is not a very good  
19 environment for newcomers to get along with each  
20 other and with the established folks.

21 And as a result, I think what we find  
22 is not that we have hate activists breeding  
23 hate. What we have is ordinary Philadelphia  
24 residents who are afraid of what is going to  
25 happen to their neighborhoods confronting people

1 who they think are going to create those  
2 problems for them. And the talk just escalates  
3 from there. They are worried about the  
4 neighborhood crimes at the schools or recreation  
5 areas.

6 The television news, I just want to  
7 point out, doesn't help the story very much  
8 because most of the reporting in Philadelphia  
9 and in other large cities focuses on how  
10 non-whites perpetrate crime and how whites are  
11 the victims of that crime and the story. That  
12 is partially the distortion that is really going  
13 on in Philadelphia. Most of the crime is  
14 committed by non-whites within their own  
15 community heavily concentrated in the core of  
16 the city.

17 So the biggest barrier, I think, we  
18 have to enabling people in Philadelphia to  
19 integrate in a way that would be peaceful is  
20 misperceptions people have of each other and  
21 what is going to happen when they move in  
22 together and live together in the same  
23 neighborhood. And it is the lack of information  
24 that people have about what goes on in  
25 integrated neighborhoods that are successful, of

1           which we found many. There are many of these  
2           neighborhoods and they are doing quite well.

3                         Let me talk a little bit about  
4           misperceptions, a little more detail about how  
5           that works. If someone thinks that their  
6           neighbors don't want to welcome newcomers to the  
7           neighborhood, now this is whether someone is  
8           white or black or Latino, this goes across the  
9           board, because we also see neighborhoods that  
10          are all black that have tension because of  
11          Asians moving in. But it is, I would say it is  
12          predominantly true in white neighborhoods.  
13          About half the city is white. If people think  
14          that their neighbors are not going to support  
15          newcomers, they are more likely not to do it  
16          themselves. We found this over and over again.

17                        The other thing we find is that when  
18          we do our interviews, we can ask people how  
19          prejudiced they are towards newcomers whether  
20          the newcomers are black, white or Latino, and we  
21          see that people who are openly expressive of  
22          those prejudices are more likely than not to  
23          welcome newcomers. But they really only react  
24          that way if they think the neighborhood supports  
25          them.

1                   One of the biggest barriers we have in  
2                   our big cities like Philadelphia is to  
3                   communicate the fact that the overwhelming  
4                   majority of Philadelphians do support the  
5                   concept of integrated neighborhoods. This is  
6                   where the story starts to get a little better.  
7                   I think Philadelphia, like other major cities in  
8                   this country today, after the civil rights  
9                   revolution and all the turmoil we have had has  
10                  finally come to the point of realizing that  
11                  integrated neighborhoods are a good idea. In  
12                  our surveys over 90 percent of Philadelphians,  
13                  white, black, Latino, endorse that idea. And  
14                  over 60 percent are willing to welcome newcomers  
15                  to their neighborhood. The problem is most of  
16                  them don't think that their neighbor feels the  
17                  same way. The talk that goes on and the news  
18                  reporting that goes on around integration in our  
19                  city tends to further that belief. We have a  
20                  very major problem in communication within our  
21                  cities and Philadelphia is no exception.

22                  The other, and let me emphasize again.  
23                  People who are prejudiced, the ones who are most  
24                  likely to engage in hate activity and it is not  
25                  a very common thing -- I mean, I think 25

1 incidents a month is a lot, but it is not  
2 like -- with one and a half million people, it  
3 is not everybody doing this. But those people  
4 are more likely to do it and our young people  
5 are more likely to do it if they think their  
6 neighbor thinks it is a good idea.

7 The second thing is that a major  
8 misperception in our cities, Philadelphia is no  
9 exception, is that integrated neighborhoods are  
10 doing quite well. Six percent of Philadelphians  
11 live in what we call integrated neighborhoods.  
12 Another 20 percent live in what we call  
13 partially integrated where it is still a  
14 majority of white but it is moving in the  
15 direction of becoming integrated. Those  
16 neighborhoods, based on census data going back  
17 to the '50s enjoy higher rises in property  
18 values than neighborhoods that are all black and  
19 neighborhoods that are all white. This is  
20 something no one knows and everywhere I go and I  
21 tell people this, they say, you are nuts. But  
22 it is true. There are integrated neighborhoods  
23 all over Philly. They are not necessarily in  
24 the high tension areas. They tend to be outside  
25 the high tension areas and there is a map in the

1 report that I gave to the committee that shows  
2 where they are. People don't know that  
3 integrated living can work. People don't know  
4 that there are benefits to living in an  
5 integrated neighborhood. People agree that it  
6 is a good idea.

7 So what does this say about tension in  
8 our large cities? I think the tension is a  
9 result of our continued fears and misperceptions  
10 of each other. We have very few organized  
11 efforts on the part of the state or the city  
12 government to reduce these fears and  
13 misperceptions. We have a lot of activity to  
14 maintain the rights of people who can move into  
15 any neighborhood they want. That is a right  
16 that anybody has. Those rights are there and  
17 they have been put into a federal code. Our  
18 city enforcement agencies enforce those codes.  
19 It is very important.

20 But what we don't have is any kind of  
21 organized activity that promotes or makes it  
22 easier for people to understand that living  
23 together is not going to be the downfall of life  
24 in Philadelphia or anywhere else. And I think  
25 that what we need is more policies that help



1 people to understand that the segregation we  
2 have is in no one's interest. So I think we  
3 need more efforts to supplement what we now  
4 have, which is the stick approach. We have a  
5 carrot and a stick approach and I think the  
6 state government, I think, is an important part  
7 of that approach. The sticks are there. We  
8 need the sticks to get everyone to understand  
9 that there is laws that say people can live  
10 where they want as long as they are there as law  
11 abiding citizens. This is the case most of the  
12 time. Those laws are important.

13 But we also need our efforts to try to  
14 help people understand how to get along better  
15 and education programs to reduce the fear of  
16 integration and more talk and more exposure to  
17 the idea that integrated neighborhoods work.  
18 They are better for people. Housing values do  
19 not decline. People get along in these  
20 neighborhoods and actually have less crime than  
21 most of the other segregated neighborhoods,  
22 especially non-white neighborhoods.

23 The other thing that I think we need  
24 to consider and I am no expert on state law,  
25 this is your domain, the judiciary committee, to

1 think about ways in which you can get your  
2 colleagues to look at the tax structure of the  
3 state and how it works in influencing  
4 Philadelphia and other incentives to encourage  
5 neighborhoods to give them a more of a carrot to  
6 integrate. I don't think there are such  
7 incentives today. We need attitudinal  
8 incentives to help people understand it is not a  
9 problem. We may also need some other incentives  
10 to help people do the right thing and that is in  
11 their interest as opposed to just using the  
12 stick all the time.

13 So I thank you and I will be happy to  
14 answer any questions.

15 CHAIRMAN SCHULER: Thank you very  
16 much, Doctor. We did look at the tax structure  
17 last night. We eliminated property tax for the  
18 time being.

19 All right. I will open it up now.  
20 Thank you for your comments and we will open it  
21 up now for the panel to ask questions.

22 I will turn to Representative James.

23 REPRESENTATIVE JAMES: Thank you, Mr.  
24 Chairman.

25 Thank you your testimony. In terms of

1 the surveys, did you say that you had already  
2 submitted that?

3 DR. ROMER: Well, I will give you a  
4 summary of what I said today.

5 REPRESENTATIVE JAMES: Okay. But we  
6 have the copies of that?

7 DR. ROMER: You have the results of  
8 that.

9 REPRESENTATIVE JAMES: So we can get a  
10 copy?

11 DR. ROMER: Absolutely.

12 REPRESENTATIVE JAMES: And I  
13 appreciate some of the suggestions you made  
14 because my question I was going to ask you was  
15 dealing with your surveys. Based on your  
16 experience, how do you suggest that we need to  
17 impact on the neighborhoods when people from  
18 other races move in? What do you suggest we do  
19 based on what we know now or what we can improve  
20 on?

21 DR. ROMER: Right. One of the things  
22 we have been in conference with the Human  
23 Relations Commission and other organizations and  
24 what we are proposing is a long term media  
25 effort to try to publicize and educate the

1 citizens of Philadelphia and the region that  
2 really all they see every night on the news is  
3 the problems. What they need to do is hear some  
4 successes. We need to hear that people are  
5 working actively in integrated neighborhoods to  
6 make them work and they are doing quite well.  
7 We want people to know that.

8 The other thing that we need to do is  
9 we need to make the neighborhoods that are poor,  
10 that are bordering on areas that are non-white  
11 and even poorer, they are going to need even  
12 more help. We are suggesting that we put into  
13 those neighborhoods workers in addition to what  
14 the Human Relations Commission has. The Human  
15 Relations Commission is overwhelmed just being  
16 in a defensive position just dealing with these  
17 tensions, as are the police. The conflict  
18 prevention resolution unit has done a great job.  
19 Lieutenants Hicks, you have heard from.

20 REPRESENTATIVE JAMES: He is here.

21 DR. ROMER: I mean, they are  
22 wonderful. The work they do is great, but it is  
23 all defensive. It is all, hey, someone just  
24 called and said they got attacked. We need  
25 people going into some of these neighborhoods

1           who will help the organizations in those  
2           neighborhoods to be a little more inclusive, get  
3           people working together who are moving in,  
4           sitting on recreation center boards, sitting on  
5           school board advisory committees, sitting at,  
6           working on town watches, all the ways in which  
7           neighbors work together.

8                       Neighbors work together all the time  
9           and these neighborhoods that are really at risk,  
10          they need help to understand how to do that,  
11          ways in which they can make it happen. There  
12          are neighborhoods even in the high risk areas  
13          that are doing quite well. They have gone  
14          through their periods of tension and they are  
15          now, they know how to do it. But we want to  
16          help people get there sooner so we don't have  
17          the crime and disorganization that we see.

18                      So those are the two recommendations  
19          we made. But raising the money to do that,  
20          where do you get the money to do that? If we  
21          had mechanisms supported by the state that would  
22          allow educational programs like that to  
23          happen -- I know this sounds great, go back to  
24          Penn and sit at your word processor -- but I  
25          think that is what we really are going to need

1 and Philadelphia in 30 years could be an  
2 integrated city.

3 It is integrated. If you look at it,  
4 it is half white, half non-white, but it is not  
5 integrated. And it has got these tensions and  
6 these tensions are going to persist, just like  
7 all the other big cities in this country unless  
8 we try to get people to live together. Living  
9 together is really the ultimate solution. I am  
10 not saying we should be out encouraging people  
11 to move tomorrow, but we have got to allow  
12 people the option when they are able to without  
13 running into resistance.

14 REPRESENTATIVE JAMES: That was very  
15 interesting. You said that most people do not  
16 have a problem with maybe other people moving  
17 into the neighborhoods but they don't feel that  
18 their neighbors feel the same way. You said it  
19 was about 60 percent?

20 DR. ROMER: Sixty percent of, yes,  
21 sixty percent of the folks don't think their  
22 neighbors feel that way.

23 REPRESENTATIVE JAMES: And that was  
24 demonstrated through your survey?

25 DR. ROMER: Yes.

1                   REPRESENTATIVE JAMES: So if we could  
2                   somehow get the neighbors to believe that the  
3                   other neighbors do feel that way, maybe the  
4                   media may be one of the avenues in terms of  
5                   motivating them. I know Philadelphia has a More  
6                   Beautiful City, More Beautiful Committee block.  
7                   It is very well organized throughout the city  
8                   and it is very active and that may be some area  
9                   that group might want to do in terms of  
10                  promoting in the neighborhoods that have that  
11                  integration, because they are always talking  
12                  about the blocks that are beautiful. Maybe we  
13                  could expand that into neighborhoods. That may  
14                  be one area we may want to look at in terms of  
15                  improving that.

16                  Thank you, Mr. Chairman.

17                  Thank you for testifying.

18                  CHAIRMAN SCHULER: Thank you, Mr.  
19                  James.

20                  Representative Thomas Caltagirone of  
21                  Reading, minority chairman of the judiciary  
22                  committee has joined us at the far end and  
23                  Representative Kathy Manderino, Philadelphia,  
24                  right, Philadelphia, has joined the panel.

25                  Questions? Representative Hennessey?

1                   REPRESENTATIVE HENNESSEY: Thank you,  
2                   Mr. Chairman.

3                   Dr. Romer, thank you for you  
4                   testimony. I was intrigued with your comments  
5                   about the increasing, the flourishing of  
6                   neighborhoods, the integrated neighborhoods. I  
7                   think you were talking about the increasing  
8                   property value in these as well. In your  
9                   experience, is this market driven?

10                  DR. ROMER: Yes.

11                  REPRESENTATIVE HENNESSEY: Government  
12                  driven? Is it a mix? How would you like the  
13                  state, see the state address the issue if there  
14                  was a way we could nudge the process along?

15                  DR. ROMER: I think it is market  
16                  driven. I think that in the neighborhoods where  
17                  the process gets going, people realize it is not  
18                  going to hurt and they learn to live together.  
19                  And surprisingly, now if it is stable -- if it  
20                  goes all the way from white to non-white, that  
21                  is not true. But if it stays stable in the  
22                  middle, the market is bigger.

23                  If you have a house in an integrated  
24                  neighborhood in a city of one and a half million  
25                  folks, half of them are non-white, you are going



1 to be able to sell your house. You have a  
2 higher likelihood of selling your house if it is  
3 open to everybody. If only half of the city is  
4 going to be able to buy that house, half the  
5 residents, you have a smaller market for your  
6 house. So we actually hurt ourselves by  
7 segregating our neighborhoods. We make the  
8 market for our own homes and our own properties  
9 smaller. And we do that to ourselves. And we  
10 don't need to do that.

11 Now, we could help them. There are  
12 neighborhoods that have learned this and they do  
13 it and it has been true since the 1950's. And  
14 in the '50s the federal government sponsored  
15 studies to see what happens in these  
16 neighborhoods and that is what they found. If  
17 you stay away from the urban core that is very  
18 poor and the houses were run down with, nobody  
19 wanted to live in it, and the non-whites moved  
20 in there because they were available, if you  
21 ignored that part, that has been true since 1950  
22 and we have known about it but just don't make  
23 anything of it. We need to tell people about  
24 that and the real estate folks probably are  
25 hampered because they can't talk about it.

1                   That is another problem. We need a  
2 mechanism to promote integrated neighborhoods  
3 that allows us to still talk about it. I don't  
4 know quite the solution. We need to work with  
5 the real estate industry on that.

6                   Then the other thought I had was maybe  
7 there is a way to promote incentives for -- I  
8 mean, I am no expert on the tax law or what the  
9 state can do but I would look at ways to help.  
10 If neighborhoods are integrated in Philadelphia,  
11 they should get a break. There should be a  
12 carrot out there to encourage living in a  
13 neighborhood like that. It is good for  
14 everybody and it is going to lower the work that  
15 we have to do to fight the crime and the hate  
16 crimes and the other activities that make life  
17 worse for everybody. People want to leave the  
18 city in part because of racial tension. We  
19 don't need it. People should stay.

20                   REPRESENTATIVE HENNESSEY: Thank you,  
21 Mr. Chairman.

22                   CHAIRMAN SCHULER: Representative  
23 Carn?

24                   REPRESENTATIVE CARN: Thank you, Mr.  
25 Chairman.

1                   Thank you, Dr. Romer, for your  
2                   testimony. I want to explore a couple of points  
3                   that you brought up.

4                   This issue of fear seems to be the  
5                   base of reference to use. I want to talk about  
6                   it, its creation. Where did it come from? Why  
7                   did it exist in the first place?

8                   Secondly, I want you to address the  
9                   question of economics as it relates to this  
10                  issue. Can you give me some points on this?

11                  DR. ROMER: Where does it come from,  
12                  the fear, that is a tough question. That is why  
13                  you asked me that.

14                  We have a way of talking about it. I  
15                  mean, I am a social scientist so a lot of what I  
16                  say sounds like jargon. I think it has been  
17                  ingrained in our culture that people are to  
18                  blame for problems because of who they are  
19                  ethnically. It has been true in our culture  
20                  since day one, that it is a white culture and  
21                  that non-whites are a lot of the problems we  
22                  have and one of the biggest problems we have  
23                  today is crime. And non-whites get plugged into  
24                  that formula. It is a discourse. We call it a  
25                  discourse because it is a common way that people

1 talk. It is a discourse that gets promoted in  
2 the way we talk about problems everyday.

3 We found that it is not just poor folk  
4 that talk this way. It is rich folk, educated  
5 folks. I have heard other people say the reason  
6 our neighborhoods have problems is because of X  
7 kind of people moving in there. It is much more  
8 common than this white supremacy activity. It  
9 gets supported by what is on television. Every  
10 night you turn on the television news and that  
11 is what you see. You see non-whites committing  
12 crimes and they show that with no problem, but  
13 then they don't show any non-whites doing  
14 anything about the crime and only show the white  
15 victims. So what are you supposed to think?

16 REPRESENTATIVE CARN: If all that is  
17 true, we are saying, you are admitting to the  
18 fact that this problem is a result of this  
19 society as it chooses to be.

20 DR. ROMER: It chooses to be this way,  
21 I guess, out of inertia and it chooses --

22 REPRESENTATIVE CARN: What was that?

23 DR. ROMER: Inertia. There is no  
24 forces working the other way. That is why.

25 REPRESENTATIVE CARN: But with respect

1 to forces working, working in the opposite  
2 direction, you just mentioned the TV coverage.

3 DR. ROMER: Absolutely.

4 REPRESENTATIVE CARN: So the forces  
5 are, in this society are in place and are living  
6 out this --

7 DR. ROMER: Fear. Absolutely. That  
8 is why I am suggesting that.

9 REPRESENTATIVE CARN: With endorsement  
10 from government?

11 DR. ROMER: Well, I don't know.

12 REPRESENTATIVE CARN: Let's be honest.

13 DR. ROMER: I mean, I have to look at  
14 specific cases there.

15 REPRESENTATIVE CARN: Well, you want  
16 to look at specific cases?

17 DR. ROMER: Yes.

18 REPRESENTATIVE CARN: We are looking  
19 at what happens everyday, all day. That is what  
20 I am looking at. When you talk about hate  
21 crimes, it is clear to me what is going on in  
22 America. This is nothing new. I have lived it  
23 all my life. So when we talk about what is to  
24 be done, I am clear this society, which includes  
25 the government -- you look at my members -- who

1 don't buy into your facts that integrated  
2 neighborhoods are good for them. They don't  
3 believe that, whether it is true or not. How  
4 can you believe it, as you pointed out, when  
5 everything in this society tells them otherwise?  
6 You know, they don't believe the facts. You  
7 believe the gang that is running the society and  
8 keeps everything segregated and keeps hate  
9 alive. I think people benefit from society's --  
10 people benefit from people being separated and  
11 hating each other. I really believe that there  
12 is economics to that. Do you feel that way?

13 DR. ROMER: The fact that things are  
14 the way they are means probably people are  
15 benefiting from it. I don't want to give you  
16 the sense that there is a conspiracy. I don't  
17 think that the government has an active program  
18 of promoting hate and fear. I think our culture  
19 and our society has allowed it to happen. It  
20 has been true since day one and it just keeps  
21 going on. It just keeps feeding on itself. It  
22 is just rolling along and that probably gets  
23 involved in people's interests, you know. We  
24 know how real estate agents have used the fear  
25 of racial integration to benefit.

1                   REPRESENTATIVE CARN:   Sure.  It has  
2                   worked for them.

3                   DR. ROMER:    It has worked for them but  
4                   it is illegal for them to do that.

5                   REPRESENTATIVE CARN:   But it has  
6                   worked.

7                   DR. ROMER:    Economically it has  
8                   worked.  For those people it has worked.

9                   REPRESENTATIVE CARN:   There is nothing  
10                  in the law to stop it?

11                  DR. ROMER:    We have laws against it  
12                  now.

13                  REPRESENTATIVE CARN:   Are we committed  
14                  to fight this?  The reality is that although we  
15                  have words in the law, that doesn't mean that we  
16                  have enforcement, of course, or a commitment to  
17                  enforce it.  It doesn't mean anything anyway so  
18                  this just shows me that government is  
19                  acquiescing and therefore, supporting this kind  
20                  of world.

21                  DR. ROMER:    In Philadelphia, I don't  
22                  know that I would -- I mean, I think that  
23                  Philadelphia is trying to do as much as we can  
24                  given the resources.

25                  REPRESENTATIVE CARN:   Well, I am not

1 talking Philadelphia government. I understand  
2 the dynamics. I go to Harrisburg every week.  
3 That is a different atmosphere and the reality  
4 of hate and dislike and a segregated attitude is  
5 alive and well all day long in the halls of  
6 government in the house there. So I wanted to  
7 put that point on the record.

8 Thank you, Mr. Chairman.

9 CHAIRMAN SCHULER: Representative  
10 O'Brien?

11 REPRESENTATIVE O'BRIEN: Professor, I  
12 just want to ask you, some of the integrated  
13 neighborhoods that are working in Philadelphia,  
14 I am from Mount Airy, can you identify some of  
15 those areas?

16 DR. ROMER: Yes, even Penn has its own  
17 integrated neighborhood right next door. If you  
18 go out along City Line Avenue, there is a number  
19 of them. If you go up far north, Oak Lane and  
20 Olney, that area. Even if you come down closer  
21 to the center of the city, even in South  
22 Kensington we have integrated areas that are  
23 doing very well; in the north, the near  
24 northeast, Frankford. These are just some of  
25 the examples.



1                   REPRESENTATIVE O'BRIEN: I just want  
2                   to make sure if we get a whopping tax increase  
3                   in those property values, I want to make sure  
4                   that my people aren't getting hammered from that  
5                   disproportionately.

6                   DR. ROMER: Well, that is part of what  
7                   I am saying. Maybe they shouldn't.

8                   REPRESENTATIVE O'BRIEN: But the issue  
9                   that we are talking about, I was listening,  
10                  maybe I didn't hear the numbers. Did you say  
11                  there is about 25 hate crimes reported a week in  
12                  the city? Is that the number?

13                  DR. ROMER: Those are the ones that  
14                  are sent to the police. They have to make a  
15                  distinction as to the ones that actually turn  
16                  out to be, that they can prove or ones that are  
17                  just reported. But yes, about 20 or 25 a month.

18                  REPRESENTATIVE O'BRIEN: Oh, a month?

19                  DR. ROMER: Yes, a month.

20                  REPRESENTATIVE O'BRIEN: I found it  
21                  curious in conjunction how the media feeds into  
22                  the hysteria. And the reason I say that is it  
23                  seems that almost every night or every other  
24                  night there is a story about a hate crime that  
25                  maybe runs for a week. Do you think that feeds

1           into the prevailing attitude that you found  
2           dangerous when people move in and out of  
3           neighborhoods?

4                   DR. ROMER:   Yes.   I think that adds to  
5           it.   But I think a lot of the hate crime doesn't  
6           get covered.   Most of the problem with the way  
7           it has been covered is it is a crime issue and  
8           40 percent of the local news at night, 11:00  
9           news, is about people who have killed each  
10          other, has nothing to do with race but the way  
11          they present it, it looks as though whites are  
12          more vulnerable.   I think that is a big problem.  
13          That is just one of the reasons why people are  
14          worried when they see someone moving into the  
15          neighborhood.   That is what I am talking about.  
16          I don't think the hate crimes get covered that  
17          much.   We watched 14 weeks of evening news in  
18          Philly and saw one event covered, maybe two.   It  
19          just gets ignored, the actual bias crimes.

20                   REPRESENTATIVE O'BRIEN:   I just  
21          remember a few incidents where they ran for  
22          three or four weeks, just one story.

23                   DR. ROMER:   The one that happened.

24                   REPRESENTATIVE O'BRIEN:   Well, a  
25          couple of them.

1 DR. ROMER: Sometimes the stories get  
2 legs. You have Night Line coming to  
3 Philadelphia and doing a focus on it and it gets  
4 to be a big story.

5 CHAIRMAN SCHULER: Any other follow  
6 up?

7 REPRESENTATIVE JAMES: Mr. Chairman?

8 CHAIRMAN SCHULER: Representative  
9 James?

10 REPRESENTATIVE JAMES: You had made, I  
11 think in response to somebody's question, you  
12 had said people were leaving the city due to  
13 racial tension.

14 DR. ROMER: We found when we asked  
15 people, would you like to leave the city, and  
16 there is two big predictors; how much crime is  
17 in their neighborhood and the other is how much  
18 racial tension is there. And independent of  
19 crime and people who experience a lot of racial  
20 tension, 60 percent of Philadelphians do want to  
21 leave and they want to go somewhere where there  
22 isn't any tension and it is a problem for  
23 Philadelphia.

24 REPRESENTATIVE JAMES: So they have  
25 separated out crime and racial tension?

1 DR. ROMER: Well, I am saying as a  
2 result of our analysis, because we ask people  
3 how much tension do you have in your  
4 neighborhood, how much crime do you have in your  
5 neighborhood, and then we ask, do you want to  
6 leave. And if you look at the pattern of that,  
7 you can see that both of these are contributing,  
8 including a whole bunch of other things.

9 REPRESENTATIVE JAMES: So it is  
10 beneficial for the city and probably other  
11 municipalities to work on reducing racial  
12 tension?

13 DR. ROMER: Absolutely.

14 REPRESENTATIVE JAMES: Thank you.

15 CHAIRMAN SCHULER: Thank you very  
16 much, Doctor, for your excellent testimony and  
17 thank you for coming.

18 Our next individual to testify is  
19 Floyd Cochran, director of The Education and  
20 Vigilance Network.

21 Mr. Cochran, welcome sir.

22 MR. COCHRAN: Good morning. I am in a  
23 bit of a fog this morning. I left Potter County  
24 at 4:00 this morning.

25 REPRESENTATIVE JAMES: Where are you

1 from?

2 MR. COCHRAN: Potter County,  
3 Pennsylvania, God's country. You can get there  
4 from here but it takes a while.

5 First of all, I would like to start  
6 off with an apology. I didn't realize until I  
7 sat down, sitting in the chair 20 minutes ago, I  
8 was making copies and you have three pages and I  
9 have four. We are in the process of making sure  
10 that you get the fourth page as we get started.

11 Today we are gathered here to hear  
12 testimony about hate groups and hate group  
13 activities in the Commonwealth of Pennsylvania.  
14 But before I get started with my testimony,  
15 let's hear what the organized racist movement in  
16 Pennsylvania is teaching and who is listening.  
17 I want to show you a videotape that was made in  
18 1993 at the white supremacy compound outside of  
19 Allentown, Pennsylvania. It was a documentary  
20 called Face to Hate, and how communities can  
21 combat organized hate groups. But of course,  
22 you have to go to the white supremacy compound.

23 This was in 1993. The things you are  
24 going to see in this compound and hear are going  
25 to be horrific but at the same time I feel that

1           it is important that you see who is listening,  
2           because the white supremacy movement of the  
3           1990's is attracting young people between the  
4           ages of 10 and 25. You are going see 14 and  
5           15-year old males and females talking about  
6           wanting to go out and kill people in the name of  
7           God, something that they are being taught by  
8           someone who calls himself the preacher of that  
9           God, and we will get into those things a little  
10          bit later in my testimony.

11                        This video will run approximately six  
12          and a half minutes long. The first segment will  
13          end with a baby in a crib underneath a swastika.  
14          We will wait ten seconds and there will be what  
15          I call a commercial. It is part of the same  
16          Face to Hate video. It is a two-minute  
17          documentary which will tell you in two minutes  
18          what I will be telling you today in 20 minutes.  
19          It is part of this same documentary that came  
20          out in 1993, long before anyone was talking  
21          about the rise of white supremacy groups here in  
22          the Commonwealth of Pennsylvania.

23                                (Whereupon, a videotape was viewed.)

24                        MR. COCHRAN: My name is Floyd  
25          Cochran. Today I sit before you as a member of

1 the human race and a citizen of the Commonwealth  
2 of Pennsylvania. Four years ago I would have  
3 sat here before you as a believer in the false  
4 doctrines of the master race and an officer in  
5 the hate group known as the Aryan Nations. From  
6 1990 to 1992 I was a youth recruiter and a  
7 spokesman for one of the most violent hate  
8 groups in the United States, the Church of Jesus  
9 Christ Christian/Aryan Nations. While I cannot  
10 change the things of the past, I stand before  
11 you today, the people of the Commonwealth of  
12 Pennsylvania, and apologize and take  
13 responsibility for those beliefs and actions.

14 Here in Pennsylvania where most people  
15 think of organized hate, one conjures up images  
16 of blazing crosses, hooded men in sheets, people  
17 who can't say three or four words without  
18 referring to a dictionary and it is always  
19 somewhere else. Maybe that was the racist  
20 movement of the '60s and '70s. But today in the  
21 1990's the organized racist movement is made up  
22 of people who are both intelligent and motivated  
23 and no longer are they limited only to the back  
24 alleys and corn fields of Pennsylvania.

25 Instead, they are on the Internet and producing

1 cable access videos and most insidious of all,  
2 the organized racist movement of the 1990's is  
3 actively recruiting our young people with  
4 alarming results.

5 And as we saw on the video a few  
6 minutes ago, the Pennsylvania based racist  
7 movement is drawing its strength not only from  
8 30-year old white males, but also from young  
9 white males and females aged ten and older.

10 The organized racist movement of the  
11 1990's is a mirror image of society. Wherever  
12 Aryan Nations sent me, I met and worked with  
13 educated bigots, uneducated bigots, bigots from  
14 broken homes and bigots from the upper middle  
15 class.

16 A colony of bigots, though, have  
17 descended upon Pennsylvania. They use so-called  
18 political and social wedge issues such as gun  
19 control, affirmative action, abortion, taxes and  
20 homophobia as a way of attracting attention and  
21 to legitimize their hate. This colony of bigots  
22 stretches across the commonwealth. Extending  
23 west from Harrisburg to Pittsburgh it is  
24 primarily the various Klans and racist  
25 skinheads. North from Route 80 to the New York



1 border, it would be the Christian Identity  
2 groups and militias. East of Harrisburg to  
3 Philadelphia and up to Scranton and Stroudsburg  
4 it is Christian Identity groups, skinheads and  
5 neo-Nazi gangs which comprise the racist  
6 movement. But whatever their background,  
7 whatever racist group that the individual may  
8 belong to, race is their unifier and violence is  
9 their weapon.

10 I hold here in my hand an article  
11 dated November 6, 1996 from the Potter County,  
12 Pennsylvania Leader Enterprise. On the front  
13 page is a news article concerning August Kreis,  
14 Potter County's local Aryan Nations racist  
15 leader. Kreis is quoted as saying, "Potter  
16 County, Pennsylvania, we love it. It will  
17 become to us the east coast version of northern  
18 Idaho. And there is nothing you can do about  
19 it."

20 In the late 1970's the Aryan Nations  
21 moved into the Idaho panhandle and for the first  
22 couple of years they kept a low profile. During  
23 this time they were busy building their  
24 buildings and putting together an  
25 infrastructure. Then beginning in the early

1 1980's and continuing to the present, Aryan  
2 Nations and Aryan Nations followers have left  
3 the compound in northern Idaho and went on a  
4 racist crime spree. Organized racists have been  
5 arrested and in most cases convicted of  
6 committing the following crimes: The bombing of  
7 a synagogue in Idaho, 1983; the murder of Alan  
8 Berg, a Jewish talk show host in Denver,  
9 Colorado, 1984; armored car robbery in  
10 California, 1984; bombings of the home of a  
11 Catholic priest in Idaho, 1986; attempted  
12 bombings of gay and lesbian establishments in  
13 the state of Washington, 1990; shoot out with  
14 law enforcement officers, leaving three dead in  
15 Idaho, 1992, i.e., the Randy Weaver affair; the  
16 bombing of a newspaper stand and Planned  
17 Parenthood in the State of Washington, 1996.

18 Numerous other petty crimes have been  
19 committed throughout the years by white  
20 supremacists who moved into the area due to the  
21 fact that Aryan Nations has designated northern  
22 Idaho as one of the Aryan homelands here in  
23 America. I know, because I once lived there and  
24 worked there.

25 Is this what August Kreis and his Nazi

1 compound is planning for Pennsylvania?

2 The organized racist movement has and  
3 is evolving and changing. Probably the greatest  
4 single change of the organized racist right-wing  
5 has been the development of the Christian  
6 Identity religion. Numbering in the hundreds  
7 just 30 years ago, today Christian Identity  
8 includes several thousand believers. Christian  
9 Identity is fast becoming one of the foundations  
10 that make up the organized racist movement of  
11 the 1990's, unifying Klansmen, neo-Nazis and  
12 those seeking a higher justification for their  
13 hate.

14 As a former believer of the Christian  
15 Identity faith, I know from personal experience  
16 the seductive power of Identity. I also saw how  
17 palatable and convincing the ideology of racial  
18 hatred can become when taught in the name of  
19 God, and therein lies part of the problem. Both  
20 the extreme religious right-wing and the  
21 hard-core believers of Christian Identity use  
22 God as a tool to justify hatred and intolerance  
23 of those different from themselves. Speaking  
24 from personal experiences, if I could believe  
25 that my personal hatreds had a spiritual

1 foundation, it gave me credibility and meaning  
2 to what I was doing and thinking. It gave me a  
3 religious compass, so to speak.

4 And I feel that it is for me to say  
5 this now, that when you speak of Christian  
6 Identity today, we are not talking about  
7 Baptists or Methodists or Presbyterians or  
8 Episcopalians or Catholics, and this is not an  
9 attack on the Christian faith. But it is an  
10 attack on people who use the Bible and God as a  
11 way of preaching Christian Identity.

12 Christian Identity is a faith that  
13 commands its followers to separate and engage in  
14 armed conflicts with those that it has deemed  
15 the Antichrist, such as Jews and people of  
16 color. It is a faith that imbues its believer  
17 with a sense of divine blessing and guidance for  
18 their hate. This faith comes complete with  
19 pageantry and rituals, dietary laws, and the  
20 belief that Adolf Hitler was a godly man.

21 The Christian Identity enclave located  
22 near Allentown, Pennsylvania is experiencing a  
23 state of growth. They conduct church services  
24 on Sundays, print a racist newsletter. They  
25 have increased recruitment efforts and they have

1 built a firing range. These developments  
2 indicate that there is trouble ahead.

3 This racist gang is led by  
4 self-professed pastor Mark Thomas. Thomas is  
5 the Aryan Nations ambassador to Pennsylvania and  
6 a former chaplain in the Ku Klux Klan. Thomas  
7 and his followers are waiting only for a command  
8 from God to engage in criminal, violent, racist  
9 acts, although the restlessness of his more  
10 militant parishioners may come first.

11 Thomas doesn't directly go out and  
12 tell people to commit crimes. Instead, he tells  
13 them that God sanctions crimes and violence. On  
14 the Internet, Thomas teaches that it is biblical  
15 and therefore okay to burn churches, knowing  
16 full well that someone reading his sermons will  
17 act. By providing a place to rally and meet,  
18 Thomas has catapulted himself and Pennsylvania  
19 into the forefront of racist activity in the  
20 United States; see attachment Klanwatch,  
21 November, 1996 on page 10. This just came out  
22 yesterday. I had a bunch of copies Federal  
23 Express'ed up to me, Klanwatch. The Southern  
24 Poverty Law Center did a four-page study  
25 documenting racist activity by Mark Thomas in

1 the last four years.

2 Racist activity that has already  
3 produced deadly results: Summer of 1993, August  
4 Kreis in Potter County, Pennsylvania, holds an  
5 Aryan Rock Fest, over 250 racist skinheads and  
6 other assorted bigots gather for a music fest.  
7 In fact, that was the largest neo-Nazi skinhead  
8 rock concert ever held in the North American  
9 continent. This was Ulysses, Pennsylvania, a  
10 little town of about 400 people up in Potter  
11 County.

12 October 1994, Thomas' sermons were  
13 attended by skinheads, Bryan and David Freeman.  
14 February '95, Bryan and David Freeman murder  
15 their parents and younger brother. In the  
16 organized white supremacy groups, you are taught  
17 to hate people not only based on religion or  
18 race, but if the white person does not subscribe  
19 to their beliefs. Or if he was at one time a  
20 member of their belief system and leaves, that  
21 person is deemed to be a race traitor and worthy  
22 to be put to death. And that didn't matter if  
23 that was your next door neighbor, a person down  
24 the street or your mom, dad, or your younger  
25 brother.

1                   In 1995 the racist skinheads desecrate  
2 a synagogue in York, Pennsylvania with a pig's  
3 head. In March of 1995 Mark Thomas' friend and  
4 fellow traveler in hate, Tom Blair, was  
5 appointed to a local school board committee.  
6 Blair is the editor of the racist newspaper The  
7 Jubilee. October '95, 100 racists attend a  
8 rally at Thomas' encampment. White Aryan  
9 Resistance organizer, Dennis Mahon, was the  
10 featured speaker. Mahon was a former Klan  
11 leader and is an organizer for the California  
12 skinhead leader, Tom Metzger.

13                   As a little side note, Tom Metzger's  
14 followers, four of his skinhead followers left  
15 their neo-Nazi rock concert in Portland, Oregon  
16 in 1989 and on their way home came across an  
17 African American man by the name of Mulugolis  
18 Roth, who was on his way home from college and  
19 they beat him to death with a baseball bat. The  
20 first thing that Tom Metzger says, like any  
21 adult leadership of the racist movement, goes  
22 back up and says, I didn't tell them to do that.  
23 And maybe there wasn't that direct link in terms  
24 of, I want you to go downtown and beat someone.  
25 But if you put the idea in a young person's head

1 and pound it in over and over and over again,  
2 that young person will act. So while the  
3 skinheads went to prison for the rest of their  
4 lives, and rightfully so, Tom Metzger sat back  
5 and thought he was going to continue recruiting  
6 people and life was going to be easy.

7 Morris Dees of the Southern Poverty  
8 Law Center took him to court and got a \$12.5  
9 million judgment against White Aryan Resistance  
10 and even though he didn't put them out of  
11 business, he certainly crippled their ability to  
12 reach out and touch people. Up to that point  
13 Tom Metzger was on cable access programs in 65  
14 United States cities and he had a radio program  
15 and also was producing a very slick newsletter  
16 or magazine.

17 December 1995, Private James  
18 Burmeister of Thompson, Pennsylvania was  
19 arrested for the killing of two African  
20 Americans. Burmeister, along with two other  
21 Fort Bragg, North Carolina soldiers were  
22 reported to have been members of a racist  
23 skinhead gang which operated on the military  
24 base. Police found bomb making manuals,  
25 neo-Nazi flags, and white supremacist literature



1 in Burmeister's rented trailer.

2 Last week I was at Fort Bragg, North  
3 Carolina, giving talks to the 18th Airborne  
4 Division and the 82nd Airborne Division because  
5 the racists have made an attempt along with the  
6 militia to infiltrate the military. The  
7 military obviously is very concerned. James  
8 Burmeister goes on trial next month for killing  
9 the two African American people. So I say that  
10 in part because we know that the media will be  
11 up there to cover that because Mr. Burmeister  
12 was from Pennsylvania.

13 May, 1996, the FBI arrests members of  
14 the Aryan Republican Army, a Nazi criminal gang  
15 that robbed 22 banks in seven states. One of  
16 the robbers, Richard Guthrie, admitted to giving  
17 over \$250,000 to Aryan Nations and other white  
18 supremacist groups. This four-man cell  
19 allegedly came together under the pastoral  
20 guidance of Christian Identity leader, Mark  
21 Thomas. Two of the individuals who were  
22 arrested for this crime, one came from Ardmore,  
23 Pennsylvania and the other one lived at Mark  
24 Thomas' compound before Thomas took the 18-year  
25 old young man out to the white supremacist

1 compound in Needleham City, Oklahoma for  
2 additional paramilitary training.

3 November 1996, a captain in the  
4 Allentown City Police Department is reported to  
5 have Nazi memorabilia in his office, which  
6 included a bust of Adolf Hitler. According to  
7 news reports coming out of Allentown this week,  
8 this captain was third in line of being chief of  
9 police, also had issued instructions to those  
10 that were his underlings to arrest African  
11 Americans and Hispanics and not worry about  
12 arresting white people. And this was a man  
13 though, that the district attorney's office knew  
14 in 1988 was displaying racist literature in his  
15 office, had passed out Klan applications and  
16 wore a Nazi-looking lapel pin on his uniform.

17 And finally from January 1st, 1996 to  
18 June 30th, 1996 the Pennsylvania Human Relations  
19 Commission has reported that there have been 19  
20 rallies and events sponsored by the various  
21 Pennsylvania Ku Klux Klans, rallies which have  
22 been held in such places as the Punxsutawney,  
23 Pennsylvania schoolhouse gym and the  
24 Hollidaysburg, Pennsylvania courthouse steps.  
25 The Klan in western Pennsylvania seems to be

1 holding a rally about every other weekend in the  
2 summer. But you don't have to go to western  
3 Pennsylvania to see that. You can drive up  
4 every other weekend to Boyertown, Pennsylvania  
5 to see them standing on the street corners with  
6 their buckets, for road block and also to pass  
7 out various literature and information.

8 In fact, we have one of the  
9 representatives from the Pennsylvania Network of  
10 Unity Coalitions and also the vice-chairman of  
11 the Boyertown Area Unity Coalition in the room  
12 this morning and she can tell you how they have  
13 tried to deal with Mark Thomas' influence. It  
14 is only a few miles away and also the Klan.

15 On a personal level, often I am asked  
16 what caused me to become a racist. Racism is a  
17 learned behavior. Like many in the racist  
18 movement, I didn't one day wake up and say, gee,  
19 I can't join the chess club; I guess I will go  
20 join the Klan. It was a natural progression  
21 from the bigotry I learned from the society I  
22 lived in. I grew up in an all white farming  
23 community in upstate New York. The first thing  
24 you learn to hate is New York City. All the tax  
25 dollars go there. All the political power goes

1           there. But the images that I saw in  
2           relationship to welfare and crime were images  
3           more often than not attached with people of  
4           color. The attitudes and the things that I  
5           heard from my parents, my teachers and my  
6           minister in relationship to people of color were  
7           the negative and not the positive.

8                        I can remember my parents telling me  
9           as a young man, and my parents were not members  
10          of an organized hate group -- in fact, my  
11          parents would tell you that they don't hate  
12          anyone, but I simply remember my parents telling  
13          me that there was good colored people and there  
14          was bad colored people, not a distinction  
15          between just good people, period, and bad  
16          people. But race had to be the qualifier.

17                       I was predisposed to labeling the  
18          stereotypes. I learned the basics of hatred and  
19          racism at an early age and not once was I  
20          challenged. When I was a 13- and a 14-year old  
21          kid and the poster said, be a man, join the  
22          Klan, this is the first time someone talked to  
23          me as a 14-year old on the level of being a man.  
24          When I went to school and stood up in history  
25          class and re-echoed the ideas that I was

1 hearing, more often than not the teachers would  
2 laugh, or say, boy you will outgrow that, or  
3 let's listen to what the boy has to say. Not  
4 once was I challenged to think critically; where  
5 was I getting these ideas; did I not know that  
6 there was no validity to these ideas.

7 And something else; I went to school  
8 in the 1960's and the 1970's which I know seems  
9 ancient to many people but not once did I learn  
10 anything in terms of a history or a culture  
11 associated with people of color. I thought only  
12 white people had a history.

13 And to expand upon that, on October  
14 22nd, 1996, I was in Harrisburg to attend the  
15 first hearing on hate group activities. It was  
16 one of my first times being inside the capitol  
17 building and I was there all day. And I was  
18 running in and out and to have cigarettes,  
19 things of that nature. And I was out in the  
20 rotunda area and I watched teachers bring in the  
21 children from various schools, eight and nine  
22 years old and they are looking at the rotunda,  
23 the beautiful building and looking up at the  
24 various murals. And I was listening to one of  
25 the instructors talk about the history of

1            Pennsylvania on these murals. If you look at  
2            those murals, you get the idea that only white  
3            people built the Commonwealth of Pennsylvania.  
4            What are young people to think when they go to  
5            see something like that and then they go home  
6            and they watch television or the newspaper and  
7            they hear their mother and their father talk  
8            about that the only people committing crimes or  
9            the only images associated with crime are people  
10           of color?

11                            I was not a bigot because I was  
12            illiterate. I was a bigot because I was  
13            ignorant, because the buttons had been pushed.  
14            What I didn't learn, though, was that the hate  
15            would turn on me. My youngest son was born with  
16            a cleft palate and when the Aryans found this  
17            out, I was told that he would have to be killed  
18            because he was a genetic defect. As a father I  
19            would not let anyone hurt my son. At the same  
20            time, though, I could not reconcile how on one  
21            hand you could say that it was all right or that  
22            it was wrong to abdicate killing my  
23            four-year-old son, but somehow it was all right  
24            for me as a person to say the very same thing,  
25            to believe the very same thing, to abdicate the

1 very same thing about people who were different  
2 than myself without being a hypocrite.

3 Inasmuch as I didn't learn to hate  
4 overnight, I didn't stop hating overnight. It  
5 has been four years since I left behind the  
6 doctrines of the Aryan Nations of racial hatred  
7 and bigotry. I have come a long way as an  
8 individual and I have a long ways to go. I have  
9 been able to make this change through  
10 challenging myself and reaching out to people.

11 When I left Aryan Nations, it would  
12 have been far easier to crawl into the woodwork  
13 somewhere and say, well, I am not a member of a  
14 hate group anymore, therefore I am not a bigot.  
15 I have not only had people reach out to me, I  
16 have reached out to people. I have put myself  
17 in positions to challenge how I thought. I can  
18 read a book and you could quote me on it, test  
19 me on it and I could quote the book back to you.  
20 I could attend some lectures and listen to  
21 someone speak. But when you actually start  
22 working with people that you at one time hated,  
23 distrusted, once you have dealt with it on an  
24 emotional and intellectual level, then you can  
25 truly say you are working for a change,

1 challenging yourself.

2 For me, the answer has been to reach  
3 out and educate myself about differences and  
4 diversity. To learn to respect others after so  
5 many years of hate is not easy. Likewise, for  
6 the citizens of Pennsylvania to admit that  
7 racism and bigotry is alive and well is never  
8 easy. What we must do is first admit that the  
9 bigots are among us and that they are committed  
10 to implementing their ideologies of racism and  
11 bigotry. We must take immediate decisive action  
12 now.

13 Some of the things that I recommend  
14 would be passage of an anti-masking law. You  
15 have copies of it. I would like to point out  
16 that in 1951 the State of Georgia passed an  
17 anti-masking law which says that you cannot  
18 stand on a public street corner or on taxpayer  
19 supported property and wear your mask. You have  
20 to take the mask off. That was passed in  
21 Georgia in 1951. In 1990 it was challenged by  
22 Shade Miller, a Klansman, on the First Amendment  
23 grounds and the Georgia Supreme Court upheld the  
24 anti-masking law, saying that if you equate the  
25 mask as freedom of speech, then some speech can



1 be regulated.

2 I can't go into a movie theater and  
3 shout, Fire. According to Pennsylvania law I  
4 cannot get into your face and shout fighting  
5 words, nor shout intimidating words based on  
6 race, ethnicity, religion or gender. But I can  
7 put on a mask and stand on public taxpayer  
8 supported property and intimidate the whole  
9 community. On private property you can wear  
10 whatever mask you wish to wear. As you will  
11 see, the law that is there has been crafted so  
12 as not to conflict with religious holidays,  
13 Halloween, things of that nature. This law, I  
14 believe, is based in part on the model put out  
15 by the Anti-Defamation League of B'nai B'rith.

16 And I can tell you from firsthand  
17 experience, not everyone in the racist movement  
18 was like myself or David Duke or like Mark  
19 Thomas, who wanted their face to be seen. The  
20 average everyday racist doesn't want his  
21 neighbors to know that he is a bigot. He  
22 doesn't want his neighbors to know that he hates  
23 people because he knows that it is not socially  
24 acceptable. He might lose his job. Maybe his  
25 neighbors won't hang out with him anymore. But



1           bigot, you thought I was a moron and an idiot.  
2           When you told the local community to ignore me  
3           and I will go away and that no one was listening  
4           to me, that allowed me to set the agenda and sit  
5           back and respond. I didn't walk up to people  
6           and say, do you want to join the Klan; do you  
7           want to follow Adolf Hitler. Instead, I would  
8           pull out the Bible and use it as a social wedge  
9           issue, as a way of building common ground to get  
10          myself invited to public schools or colleges. I  
11          could call up the social studies teacher and  
12          say, do you want to talk about racism; don't you  
13          think it is unfair not to bring a person such as  
14          an Aryan Nations person to talk about racism;  
15          there is two sides to every issue. You would be  
16          surprised at the number of times I could get  
17          into a school. And I didn't go there to talk to  
18          or recruit teachers. I went there to recruit  
19          young people because again, young people are  
20          looking for direction and looking for someone to  
21          talk to them and they are looking for, in many  
22          cases, an authoritarian, not a strong heavy  
23          handed type but just a strong figure to stand up  
24          and say, this is what I believe; this is what I  
25          stand for, and people are responding.

1                   One of the other things that you can  
2 do is strengthen the existing anti-intimidation  
3 laws. August Kreis was arrested in May of this  
4 year for terroristic intimidation of his majors,  
5 not because they are from another race, simply  
6 because he doesn't like them. If he is found  
7 guilty, he will get six months. While he is  
8 sitting at the local county jail, he is  
9 continuing to hold rallies. When he gets out,  
10 the possibility of a threat or danger towards  
11 the Ericksons, who have filed the charges  
12 against him, are greatly enhanced.

13                   Six months for many of the  
14 anti-intimidation laws is nothing. Give public  
15 and immediate support to anyone or any community  
16 who is victimized by hate groups or hate crimes.  
17 This past spring an African American woman moved  
18 into a quote, unquote, neighborhood here in  
19 Philadelphia. That wasn't acceptable to the  
20 other people in the neighborhood and the only  
21 people that I saw that came to her defense was  
22 government agencies and officials, which was  
23 good, but we also need to see local neighbors.  
24 The people of Philadelphia should have been in  
25 front of that woman's house to let the neighbors

1 know that she has a right to live there. You  
2 have a right to live wherever you wish to. I  
3 have a right to live wherever I wish to, free of  
4 intimidation from anyone.

5 We need to add sexual orientation to  
6 the current anti-intimidation laws as  
7 Pennsylvania leads the nation in commission of  
8 violent crimes against gays and lesbians. The  
9 group of people you can hate in 1995 are gay and  
10 lesbians. If I went outside here and issued  
11 anti-Semitic remarks or anti-black remarks, I  
12 would be taken away. But I can go out here and  
13 issue homophobic remarks and attract a crowd.  
14 If I get into your face and say derogatory  
15 things based on your race or your gender and  
16 ethnicity, I could be arrested. But I can go  
17 out here and attack a gay person or say  
18 derogatory things to gay and lesbian people, and  
19 again, get away with it and be acceptable.

20 But at Aryan Nations once I learned to  
21 demonize one group of people, it didn't take a  
22 great deal of effort to demonize another group  
23 of people. If we allow one group of people to  
24 have their rights violated, then all of our  
25 rights are violated.

1                   We need to encourage many elected  
2 officials and religious leaders to take a strong  
3 stand against bigotry. In communities where  
4 Aryan Nations sent me, if no one took a stand,  
5 we kept coming back repeatedly, over and over  
6 and over again. But in the communities where  
7 elected officials, religious leaders, grass root  
8 unity polls and where people just came together,  
9 we didn't go back.

10                   I remember going into Sandpoint, Idaho  
11 one time. I thought, well, this is going to be  
12 a piece of cake. Sandpoint, Idaho is all white.  
13 That is the place where Mark Furman moved to  
14 last year. The local Unity Coalition was  
15 holding a meeting. I wore my Aryan uniform. I  
16 was going to go in and smile and pass out  
17 literature, talk about how we had things in  
18 common in northern Idaho. And I really wasn't a  
19 bad person, didn't have horns.

20                   And I walked into that room, 300  
21 people who had gathered to organize against us  
22 and Aryan Nations. I myself, and to my  
23 knowledge, Aryan Nations has not gone back to  
24 Sandpoint, Idaho to actively recruit people.  
25 But the people in Sandpoint did more than just

1 hold a rally. They have programs at the school  
2 that discuss racism. They have stronger input  
3 or input into increasing the penalties for  
4 anti-paramilitary activity. The mayor, the  
5 elected officials have taken public stands.  
6 When you get arrested for violating a hate crime  
7 law in Sandpoint, you go to jail; not just six  
8 months. And they incorporate an honest  
9 discussion of the history of bigotry and racism  
10 in the school curriculum.

11 As I talked about earlier, I did not  
12 know that people of color had a history because  
13 I did not read or see any history as a young  
14 boy. And if I did, it was this long, or a  
15 paragraph. As a young person it would mean a  
16 great deal to me as an individual, because once  
17 we start looking at our histories, we find that  
18 we have many things in common, many  
19 similarities. I also consider that your history  
20 is as important as my history. We could sit  
21 down and talk about these things.

22 Support your local grass root unity  
23 coalition. I work with unity coalitions  
24 throughout the country, visited over 100  
25 communities, been to numerous high schools,

1 primarily all white high schools. That is where  
2 the bigots are going, the rural areas. Very few  
3 people go out to the rural areas to address  
4 racism, but the Klan is and in many cases the  
5 Klan is the only institution. In a town of  
6 Bigler, Pennsylvania, population 500 people,  
7 well, the Klan goes there like the Rotary Club,  
8 if you want to call it that. And I am not  
9 insinuating that the Rotary Club are bigots.  
10 What I am insinuating is that is the only place  
11 to have social intercourse. The Klan comes in.  
12 They have barbecues, turkey shoots. They have  
13 get-together types of things. When you live in  
14 a town of 500 or 4,000, like I do, on a Friday  
15 night there is not a lot to do. The Klan comes  
16 in, says, come on out to our house; we will have  
17 a band, have a party.

18 One of the things August Kreis did  
19 when he moved to Potter County from Bangor,  
20 Pennsylvania, he hosted a band. He went  
21 downtown in his preacher garb with his children  
22 and invited a bunch of kids to come up and have  
23 a good time, and not because the kids he was  
24 inviting were bigots but because they were  
25 bored. He didn't unleash the racism all at



1           once, gave it to them in small doses.

2                           And finally, support the Education and  
3           Vigilance Network, a Pennsylvania based  
4           organization which is made up of individuals and  
5           human rights organizations working to combat the  
6           message of hate and hate crimes. I had to put a  
7           plug in. But I also want to say this about  
8           myself. I left organized racism four years ago  
9           and have come a long ways. I speak at high  
10          schools, colleges, youth detention centers,  
11          military bases all across the country, primarily  
12          here in the northeast. This has not been a  
13          career move. I speak at churches and high  
14          schools for nothing more than gas money and  
15          motel. Military, colleges, I get paid for.  
16          That allows me to go over 400 places nationwide.  
17          We also put out all of our materials, written  
18          materials free. We also have the only, to my  
19          knowledge, the Web site that is addressing  
20          organized racism. That went up last week. We  
21          also put out weekly fax updates and also a  
22          training manual for teachers because many times  
23          I have heard from teachers, we see children with  
24          symbols but we don't know what they mean or what  
25          the terminology is, we have a manual for that.

1 I haven't made a Tuesday Night Movie. I haven't  
2 written a book. I say that because this is not  
3 a career move. Changes, challenges, is not  
4 something that is accomplished overnight.  
5 Challenging and questioning old fears and  
6 stereotypes never ends for all of us.

7 Finally, before we go to any  
8 questions, I would like to thank you for  
9 inviting me here today. I would like to also  
10 thank Mr. Mann and Ms. Washington for a lot of  
11 the work and effort that they put into this, not  
12 only getting myself here but also the word of  
13 the hearings. I also would like to thank the  
14 people of Pennsylvania because I have gotten  
15 support from the people of Pennsylvania since  
16 1993. A lot of people did not want to believe  
17 me in '93 that the racist movement was as bad as  
18 it is. A lot of times I have heard that I am  
19 self-agendizing but I believe that the things in  
20 the last three years have borne out the things  
21 that I have said about the racist movement.  
22 This Klan article bears witness to that. I  
23 wouldn't be here on a professional level or a  
24 personal level if it weren't for the people that  
25 have reached out for me here in the Commonwealth

1 of Pennsylvania. Thank you.

2 CHAIRMAN SCHULER: Thank you, Mr.  
3 Cochran. We will start with questions to my  
4 left.

5 MR. COCHRAN: May I? At the October  
6 22nd hearing you had asked about the  
7 relationship to militias and common law courts.  
8 In Montana and also in Arizona, in Ohio and  
9 numerous other states of common law, people have  
10 placed liens against elected officials, on their  
11 personal properties, which costs hundreds if not  
12 thousands of dollars to have removed, also will  
13 affect your credit rating. In Montana they have  
14 put out bounties on elected officials and also  
15 again, have filed all kinds of illegal paper  
16 work that they are sovereign citizens, they  
17 don't have to obey certain laws such as having a  
18 driver's license, Social Security, things of  
19 that nature. I say that because I remember you  
20 asking.

21 REPRESENTATIVE MANDERINO: They are  
22 doing that within their own, not through our  
23 court system?

24 MR. COCHRAN: Yes.

25 REPRESENTATIVE MANDERINO: How? At

1           some point they have to get that information  
2           into the legitimate mainstream.

3           MR. COCHRAN: Right. They take it  
4           down and file it at the department of records  
5           and Montana just passed a law, they will no  
6           longer accept a lien where a person would walk  
7           in and file a lien, saying that this person owes  
8           them X amount of dollars. What they have done  
9           is sued people, elected officials in the common  
10          law court and obviously elected officials aren't  
11          going to pay any attention to the common law  
12          court because the common law court says okay,  
13          you are defaulted; you didn't appear in front of  
14          us to answer the charges and we are going to  
15          level a fine against you. And they draw up this  
16          legal looking document that is a lien and go in  
17          a file that against your property and in some  
18          cases you go to get credit and find out you have  
19          a lien against you. That can hurt. And again,  
20          it also costs money.

21                 They put a million dollar bounty on  
22          one superintendent of the school, I believe,  
23          in -- well, I say I believe -- I know in 1993 in  
24          Montana. So again these are things that elected  
25          officials have to look out for.

1                   REPRESENTATIVE MANDERINO: Is there  
2 any evidence that you have uncovered that that  
3 is happening, that the groups that are organized  
4 within Pennsylvania also have their own  
5 organized common law courts?

6                   MR. COCHRAN: They are getting, I  
7 feel, to that point. Over in New Alexandria,  
8 Pennsylvania and I have also heard this from the  
9 Pennsylvania State Police, they have arrested a  
10 couple of people for driving without licenses  
11 who have claimed sovereign citizenship, which is  
12 the first step in the common law situation, and  
13 they also don't have insurance, things of that  
14 nature. The man that was arrested last month  
15 down in West Virginia for participating in a  
16 militia, an attempted bombing of various FBI  
17 buildings, was from Waynesboro, Pennsylvania.  
18 From what I have understood and from what I have  
19 read and heard a lot of the common law theory  
20 and common law right now is stronger in the  
21 State of Ohio, but it has a way of moving. It  
22 is only a matter of time before you see more of  
23 it here. It is more of a tactic associated with  
24 militia organizations, say, people like Mark  
25 Thomas or August Kreis or others, and in part



1                   REPRESENTATIVE HENNESSEY: Thank you,  
2                   Mr. Chairman.

3                   Mr. Cochran, you indicated that you  
4                   didn't go back, to your experience you didn't go  
5                   back to towns or places that challenged you. I  
6                   guess it is important to define what kind of  
7                   challenge we are talking about. There is a  
8                   confrontational challenge and there is also a  
9                   physical type challenge, which is not happening  
10                  at the same time but it sort of reaffirms, when  
11                  the community gets together, reaffirms what is  
12                  good about that community is the fact they don't  
13                  accept the particular pandering that is going  
14                  on.

15                  MR. COCHRAN: What I meant by  
16                  challenge, I didn't mean a physical point of  
17                  view. First of all, I don't believe that we are  
18                  going to fight racism and hatred and violence  
19                  with more hatred and violence. Secondly, when  
20                  you throw rocks at me or beat me up when I was  
21                  in the racist movement, that made me a martyr in  
22                  my own mind and it was also something that I  
23                  could go back to the followers and say, see; I  
24                  am so effective that they are coming out to  
25                  pound on me.

1                   But by challenge, I meant that when I  
2 walked into that room of 300 people, they let me  
3 know instantly while I had a constitutional  
4 right to be there, to say whatever I wanted to  
5 say, as a community that they were not going to  
6 support my bigotry. And at that public meeting,  
7 just the sheer fact that there were 300 people  
8 was enough to dissuade me from going back.

9                   I believe there was a similar  
10 situation here in Boyertown. Mark Thomas and  
11 Tom Blair started showing up at the Boyertown  
12 Area Unity Coalition's monthly meetings. People  
13 just started ignoring them like they weren't  
14 even there at the meeting. They quit coming but  
15 Boyertown people kept doing what they are doing,  
16 things such as interactive fear, prejudice  
17 reduction, taking back the street corner that  
18 the Klan stands on in Boyertown, things of that  
19 nature.

20                   So when I was talking about a  
21 challenge, I was talking about challenge in a  
22 peaceful way, not a violent way. We are not  
23 going to combat violence with violence.

24                   REPRESENTATIVE HENNESSEY: In your  
25 comments you indicated that most of the action,



1 or at least a lot of the actions that are taken  
2 where they have been prosecuting and convicting,  
3 that has resulted?

4 MR. COCHRAN: Yes

5 REPRESENTATIVE HENNESSEY: So that is  
6 great. What you are saying is that the  
7 government is operating, taking the proper  
8 response. I also understand that you are saying  
9 that some of the sentences aren't long enough?

10 MR. COCHRAN: Right.

11 REPRESENTATIVE HENNESSEY: Have the  
12 sentences that have been handed down been  
13 maximum sentences?

14 MR. COCHRAN: It depends on the case.  
15 In the Freeman case, for instance, where they  
16 murdered their parents and younger brother, they  
17 got a maximum sentence. In other places, again,  
18 a lot of that has a relationship to the crime.  
19 That is why if August Kreis is found guilty, he  
20 knows he will get six months at the most and  
21 maybe some probation. That is not really a  
22 deterrent. He will spend the six months  
23 probably at the local county jail in Potter  
24 County. It will be four months maybe and then  
25 turn and walk.



1            indoctrination that you went through, my  
2            contact, my education is the kind that suggests  
3            to me that the way you make inroads is to try to  
4            transfer the blame for people's failure to  
5            succeed in society into other groups. You  
6            talked about demonizing other groups as if the  
7            only way to make people dislike them is to say  
8            somehow that the Bible says that they are the  
9            smitten race, whatever. But it seems to me that  
10          my education has told me what you do is you find  
11          somebody's failure, then find a way to transfer  
12          the blame for that failure not to the fact they  
13          didn't try hard enough but someone is taking it  
14          from them.

15                    MR. COCHRAN: It is a combination of  
16          many things and it is kind of, for myself,  
17          ironic that you would mention that. I didn't  
18          graduate from high school. It wasn't my fault;  
19          my English teacher, she was part Jewish, she  
20          didn't like me. My marriage didn't work out;  
21          well, it is not my fault my wife didn't want to  
22          be married to a racial activist. I couldn't  
23          find work. I didn't want to admit that I didn't  
24          get up in the morning and look for work. It was  
25          affirmative action. I lived in an all white

1 county. When I got to Aryan Nations, nothing in  
2 my life was, did I have to take responsibility  
3 for. I could blame other people for it. So  
4 that was one dynamic.

5 But the other dynamic and the one that  
6 really attracts people and builds the common  
7 ground, if you could go into a community and  
8 convince them not to take a stand against me, in  
9 my own mind I thought you were standing with me.  
10 If I could go into a community and convince them  
11 that I was a religious person, that I quoted the  
12 same Bible scriptures, and especially the ones  
13 that are used in terms of homophobia, things of  
14 that nature, that gave me a certain air of  
15 legitimacy. I could say look, see, I am not so  
16 bad; we have things in common; we think alike on  
17 some issues; if we get together, we could think  
18 alike on some other issues; what does the Bible  
19 say about this, because the Bible affords you  
20 the credibility that you can't debate with for  
21 many people.

22 You would be surprised or taken off  
23 guard when hatred is presented in the name of  
24 God. We don't associate God's Bible with Adolf  
25 Hitler or the massacre of millions of people.

1 But the racists have found a way of doing this  
2 within the development of Christian Identity and  
3 the Christian Identity movement was founded by a  
4 former rifle instructor for the Ku Klux Klan, a  
5 Dr. Wesley Swift. Also, adopting the religious  
6 aspect gets you into schools, prisons much  
7 easier and much more -- well, easier and faster  
8 than if it was straight political hatred.

9 REPRESENTATIVE HENNESSEY: I think  
10 that it seems to me that our society sort of  
11 feeds into this. We have almost defined success  
12 in America today as you can't be a loser. If  
13 you don't win the Super Bowl, you are just  
14 another loser. You have to win it all. It is  
15 not, it doesn't seem to be enough to be a good  
16 and decent person and to have a job and provide  
17 for your family and to provide a stable home  
18 life for your people. You have to be the  
19 absolute paramount of success.

20 When you tell children that, when you  
21 have that kind of set, those unrealistic  
22 expectations, what you are creating is a  
23 situation where most kids think that they are  
24 failures. When they think they are failures, it  
25 just makes it much more understandable why they

1 buy into something that says that, an ideology  
2 that says that the failure that I have isn't my  
3 fault. It must be somebody else.

4 MR. COCHRAN: One of the most powerful  
5 arguments that you can use today by the racist  
6 movement when talking to young people, you are  
7 not going to have the economic power that your  
8 father had 20 years ago. And that young person  
9 looks around and says, okay, I am going to go  
10 work at McDonald's for \$5 an hour; dad went over  
11 here and got a job at the steel mill for \$20 an  
12 hour. Well, it is no fault of that young  
13 person. But then the racists say, well, you  
14 know, why not; if you were to follow us and join  
15 with us, we are going to put you back in that  
16 position of power.

17 History has shown that any institution  
18 that has threatened to fight back for the first  
19 time in 2,000 or 3,000 years, white males don't  
20 have it all to themselves. So white males are  
21 going to pull out any means or any tactic  
22 necessary. For the first time in 2,000 years  
23 white males have to compete with people of color  
24 and women entering the job market and yet, that  
25 has allowed the white supremacist to come and

1 say these things. But at the same time we have  
2 been derelict in our duty in pointing out many  
3 of these things are air-headed ideas, that there  
4 is no validity to them.

5 For instance, I spoke to Huntingdon  
6 County High School, South Huntingdon County High  
7 School, an all white high school. This young  
8 man stood up and he said he couldn't find a job  
9 because of affirmative action and I asked him  
10 what black person came here to South Huntingdon  
11 and took your job. He couldn't think of one  
12 because it just isn't happening. But he has  
13 heard that from the Klan over and over again.

14 I spoke at another school here in  
15 Pennsylvania. A young man stood up and said, I  
16 don't want to be around all the blacks; they  
17 commit all the crimes. Well, I could have given  
18 him a lecture, told him to read this but I took  
19 him down to the county jail, and this is an all  
20 white community. He had the chance to look at  
21 reality versus the stereotype. I said, either  
22 this place is empty or you are going to have a  
23 change of opinion. And when we walked out,  
24 there was no way of debating the issue, so I  
25 challenged that on a very simple level.

1                   I was finally 36 years old and started  
2                   accepting some responsibilities for my own  
3                   actions. But what you said about if you don't  
4                   win the Super Bowl, you are nobody, yes. That  
5                   permeates from top to the bottom of this  
6                   country. If you are not the most successful,  
7                   have the most money, have the best house, this,  
8                   that or whatever, somehow you failed, because I  
9                   think we have to start changing that focus.  
10                  That being a decent human being, respecting  
11                  others, taking care of your family is what makes  
12                  a successful person. I don't spend a lot of  
13                  time --

14                  CHAIRMAN SCHULER: Excuse me.

15                  MR. COCHRAN: I am sorry.

16                  CHAIRMAN SCHULER: We are running a  
17                  little behind time. We have quite a few other  
18                  questions to ask here.

19                  REPRESENTATIVE HENNESSEY: Thank you,  
20                  Mr. Chairman. Thank you very much.

21                  CHAIRMAN SCHULER: We will keep our  
22                  questions to a minimum and our responses to a  
23                  minimum.

24                  MR. COCHRAN: I will try.

25                  CHAIRMAN SCHULER: We will try to get



1           it in.

2                       Representative Carn?

3                       REPRESENTATIVE CARN: Thank you.

4                       Thank you, Mr. Cochran. I admire you  
5 because it is hard to go against the stereotypes  
6 in life that you have been taught. Even in  
7 African Americans, we have stereotypes we have  
8 to overcome. We all have stereotypes to  
9 overcome.

10                      The first question I have for you is,  
11 if you did not run into this realization about  
12 your son, would you still be a white  
13 supremacist?

14                      MR. COCHRAN: To be honest, yes. I  
15 was a rising star.

16                      REPRESENTATIVE CARN: So just a little  
17 bit of the dynamics because, again, I heard you  
18 said you could not logically buy into you having  
19 to kill your own son. I just want you to share  
20 that with us because I am trying to understand  
21 what it takes for someone to change.

22                      MR. COCHRAN: Well, obviously desire  
23 to change or want to. I had so enamored myself  
24 with Biblical doctrines and so puffed up about  
25 what I was doing that no matter what you would

1 have said to me, either logical, Biblical or  
2 even straight fact, I would have to convince  
3 myself; didn't have the eyes to see or the ears  
4 to hear special commands from God; took for  
5 myself very personally because I love my  
6 children. There was no way I was going to allow  
7 anyone to hurt my children. But at the same  
8 time I started thinking about it and I couldn't  
9 get it off my mind. It was at the Hitler youth  
10 rally in '92 when I was told that my son would  
11 have to be killed and it took me three months  
12 before I left. During that three months I  
13 struggled with that. These were my friends.  
14 This was the thing that motivated me. I had  
15 been milking cows in upstate New York, being a  
16 no one to being a some one. There was that  
17 aspect of it. I was doing my mission for God  
18 type of thing. But I kept coming back to my  
19 son; somebody wanted to kill my son who is four  
20 years old. He hasn't hurt anybody. How does  
21 that remotely make any difference in what I was  
22 thinking, what I was advocating, no different  
23 from myself. And again, I didn't come to that  
24 in an overnight conclusion. And when I left  
25 Aryan Nations, July 8th 1992, I didn't just stop



1 follow-up.

2 Except for the experience with your  
3 son, you said you would still be a white  
4 supremacist. My question becomes to you,  
5 besides personal gratification that you received  
6 from no longer milking cows to being in Newsweek  
7 , what is the objective?

8 MR. COCHRAN: For myself?

9 REPRESENTATIVE CARN: Personally.

10 MR. COCHRAN: Today?

11 REPRESENTATIVE CARN: No, then.

12 MR. COCHRAN: Then?

13 REPRESENTATIVE CARN: Besides the  
14 personal gratification of being in Newsweek.

15 MR. COCHRAN: I was doing God's work.  
16 I was a lay minister for Christian Identity. I  
17 was doing God's work.

18 REPRESENTATIVE CARN: Thank you.

19 CHAIRMAN SCHULER: Are you finished?

20 REPRESENTATIVE CARN: Yes, I am.

21 Thank you, Mr. Chairman.

22 CHAIRMAN SCHULER: Representative

23 James?

24 REPRESENTATIVE JAMES: Thank you, Mr.  
25 Chairman.

1                   We are missing one of the pages. Were  
2 you able to get that?

3                   MR. COCHRAN: I think you are missing  
4 a page. During a break or lunch I will make  
5 copies and give it to you. I believe you are  
6 missing page three. In fact, I know it is.

7                   CHAIRMAN SCHULER: When you get the  
8 copy, please give it to Mr. Mann.

9                   MR. COCHRAN: Yes, sir.

10                  REPRESENTATIVE JAMES: He will see  
11 that we all get it.

12                  I have just some brief questions. You  
13 had said that soldiers in the 82nd Airborne, the  
14 racial incident, one of them was from  
15 Pennsylvania?

16                  MR. COCHRAN: Yes.

17                  REPRESENTATIVE JAMES: And also you  
18 said that in the Virginia incident when they  
19 arrested the people from planting a bomb, one of  
20 them was from Waynesboro?

21                  MR. COCHRAN: Yes. I would also point  
22 out the four bombers that I listed who were  
23 arrested in Spokane, Washington in 1996 for  
24 blowing up Planned Parenthood and the newspaper,  
25 Jay Vince Merrill was from Schwenksville,

1 Pennsylvania, so Pennsylvania is well  
2 represented in the hate movement.

3 REPRESENTATIVE JAMES: That is what I  
4 am trying to get at. Also were they all  
5 involved with the Thomas group or were they from  
6 different groups?

7 MR. COCHRAN: Some were with different  
8 groups but at one time because of Mark's  
9 mobility within the racist movement and his  
10 stature at one time or another have crossed his  
11 path. He had the opportunity to meet them. He  
12 has been in the racist movement for 18 years, so  
13 somewhere along the line they met one another.

14 I met mark at the Aryan compound in  
15 Idaho when he lived out there with us for three  
16 months before he came back here to Pennsylvania.  
17 And the man, and I saw him again when I spoke in  
18 Boyertown on August 7, 1995, he walked in the  
19 room. He has an evil presence but he has  
20 charisma. The man could tell a Bible story.  
21 You could almost envision it happening. He was  
22 good with words, especially reaching out to the  
23 young people.

24 REPRESENTATIVE JAMES: First, let me  
25 thank you for your testimony and your candidness

1 for making a change that was necessary.

2 In terms of a network extending beyond  
3 Pennsylvania based on your experience what did  
4 you see in terms of network, in terms of how  
5 many cities or states, this kind of network that  
6 you were involved in, how many states, do you  
7 think, have been impacted?

8 MR. COCHRAN: In terms of the racist  
9 movement they are networked around the country.  
10 The organized hate group was on the information  
11 super highway long before anyone else was. In  
12 1983 the Aryan Nations had the Aryan Liberty up  
13 and running. The development of Christian  
14 Identity as a religious faith has allowed the  
15 bigots to reach across the borders because  
16 Identity teaches that the poor lost plight of  
17 Israel are white; no matter where a white person  
18 is, there is Israel. I say that because in the  
19 '60s the Klan was primarily concerned with white  
20 people only in the United States.

21 I used to go to the Canadian border,  
22 pick people up to bring them down to the annual  
23 Aryan National Congress or Hitler youth event.  
24 Gerhardt Lauch from, called the Farm Belt Fuhrer  
25 from Lincoln, Nebraska, who is now sitting in

1 jail in Germany, for many years produced racist  
2 literature here in the United States and shipped  
3 it back to Europe. They are networked literally  
4 all over the world. As I said, it is not  
5 limited. Pennsylvania leads the country and I  
6 thought up until October 22nd Pennsylvania had  
7 the highest number of hate groups east of the  
8 Mississippi River. I was surprised to hear Andy  
9 Van Dyke say that the whole country now is and  
10 in terms of just sheer numbers of hate groups.  
11 Mark Thomas, you can read him on the Internet.  
12 Last year in the Paternity of God he advocated  
13 the burning of churches. Hook up on the  
14 Internet and you can read August Kreis, who has  
15 networked with white supremacists in  
16 Philadelphia. Brian Wilson has put together  
17 something called the Omega Deal, the Alpha  
18 headquarters with an outpost in Potter County.  
19 They showed up on the Internet last week and I  
20 called up the Pennsylvania State Police and got  
21 them to take a look to see if they were  
22 violating an anti-paramilitary law of  
23 Pennsylvania. They had pictures of Brian Wilson  
24 from Philadelphia out in the woods with his SKS,  
25 his body armor, his Kevlar, his food supply and



1 talking about, we will have to go out in the  
2 woods and play capture the flag, splat ball as a  
3 way of picking up paramilitary training, which  
4 makes it legal. If they use real guns, they  
5 violate it.

6 And again, I say that I called up  
7 Brian Garcia and said, take a look at this.  
8 Brian Wilson, if you remember, was two, three  
9 years ago at Washington Crossing was the Nazi  
10 who led that march. Everyone thought that he  
11 had vanished into the woodwork. He has set up a  
12 very slick computer network with The Voice, with  
13 their paramilitary dating service, e-mail  
14 addresses, an outreach program. These people  
15 are all over the place.

16 REPRESENTATIVE JAMES: How many in  
17 your experience were there, did you notice or  
18 were you made aware that there were law  
19 enforcement officials involved in this?

20 MR. COCHRAN: Yes, without a doubt. I  
21 met numerous deputy sheriffs that were  
22 sympathetic. They wouldn't join because if it  
23 was found out, they would lose their job. The  
24 sheriffs in many parts are also more sympathetic  
25 to the militia. You have to understand, though,

1 that the organized white supremacist and the  
2 militia both teach that the highest elected  
3 government officials you listen to is the county  
4 sheriff, someone who has power, which is why  
5 Randy Weaver refused to surrender when FBI  
6 agents came and the Idaho State Police came to  
7 arrest him because in his mind they were agents  
8 of ZOG, the Zionist occupied government who  
9 believe that Jews are the children of Satan and  
10 surrendering to federal and state law  
11 enforcement is the equivalent to surrendering to  
12 the Biblical enemy. My feeling is if they had  
13 sent a county sheriff up there, Randy would have  
14 at least opened up some dialogue just for his  
15 position.

16 But yes, I met sheriffs. I met  
17 probation officers that were sympathetic. I got  
18 better treated sometimes by law enforcement even  
19 though I may have gotten into some trouble than,  
20 let's say, I should have or how I witnessed  
21 other people who have done the same type of  
22 crimes and had gotten more of a penalty. I was  
23 picked up at Portland, Oregon for driving  
24 without a license, license plates, spent two  
25 hours in jail, said I was going back up to the

1 compound in New York. Before I actively became  
2 involved in organized hate groups and got pulled  
3 over for driving without a license, I spent a  
4 few days in jail before things got turned over  
5 and I was released.

6 REPRESENTATIVE JAMES: So you say that  
7 the militia is going in that direction or some  
8 parts of different militias and you see law  
9 enforcement officers, people involved with law  
10 enforcement, going in that direction?

11 MR. COCHRAN: Jack Lalamme, who is a  
12 retired officer from Phoenix has aid and abetted  
13 an organization that was militia oriented. In  
14 fact, he is a militia organizer, spoke on  
15 platforms with white supremacists all over the  
16 country. Lieutenant Colin Bryce, highest  
17 decorated veteran of the Vietnam War, Rambo was  
18 based on, he ran for president on an  
19 anti-Semitic ticket; a police officer, Sheriff  
20 Mack from Arizona, did lose his elected office  
21 in the last election a couple of weeks ago,  
22 heavily into militia activity.

23 And something interesting happened up  
24 in Potter County. When their local sheriff  
25 there ran for office, he publicly said in the

1 newspaper that when he was elected, he would be  
2 the highest elected law enforcement official in  
3 the county. Well, that is a fact. He will be.  
4 I didn't think much of it. On May 20th Andy Van  
5 Dyke and myself and local county Judge John  
6 Lead, he had a public meeting on hate groups.  
7 We have a compound in Potter County. August  
8 Kreis came and, lo and behold, I look over and  
9 here is the sheriff tapping him on the shoulder;  
10 how you doing, August. Sheriff didn't say a  
11 word to me. I was surprised at how he was  
12 reacting to a well-known white supremacist in  
13 terms of that one-on-one type of thing.

14 REPRESENTATIVE JAMES: Did you talk  
15 about activities of a race war coming? Were you  
16 prepared for that?

17 MR. COCHRAN: We were taught that in  
18 the year 2000 Jesus Christ was going to return  
19 and the Battle of Armageddon was going to be  
20 here in America because America is the promised  
21 land, that Jesus Christ will lead white people  
22 to victory over Jewish people and people of  
23 color and then the proof that America is the  
24 promised land, the 13 lost tribes of Israel, the  
25 13 colonies; the Bible says New Jerusalem. When

1           you look at the word "Jerusalem," it is  
2           J-E-R-U-S-A-L-E-M. We were led to believe that  
3           you were taught in Identity that your race is  
4           your nation, your nation is Israel, and Israel  
5           is the white race. That again puts it in a  
6           Biblical context.

7                         REPRESENTATIVE JAMES: Just briefly,  
8           the other thing is, have other people left? Do  
9           you know of other people who left the movement?  
10          Have there been any reprisals or repercussions  
11          and if there is, is there something we can do to  
12          help?

13                        MR. COCHRAN: Well, I know quite a few  
14          people, have actually worked with a couple to  
15          help them make that transition. August Kreis  
16          showed up on my doorstep Labor Day, 1995, told a  
17          16-year old that is sitting here in the audience  
18          that if I didn't get out of town, they were  
19          going to kill me. Two months later I had a gun  
20          pointed at me. This past May when I gave a talk  
21          in Potter County, I had faxes sent to me that we  
22          are watching you; my end is near. I spoke in  
23          Missoula, Montana and the photograph in the  
24          newspaper the next day was white supremacists  
25          outside visibly carrying guns.

1                   Those things can happen with what I do  
2                   for a living; not only for a living but in life.  
3                   How do I look at you who has, as a person, had  
4                   to deal with bigotry on a level I will never  
5                   experience and I say to you, I have changed. I  
6                   have changed, but do you believe me. Again,  
7                   that is hypocritical. It doesn't mean I wasn't  
8                   scared when the man was standing out in front of  
9                   my yard.

10                   I do know of an incident where white  
11                   supremacists had left Greg Withgrow, founder of  
12                   White Student Union, left the racist movement,  
13                   because of that nailed to a board. But again,  
14                   that is what I feel this is. This is a small  
15                   penance or a small part of the atonement. I  
16                   don't think about it.

17                   REPRESENTATIVE JAMES: For the sake of  
18                   time, I would definitely be interested in  
19                   speaking with you again, talking with you, and  
20                   would you be willing to maybe come to some type  
21                   of forums or community activities or functions  
22                   we have as we try to impact on dealing with this  
23                   racism?

24                   MR. COCHRAN: Yes. I have been  
25                   working with Denise Kirkland. She called me

1 from the Philadelphia Human Relations  
2 Commission. Last year I came down to work with  
3 also the Philadelphia Bar Association with a  
4 group of young people in addressing racism and  
5 hatred. We are coming back to put together a  
6 three-month program that will deal with bigotry  
7 and different aspects of how to combat that, the  
8 use of technologies. You see the racists using  
9 TV and computer bulletin boards. We can use TV  
10 and video cameras to get our message out. But I  
11 think if you took a video camera and just let  
12 young people of all races sit down and talk  
13 about everyday life and experiences, not only  
14 would you have the same, but it is a video we  
15 could take to the rural schools where very few  
16 people go to visit or talk to young people about  
17 bigotry at all. When we want to discuss racism,  
18 we come to the big cities. We come to  
19 Philadelphia and Pittsburgh and say to America,  
20 there are racists out there. We fail to go to  
21 the very communities where the racists are  
22 going. I believe in preventive maintenance.  
23 Maybe that is my farm background.

24 CHAIRMAN SCHULER: We have one  
25 follow-up question and then we will complete

1 your testimony. We have another gentleman here.

2 REPRESENTATIVE HENNESSEY: I am trying  
3 to make the question real brief. Reverend Grove  
4 has been waiting patiently.

5 One thing I picked up on was that Mark  
6 Thomas' house was photographed from the outside.  
7 Nothing inside made it look like he was terribly  
8 successful. You said he has been doing this 18  
9 years now. Does he not want to have his house  
10 photographed because he doesn't want it to be  
11 recognized or he doesn't want to give the image  
12 of success?

13 MR. COCHRAN: Both, and he also rents  
14 it from a very wealthy Pennsylvania businessman  
15 for \$1 a month. This businessman owns a  
16 trucking company, a trailer park and a real  
17 estate agency and we have approached him and  
18 asked him to not rent to Mark anymore. He  
19 refuses.

20 REPRESENTATIVE HENNESSEY: Why can't  
21 that be photographed?

22 MR. COCHRAN: That is Mark's own  
23 whatever. He just didn't want it photographed,  
24 in part, because his landlord is telling him if  
25 it gets photographed more, keeps appearing in



1 the paper, he will evict him. He also --  
2 Gabriella is Jewish. He didn't want her in the  
3 place.

4 CHAIRMAN SCHULER: Thank you very  
5 much, Mr. Cochran, for your testimony. We  
6 appreciate your stopping by. Thank you.

7 MR. COCHRAN: Thank you. Have a good  
8 day.

9 CHAIRMAN SCHULER: Thank you.  
10 The next individual to testify is  
11 Pastor Grove.

12 REVEREND GROVE: The first part of my  
13 testimony here will be on behalf of Reverend  
14 Gary Hahn. You have this booklet here before  
15 you to be submitted into the record. We will  
16 cover that. And in front of that booklet we  
17 have some other supplemental material which I  
18 have added. This is the testimony before the  
19 special task force on hate crimes, terrorism and  
20 arson.

21 Mr. Chairman, I wish to thank you and  
22 this committee today for the opportunity to  
23 submit testimony to you on the very important  
24 matters of hate crimes, terrorism and arson.  
25 Please accept my sincere apologies for being

1           unable to appear before you personally.  
2           Regretfully I was unable to do so. Therefore, I  
3           have requested that Reverend James Grove read  
4           this, my statement, into the record on my  
5           behalf. While Reverend Grove may or may not be  
6           in agreement with this testimony, he will so  
7           enter it on my behalf. Reverend Grove may wish  
8           to enter testimony on his behalf following the  
9           introduction of mine and I sincerely request for  
10          him the opportunity to do so.

11                         Hate crimes and terrorism may appear  
12          in many forms and yet the results of such are  
13          always to create a victim without cause. The  
14          most tragic of such crimes are those that create  
15          a lineage of victims of individuals not directly  
16          associated to the original assault and thus  
17          create a domino effect cowardly hiding in the  
18          shadows awaiting to attack the unsuspecting  
19          victim and again, without logic or cause.

20                         Such hateful actions are often the  
21          work of those with deep seated and unresolved  
22          angers of past actions over which they had no  
23          control. Some such crimes result from personal  
24          agendas. In all such cases the person and/or  
25          persons committing such action in their rush to

1 judgment operate on the motivation that the ends  
2 justifies the means; how sad.

3 As an example of such actions, I wish  
4 to submit to this committee a copy of page 9 of  
5 the testimony previously submitted to this  
6 committee by Mr. Barry Morrison on behalf of the  
7 Anti-Defamation League and the news article I am  
8 confident prompted its conclusion. Please  
9 notice the point-by-point comments and the  
10 similarities. Also be advised that neither Mr.  
11 Morrison nor his associates made any contact  
12 with Brother Gary Hahn to make even the  
13 slightest and decent effort to verify the  
14 accuracy of this news article. Such actions  
15 must give rise to the question of the validity  
16 of Mr. Morrison's entire report and to be  
17 included in the final report of this task force  
18 would greatly damage its credibility.

19 Please also note the statement that a  
20 newspaper was threatened. I submit an  
21 additional news article which will show that  
22 what Mr. Morrison referred to as a threat was in  
23 reality a demand that the newspaper print only  
24 the truth. Perhaps the prior report would have  
25 better served this committee had its writer made

1 such a demand on himself and printed only  
2 verifiable facts and truth.

3 I would like to add at this point the  
4 fact that since the newspapers were instructed  
5 to print only the truth they have quit covering  
6 our meetings.

7 Also please note that one such local  
8 reporter after an unpublished one-hour interview  
9 in my home angrily stormed out complaining that  
10 if I cannot give him a hate story, there is  
11 nothing to print that will sell papers.

12 One must ask, what views do people  
13 like Brother Gary Hahn really teach and what  
14 type of individuals oppose such views.

15 Clearly my view point is a part of  
16 public record as I am on weekly radio throughout  
17 America on both FM and short wave radio.  
18 Further, I have published several booklets and  
19 have appeared numerous times on television  
20 discussing these views. But for the record, my  
21 views are very much akin to those of our early  
22 fathers in this great land as expressed upon the  
23 walls of the commonwealth capitol itself.

24 Number one, I believe in a melting  
25 pot, not a melt down. Number two, I believe in

1 Almighty God and the Savior Lord Jesus Christ,  
2 not a generic unnamed god. I believe in a  
3 republic based upon law, not a democracy based  
4 upon emotional mob rule. I believe in a  
5 sovereign commonwealth, not a federal servant  
6 state. I believe in common law based upon the  
7 moral foundation of God's law, not regulations  
8 just to enhance revenue or to promote sin; that  
9 is, sodomy rights, abortion, killing babies,  
10 pornography and so on. Number six, I believe in  
11 Old Glory, not the federal fringed flag. Number  
12 seven, I believe in elected representative  
13 government, not regionalism and not a federal  
14 executive dictatorship run by executive orders.  
15 Number eight, I believe in a free America, not  
16 just a member state of a world power. Number  
17 nine, I believe in parental rights, not state  
18 interference on religious or political grounds.

19 In other words, I believe in God, the  
20 United States of America, the Constitution, law  
21 based on the moral teachings of the holy  
22 Christian Bible, the Bill of Rights, salvation  
23 through Jesus Christ and I believe in the  
24 American dream. I believe in the dignity of our  
25 elders and the sanctity of life of the unborn,

1 the great blessing of the nation and the  
2 responsibility of each of us to stand ready to  
3 throw up the efforts of all enemies, both  
4 foreign and domestic. Also, I believe that  
5 America and this great commonwealth stand at a  
6 crucial crossroads in history and that we shall  
7 follow either the Falling Away Road, II  
8 Thesselonians of Chapter 2, which will lead to  
9 our destruction, or we will follow the  
10 Repentance and Restoration Road of II  
11 Chronicles, 7:14 and see our land healed.

12 In closing, I must ask what matter of  
13 man would oppose that which returns the  
14 greatness and blessing of our great land.

15 Then he certainly wishes to place into  
16 the official record the following; that is, the  
17 five-page testimony which I just read and then  
18 the page 9 of the ADL report and you see that  
19 everything is listed here. It is tabbed out,  
20 tabbed out under each of the departments there.  
21 And page 9 is the testimony of Mr. Barry  
22 Morrison. It is marked there in the center of  
23 the page, testimony relative to the meeting in  
24 York County which Mr. Hahn discussed. And then  
25 the news articles are next, dealing with the

1 coverage of the meeting and certainly note the  
2 similarities between the news articles and also  
3 between the testimony of Mr. Morrison, obviously  
4 that that information came directly from the  
5 news article. Then he also encloses what is  
6 known as the report back here which is the  
7 Executive Federal United States versus the  
8 Representative Republic of the United States of  
9 America, documentation relative to the  
10 federalization of America and the federalization  
11 of the states. Then he gives the scriptures  
12 there on abortion, several pages of scripture.  
13 Certainly, if there was to be a hate crime that  
14 we believe would be perpetrated on American  
15 society, I believe and Mr. Hahn believes  
16 certainly that abortion is a hate crime that is  
17 certainly against the unborn. I think the  
18 results of the abortion over the past years and  
19 what has recently taken place in the news media  
20 where a young couple had just recently murdered  
21 a baby that was just born. However, and  
22 certainly they are going to be prosecuted and  
23 they should, they should be prosecuted for what  
24 they have done. But if they would have gone to  
25 a doctor four days before that baby was born,

1 they could have had the baby taken from the  
2 mother's womb by partial birth abortion and it  
3 would be all legal. But the results certainly  
4 would have been the same, wouldn't it?

5 Then the scriptural quotes which Mr.  
6 Hahn has included, they have been included.  
7 These are scriptural quotes listed in the  
8 Harrisburg state capitol building simply to cite  
9 and point out that Christianity in this nation  
10 was the basis of our law system and the basis of  
11 our society and the basis of our culture. There  
12 are some, maybe 10 or 15 pages of scriptural  
13 quotes that are found throughout the capitol  
14 building.

15 And then Mr. Hahn deals with The Flag,  
16 The Fringe and You, a report that is written,  
17 also a supplemental portion to that which I have  
18 submitted. There is a paper in here dealing  
19 with the flag and the fringed flag, dealing with  
20 the two United States. You see just about the  
21 bottom of that page there is a little yellow  
22 line dealing with the fringed flag as well as  
23 the unfringed flag and this chart lays out what  
24 those two flags represent. And also there is an  
25 article behind that which I have written. It is



1 called The Grand Old Flag and The Dirty Old Rag.  
2 So that you have as well.

3 Then he also has a report here on the  
4 American Constitution Common Law Report, 148  
5 pages, which lays out the understanding that our  
6 society is basically that law is changing, that  
7 law is evolving, that law is moving from a  
8 common law basis, which is certainly an offense  
9 against property, against life and against  
10 liberty to a statutory type of law system, a  
11 regulatory type of law system and evolutionary  
12 type law system, which is constantly changing  
13 where, in other words, tomorrow we may not know  
14 what the law is as it was today. It is always  
15 changing.

16 And then he also includes the Stephen  
17 Ames' report dealing with the political and  
18 religious taking of children. I would also ask  
19 that maybe all of your representatives  
20 personally check into this situation. It is a  
21 devastating situation upon the family and the  
22 children being taken from the family because of  
23 someone's political or religious views. So we  
24 would certainly like to see you check into that.

25 And then a 20-page report here on the

1 police powers, federal police powers, which I  
2 believe there is a bill which, House Bill 2775  
3 which is -- I don't know whether it was voted on  
4 yet or if it is going to be presented, which  
5 line one, it says conferring police powers on  
6 federal law enforcement officers in certain  
7 circumstances. The General Assembly of the  
8 Commonwealth of Pennsylvania hereby enacts as  
9 follows: Basically it is allowing federal law  
10 enforcement officials to come into Pennsylvania  
11 and exercise their powers in what we believe is  
12 somewhat of an unlimited way. Then we also have  
13 number 12 here, Reverend Hahn has included  
14 several Pennsylvania Supreme Court rulings on  
15 the Christian Foundation of America which is ten  
16 pages, which deal with court cases which really  
17 state the basis of our culture, which is  
18 Christian.

19 And so this is what Mr. Hahn wishes to  
20 present, also a couple of the papers which I  
21 have submitted here also in dealing with the  
22 flag issue and some of the issues that I deal  
23 with. I am founder and director of the Free the  
24 People Committee of York County, pastor of Souls  
25 Haven Baptist Temple, and also wish to submit

1 this into the record. You gentlemen have this.  
2 It also deals with the bankruptcy, some of the  
3 things that patriotic Christian individuals  
4 across the country are greatly concerned about.  
5 You see the yellow marked portion on this page.  
6 You notice it says that in 1950 pursuant to  
7 reorganization plan number 26 5 USCA 903, the  
8 secretary of treasury was appointed as the  
9 receiver in bankruptcy. These are some of the  
10 concerns that are running throughout the  
11 Christian hatred community.

12 Also on the back of here, by the way,  
13 I wish to point this out, the theological  
14 doctrine on that paper. You see the point that  
15 is X'ed out is Christian Identity. However,  
16 neither I nor Brother Gary Hahn do ascribe to  
17 the Christian Identity theological position. We  
18 are opposed to that. We believe it has no  
19 Biblical basis whatsoever. But from what we  
20 have discovered, what we found out in legal  
21 research in this particular paper is very  
22 accurate in dealing with the bankruptcy of the  
23 United States; also the cover page which I have  
24 submitted.

25 CHAIRMAN SCHULER: Let me interrupt.

1 REVEREND GROVE: Yes.

2 CHAIRMAN SCHULER: Are you finished  
3 with --

4 REVEREND GROVE: Brother Hahn's  
5 testimony.

6 CHAIRMAN SCHULER: Now you are  
7 starting your testimony?

8 REVEREND GROVE: Yes.

9 CHAIRMAN SCHULER: I just wanted to  
10 clarify that. Thank you.

11 REVEREND GROVE: The cover letter  
12 which I submitted says, as you can notice from  
13 the news articles enclosed, I have been accused  
14 of intolerance, deep-seated hatred, race  
15 baiting, anti-Semitism and gay bashing. And  
16 those articles there that have been printed,  
17 what really brought that about was my personal  
18 conviction, my personal Biblical conviction in  
19 taking a stand relative to the gay rights  
20 ordinance which was proposed in York,  
21 Pennsylvania back in 1993. And you can see  
22 there the word "intolerance" there is used and  
23 then shortly after that once. And my contention  
24 was that if they passed the ordinance, it will  
25 not only protect the people with a particular

1 sexual orientation but it will promote the life  
2 style. And six months after that took place  
3 there was a symposium in York, a film festival  
4 on gay life style and there was an advertisement  
5 in the local library along Market Street  
6 promoting the life style. And I held a meeting  
7 relative to that in the library opposing that  
8 and certainly you can see that the next article,  
9 it says, pastors talk mean spirited. And there  
10 are also hints of hatred and mean-spirited  
11 preaching, so on and so forth.

12 Then, of course, I myself ran for York  
13 County sheriff sometime later and if you look  
14 down at the third page, it says, what can be  
15 perceived as deep-seated hatreds. This is an  
16 official editorial from the newspaper as well.  
17 I was coined as a potentially dangerous man as  
18 you may see. Then on this year, 4th of July,  
19 there was an editorial in the newspaper relative  
20 to Mr. Hahn and myself dealing with some of  
21 these issues, basically calling us heretics,  
22 that we are militia members, that we are filled  
23 with hatred, that we have this, we are  
24 anti-Semitic and gay bashing, race baiting. And  
25 then, of course, you can see that both of our

1 names are mentioned. We were called ayatollahs.  
2 And the last part says, don't be fooled by those  
3 who carry Bibles in one hand and weapons in the  
4 other and hatred in their hearts.

5 Then over in Hanover I held a meeting  
6 to present a message which I called the autopsy  
7 of a dead nation on behalf of the Free the  
8 People Committee and I myself lined up the YWCA  
9 to have the meeting and they took the  
10 information, took my check. But when they found  
11 out really what the meeting was about, that I  
12 had tried to disguise it, they held a public  
13 meeting involving the Free the People Committee.  
14 They canceled the meeting and on the basis that  
15 it was going to be a racist meeting, which  
16 certainly it was not going to be a racist  
17 meeting. It was going to be a presentation of  
18 the Christian principle of government and the  
19 information relative to where we are in the  
20 nation and in a political sense, a legal sense,  
21 in a moral sense. And then even in the church  
22 area it was going to be dealing with that.

23 Also I wish to point out here the pink  
24 paper which is a great concern to me and  
25 throughout these hearings I have heard several

1 times on the 22nd of October and here again  
2 today, I have heard that sexual orientation  
3 should be included in this hate crime  
4 legislation. Well, the gay agenda, and this  
5 basically deals with the gay agenda, if you look  
6 at point D, number 1, it says, "Stop all  
7 opposition by hate crime legislation." I would  
8 hope that this committee would not take its  
9 recommendation statewide that they include  
10 sexual orientation in the hate crimes area. One  
11 of the reasons I believe that certainly  
12 protection of that type of life style does  
13 promote it. I think there is evidence of that  
14 here.

15 In August 13, 1996 if you see another  
16 attachment there, it says, HIV hits home as top  
17 killer in York. This is about three and a half  
18 years after the sexual orientation law was  
19 passed in York. Also on the back of this sheet  
20 you will notice the blood donors,  
21 recommendations of blood donors guidelines on  
22 the back of the gay agenda sheet dealing with  
23 the disease of AIDS and the fact that that life  
24 style, the homosexual life style, is a high risk  
25 life style.

1           I realize that this sounds like  
2           somewhat of a lonely voice in all of this  
3           testimony. I felt like I needed to add that  
4           because of grave concerns to the moral fiber of  
5           society and if indeed, that sexual orientation  
6           is added to the hate crime legislation, I would  
7           like to ask what effect will that have on  
8           literature that many churches, including myself,  
9           pass out relative to homosexuality and holiness  
10          relative to the fact that they believe  
11          homosexuality is a sin.

12                 And also some others. Here are the  
13          medical consequences of what homosexuals do and  
14          the violence of homosexuality. So I would  
15          caution you gentlemen that you not be led down a  
16          path in creating legislation that will protect  
17          and promote a life style that is very unhealthy  
18          to a society and to the detriment of society  
19          itself.

20                 That concludes my testimony, if you  
21          have any questions.

22                 CHAIRMAN SCHULER: Thank you very  
23          much. Do we have any questions?

24                 REPRESENTATIVE CARN: One quick  
25          question. I was reading this article that you



1 made reference to about York.

2 REVEREND GROVE: Yes, sir.

3 REPRESENTATIVE CARN: And HIV and the  
4 last paragraph on the first page, it says,  
5 heterosexual behavior will become York County's  
6 second leading cause of HIV behind intravenous  
7 drug use by the year 2000.

8 REVEREND GROVE: That is true.

9 REPRESENTATIVE CARN: So how does that  
10 relate to homosexuality?

11 REVEREND GROVE: Well, simply because  
12 shortly after they passed the gay rights  
13 ordinance in York they had a meeting on the  
14 Coalition on AIDS and Reverend Gary Hahn and I  
15 both went to that meeting. And what we saw at  
16 this meeting was a juggling of the books and  
17 statistics, if you please. And the only reason  
18 for reporting AIDS now is people who have  
19 full-blown AIDS, okay. We think this is a  
20 juggling of statistics. They don't report AIDS  
21 cases until they are full-blown. In other  
22 words, they are not reporting publicly HIV  
23 cases. You can have HIV but not full-blown  
24 AIDS. We believe that that doctored the  
25 statistics relative to the male homosexual

1 community relative to the heterosexual community  
2 now, to the year 2000 where the paths are  
3 supposed to cross in the year 2000 where it is  
4 headed down in one community and up in the  
5 other. We believe that certainly that was a  
6 doctoring of the statistics.

7 REPRESENTATIVE CARN: What you are  
8 saying is that --

9 REVEREND GROVE: I don't believe that  
10 this is totally true. I believe that HIV and I  
11 believe the primary cause for it is this  
12 promotion of homosexuality because the average  
13 age of death for a male homosexual is 39 and the  
14 average age for a female homosexual is 42. That  
15 has been compiled by Dr. Paul Camry from the  
16 Family Research Institute.

17 REPRESENTATIVE CARN: Thank you.

18 Thank you, Mr. Chairman.

19 CHAIRMAN SCHULER: Representative  
20 James?

21 REPRESENTATIVE JAMES: Thank you, Mr.  
22 Chairman.

23 So I just wanted to get a clear  
24 understanding of your position. You are coming  
25 from a religious position and are you saying

1           that people shouldn't be together or should live  
2           together or that there should be racial harmony  
3           or there should be separatism?

4                    REVEREND GROVE: Racial harmony, I am  
5           not, I have no problem with racial harmony. I  
6           am not a racist, okay, but I am against  
7           including sexual orientation in the  
8           classification of race. There is a difference  
9           because you, sir, were born the way you were  
10          born. You couldn't change that. But I believe  
11          that homosexual life style can certainly be  
12          changed. It can be repented of. That is what  
13          the Bible says. It is a practice, a willing  
14          practice. It is not something they were born  
15          with, as I see it, from the Biblical  
16          perspective.

17                   REPRESENTATIVE JAMES: In terms of  
18          African Americans, Asians, white people living  
19          together, that is no problem..

20                   REVEREND GROVE: I have no problem  
21          with that. The thing that concerns me which I  
22          have heard over and over again in these  
23          testimonies is this thing of sexual orientation  
24          being added to all of this. That is my grave  
25          concern.

1                   REPRESENTATIVE JAMES: Thank you.  
2 Thank you, Mr. Chairman.

3                   CHAIRMAN SCHULER: Representative  
4 Hennessey?

5                   REPRESENTATIVE HENNESSEY: Thank you.

6                   With regard to the question of the  
7 hate crimes, just to follow-up on what you were  
8 saying, I understand from what you just said  
9 that you think it is proper for us to make it,  
10 to increase the severity of the crime, or the  
11 punishment where the crime is gender-based or  
12 based on age or racial hatreds?

13                  REVEREND GROVE: Well, I think you  
14 have already done that with your ethnic  
15 intimidation law.

16                  REPRESENTATIVE HENNESSEY: The  
17 question is the legislature has been asked to  
18 consider, I guess among a number of things,  
19 whether or not sexual orientation should be  
20 added to that statute, to that, the hatred  
21 targeted type of activities.

22                  REVEREND GROVE: I think there was  
23 testimony last time on October 22nd that the  
24 present law which has been passed, ethnic  
25 intimidation, has been working well. I am

1 referring to Homer Floyd's testimony which he  
2 recommended the adding of the sexual orientation  
3 at the very end of his testimony. That was what  
4 he was basing, what he recommended that you do,  
5 okay. He also said that the law has been  
6 working well in other areas. He is recommending  
7 additional coverage.

8 REPRESENTATIVE HENNESSEY: Where you  
9 are not suggesting that people should go out and  
10 target people who are openly gay or openly  
11 lesbian?

12 REVEREND GROVE: No, sir, I am not. I  
13 am not against that.

14 REPRESENTATIVE HENNESSEY: You just  
15 don't think that should be a protected class?

16 REVEREND GROVE: That is exactly  
17 right. I think that once the protection comes  
18 in an ordinance or a law such as this it will  
19 promote that behavior. I think we have seen  
20 that. The night they passed the ordinance in  
21 York, that very day the gay community in York  
22 said, they were quoted in the newspaper, that  
23 they were going to promote their life style in  
24 York. Six months later they did that openly and  
25 publicly.

1                    REPRESENTATIVE HENNESSEY: I  
2 understand your concerns with regard to the  
3 issue of sexual, sexual choice.

4                    REVEREND GROVE: Right.

5                    REPRESENTATIVE HENNESSEY: Biracial,  
6 interracial marriage, is that okay with you?

7                    REVEREND GROVE: Here again, here  
8 again, that is up to the individual. We have  
9 individual freedoms and rights.

10                   REPRESENTATIVE HENNESSEY: You don't  
11 have a problem with that?

12                   REVEREND GROVE: It is not illegal.

13                   REPRESENTATIVE HENNESSEY: The  
14 religious consideration, you talk about your  
15 philosophy being based on the Christian ethic.  
16 How do the Jewish people fit into the American  
17 fabric?

18                   REVEREND GROVE: Again, we have  
19 freedom in America for anyone. As Brother Gary  
20 Hahn said, we believe in a melting pot, not a  
21 melt down necessarily. What he means by melting  
22 down there, I think, is the fact that we change  
23 our laws based on, from a Christian basis, okay,  
24 sort of an evolutionary law system from a  
25 Christian basis, because you have to admit that

1           our law system was based upon Biblical  
2           principles and the Christian basis, our culture  
3           was in this country and what we see is that  
4           beginning to change and beginning to move away  
5           from the basis.

6                        REPRESENTATIVE HENNESSEY:   And it is  
7           also based, especially here in Pennsylvania, on  
8           the toleration of other religions.

9                        REVEREND GROVE:   That is right, which  
10          I have no problem with, okay.   I do believe that  
11          we are creating in America, this is my personal  
12          belief, that we are not only creating religious  
13          freedom, okay, because I believe that the First  
14          Amendment really applied to Christian religions,  
15          that the First Amendment was really to keep any  
16          particular Christian religion like Episcopalian  
17          or Baptist or Catholic or anyone like that from  
18          being a church as they had in England.   But  
19          there was tremendous Christian liberty in this  
20          country and certainly court rulings dealing with  
21          the Christian basis of society.   That is why  
22          they were included here and that was based upon  
23          Christianity.   But I believe we created not only  
24          a religious freedom, we have gone beyond that.  
25          We have created a religious free-for-all, if you

1 please, in our society.

2 REPRESENTATIVE HENNESSEY: A  
3 free-for-all?

4 REVEREND GROVE: A religious  
5 free-for-all.

6 REPRESENTATIVE HENNESSEY: You say  
7 that the First Amendment applied to the  
8 Christian religion?

9 REVEREND GROVE: I believe it did,  
10 yes, sir, and I believe that you can prove that  
11 certainly because of the Christian basis and  
12 Christian influence in this country.

13 REPRESENTATIVE HENNESSEY: In your  
14 interpretation that prevented the government  
15 from establishing Christianity as the law --

16 REVEREND GROVE: A state church.

17 REPRESENTATIVE HENNESSEY: And  
18 religion of America.

19 REVEREND GROVE: As a state church  
20 such as they had in England.

21 REPRESENTATIVE HENNESSEY: But it also  
22 prevents the United States government from  
23 establishing the Jewish religion as the church  
24 of America?

25 REVEREND GROVE: Sure.



1                   REPRESENTATIVE HENNESSEY: Or any  
2 others? Islamic?

3                   REVEREND GROVE: No others, right.  
4 Let me give you a good example of that.

5                   REPRESENTATIVE HENNESSEY: I guess I  
6 am having some trouble understanding.

7                   REVEREND GROVE: Well, let me give you  
8 an example of that.

9                   REPRESENTATIVE HENNESSEY: If it  
10 applies to the Christian religions, what I asked  
11 you specifically, it would block the Jewish or  
12 any other religion from being citizens of the  
13 states.

14                   REVEREND GROVE: Well, it should.  
15 Well, it should block the Islamic from being set  
16 up as a state church.

17                   REPRESENTATIVE HENNESSEY: Well, you  
18 started this off by saying that it only applied  
19 to the Christian religion.

20                   REVEREND GROVE: Well, I think it  
21 originally did.

22                   REPRESENTATIVE HENNESSEY: You are  
23 saying the people who wrote it were generally  
24 Christians and therefore --

25                   REVEREND GROVE: Yes.

1           REPRESENTATIVE HENNESSEY: Is there  
2 thinking in that vein?

3           REVEREND GROVE: I think there is  
4 adequate testimony, I don't have it with me but  
5 adequate testimony to believe that they believed  
6 that they were setting up a cultural based on  
7 the principles of Christianity and our law  
8 system is based upon that.

9           REPRESENTATIVE HENNESSEY: I guess we  
10 are probably on the same page. I am having  
11 difficulty trying to understand what some of  
12 your concerns are, that you have. Let me ask  
13 you about the fringed flag.

14          REVEREND GROVE: Yes, sir.

15          REPRESENTATIVE HENNESSEY: This really  
16 throws me, that the flag is objectionable. That  
17 flag up there, is that what you are talking  
18 about, a fringed flag?

19          REVEREND GROVE: Well, if you turn to  
20 this chart, sir.

21          REPRESENTATIVE HENNESSEY: I saw it.

22          REVEREND GROVE: Pardon me?

23          REPRESENTATIVE HENNESSEY: It didn't  
24 have the fringe around it originally?

25          REVEREND GROVE: That is exactly

1 right; originally, it didn't. That is a federal  
2 United States flag, not a constitutional  
3 republic flag without the fringe. Probably if  
4 you look at the top of this building or the top  
5 of any other building, government building, it  
6 is a flag without the fringe.

7 REPRESENTATIVE HENNESSEY: I always  
8 thought that those were interior and exterior  
9 flags, to tell you the truth. I thought that  
10 the flag with the fringe became unraveled and  
11 looked rather unwieldy when you put it outside.  
12 What does that mean to you? Does that mean that  
13 America --

14 REVEREND GROVE: That, to me, is a  
15 philosophical approach to government. That is  
16 not the same as our founders brought to us, the  
17 flag without the fringe.

18 REPRESENTATIVE HENNESSEY: If they  
19 brought it in without the fringe, you would feel  
20 more comfortable saluting that flag than this  
21 one?

22 REVEREND GROVE: Yes. I certainly  
23 would.

24 REPRESENTATIVE HENNESSEY: I don't  
25 know that there is a distinct difference but I

1 recognize that the First Amendment gives you the  
2 right to have those opinions.

3 REVEREND GROVE: You can read the  
4 article attached to that. You may get some  
5 interesting insight relative to the philosophies  
6 of government there.

7 REPRESENTATIVE HENNESSEY: Thank you.

8 REVEREND GROVE: Sure.

9 CHAIRMAN SCHULER: Any other  
10 questions?

11 Thank you. Thank you very much,  
12 Pastor, for coming today and sharing your  
13 thoughts with us.

14 REVEREND GROVE: Thank you very much.

15 CHAIRMAN SCHULER: We will take a  
16 break now for lunch. We will return at 1:00  
17 p.m.

18 (A luncheon recess ensued from 12:35  
19 p.m. to 1:10 p.m.)

20 CHAIRMAN SCHULER: The committee will  
21 reconvene our hearing. I would like to  
22 reiterate my opening remarks. We will have each  
23 one try to give us their testimony in 20 minutes  
24 and we will have questions after their testimony  
25 and we are starting late so I am asking the

1 members of the task force to be brief in your  
2 questions and the respondents to be brief in  
3 your answers.

4 Our next person to testify is a  
5 gentleman here, Dr. Brian Levin, associate  
6 professor, director of Stockton Center on Hate  
7 and Extremism, Richard Stockton College, Pomona,  
8 New Jersey.

9 Doctor, thank you for coming.

10 DR. LEVIN: Thank you for having me.

11 CHAIRMAN SCHULER: The floor is yours.

12 DR. LEVIN: Thank you kindly.

13 My name is Brian Levin and I am  
14 associate professor of criminal justice at the  
15 Richard Stockton College of New Jersey where I  
16 also serve as director of Stockton College's  
17 center on hate and extremism. Before coming to  
18 Stockton College I served as associate director  
19 for legal affairs at the Southern Poverty Law  
20 Center's Klanwatch and militia task force. I  
21 was also legal director of the center for the  
22 study of ethnic and racial violence. I have  
23 published numerous articles and books on the  
24 subject and testified before Congress and my  
25 theory on the constitutionality of hate crimes,

1           which I proposed in two U.S. Supreme Court  
2           briefs, was adopted by the Supreme Court in  
3           Wisconsin versus Mitchell.

4                     I will address the judiciary committee  
5           today on the characteristics of hate and  
6           extremism and offer some suggestions on how the  
7           commonwealth can better address these issues.

8                     First, let me start with a definition  
9           so that we are all working from the same point  
10          of reference. A hate crime is a criminal  
11          offense where a person or target is  
12          intentionally selected on the basis of a status  
13          characteristic such as race, religion, national  
14          origin or sexual orientation. While the FBI's  
15          data collection guidelines include sexual  
16          orientation, Pennsylvania's ethnic intimidation  
17          statute does not. This is a glaring deficiency  
18          which must be corrected.

19                    Hate offenses are a criminologically  
20          distinct and severe type of offense. In  
21          relation to other offenses, hate crimes are more  
22          likely to involve attacks against persons,  
23          assault, injury, serial victimizations as well  
24          as unknown and multiple assailants.

25                    Hate crimes are also associated with

1           heightened psychological trauma for victims and  
2           an increased risk for civil disorder for  
3           communities. Victims feel especially vulnerable  
4           because they are at a heightened risk for  
5           unprovoked random attacks due to their identity.  
6           The psychological trauma to victims is thus  
7           intense because there is little, if anything,  
8           that one can do to decrease the risk of further  
9           victimization. There is also heightened  
10          psychological trauma because these attacks are  
11          targeted towards characteristics that are  
12          central to a person's identity.

13                        So one thing I want to make sure that  
14                        I leave this committee with is the idea that  
15                        these crimes from a strictly criminological  
16                        standpoint are more severe and intense type of  
17                        offense. Every major criminological study on  
18                        this subject backs up this point. In fact, one  
19                        of the reference points that we went after at  
20                        the supreme court level dealt with reasons why  
21                        these kinds of laws, hate crime laws, if you  
22                        will, are constitutional.

23                        The first reason is it is a crime of  
24                        discrimination and we commonly punish  
25                        discrimination on the civil side of the fence as

1 well as the legal side of the fence. The  
2 supreme court in the Jay Hees case, in fact,  
3 said that discrimination is something that was a  
4 compelling state interest that the government  
5 has an obligation to eradicate. That was one  
6 reason.

7 The second reason, as I just went  
8 into, is the fact that these crimes are a more  
9 severe type of offense and they are not just a  
10 more severe type of offense towards victims.  
11 They are a more severe type of offense towards  
12 communities as well. There is heightened risk  
13 of social disorder associated with these crimes,  
14 which is another reason these are crimes against  
15 the community as well. Let me fill you in on  
16 some current research. I think you will see  
17 that it has some interesting insight for policy  
18 makers.

19 Nationally approximately 50 percent of  
20 hate offenders are 21 or under and Pennsylvania  
21 authorities report an even higher percentage of  
22 youthful offenders. In addition, about 95  
23 percent of hate crimes nationally are not, let  
24 me emphasize not, committed by members of  
25 organized hate groups or hard-core hate mongers.



1 In fact, a Northeastern University study found  
2 that most hate crimes were motivated by a desire  
3 for excitement or to avenge a perceived  
4 transgression committed by an outsider, such as  
5 being present on one's, quote, turf.

6 This is an important point for policy  
7 makers because this shows that there is a very  
8 significant opportunity to deter these kinds of  
9 offenses if you have adequate laws and  
10 procedures on the books. Very few of the people  
11 that commit these crimes are, embrace the  
12 hard-core type of bigotry that we see, for  
13 instance, with the skinheads and the Ku Klux  
14 Klan.

15 In addition, I think another point  
16 which I think merits noting is that there is  
17 massive under reporting by hate crime victims.  
18 Professor Greg Herek of the University of  
19 California found that under reporting by hate  
20 crime victims is between 66 and 92 percent.  
21 Police often compound the problems by failing to  
22 record or respond to those crimes that are  
23 reported. A Northeastern University study found  
24 that responding officers correctly categorized  
25 only 19 out of 452 reported hate crimes

1           correctly.

2                       Pennsylvania is fortunate to have  
3           talented and committed officials responding to  
4           the hate crime problem, but the commonwealth  
5           must do more to support these efforts. Here are  
6           the suggestions I have for the legislature.

7                       The first deals with prioritizing  
8           police training and data collection. Make hate  
9           crimes training and data collection mandatory  
10          for every department. It appears in many parts  
11          of the state, particularly in some rural areas,  
12          authorities are not documenting and responding  
13          to hate crime in an appropriate manner. While  
14          Pennsylvania ranks fifth in the nation in  
15          population it is only ninth in the number of  
16          reported hate crimes.

17                      In 1995, for instance, the City of  
18          Boston with a population of about 544,000  
19          reported approximately 200 hate crimes to the  
20          FBI while Pennsylvania, with a population over  
21          20 times as great reported only 282 hate crimes.  
22          Again, the population of Pennsylvania in 1995  
23          was approximately 12 million. So I think  
24          clearly that we are seeing an under count. I  
25          could give more examples but due to the brevity

1 of time, I think this one makes the point  
2 adequately. Many jurisdictions in the  
3 commonwealth do not report any hate crimes at  
4 all.

5 Another point that I think needs to be  
6 addressed is the state's, the commonwealth's  
7 ethnic intimidation law. Coverage of the  
8 commonwealth's hate crime law should be expanded  
9 to include sexual orientation, disability and  
10 gender. Hate crimes against gays, for example,  
11 are among the most violent and the least  
12 reported of all hate crimes. Pennsylvania's law  
13 does not protect these victims. As a former New  
14 York City police officer I can tell you that  
15 there is certain types of victims that  
16 experience excessive types of trauma.

17 I had the opportunity to work with the  
18 FBI down in Tennessee just a day ago. I had the  
19 privilege of working with an old friend of mine,  
20 deputy superintendent William Johnston from the  
21 Boston Police Department who related the story  
22 how when he was a decoy police officer in Boston  
23 and he worked outside of a gay bar, the beatings  
24 he received were far more in excess than any  
25 kind of assault that he had while he was working

1 other decoy operations. In fact, he had facial  
2 trauma and teeth knocked out while working on  
3 these, quote, gay details.

4 Let me give you another example of  
5 what I mean by the under counting of the  
6 severity of homophobic hate crimes. In the  
7 early '90s a 27-year old banker named Paul  
8 Broussard was walking with a friend in the  
9 Montco section of Houston, Texas. Over half a  
10 dozen youth from the surrounding suburbs who  
11 made the 45-minute trek into Houston saw Paul  
12 Broussard and assumed he was gay. They set upon  
13 him as if he were a hunted animal with all kinds  
14 of weapons, not the least of which was two by  
15 four's studded with nails. He ended up being  
16 murdered and his murderers were teenagers. The  
17 Houston Police Department, who heretofore had  
18 not reported a single homophobic hate crime, had  
19 their first homophobic reported homicide on  
20 their hands. They decided to start a decoy unit  
21 in the Houston Police Department. Within ten  
22 days the decoy unit had to be disbanded because  
23 of five separate attacks on four officers. That  
24 included bricks, baseball bats, mace, brass  
25 knuckles, box cutters and a variety of other

1 types of weapons. The police department deemed  
2 it too serious a risk to the lives of the  
3 officers to continue the decoy program, even  
4 though the City of Houston had not previously  
5 before that reported a single homophobic hate  
6 crime. I think this is an example that if you  
7 look for the crime, you will find it.

8 In Boston they did not see a single  
9 hate crime or reported a single hate crime in  
10 their city until the late 1970's and when they  
11 started counting, they found that they had well  
12 over 600.

13 Indeed, hate violence against gays is  
14 a serious problem nationwide. Homophobic  
15 homicides now outpace racially motivated  
16 homicides as the leading category of bias  
17 homicide. The Federal Hate Crime Sentencing  
18 Enhancement Act, which I had the privilege of  
19 working on the promulgation of, the FBI's data  
20 collection program, again which I have had the  
21 opportunity to do some work with, and over 20  
22 states now explicitly recognize sexual  
23 orientation as a protected category.  
24 Unfortunately, Pennsylvania is not one of them.

25 Another suggestion I have is expand

1 the jurisdiction of the attorney general of the  
2 state. Based on the brevity of hate crime  
3 reports and prosecution from certain areas of  
4 the commonwealth, it is apparent that some  
5 officials are not adequately responding to the  
6 hate crime problem in their community.

7 Therefore, it is crucial that the current  
8 jurisdiction over the prosecution of hate crimes  
9 be extended to the state attorney general. We  
10 have a similar program, by the way, with civil  
11 rights violations at the federal level. I think  
12 there were certain instances where either the  
13 expertise is not available, the training is not  
14 available and for some reason local political  
15 pressures preclude the adequate resolution of  
16 these cases at the local level. Therefore, I  
17 support Assistant Attorney General Hargrove's  
18 testimony in expanding the jurisdiction of the  
19 attorney general's office in that regard.

20 Another thing I think that warrants  
21 legislation is a statute that would prevent the  
22 disclosure of evidence collected during the  
23 investigation of a hate crime from being  
24 disclosed to federal immigration authorities.  
25 Without such provision, an undocumented hate

1 crime victim would be placed in the untenable  
2 position of having to choose between deportation  
3 or the adjudication of their assailants. The  
4 criminal law commonly recognizes certain types  
5 of privilege. Indeed, many cities throughout  
6 the United States also have programs similar to  
7 what I am suggesting to you; not the least of  
8 those is San Francisco. Undocumented persons  
9 represent a very significant target for cowardly  
10 hate mongers who see them not only as an easy  
11 hit but someone who they can continue to  
12 victimize without any chance of being brought  
13 before the bar of justice because of that  
14 situation involving the potential of these  
15 victims to get deported.

16 In San Diego, for instance, where I  
17 had the opportunity to work with authorities  
18 down there, a similar program was enacted  
19 because what happened was, we were finding that,  
20 for instance, undocumented women were getting  
21 raped by citizens but by the time their  
22 complaints were brought to the attention of the  
23 police the victims themselves were already  
24 deported.

25 A civilized society has an obligation

1 to protect the most vulnerable residents against  
2 violence and I think this would be a very just  
3 way of making sure that the violence and the  
4 injustice that emanates from that would not  
5 continue.

6 Another thing that I think the state  
7 could do would be to fund diversity education.  
8 Early educational efforts that involve  
9 meaningful interaction with diverse people would  
10 reduce the harmful negative stereotypes that are  
11 a prerequisite to bigoted violence.

12 Let me just explain what we know about  
13 offenders. I think that would be helpful. All  
14 hate crime offenders respond to what is called  
15 the printed circuit of negative stereotypes  
16 which legitimize who shall be a target of  
17 aggression. This could be African Americans.  
18 It could be Jews. It could be gays, Asians,  
19 whomever. The trigger for these stereotypes,  
20 though, vary considerably. For the hard-core  
21 hate monger the very reason that they exist is  
22 to define themselves by their race and anyone  
23 who is different from that will be a trigger  
24 enough. For others, the transgression of a  
25 perceived social norm within that subgroup, for



1 instance, a black person coming into a white  
2 community, this transgression of a perceived  
3 rule of that community by an outsider would be  
4 enough to trigger a hate crime. But the most  
5 common, as I said before, is the desire for  
6 thrill, an excitement by young adults and young  
7 people and if we can put meaningful interactions  
8 while these people were young, we can have a  
9 proactive and preventive response to hate crime.  
10 Because one thing we know about hate crime is  
11 the best way to fight hate crime is prevention  
12 and the best way to prevent hate crime is  
13 meaningful interaction at a young age and  
14 education.

15 A nationwide 1990 Harris Poll of high  
16 school students found that over half of the  
17 respondents said that they witnessed racial  
18 incidents at least once in awhile, some very  
19 often. Almost half of those say that they  
20 either approve of such attacks or would even  
21 participate in one. In a further disturbing  
22 survey by the State of New York, almost 3,000  
23 junior and senior high school students, 43  
24 percent had witnessed acts of bias violence at  
25 school, 16 percent said they are victims and

1 eight percent had been injured. A 1989 Los  
2 Angeles County school survey revealed in  
3 addition to many non-criminal bias incidents,  
4 there were over 1200 acts of reported physical  
5 violence, graffiti and property damage in one  
6 year. That eclipsed the number of reported  
7 incidents in the county as a whole by about 50  
8 percent.

9 Indeed, this continues into colleges  
10 as well. About 20 percent of African American  
11 students at primarily white institutions report  
12 that they are assaulted or are harassed and  
13 there is indication that these acts could be  
14 increasing significantly.

15 At Stockton College our annual CHEER  
16 conference for young people has been hailed as a  
17 national model. You all are invited to Stockton  
18 this spring to see our CHEER conference and our  
19 Holocaust Research Center. School based  
20 prejudice reduction programs such as these  
21 represent an effective common sense proactive  
22 response to hate crime.

23 And let me just interject one last  
24 point that is related. I also think we have to  
25 stop stripping away the funding of human

1 relations agencies, both at the state and  
2 municipal level. There has been an assault on  
3 the funding of these agencies. For instance,  
4 when we had the civil disorder in Saint  
5 Petersburg just a little while ago, the first  
6 individuals that were called nationally were the  
7 community relations service, which incidentally  
8 had their staff cut by two-thirds. These kinds  
9 of mediative agencies and investigatory agencies  
10 give an important bridge to both law enforcement  
11 and community groups and are also important with  
12 regards to the non-criminal adjudication of  
13 non-violent hate crime cases.

14 The last point that I want to bring up  
15 is as far as what we can do legislatively have  
16 to do with extremists. Pennsylvania is home to  
17 98 hate groups, anti-government organizations  
18 and militias. The commonwealth is home to over  
19 20 militia groups, yet there is no anti-militia  
20 statute, only a law that prohibits paramilitary  
21 training. The supreme court has ruled as early  
22 as 1886 with the Presser case and numerous lower  
23 federal courts have upheld the right of states  
24 to ban military organizing, not just  
25 paramilitary training. While the right to

1 association is a fundamental right it is not an  
2 unlimited right. There are a plethora of  
3 associational activities that are regulated by  
4 the state. For instance, I can't start a  
5 medical practice with a bunch of my friends  
6 because I am not a physician. In addition, we  
7 cannot have a thousand people in this room  
8 because of fire codes. Furthermore, I couldn't  
9 marry my cousin or someone under the age of 12.  
10 There are a slew of associational regulations  
11 that the government fairly puts into being that  
12 do not run afoul of the First Amendment.

13 Indeed, my former employer, the  
14 Southern Poverty Law Center used these laws to  
15 put the Ku Klux Klan paramilitary units out of  
16 business in states such as Texas and North  
17 Carolina where they terrorized African American  
18 citizens and Vietnamese refugees and indeed, the  
19 federal court upheld these laws in those cases.  
20 These laws, incidentally, also provide for an  
21 important proactive tool for authorities to  
22 intervene if necessary against intimidating and  
23 proscribable conduct before it rises to  
24 violence. The commonwealth should also enact  
25 laws criminalizing renegade so-called common law

1 courts that threaten and intimidate government  
2 officials and private citizens.

3 Lastly, the government should  
4 criminalize the possession of mass toxins and  
5 biological pathogens such as ricin and sarin gas  
6 which are becoming increasingly popular with  
7 anti-government extremists.

8 Let me take a minute to talk to you  
9 about ricin. Ricin is the third most dangerous  
10 toxin known to man. One 50-millionth of a gram  
11 is enough to kill somebody. In fact, there have  
12 been some high profile arrests by federal  
13 authorities of the survivors of extremists who  
14 had enough ricin to kill small cities. Indeed,  
15 you could murder a whole office building with  
16 ricin by putting it into the ventilation system  
17 or putting it into subways. Indeed, there is an  
18 extreme threat of mass terrorism from toxins  
19 such as ricin that shut down the respiratory and  
20 cause a certain death in anyone that inhales it  
21 or absorbs this material through the skin.  
22 Sarin gas is another example. There are also  
23 things like bubonic plague and anthrax, all of  
24 which, by the way, have been on the radar screen  
25 of extremists. We have seen arrests involving

1 plots by white supremacists and anti-government  
2 extremists to use ricin to poison government  
3 officials. I think that this is something that  
4 will not lessen. I have the opportunity to  
5 prepare testimony for a senate investigation on  
6 the subject of mass toxins. I think that this  
7 is something that we should no longer ignore.

8           Indeed, another thing that we will  
9 probably see in the future regarding  
10 anti-government extremists will be a trend  
11 towards decentralization or a tiny cell which  
12 have been glorified in the movement as  
13 leaderless resistance. That is what they call  
14 them and I think there is a danger from these  
15 individuals because, first of all, there are  
16 many what we call millennists, people who regard  
17 the year 2000 as a sign that there should be an  
18 apocalyptic battle against government agencies  
19 and minority citizens. Another thing is we have  
20 within the folklore of this movement the  
21 identification of targets, which includes  
22 elected officials, law enforcement and  
23 minorities. So we have an identifiable target  
24 in the folklore of this movement.

25           We also have an intense justification

1 to not only political rhetoric but through  
2 religious rhetoric as well. Christian  
3 Identity -- by the way, there are two Christian  
4 Identity compounds in the state of Pennsylvania.  
5 Christian Identity is a religion of white  
6 supremacy which identifies blacks as subhuman,  
7 African Americans as subhuman and Jews the son  
8 of Satan. This kind of religious and political  
9 rhetoric has infected the anti-government  
10 movement. What it does is it identifies who  
11 should be a target. It gives a very hard-core  
12 commitment on some of the fringe people in the  
13 movement and additionally it identifies  
14 appropriate weapons that should be used against  
15 the so-called enemies and I think that is  
16 important.

17 Let me just say to put it into  
18 context, the vast majority of people associated  
19 with the anti-government movement do not  
20 represent an immediate threat to lawlessness.  
21 Nevertheless, I think there is a distinct and  
22 threatening underbelly to this movement, a  
23 minority of this movement but a very threatening  
24 underbelly to this movement that is not wholly  
25 represented by numbers alone. I think that

1 their threat transcends numbers.

2 In conclusion, let me just say  
3 demographic changes, economic shifts, changes in  
4 residential housing patterns, international  
5 events and strained intergroup bonds make the  
6 threat of hate crime a significant one for the  
7 nation in general and for the commonwealth in  
8 particular. We have been fortunate over the  
9 last couple of years to see a decline in hate  
10 crimes nationally after record highs and a  
11 consecutive year-to-year increase during the  
12 late '80s and early '90s.

13 I think that is due more to luck than  
14 anything else. The percentage of population  
15 most likely to commit hate crimes has shrunk and  
16 in addition, the economy was doing well. But  
17 the shift to a service sector economy and these  
18 other causes which I alluded to make the threat  
19 of hate crimes increasing over the next several  
20 years a significant one and we are starting to  
21 see incidences of some preliminary data from  
22 around the country that this has already begun.

23 I want to thank the committee for the  
24 opportunity to testify here today and I would  
25 certainly answer any questions any members of



1 the committee might have.

2 Once again, thank you for the  
3 privilege of addressing you here today and there  
4 are some things, some charts in the appendices  
5 that I think you might find interesting that are  
6 attached to my testimony. Thank you very much.

7 CHAIRMAN SCHULER: On the second page,  
8 the last sentence, says "Many jurisdictions in  
9 the commonwealth do not report any hate crimes  
10 at all."

11 That may or may not be true. I don't  
12 know. What justification do you have other than  
13 the fact that you have used Boston?

14 DR. LEVIN: What justification do I  
15 have for what?

16 CHAIRMAN SCHULER: That most  
17 jurisdictions in the commonwealth do not report  
18 hate crime.

19 DR. LEVIN: I am using for that FBI  
20 statistics which I have been tracking over the  
21 last several years. My research was used in the  
22 promulgation of the Federal Hate Crimes  
23 Statistics Act and what I can tell you, what we  
24 see in Pennsylvania is not really that unusual.  
25 We see it all over the country. There is

1 massive under reporting and I think what you  
2 have is data collection is an important  
3 barometer for other measures and what you  
4 commonly see is lack of adequate training, a  
5 lack of adequate procedures. And what we are  
6 seeing, for instance, is if we take statistical  
7 averages from throughout the United States and  
8 we adjust them, for instance, the violent crime  
9 index to the percentage of population that has  
10 minorities in it to all kinds of various things,  
11 what you can do to try and take away any kind of  
12 variances. The State of Pennsylvania is really  
13 representing an under counting from what we see  
14 in those jurisdictions that have put in other  
15 procedures.

16 One of the things that I think is not  
17 an accident, if you look at the states and  
18 cities where they have procedures in place, laws  
19 are being enforced. Concomitant with that is an  
20 increase in reported hate crimes and one of the  
21 things that I think is an important indication,  
22 if you see a large jurisdiction that reports  
23 very low numbers of hate crimes, that is more an  
24 indication that they are not being adequately  
25 reported by victims and responded to by police.

1                   But we have a significant amount of  
2                   data that show the under reporting among victims  
3                   and also the difficulty that police have in  
4                   responding to them. I think that the Boston  
5                   study is a noteworthy one. Boston has the  
6                   oldest hate crime unit in the United States.  
7                   They have the most highly trained police in the  
8                   country with regards to hate crimes and yet,  
9                   even in that department and procedures -- by the  
10                  way, they have the best procedures for catching  
11                  hate crimers because, for instance, down at  
12                  headquarters every single interracial crime that  
13                  takes place is given a second look by the bias  
14                  unit in Boston. And what we saw is even with  
15                  the most highly trained officers in a compact  
16                  city that has had years and years of experience,  
17                  only 19 out of 452 crimes that came to the  
18                  attention of the police were categorized  
19                  correctly.

20                   CHAIRMAN SCHULER: Then there is a  
21                   problem with identification?

22                   DR. LEVIN: Yes. Absolutely. I  
23                   didn't mean to suggest that there was  
24                   necessarily a malevolent conspiracy here.

25                   CHAIRMAN SCHULER: I understand.

1                   The other comment that I had, you  
2                   talked about gay rights. Not this committee but  
3                   the judiciary addressed that issue in a hearing  
4                   or a group of hearings months ago, I guess it  
5                   was. But there is one thing you say,  
6                   Pennsylvania law does not protect these victims.  
7                   You say hate crimes against gays, for example,  
8                   are one of the most violent and least reported  
9                   of all hate crimes; Pennsylvania law does not  
10                  protect these victims. Well, we have laws on  
11                  assault and murder. What is your meaning here?

12                  DR. LEVIN: Let me address how we  
13                  approach this criminologically. Laws such as  
14                  assault do not address the context that these  
15                  crimes take place in. Let me give you an  
16                  example. We have laws against drunk driving,  
17                  for instance. Even though drunk driving could  
18                  be punished under reckless driving statutes, we  
19                  could say, for instance, if someone has a blood  
20                  alcohol level of a certain point that would  
21                  presumptively be drunk driving. What I think is  
22                  important here is that we have criminologically  
23                  a severe type of offense. We have laws for  
24                  instance, against bank robbery. There is a  
25                  certain risk to society from robbing a bank. We

1 have laws against beating animals but we don't  
2 have laws that specifically address hate crimes  
3 against gays. And let me just say --

4 CHAIRMAN SCHULER: Why must it be  
5 specific against gays? If I go up and belt  
6 somebody regardless of whether the person is  
7 gay, I am still accused of assault.

8 DR. LEVIN: Absolutely.

9 CHAIRMAN SCHULER: And battery.

10 DR. LEVIN: Absolutely. But there are  
11 certain types of crimes that bring with them  
12 severe risks and I think that if you look at  
13 this chart that I have appended to my testimony,  
14 this will explain what I mean. First of all,  
15 standard criminal law, common law statutes do  
16 not adequately address hate crime. That is why  
17 we have hate crime laws in the first place. So  
18 if we felt, for instance, assault laws  
19 adequately address hate crimes, we wouldn't  
20 haven't enacted the Ethnic Intimidation Statute.  
21 But what I think is important, if we have an  
22 Ethnic Intimidation Statute, we should have  
23 probably the most violently victimized segment  
24 of society represented within that. And this is  
25 not a special type of right. We are talking

1 about trying to put out a specific deterrent to  
2 conduct that is very risky. Let me give you an  
3 example.

4 CHAIRMAN SCHULER: Well, hitting  
5 somebody is risky regardless of who it might be.

6 DR. LEVIN: That is right. But the  
7 criminal law takes all the time into  
8 consideration the context in which crimes occur.  
9 We believe, for instance, that assaulting a  
10 police officer brings with it a special kind of  
11 a harm.

12 And the thing about these kinds of  
13 crimes, let me just try to address it, for  
14 instance, with regard to gays. This is  
15 something that deals with a status, for  
16 instance, an identity characteristic and finally  
17 this just doesn't protect gays. It protects  
18 people who might be mistaken as being gay. But  
19 what we have seen in New York state, for  
20 instance, where laws don't cover gays, we see  
21 serial attacks escalate over time and the  
22 assault laws do not pose an adequate deterrent  
23 to this type of escalating. Criminal law has a  
24 responsibility to deter risky type of conduct.

25 CHAIRMAN SCHULER: Wait a minute.

1 Wait a minute. I don't want to prolong this.

2 DR. LEVIN: No. I think it is an  
3 important point. I will answer any question you  
4 have.

5 CHAIRMAN SCHULER: If a person comes  
6 up and hits someone and I know if I do that, I  
7 can be pulled into court, maybe go to jail.  
8 What is the difference whether the person is gay  
9 or not? What is the deterrent?

10 DR. LEVIN: Sure. Let me try to put  
11 it into a little context here. One of the  
12 things that we know about these offenders, we  
13 want them to think beforehand because unlike  
14 other crimes, I think you made an excellent  
15 example, for instance, robbery or assault or  
16 some other kinds of crimes, there is a different  
17 kind of motivation. If I am going to commit a  
18 crime of pecuniary gain, if I want to steal this  
19 gentleman's memo pad right here, I will commit  
20 an act of violence enough to obtain the goal,  
21 which is an object or money. With hate crimes,  
22 particularly the hate crimes against gays, what  
23 we are seeing is bands of youths who are armed  
24 with imprecise weapons of opportunity, for  
25 instance, baseball bats, and what they do is,

1           there is no one single goal to their crime.  
2           Violence is not a means for achieving an end.  
3           Violence is the desired outcome. And what we  
4           have here is groups of young people that prey on  
5           gay people because they know the assault laws  
6           are not adequate and what they do is they get  
7           caught up in what we call group frenzy and these  
8           attacks end up becoming orgies of torture.

9                        So what we want to do is proactively  
10          respond. We want these people to think before  
11          they go out and gay bash, to think twice before  
12          they do it.

13                       CHAIRMAN SCHULER: We have assault  
14          laws. We have murder laws. People still don't  
15          think. They do it.

16                       DR. LEVIN: But one thing we found,  
17          for instance, with regards to hate crimes is  
18          they occur serially over time and if there is a  
19          deterrent, the people would think twice. The  
20          fact of the matter is assault laws have not been  
21          adequately used against people who attack gays.

22                       CHAIRMAN SCHULER: Then enforcement is  
23          a problem?

24                       DR. LEVIN: Enforcement is a problem.  
25          But nevertheless, I think this is a crime of



1 discrimination. It is a crime that affects the  
2 civil rights of a community and unlike an  
3 assault, for instance, if I have a gold chain,  
4 which I had -- when I was a police officer, I  
5 had a gold chain and it had a little shield on  
6 the end. And one time someone went to steal it  
7 and he saw the police shield and he ran away. I  
8 can do things with crime of pecuniary gain but I  
9 can change my position. For instance, I can  
10 tuck in my gold chain but I think with anti-gay  
11 crimes, this is an important thing because we  
12 are talking about a thing of association and the  
13 expression of association.

14 For instance, if someone looks gay or  
15 walking in a, quote, gay area of town, they  
16 place themselves at a risk of heightened  
17 victimization. I don't think that this does  
18 anything, any kind of special rights. What it  
19 does is it takes criminologically the victim is  
20 at a heightened risk for attack and protects  
21 them the same way that we protect other people  
22 that are at an even less heightened risk of  
23 attack.

24 By the way, just one other point, this  
25 would not just protect gays. For instance, a

1 gay person attacks someone for being straight or  
2 a gay person disrupted some kind of service or  
3 something that they thought was heterosexual,  
4 they could be prosecuted as well. But I think  
5 gays, we can't escape the fact that gays are at  
6 a tremendous risk of being beaten and brutalized  
7 and the assault laws do not adequately protect,  
8 not only gays individually, but people who are  
9 part of the gay community. I think that this  
10 affects the exercise of their civil rights.  
11 Under the 14th Amendment they have just as much  
12 right as anyone else. Gays should be allowed to  
13 exercise all the kinds of rights that other  
14 citizens have without having to risk a violent  
15 physical attack because of what they are  
16 perceived to be.

17 By the way, this is different from, we  
18 have heard this before, gays do certain things.  
19 Someone who is just perceived to be gay, for  
20 instance, a celibate gay person or whomever or  
21 someone who is just walking in an area of town  
22 that is perceived to be gay would be open up for  
23 this kind of victimization.

24 I think certainly as someone who has  
25 deep religious convictions and his father was a

1 prisoner of war in a Nazi prison camp, I think  
2 we can recognize that all citizens should be  
3 entitled to equal protection of the laws and  
4 that they should not be intimidated and  
5 terrorized for these kinds of attacks. After  
6 all, we are all God's children.

7 CHAIRMAN SCHULER: Questions here?  
8 Representative James?

9 REPRESENTATIVE JAMES: Thank you, Mr.  
10 Chairman.

11 Thank you for your testimony.

12 DR. LEVIN: Thank you.

13 REPRESENTATIVE JAMES: You said  
14 something in your testimony, I might have a page  
15 missing.

16 DR. LEVIN: You might. I will be more  
17 than happy to give you a corrected copy.

18 REPRESENTATIVE JAMES: You said the  
19 commonwealth should also enact laws  
20 criminalizing renegade common law courts that  
21 threaten and intimidate government officials.  
22 Can you give me examples of what you are talking  
23 about, these renegade common law courts?

24 DR. LEVIN: Sure. At Klanwatch where  
25 I previously worked, we found some common law

1 courts here in Pennsylvania. What they commonly  
2 do and they are spreading like wild fire across  
3 the country out in places like Montana, into  
4 metropolitan places like Orange County,  
5 California, we see common law courts putting  
6 basically bounties on the heads of judges and  
7 law enforcement officials. Out in Montana the  
8 county prosecutor had a bounty put on his head.  
9 This is nothing new. This is just a new face of  
10 posse comitatus. Senators have been threatened.  
11 What they do is they get together and they have  
12 their sham judicial proceedings and what they  
13 will do is set intimidating doctrines. And if  
14 you don't comply, such as a state  
15 representative, if there is a law that you put  
16 out that they don't like or someone has been  
17 arrested for not having a license plate on their  
18 car, they will send out these threatening court  
19 orders. And if you don't comply, you are  
20 threatened with some kind of violence associated  
21 with that.

22 REPRESENTATIVE JAMES: How long were  
23 you a police officer -- in New York City?

24 DR. LEVIN: Yes, sir. About four and  
25 a half, five years. I was injured after about

1 two and a half years of service.

2 REPRESENTATIVE JAMES: You say that  
3 one of the problems and I agree with you, is  
4 under reporting. How can we as lawmakers and  
5 policy makers work to improve that?

6 DR. LEVIN: Certain things. I think  
7 what is important, I think it must seem to be a  
8 priority for the legislature. One of the things  
9 that I know having advised law enforcement  
10 officials from the Attorney General of the  
11 United States all the way down to rank and file  
12 police officers is it is important to have some  
13 kind of legislative and executive statement.  
14 That is an important issue. That is the first  
15 thing. And I think, by the way, adding a thing  
16 like sexual orientation to the statute sends a  
17 message to prosecutors and law enforcement  
18 throughout the state that this is an important  
19 issue.

20 I have had people come to me privately  
21 and tell me about gay bashing cases that weren't  
22 adequately addressed by local authorities. I  
23 think training is important. Indeed, we are  
24 planning on having a training at Stockton  
25 College which is modeled -- I say modeled -- it

1 is a continuation of what Trent Hargrove spoke  
2 about during his testimony which I actually do  
3 training as part of their program. And  
4 certainly anyone from Pennsylvania that would  
5 like to come is certainly invited.

6 I think training is important. Data  
7 collection is important. I think there should  
8 be some kind of mandatory mechanism put in  
9 statewide that requires training and procedures  
10 of every police department and prosecutor's  
11 office to deal adequately with hate crimes. One  
12 of the things that we see is that data  
13 collection is a gateway issue. Once people look  
14 to see if they have a problem, they find there  
15 are problems that have been ignored for some  
16 time. And what we can do with that is an  
17 effective community outreach, response, et  
18 cetera.

19 So I think strengthen the law, mandate  
20 training and data collection and also strengthen  
21 your human relations liaison. By the way, not  
22 everything has to have money thrown at them.  
23 For instance, each department and each agency  
24 can put a bias liaison officer in. I wrote  
25 about this in the Stanford Law Policy Review and

1 it has found to be very effective. I was just  
2 down in Tennessee where they have implemented  
3 this program. I think that communities can put  
4 together a task force. They can meet quarterly  
5 or biannually and there is a person designated  
6 in the prosecutor's office, in the mayor's  
7 office, in the school district and they get  
8 together. They are the point person, both  
9 horizontally and vertically so, for instance,  
10 people from other agencies can come to them but  
11 also people within their agency as well.

12 And it doesn't have to be the only  
13 thing that they do. For instance, when I was in  
14 the police department, our community affairs  
15 officer also was the bias liaison officer. I  
16 think that there are many cost effective avenues  
17 that can be pursued. By the way, let me just  
18 say, there is a cross to ignoring this. After  
19 the Howard Beach incident took place in 1986  
20 where there was a homicide of an African  
21 American, the number of reported hate crimes to  
22 the New York City Police Department quadrupled.  
23 There were more hate crimes in the month  
24 following the Howard Beach case than the  
25 previous four months combined. I think it is

1 important that we not ignore these issues and  
2 there are a number of common sense and cost  
3 effective strategies which could be achieved by  
4 the legislature.

5 REPRESENTATIVE JAMES: That brings me  
6 to my next question. I think you might have  
7 said this. I just want to point it out. I  
8 think it is important as we found out at the  
9 last hearing that cultural diversity or  
10 sensitivity was not part of the mandatory  
11 in-service training. So you would agree that  
12 police officers and law enforcement officers  
13 need to have mandatory culture diversity or  
14 sensitivity training.

15 DR. LEVIN: Absolutely. But it also  
16 should be kept distinct from hate crimes. Hate  
17 crimes are a severe type of offense, just as  
18 bank robbery is a severe type of offense.  
19 Indeed, if I went and stole \$100 from somebody,  
20 or \$500 from somebody, that is a felony. If I  
21 strip somebody of their dignity and cause them  
22 not to exercise their civil rights, if I cause  
23 someone to leave their home, to move out of  
24 their neighborhood or to not identify themselves  
25 as who they are, that is an assault, an affront



1 not only on our dignity but on the exercise of  
2 civil rights.

3 I think Martin Luther King was correct  
4 when he said, when we allow the civil rights of  
5 any subgroup in society to be infringed upon, it  
6 is the civil rights of all of us that gets  
7 infringed upon. With specific answer to that  
8 question, we not only need cultural and  
9 diversity training in the law enforcement, which  
10 is important, but we also need an executive  
11 statement from the commanding officers from each  
12 of these departments, the state police -- what  
13 we have in this state is the state police --  
14 saying this is a priority and these are the  
15 rules you have to respond to, just like domestic  
16 violence.

17 When I was on the job in New York,  
18 there is a lot of police officers that had a  
19 problem emotionally with domestic violence.  
20 However, the rules were clear and it is clearly  
21 a priority of the legislature and the police  
22 commissioner and whatever their personal  
23 thoughts, they left them in the locker room and  
24 they had clear procedures to follow. And I  
25 think what we should do is make it as simple as

1 possible for the responding officer. If you  
2 have a scintilla of evidence in a case like a  
3 hate crime, pass it up to the supervisor who  
4 will then make the determination. And I think  
5 it is important that we have training in  
6 procedures in every department.

7 REPRESENTATIVE JAMES: And you are  
8 saying that the training be mandatory  
9 in-service?

10 DR. LEVIN: Absolutely.

11 REPRESENTATIVE JAMES: One final  
12 question, you also mentioned something about the  
13 need to have state laws controlling militias.  
14 You said Pennsylvania does not have, and can you  
15 tell me which states have or a couple states  
16 that have that?

17 DR. LEVIN: Sure. Well, let me just  
18 clarify that. Pennsylvania has a paramilitary  
19 training statute, paramilitary training statute.  
20 And what they don't have is a law against  
21 militia organizing. Let me give you an example  
22 just by analogy, that is equivalent to saying  
23 there should be a law against someone going out  
24 and performing unauthorized surgery, but there  
25 isn't a law against someone setting up an

1           unauthorized medical practice. If you want to  
2           get to these problems before they become  
3           significant, you have to outlaw militia  
4           organizing itself. Private armies have no place  
5           in civilized society. One of the things that we  
6           see in every single genocide in society that has  
7           taken place is the establishment and allowance  
8           of private unauthorized army. The supreme court  
9           in 1886 in Presser versus Illinois specifically  
10          said that it is not an attribute of either state  
11          or national citizenship to have a private army.  
12          And whatever militia people tell you to the  
13          contrary about the Second Amendment or the First  
14          Amendment, every federal court has addressed  
15          this issue, has said the states have a complete  
16          right to ban private armies. Indeed, I think  
17          this commonwealth has an obligation to not only  
18          ban paramilitary training but to ban  
19          paramilitary organizing as well.

20                    REPRESENTATIVE JAMES: Thank you.

21                    Thank you, Mr. Chairman.

22                    CHAIRMAN SCHULER: Mr. Hennessey?

23                    REPRESENTATIVE HENNESSEY: Thank you,  
24                    Mr. Chairman.

25                    Professor Levin, are community

1           activists, people making the rounds speaking  
2           either for or against these kinds of activities,  
3           more or less likely to be victimized?

4                   DR. LEVIN: I think certainly one of  
5           the things, for instance, what I put together  
6           for the federal government, a guide for local  
7           and state officers, one of the things that we go  
8           through when we try to establish something is a  
9           hate crime, has someone been outspoken on a  
10          particular topic; is someone known as a  
11          representative of a community and certainly to  
12          the extent, for instance, the head of the NAACP  
13          or someone who is a gay rights advocate is out  
14          there. They are not only out there personally,  
15          in other words, they are obviously gay or black,  
16          but they are also a symbol for the community.  
17          And certainly I would think the hate monger  
18          would find them an attractive target, not only  
19          because of their identity but what they  
20          symbolize for the whole community.

21                   REPRESENTATIVE HENNESSEY: You had  
22          spoken to the fact that politicians are  
23          sometimes targeted in the literature, not in  
24          fact --

25                   DR. LEVIN: In fact.

1                   REPRESENTATIVE HENNESSEY: -- by some  
2                   of these militia groups or whoever. Should  
3                   there be special regulations? Should there be a  
4                   special crime for assault to a wife and the  
5                   public official or the children? I guess my  
6                   question is, what I am trying to say, where does  
7                   it stop? You are saying that we should include  
8                   sexual orientation as a category to the  
9                   ethnicity or the hate crime statute. Should we  
10                  add public officials, children of public  
11                  officials? Should we allow the public officials  
12                  to stay protected after the person has lost  
13                  office, after mom or dad has been deselected or  
14                  failed to be returned to office? Where does it  
15                  stop? And I guess, I guess I go back to  
16                  Chairman Schuler's question, don't we have  
17                  enough elasticity or flexibility in our assault  
18                  statutes to deal with this kind of situation  
19                  where you give a range of sentences and allow  
20                  the judge to add a more severe sentence or  
21                  impose a more severe sentence when there is some  
22                  sort of factor in the crime that makes it, takes  
23                  it out of the ordinary? Why is it we have to,  
24                  in your view, add one category to the hate,  
25                  anti-hate crime law in Pennsylvania but not

1 other categories? It seems to me to enable them  
2 to say, hey, I am entitled to special protection  
3 as well.

4 DR. LEVIN: Well, it is not special  
5 protection, what we are talking about. Let me  
6 just first deconstruct the question. I wouldn't  
7 include public officials within the ethnic  
8 intimidation statute. There are already  
9 statutes, for instance, in the state which  
10 affect threats and intimidation of public  
11 officials. One of the things that we found, for  
12 instance, in Montana was that the penalties on  
13 those statutes weren't severe enough and the  
14 circumstances weren't broad enough, for  
15 instance, with regards to public officials. I  
16 think you as our representatives in carrying out  
17 the public good not only deserve our protection,  
18 I think you require protection and these people,  
19 by the way, are not playing games. They don't  
20 play by our rules. We have people who wanted to  
21 poison government officials, kidnap them,  
22 stabbings, bounties, all kinds of things. I  
23 think that this is a problem that while we have  
24 seen it in large part out west, it is going to  
25 get worse out in the east. So I think it is

1 important that we protect public officials but  
2 not as far as the ethnic intimidation law. With  
3 regard to the sexual orientation law --

4 REPRESENTATIVE HENNESSEY: Are you  
5 saying that in Pennsylvania we have those  
6 statutes or we don't or do you know?

7 DR. LEVIN: In Pennsylvania, to the  
8 best of my knowledge, I believe we do have  
9 statutes that cover threats against public  
10 officials.

11 REPRESENTATIVE HENNESSEY: What about  
12 the families of public officials?

13 DR. LEVIN: I don't, I am not sure  
14 that they are covered here. I would think that  
15 is important. What I would do is refer you to  
16 the Montana statute as a model statute as to how  
17 they address things. Just with regards to --

18 REPRESENTATIVE HENNESSEY: Just in  
19 fairness I think what you are saying is you  
20 would expand the coverage to those other groups  
21 as well; is that what you are saying?

22 DR. LEVIN: Do you mean for instance  
23 to their families?

24 REPRESENTATIVE HENNESSEY: Yes.

25 DR. LEVIN: Yes. Absolutely, because

1 we have seen threats against wives and children  
2 if they carry out the duties of their office.  
3 But what we --

4 REPRESENTATIVE HENNESSEY: But you  
5 would find another statute to advocate; is that  
6 right?

7 DR. LEVIN: Right. I would put it in  
8 the statute that already covers threats against  
9 public officials. With regard to the sexual  
10 orientation, let me just say that Pennsylvania  
11 is really out of step with the rest of the  
12 country on this issue. New Jersey, where I am  
13 from, for instance, covers sexual orientation.  
14 The federal Hate Crime Statistics Act covers it.  
15 What we are doing is -- let me just say, I am  
16 not an advocate for a particular group or  
17 anything. All I can say as a criminologist and  
18 someone who has done research on this for years,  
19 if we, for instance find that a certain group or  
20 a certain kind of conduct is more risky and a  
21 certain type of target is more likely to be hit  
22 by a certain kind of conduct, it is within the  
23 scope and indeed, the evolution of law that we  
24 expand it to cover that. When we talk about  
25 judges being able to hike sentences due to



1 guidelines, it is certainly appropriate. The  
2 supreme court has said it is certainly  
3 appropriate for not only judges to do that, but  
4 the legislatures to do this. And indeed, most  
5 of the legislatures throughout the country cover  
6 hate crime and the plurality of those cover  
7 sexual orientation. Over 20 now cover sexual  
8 orientation and more will.

9 Frankly, we have to send a specific  
10 deterrent that stops this kind of violence  
11 before it occurs because what we basically have  
12 in this section of the country and this section  
13 of the state is to write passes to go out and  
14 beat gay people. We have to send a specific  
15 deterrent. I think the law has a  
16 responsibility, both practically and morally to  
17 do that.

18 REPRESENTATIVE HENNESSEY: Thank you.

19 Thank you, Mr. Chairman.

20 CHAIRMAN SCHULER: Thank you, Doctor.

21 That concludes our questions.

22 DR. LEVIN: Thank you very much for  
23 the opportunity to address you today. And by  
24 the way, if you end up having follow-up  
25 questions of any type, please feel free to call

1 me and I will be sure to get you the information  
2 as soon as I can. Thank you.

3 CHAIRMAN SCHULER: Thank you.

4 We are about 15 minutes behind here.  
5 Our next witness is Mark Weitzman. Is Detective  
6 Jordan here? And Mr. Reil. We have three  
7 witnesses to go yet and I would like to draw  
8 your attention to Representative Curtis Thomas  
9 has joined us at the end of the panel here, also  
10 from Philadelphia.

11 CHAIRMAN SCHULER: The next individual  
12 to testify is Mr. Mark Weitzman, director, Task  
13 Force Against Hate, Simon Wiesenthal Center of  
14 New York. Go ahead, sir.

15 MR. WEITZMAN: Mr. Chairman, thank  
16 you.

17 My name is Mark Weitzman and I am the  
18 director of the Simon Wiesenthal Center's task  
19 force against hate. The Simon Wiesenthal  
20 Center, named after the famous Nazi hunter and  
21 Holocaust survivor, is an international human  
22 rights agency that monitors and combats hate  
23 groups in the United States and abroad.

24 Over the past few years the Simon  
25 Wiesenthal Center has concentrated in particular

1 on the monitoring of extremist groups and their  
2 use of cyberspace. Our interest in this subject  
3 began when we noticed both the early use of  
4 computer networks for extremist communication  
5 which took place over ten years ago, as well as  
6 the appearance five years ago of neo-Nazi  
7 interactive video games in Germany and Austria.  
8 These games professionally appearing with slick  
9 graphics were aimed at recruiting a new  
10 generation of neo-Nazis and were distributed  
11 among children as young as ten.

12 Since then we have been following this  
13 issue very closely and over the past few years,  
14 we have seen the proliferation of what we call  
15 extremist sites on the Web. As director of the  
16 center's task force against hate I have been  
17 responsible for our research on this issue and I  
18 would like to share with you and the  
19 distinguished members of your committee some of  
20 our findings, particularly as they relate to  
21 your primary area of concern, Pennsylvania.

22 I would like to make a note here that  
23 because of the nature of what we are dealing  
24 with, certainly it is much broader than just  
25 Pennsylvania and transcends borders and regions.

1           As I mentioned, extremist sites have  
2           been proliferating. We have included under the  
3           heading of extremist sites a variety of groups  
4           or topics. They include skinhead, neo-Nazi,  
5           Christian Identity, Holocaust denial militia and  
6           anarchist sites. Essentially they are all  
7           purveyors of either hate or violence and  
8           frequently of both. All told, we have  
9           identified approximately 450 such sites.

10           To understand our concern about the  
11           growth of extremist sites, I should like to  
12           point out that in our testimony to the United  
13           States Senate on May 11th, 1995 on this issue,  
14           we noted that we had at that time logged over 50  
15           groups on line and today as I mentioned the  
16           number stands at over 450. To gain a better  
17           understanding of the issue I would like to take  
18           you on a tour of some of these sites before I  
19           conclude with some recommendations. Hopefully  
20           this works now. If it doesn't work, we do have  
21           backup with handouts but this would be a lot  
22           more effective. It was working when we were  
23           here before. This is what I wanted to start  
24           with. You can see some of it here. As we are  
25           going along with this I will make introduction.

1           The skinhead movement is viewed as the  
2 shock troops of the extremist movement.  
3           Originating out of England in the 1980's, the  
4 skinhead movement is now one of the most  
5 important wings of the extremist movement.  
6           Fueled by anger, hate, beer and music they are  
7 highly visible and aggressive. Skins have been  
8 responsible for a growing number of hate crimes,  
9 as in the highly publicized killings in Fort  
10 Bragg and Allentown. While originally formed by  
11 independent groups in various areas of the  
12 country, New Jersey and Pennsylvania having the  
13 greatest concentration in the northeast, it  
14 appears now that some form of confederation is  
15 going on under control of a Texas based group  
16 called the Hammerskins.

17           The skins who are active in the  
18 extremist movement are impatient with their  
19 elders, who they see as impotent and inactive.  
20 While they originally were geared toward older  
21 teens, the skins are now recruiting amongst  
22 young teens and even pre-teens. They begin by  
23 asserting pride in one's own white heritage,  
24 thus building a positive link, before they  
25 explain who is behind all the troubles and

1 problems of the world, such as blacks and people  
2 of color controlled by Jews. While it is hard  
3 to put an exact number together, estimates are  
4 that there are approximately 4,000 to 8,000  
5 skins in the U.S. We would say there are  
6 approximately 400 to 600 in the Pennsylvania and  
7 New Jersey areas, although their propensity for  
8 violence can make their impact seem even  
9 greater.

10 The New Jersey skinheads page is an  
11 example of the above. But before, we have a  
12 little bit of a change here. We have a little  
13 bit of a change here because this is where the  
14 New Jersey skin page would ordinarily be found.  
15 If we flip down, I will read it, it is not  
16 clear, he lent it out to a friend of his and he  
17 goes. This is now the Web site of Pastor James  
18 P. Wixter and Pastor August P. Kreis, II. We  
19 will be discussing Christian Identity later but  
20 these are two of the leaders of the Christian  
21 Identity movement and veteran leaders of the  
22 Christian Identity movement and it shows the  
23 links between groups that have somewhat  
24 different ideologies and origins.

25 We will go right to the New Jersey

1 skins page. It is not working for whatever  
2 reason. I am not sure if it is our problem. I  
3 am going to suggest that the handout, the first  
4 handout that I gave you distributed for the  
5 testimony is headed the New Jersey skins. And I  
6 will try talking and clicking at the same time.

7 It begins by saying, the page begins  
8 by saying, "...if you are expecting to find a  
9 page blaming the Jews, blacks, Chinese, etc.,  
10 for the white man's woes, you will be sadly let  
11 down." Let me put the light on and I will try  
12 to go with that, click back up, but you can see  
13 the material that we are handing out.

14 This is the appeal to white pride that  
15 I mentioned earlier. However, this can be found  
16 under a drawing of a skinhead punching out a  
17 Jew. Following this is a page of white heroes  
18 and you don't have the full page but you do have  
19 the connection to it. It says white heroes  
20 there, such as Heinrich Himmler, the Nazi S.S.  
21 chief, and it then continues into a page of  
22 quote, nigger jokes, unquote, such as, for  
23 example, and this is directly quoted, "Why do  
24 blacks call white people honkies? That is the  
25 last noise they hear before white people run

1           them over," or another one, "What do you say to  
2           a nigger in a three-piece suit? Will the  
3           defendant please rise."

4                       There are seven or eight pages of  
5           those jokes to give you an idea of the depth of  
6           how much material is found on this site.

7                       Now, this material, this material is  
8           distributed internationally. There are links  
9           that take this to any number of racist  
10          organizations -- we are not getting a dial tone.  
11          I don't know what the problem is -- to any  
12          number of racist organizations. One of the  
13          other methods that is used primarily by the  
14          skins involves what is called white power music.  
15          In this case the link that I wanted to go to is  
16          Resistance Records, which is the second of the  
17          items that I distributed.

18                      One of the primary means of  
19          recruitment and propaganda among skinheads today  
20          is white power music. These bands market  
21          themselves as alternative, thus trying to  
22          benefit from the description of alternative  
23          music that is extremely popular in the high  
24          school and college scenes. The music is hard  
25          driving and the lyrics are very basic and very



1 bigoted. The most prominent distributor of this  
2 kind of music is Resistance Records, which  
3 operates out of Michigan. Resistance is linked  
4 to many of the other extremist sites and the  
5 music can be distributed through on line  
6 purchases. As you see from the material handed  
7 out, it is possible to order using a credit  
8 card, although they do have their own glossy  
9 magazine.

10 Perhaps the best way to illustrate the  
11 character of Resistance and its music is by  
12 letting it speak for itself. For example, the  
13 band, Rahowa, R-A-H-O-W-A, stands for racial  
14 holy war, which is one of the major terms used  
15 in the extremist movement and its song,  
16 Declaration of War, has the chorus, "White  
17 people wake, save our great race," and verses  
18 like, "You know our systems run by the secret  
19 societies, what they did with the white men to  
20 his knees."

21 Another band, Nordic Thunder, has an  
22 album entitled, Born to Hate, that includes  
23 lines like, "We will rage out the white man's  
24 war, we fight the system," or, "Come and listen  
25 let me tell you who we are, a brotherhood of

1 Aryans fighting for our cause. We have enough  
2 of the Zionist ways, creating a path for our  
3 race's decay. We have taken a fight, we have  
4 taken a stand. Hammerskins are fighting in the  
5 street."

6 The combination of music, lyrics and  
7 alcohol, primarily beer, have been behind some  
8 of the most vicious skinhead attacks. The music  
9 is used both to recruit and solidify at  
10 gatherings such as Aryan fests, a sort of  
11 Woodstock for the skinhead movement, which serve  
12 to bring together skins and their sympathizers  
13 in congenial settings. In essence this music  
14 has become the articulated voice of the skinhead  
15 movement and is popularized and distributed  
16 through cyberspace.

17 Another version of the extremist  
18 movement that is very popular in cyberspace is  
19 Christian Identity sites. The Watchman, one of  
20 the most prominent here, is the site of Mark  
21 Thomas. Mark Thomas is a leader of the  
22 Christian Identity movement here in  
23 Pennsylvania. Christian Identity, which has  
24 nothing to do with traditional Christianity, is  
25 one of the two most important components of the

1 extremist movement. The other is the revival of  
2 Norse paganism that is popular among skinheads.  
3 Although there are varieties within Identity,  
4 the basic belief is that there are two seed  
5 lines, with one line which descended from Adam,  
6 turning out to be the white Aryan, Teutonic,  
7 Angelo Saxon race, and the other, which consists  
8 of Jews and people of color, descending from  
9 Cain, who was born of the union of Satan, the  
10 serpent, and Eve. Thus, in the words of the  
11 Aryan Nations creed, which is also available on  
12 the Net, "We believe that there is a battle  
13 being fought this day between the children of  
14 darkness, today known as Jews, and the children  
15 of light, the Aryan race, the true Israel of the  
16 Bible." Therefore, since the U.S. Government is  
17 in actuality Z-O-G, Zionist occupied government,  
18 a term used by the extremist movement for anyone  
19 who is connected with it, a state of war exists  
20 between Identity and the rest of society.

21 As another Identity theorist has  
22 written, "We must obey God only, not man-made  
23 law by our purported conveyors or state  
24 legislators and/or the United Nations under the  
25 purported new world order, i.e., Satan's laws,"

1 so since, "It is the colored people and the Jews  
2 who are the descendants of Cain when we move  
3 into a new land we are to kill the inhabitants  
4 of all the other races nor are we to allow other  
5 races to rule over us."

6 These words were written by a leader  
7 of the Montana Freeman. Mark Thomas, who is  
8 involved with this movement, was also an  
9 influence on the brothers who murdered their  
10 parents and their brother in the infamous case  
11 in Allentown in 1995.

12 Thomas is not only an Identity figure.  
13 He also uses the name of the posse comitatus for  
14 his group. Posse comitatus is a term that  
15 refers to the county as being the highest form  
16 of governmental authority in the land and has  
17 strong links to the militia movement.

18 Identity as a theology of hate is not  
19 limited only to race or religion. Among the  
20 samples I have included under Identity is a  
21 sample from Pastor Pete Peeters, one of  
22 Identity's leading figures which is entitled,  
23 "Death Penalty for Homosexuals." Homophobia and  
24 gay bashing are a strong part of the extremist  
25 agenda.

1                   In the items distributed under Mark  
2           Thomas you can find beginning, I will pull out a  
3           couple for you, the Watchman, you can find in  
4           the second or third paragraph that I distributed  
5           to you, the pages that I distributed today, a  
6           justification and defense of Nazi Germany. I  
7           will not go into all of it, other than to say  
8           that the one quote that I would draw your  
9           attention to is, "While Americans were aping the  
10          Negro as advanced Jewish jazz bands Germany was  
11          busy building the kingdom of God." The rest of  
12          the page is more or less of the same and on the  
13          second page you can get a sense of Mark Thomas'  
14          Identity's beliefs in the second line, "That is  
15          why I have been so determined to expose today  
16          the Christianity for the Satanic trap that it  
17          is, this false religion, they have become more  
18          evil than the Jews."

19                   And it continues again with the vein  
20          of a little bit of Identity theology. I have  
21          tried not to give too much out since there is  
22          literally thousands of pages available on the  
23          Net. These are some samples. I believe that  
24          this was distributed. This is the Death Penalty  
25          for Homosexuals page that was handed out.



1 would like to suggest the following conclusions.

2 First, there is an ongoing intent by the  
3 extremist groups to use cyberspace as means of  
4 propaganda and communications and these  
5 propaganda efforts are being aimed at younger  
6 and younger children.

7 Second, cyberspace, by providing  
8 anonymous and instantaneous communication, has  
9 empowered members of these groups who no longer  
10 feel as isolated or powerless as they did  
11 before. The Web is not the only part of  
12 cyberspace used. IRC's and chat groups which  
13 can function by invitation only make possible  
14 private conversations and conferences that  
15 render geographic distance and border  
16 irrelevant.

17 Third, information about methods for  
18 creating weapons targeted to both the individual  
19 and the group are readily available on the Net.

20 Fourth, many of these extremist groups  
21 see themselves literally as being in a state of  
22 war with the United States Government, a  
23 government whose authority they refuse to accept  
24 and honor.

25 Given the above, I would like to

1 conclude with the following recommendations.

2 First, I wish to be very clear. The Simon  
3 Wiesenthal Center, as a firm supporter of the  
4 First Amendment and as an organization routed in  
5 opposition to Nazism and extremism in all forms,  
6 clearly recalls the infamous Nazi book burning  
7 of May 1933. Thus we stand opposed to any form  
8 of government censorship unless there is a clear  
9 case made for the protection of the most basic  
10 right of all, the right of living. Such an  
11 exception might be considered, for example, for  
12 those sites which advocate and even give recipes  
13 for violence and thus endanger and threaten  
14 other citizens' lives and safety.

15 We suggest that the answer lies in the  
16 concept of citizens acting responsibly. By that  
17 we mean that those who provide a forum for these  
18 extremist groups need to reexamine their  
19 policies. We believe that private business  
20 owners are not required to automatically accept  
21 everything that is offered as, for example,  
22 newspapers and television stations respectfully,  
23 who voluntarily reject submissions of  
24 pornographic or liquor advertising. We have  
25 suggested this to the industry in the past and



1 are pleased to note that despite initial  
2 negative reactions, a group of providers  
3 operating out of MIT have begun to move in the  
4 direction of voluntary standards.

5 Hate crimes legislation must be passed  
6 or strengthened as necessary. Government, as  
7 this hearing can demonstrate, has the right to  
8 make clear, as Congressman James has written in  
9 the past, "that racism or racial violence will  
10 not be tolerated."

11 Its proponents have called the  
12 Internet a new form of global democracy that  
13 heralds a new age of information sharing. We  
14 have attempted to show that as with any other  
15 technological innovation, potential for misuse  
16 and abuse exist alongside all its positive  
17 applications. The enemies of American society  
18 and of the most basic human rights have already  
19 recognized that. We must be prepared to do so  
20 as well.

21 I thank the committee for its  
22 willingness to engage this topic. I apologize  
23 for the technical difficulties that prevented  
24 the show and tell we had hoped to have and in  
25 the hope of the leadership it will provide on

1           these issues. Thank you.

2                   CHAIRMAN SCHULER: Thank you. We will  
3           open for questions.

4                   Representative James?

5                   REPRESENTATIVE JAMES: Thank you, Mr.  
6           Chairman.

7                   I want to thank you for taking the  
8           time to present your testimony. I am sorry  
9           about the modern technology but once you started  
10          the computer, I was wondering how the technology  
11          of the stenotype was able to get that stuff off  
12          the screen. I was just wondering how that was  
13          going to work.

14                   But I appreciate your coming here. We  
15          will come up with something. Perhaps the cable  
16          was the culprit. But hopefully we can maybe go  
17          through some points at some time as we continue  
18          to explore these concerns and would you be  
19          willing to come to any kind of forum or  
20          activities we might have as we try to address  
21          the rising racial violence and hate crime  
22          activitywise?

23                   MR. WEITZMAN: Exactly. That is what  
24          we do. We are currently working with an  
25          executive at the Pentagon regarding the presence

1 of extremist group elements in the military. We  
2 we are prepared essentially to go anyplace that  
3 anyone asks us.

4 REPRESENTATIVE JAMES: That racism is  
5 another concern. I am glad you are working with  
6 the Pentagon. It is pretty clear that this  
7 activity is rising throughout the country and  
8 involving young people and that we have a rise  
9 in incidents in the military. I also believe we  
10 have a rise in this cause that is happening in  
11 law enforcement. Have you been involved in any  
12 law enforcement agency that is concerned and  
13 looking into that?

14 MR. WEITZMAN: We have been involved  
15 with FBI down to local agencies. I will tell  
16 you and perhaps it is somewhat reassuring that  
17 essentially we have really very rarely come  
18 across the case of law enforcement cooperating  
19 with the extremist elements in terms of an  
20 active member of the police force. There are  
21 cases of people who are involved with militia  
22 movements who certainly come from law  
23 enforcement background. One of the most  
24 prominent is Colonel Jack McLanne, for example.

25 As a matter of fact, I will put it to

1           you in a first-hand experience. Someone came to  
2           us five, six months ago who had been a skinhead  
3           recruiter. Skinheads are based or rather have  
4           the military chain of command in certain ways.  
5           He was one of the officers. He had been a  
6           member of skinhead groups for half of his 30  
7           years, 15 of his 30 years. He had been in the  
8           marines. He had recruited while he was in the  
9           marines, tattooed all over his body, and this is  
10          one of the questions that we raised with him;  
11          since he was a regional commander, since he had  
12          that kind of knowledge and background and was  
13          now leaving the movement, did he know of any law  
14          enforcement officials who had been sympathetic  
15          or cooperative, and his answer was no. And I  
16          think it was precisely because of the fact that  
17          they are considered the enemy, they are  
18          considered representatives of the Zionist  
19          occupied government.

20                   The terminology used is Gestapo or  
21                   storm troopers and as he put it is that when a  
22                   news report was flashed of a police officer  
23                   being shot, they would be cheering and actually  
24                   this is one of the things that led him to break  
25                   from the movement because his own brother was a

1 police officer and he couldn't reconcile the  
2 two. To the best of his knowledge, he had never  
3 come across anybody that had been involved in  
4 both law enforcement and this movement.

5 REPRESENTATIVE JAMES: So I guess you  
6 hadn't heard about the officer in Allentown,  
7 have you?

8 MR. WEITZMAN: No. He was based in  
9 California. That is why I said they were a very  
10 small number. There are people, there are -- I  
11 think in different geographical locations you  
12 will find different things. But I believe the  
13 number is smaller than in the military.

14 REPRESENTATIVE JAMES: Thank you.

15 Thank you, Mr. Chairman.

16 CHAIRMAN SCHULER: Representative  
17 Hennessey?

18 REPRESENTATIVE HENNESSEY: Thank you,  
19 Mr. Chairman.

20 Mr. Weitzman, I was just intrigued  
21 with one of your comments. Let me just say I  
22 heard you say you were opposed to any form of  
23 governmental censorship being instituted, like  
24 the newspapers do to exercise some form of  
25 censorship of their own.

1 MR. WEITZMAN: We are calling -- well,  
2 I will put it that newspapers do have their own  
3 form of censorship in terms of acceptance of  
4 advertising or rejection of letters or op-ed  
5 pieces that do not meet their standards for  
6 whatever reason.

7 REPRESENTATIVE HENNESSEY: You agree  
8 with that concept?

9 MR. WEITZMAN: We would prefer that  
10 people in the industry, let's say, apply those  
11 standards themselves.

12 REPRESENTATIVE HENNESSEY: Regulate  
13 themselves rather than being regulated by the  
14 government?

15 MR. WEITZMAN: At this point, yes.

16 REPRESENTATIVE HENNESSEY: It appears  
17 on the Internet. We don't see that happen.

18 MR. WEITZMAN: I think that there had  
19 been an initial sense in the industry that it  
20 was not necessary for it to happen. I have seen  
21 some breaks in that front in the past year or  
22 so, including a group coming out of MIT, for  
23 example, that had begun talking about applying  
24 some standards themselves voluntarily.

25 REPRESENTATIVE HENNESSEY: We have

1           seen similar things with the movie industry  
2           where some people argue that our standards have  
3           sunk to the lowest common denominator and the  
4           examples that you show us here that is available  
5           today on the Internet would seem to indicate  
6           that the industry isn't doing much of a job  
7           policing of what is available to our children.  
8           If it is the government -- if your organization  
9           would be opposed to the government getting  
10          involved and the industry is not doing it, who  
11          is left? Point us in the direction.

12                   MR. WEITZMAN: I think one of the  
13           things that we would like to see is industry  
14           realizing that both the average citizen and the  
15           government have an interest in this matter and  
16           that it would be better for them to move  
17           themselves before control was perhaps taken out  
18           of their hands. And in that vein I think that  
19           this type of hearing can serve as a form of  
20           notice to those people that it is time to make a  
21           move on certain things.

22                   REPRESENTATIVE HENNESSEY: Thank you.

23                   Thank you, Mr. Chairman.

24                   CHAIRMAN SCHULER: Any other comments?

25                   REPRESENTATIVE JAMES: May I?

1                   CHAIRMAN SCHULER:    Sure.

2                   REPRESENTATIVE JAMES:   I have a  
3 follow-up.  Do you think there is anything we  
4 can do or should do as policy makers to try to  
5 deal with the Internet and these hate activities  
6 on the Internet?  I know we have to be conscious  
7 of the First Amendment rights, but have you  
8 looked into anything we can do as a result of  
9 that?

10                  MR. WEITZMAN:   We have looked into  
11 certain things.  Canada, for example, just  
12 passed a law that basically puts it --

13                  REPRESENTATIVE JAMES:   Who has a law?

14                  MR. WEITZMAN:   Canada, that puts it  
15 into certain categories of hate speech, although  
16 the whole Canadian approach to free speech is  
17 radically different than the United States.  I  
18 think that we are now at a point where we have  
19 succeeded or begun to succeed in framing some of  
20 the questions and the nature of the debate in  
21 the past with the Internet and we are talking  
22 about a technology that is extraordinarily new  
23 still.  When it first began, it was viewed  
24 almost unanimously as being something that by  
25 its nature should be wide open and totally free



1 to all. I think at this point we are now  
2 beginning to see people cognizant of the fact  
3 that like any other technological innovation, as  
4 I mentioned, it can be misused, whether it is  
5 the automobile that can be driven at 100 miles  
6 an hour down a city street at the same time is  
7 giving us freedom of mobility when necessary.  
8 It all depends on the application and the  
9 responsibility of those people using it.

10 Given that, I think that as I  
11 suggested earlier it is vital that people who  
12 are both involved in the field and citizens, the  
13 average citizen of any state, any locality,  
14 understand that they have the right to make  
15 claims and demands on how the technology is  
16 going to be shaped in the future and how it is  
17 going to be applied in the future and that is a  
18 role, I think, of every American citizen. I  
19 would like to see us perhaps beginning to be a  
20 little bit more vocal in exercising these  
21 rights.

22 REPRESENTATIVE JAMES: Thank you.

23 CHAIRMAN SCHULER: Thank you very much  
24 for your presentation and staying within the  
25 time limit. I appreciate that. We picked up

1           some time here, just about on time and we thank  
2           you very much. We will take a recess until the  
3           next person is ready to testify.

4                           (A recess ensued.)

5                   CHAIRMAN SCHULER: The next person to  
6           testify is Detective Louis Jordan, a county  
7           detective from Monmouth County. Is he here,  
8           Detective Jordan?

9                   DETECTIVE JORDAN: I hope everybody is  
10          awake. It is indeed an honor and a pleasure.

11                   We bring you greetings from the State  
12          of New Jersey, the Garden State, to the City of  
13          Brotherly Love, which is also the home of my  
14          mother's family so I am no stranger to the City  
15          of Philadelphia.

16                   I have been asked to come over to  
17          address signs and symbols of hate groups and how  
18          it relates to hate groups. It is interesting to  
19          note that in the Monmouth County prosecutor's  
20          office in New Jersey where I was assigned as  
21          chief bias crime officer and have served in that  
22          capacity since 1987. We were first in the state  
23          of New Jersey to institute a bias crime division  
24          as it relates to police officers and to  
25          aggressively track and arrest and prosecute

1 known members of hate groups and those who  
2 perpetrate hate against others.

3 For purposes of clarification and  
4 understanding I will share with you the State of  
5 New Jersey's definition of a bias crime. It is  
6 also important to note that I am the past  
7 vice-president of the New Jersey State Bias  
8 Officers Association and our definition is kind  
9 of clear. It says that a bias crime for  
10 purposes of law enforcement shall be defined as  
11 any suspected, confirmed, unlawful act which is  
12 perpetrated against a person based on their  
13 race, color, religion, sexual orientation and  
14 sexual preference. That is, for the most part  
15 our definition of a bias crime. It goes a lot  
16 deeper than that.

17 To bring it a little closer, we have  
18 two ladies walking down the street. We notice  
19 that they are holding hands and it is  
20 interesting to note that two gentlemen who are  
21 driving past in their vehicle observe these two  
22 women holding hands. And you notice at one  
23 point the two women stop in front of a shopping  
24 store and they embrace. The two gentlemen exit  
25 their vehicle, approach the two women and attack

1           them. They attack them because they perceive  
2           them as being gay, when in fact, it was mother  
3           and daughter. That gentleman was prosecuted in  
4           the State of New Jersey under the bias crime  
5           statutes because indeed, that was a bias crime.  
6           Regardless of whether or not the victims were  
7           gay or not, they were perceived as such by the  
8           perpetrator. As such, the State of New Jersey  
9           says that is a bias crime.

10                       Signs and symbols, this issue of  
11           graffiti as it plays an important role to all of  
12           us. We note in New Jersey we refer to graffiti  
13           as the newspaper of the street. We refer to it  
14           as the newspaper of the street. As you read  
15           your newspaper at your leisure, so read the kids  
16           on the street their newspaper of the street.  
17           Signs and symbols have been around for a long  
18           period of time. It is interesting to note that  
19           as this graffiti has been around for a long  
20           period of time it has started to change its  
21           meaning in terms of what certain signs and  
22           symbols mean. We will endeavor to explore some  
23           of these signs and symbols, but first I would  
24           like to note with respect to these signs and  
25           symbols what is it that graffiti tells us.

1                   Well, it tells us a lot. No  
2                   disrespect to anyone in the room but for the  
3                   most part people look at graffiti as an eyesore.  
4                   They cannot understand it, cannot read it,  
5                   cannot interpret it, but it is youth-to-youth  
6                   intelligence. I would note that most young  
7                   people out there can read it. People who are on  
8                   the streets daily can read some of this hate  
9                   information that they see scribbled on the  
10                  walls, on telephone booths, on sneakers, on  
11                  chairs, on desk tops. Anything that will hold  
12                  paint or Magic Marker, young people will write  
13                  on. Then they pass this twist of hate, this  
14                  twist of hate that is perpetrated one against  
15                  the other.

16                  We note that graffiti for the most  
17                  part is somewhat different to some because we  
18                  note that African Americans write graffiti one  
19                  way. Latinos write their graffiti yet another  
20                  way. And of course, whites write theirs yet  
21                  another. We note that there is the differences  
22                  but for the most part it is the same, or should  
23                  I say unique. And this gives you some idea of  
24                  the different type of street newspaper that one  
25                  might see or come in contact with on the street.

1                   And it is interesting and we note that  
2                   where it says the circular motion, the circular  
3                   motion there, we note that most of the letters  
4                   are circular in nature. And we find that for  
5                   the most part that is unique mostly to the white  
6                   youth who make circular motions in their  
7                   writing. Let me bring it a little closer to  
8                   home and a little more in focus for you. Let me  
9                   also note that what I am sharing with you comes  
10                  from the grass root level. I do not come to you  
11                  strictly as a police officer who investigates  
12                  this kind of crime but someone both from a  
13                  reactive and proactive setting where we spend a  
14                  great deal of time in the community, in the  
15                  trenches if you will, with these young people.  
16                  We will take a look in just one minute so we can  
17                  kind of understand this whole street newspaper  
18                  type of setting.

19                  First we start to see some type of  
20                  markings and we don't quite understand what it  
21                  means. We note that some of the letters, if you  
22                  will, are circular again in nature. Let us take  
23                  a closer look. What I needed here was a nice  
24                  strong table where I can sit behind.

25                  As this issue relates to certain

1 groups, one of the groups I want to zero in on  
2 and still stay within our focus of graffiti is  
3 the group calling themselves skinheads, who have  
4 been deemed by the State of New Jersey as one of  
5 our most serious threats, along with other  
6 groups. But they are by far the group that  
7 works me the hardest for my county and also  
8 works me the hardest from the state level as it  
9 relates to the New Jersey State Bias Officer  
10 organization. And I am sure you read in the  
11 media and I am sure you saw on TV about the most  
12 recent incident we have been having with the  
13 large swastika that was burned out in one of the  
14 fields out in the southern part of our state.  
15 We note that our skinheads do work us the  
16 hardest.

17 If we look at our skinheads, we note  
18 that there are many different types of  
19 skinheads. They may not look it, but they are.  
20 There are neo-Nazi skins, white power skins,  
21 SHARP skins, many different types of different  
22 skinheads out there and we try to break them  
23 down into three groups, the neo-Nazi, white  
24 Aryan resistance and war skins that you hear  
25 about. Those are skinheads that preach hate

1           against blacks, gays and the like. And then, of  
2           course, you have the SHARP skinheads, S-H-A-R-P,  
3           Skinheads Against Racial Prejudice. Now, anyone  
4           can join that group. They are not a racial  
5           group, the SHARP skinheads. They are still a  
6           gang by definition because of what they involve  
7           themselves in. Then you have what we refer to  
8           as the OI! heads, O-I with an exclamation point.  
9           And we note with respect to the OI! skinheads  
10          they are a borderline skinheads. But we are  
11          going to zero in on these.

12                        We refer to these as the neo-Nazi  
13          skins. We can address him or her very quickly  
14          and at the same time identify some of their  
15          graffiti or street newspaper as you may see as  
16          it relates to this particular group. First, we  
17          note that they are wearing a pair of boots that  
18          you could barely see there. And those boots are  
19          colors in nature. They are black. They are  
20          brown. They are burgundy in color. Those boots  
21          are referred to as dot marks. Over in England,  
22          London, Great Britain where this organization  
23          first came into view, if you received some type  
24          of state aid, you got these boots absolutely  
25          free. Here in the United States, those same



1 boots would cost you anywhere from \$85 to \$150  
2 for the same exact boots. And for the most part  
3 they are a fad with young people. That is why I  
4 am going to address this.

5 Then we note that within those boots  
6 they are wearing shoelaces. We note the  
7 shoelaces are color coded, white, yellow, green,  
8 red and black. Each one of those colors means  
9 something. We also note that with respect to  
10 the shoelaces, the dot marks, the shoelaces are  
11 referred to as stripes. They are referred to as  
12 stripes. The white alludes to the fact that  
13 they are white Aryan resistance. Black refers  
14 to the idea that they are SHARP skinheads.  
15 Yellow refers to the fact that they are gay  
16 bashers, cop killers or both. Green is fairly  
17 new. We get conflicting stories with respect to  
18 what is going on the west coast and what is  
19 going on in the east coast because we hear the  
20 story that well, it is about money; it is about  
21 this country; a lot of different things we start  
22 to see.

23 Then we notice signs such as the iron  
24 cross, the Celtic cross. This is referred to as  
25 the Celtic cross. We see the sign, white power.

1 You see the swastika which is very clear. I am  
2 often asked, well, you don't have a problem with  
3 black power; why do you always have a problem  
4 with white power, a lot of the skins ask me  
5 during an investigation. And my response to  
6 them is very clear. I don't have a problem with  
7 black power, white power, any of those powers.  
8 It is when you preach your hate message and you  
9 attack someone because they don't believe in  
10 what you believe in, that becomes a bias crime  
11 that I have a problem with.

12 Then we start to see this. When we  
13 talk about skinheads, we start to see terms like  
14 white power, white pride, which is more in the  
15 form of the street newspaper and on their  
16 bodies. We note that they wear a pair of blue  
17 jeans rolled up above the top of the boots.  
18 Those blue jeans are not Levi jeans because Levi  
19 represents the company that puts them out, which  
20 is Levi Strauss, which is a Jewish company which  
21 they will have nothing at all to do with. We  
22 also note that when they do not get a hold of  
23 British jeans, which is their jean of choice,  
24 they will wear a pair of Wranglers or Levi's but  
25 those jeans will have an American flag sewn

1 upside down on the pocket to show that they are  
2 retaliating against America and against those  
3 jeans.

4 Then we note that they are wearing a  
5 pair of suspenders. Those suspenders are  
6 referred to as braces. Those braces are color  
7 coded, the same as the stripe with a dot mark;  
8 white, yellow, green, red and black and they  
9 mean the same exact thing. It is interesting to  
10 note that when of those braces are up or down,  
11 that mean something. We are talking about signs  
12 and symbols.

13 If you happen to come in contact with  
14 a skinhead and his braces are up, he has not  
15 expected confrontation with you. When their  
16 braces are down, they are prepared for battle.  
17 They are prepared for battle and ready to kill.  
18 They may be observed wearing a three button down  
19 in the front, T-shirt or pull over shirt. Note  
20 in this case my friend wears a shirt.

21 You may also notice that their hair is  
22 clean cut and shaved. Don't always look for  
23 that because they have received the message from  
24 our friend in the south, David Duke and our  
25 friends out in California, Tom and John Metzger,

1 to no longer shave their heads because if they  
2 do, ZOG will be able to identify them, Z-O-G  
3 being the Zionist occupied government or Zionist  
4 occupational government. So they no longer  
5 shave their heads, which is what we are starting  
6 to see with respect to our skinheads.

7 Let's bring it even closer as we look  
8 at their bodies and the forms of the street  
9 newspaper. Now, it is kind of difficult to see,  
10 I will admit. Here we start to see a lot of  
11 things. We will go back to it.

12 We first see white power. We see a  
13 confederate flag, if you will, just above what  
14 appears to be the face of the Klan. We also see  
15 the Celtic cross, or Celtic cross, better known  
16 to some. It is interesting to also note that we  
17 want you to notice everything about our  
18 skinheads because often when you speak to  
19 parents, they will say, "My son loves God; my  
20 son is not involved in any type of a hate  
21 movement." But if you look closer at the street  
22 newspaper, you see a ram's head. You start to  
23 see this dark side and you start to ask yourself  
24 a question; who is it that the child or the  
25 young person says that they love. They say that

1 they love Satan. So you start to note that  
2 skinheads are dibbing and dabbing into Satanism  
3 and it is not uncommon. It is not uncommon for  
4 skinheads to dib and dab into Satanism.

5 These young people will put the street  
6 newspaper literally anywhere. Here we show one  
7 where a young man put the letters EHS and cross  
8 hammers on the back of his head. EHS stands for  
9 Eastern Hammer Skinheads, which is the largest  
10 skinhead group operating in the state of New  
11 Jersey, and we understand that their  
12 headquarters are located in the State of  
13 Pennsylvania. We are still taking a close look  
14 at that and we found for the most part that to  
15 be true because every skinhead that we have  
16 investigated based on a bias crime that is  
17 brought in for interview and questioned with  
18 respect to this and they all seem to show some  
19 alliance to this area.

20 It is also interesting that I was  
21 asked to come into the Allentown, Bethlehem,  
22 Pennsylvania area some two years ago to do an  
23 assessment in that area to work closely with the  
24 law enforcement community and the community as a  
25 whole, along with the Boys and Girls Clubs of

1 that area. It was interesting what we found out  
2 in terms of the emergency assessment that was  
3 conducted in that area. And we did find a lot  
4 of skinheads from that area come across the  
5 border to New Jersey and that is not to say that  
6 our young people do not come across into the  
7 Pennsylvania area, because they truly do. It is  
8 interesting to note.

9 Here you see clearly EHS, which is the  
10 Eastern Hammer Skinheads. You see the cross  
11 hammer and behind the cross hammer you see the  
12 Celtic or Celtic cross. You see the iron cross  
13 located just to the left, your left. You start  
14 to see the winged dragon, your boot boy, if you  
15 will, and of course, the flag of the Eastern  
16 Hammer Skinheads.

17 All of this starts to become relevant.  
18 We want you to look at this because it is in the  
19 funniest places that you will see this. It is  
20 not always located on the body. Sometimes it is  
21 located in a men's room. It is located on the  
22 top of a chair, in a desk in a classroom or  
23 located in a school hallway. It could be  
24 located anywhere, under a bridge, a telephone  
25 booth, anywhere that will hold paint or Magic

1 Marker.

2 One of the newsletters that is put out  
3 is called Fire and Ice. Fire and Ice originated  
4 in my jurisdiction, has a greater distribution  
5 overseas than it does here in the United States,  
6 a very shabbily put together newspaper. We  
7 identify certain things that is referred to as  
8 white guy, 777 in a counterclockwise position.  
9 It is known as an L-roon, also known as the  
10 South African symbol of track. We also observe  
11 a ring of fire and a smaller fire located within  
12 that ring of fire and also a white power fist.

13 All of this is relevant when we are  
14 talking and dealing with skinhead groups and  
15 again, that type of information and/or symbols  
16 may be located literally anyplace on the body  
17 and/or clothing. Here we see it, if you will,  
18 on the body, on the forearm. We see a symbol.  
19 We see an iron cross and a skull, all part of  
20 the identifiable in terms of the street  
21 newspaper. It gets a little deeper than that.  
22 These young people will put it anywhere.

23 Here you see the letters ACS, or  
24 Atlantic City Skins, an indication that clearly  
25 they are across the state as it relates to our

1 state. Of course, you have AC Skins, which is  
2 again, Atlantic City Skins, and you have to  
3 literally look because it would be wrong if you  
4 bring a young person in, talking to him or her,  
5 especially from a law enforcement perspective,  
6 say you notice that they are wearing these types  
7 of boots. And you say, those are nice boots you  
8 have on. Well, the kid right away in his mind  
9 knows that you don't have a clue as to what you  
10 are talking about. But if you say to him or  
11 her, those are nice docs you got on, referring  
12 to Dr. Martin, now the kid gets a wake-up call;  
13 maybe he is talking my language.

14 Or you can say, I notice you got white  
15 stripes. We had a guy in last week who had  
16 yellow stripes. You are talking his language.  
17 It is not a matter of you being down here and  
18 him being up here. You are both on the same  
19 page. That is basically what it is about. It  
20 is about keeping you all on the same page.

21 Now, I also shared with you that the  
22 skins dib and dab into Satanism. You need to  
23 also understand some of the music that they  
24 listen to, I told you before, Command Away,  
25 Metal, Judas Priest, SLAYER. Slayer is an



1 acronym for Satan Laughs As You Eternally Rot.  
2 Satan Laughs As You Eternally Rot; Lions Pride,  
3 different types of heavy metal music that kids  
4 listen to. A new one has come in town now, some  
5 of you may have heard of it, if you haven't, I  
6 am sure your kids have, called NIN, nine-inch  
7 nails. Most young people know about that group  
8 and the violent, as you will, suicides that they  
9 kind of bring to the table.

10 I want to jump just a minute, if I  
11 may, so I can give you a full perspective of  
12 some things that are going on that you need to  
13 be mindful of as it relates to this issue of  
14 graffiti. Now, some of these symbols that you  
15 are looking at we refer to as hieroglyphics. I  
16 am going to get my act together here in a  
17 minute. And we note that some of these signs  
18 and symbols you may have seen before, but young  
19 people take these signs and use them, rearrange  
20 them for their own end. When you start to talk  
21 about the issue of hate and violence, Satanism,  
22 devil worship, witchcraft and the like, it all  
23 kind of becomes very relevant to what is going  
24 on; the anarchy sign, all out confusion, all out  
25 war; a circle with what appears to be an A,

1 inverted cross, denial of Christianity; goat's  
2 head, the ram's head, if you will; Satanic  
3 symbol 666 with the broken cross of Christ; the  
4 old peace symbol that all of us kind of relate  
5 back to. I don't anymore. It has changed;  
6 nonetheless, the swastika, the wings of nature  
7 turning against herself, four seasons, if you  
8 will. All of these signs and symbols some of  
9 you have seen before; the battle myth, not to be  
10 confused with your normal pentagram. Notice  
11 that ram's head in the left corner, third one  
12 down appears to be a ram's head. We know that  
13 if that point was pointed the opposite way, that  
14 would be white magic, witchcraft. If it is  
15 pointing down, it is alluding to black magic,  
16 again, not uncommon for a skinhead, hate groups  
17 and Satanism. When you start to see all of  
18 these different signs; again the 666, your cross  
19 of Christ crucifixion, if you will; the ying and  
20 yang, all relevant, all relevant to the groups  
21 which you are dealing with. And of course, the  
22 many different faces of Satan; how the young  
23 people, as you will, perceive Satan to be, all  
24 types of the street newspaper that may become  
25 relevant in terms of what is going on.

1 I would like to slow down at this  
2 point and answer some of the questions that you  
3 may have as it relates to signs and symbols and  
4 its relation to these groups or any other group.

5 CHAIRMAN SCHULER: Are these tattoos  
6 or what?

7 DETECTIVE JORDAN: No, sir. I assure  
8 you that these are not tattoos. You may find  
9 one or two that are tattooed but a majority of  
10 them are not. Some are. Some of them are in  
11 the form of the street newspaper. Some of them  
12 are done with Magic Markers, ink pens and the  
13 like. But a lot can be tattoos, absolutely, in  
14 this sense.

15 REPRESENTATIVE THOMAS: I am curious  
16 as to the overall impact of this bias unit.  
17 Have you seen a dramatic drop in hate crime  
18 activity? And the other side of the impact  
19 question would run to what kind of community  
20 based activities have you been able to initiate  
21 to one, educate people, and two, to get people  
22 organized around hate crime?

23 DETECTIVE JORDAN: You got the right  
24 one now, sir. Let me answer you by saying this;  
25 our unit has been in existence since 1987.

1 Again, I state that I have been in charge of  
2 that unit since 1987 and I have had the  
3 opportunity on numerous occasions to see hate up  
4 close. When I say up close, I mean even to the  
5 point where, because of my investigation, that  
6 hate was directed directly at myself or my  
7 family. So I certainly have had an opportunity  
8 to see it up close.

9 Hate crimes have not dropped. We have  
10 seen a tremendous increase from 1987 to 1995.  
11 In 1995 was the first dip in bias crime, for  
12 example, in our county, Monmouth County. 1996,  
13 just currently we have already surpassed where  
14 we were from last year. Last year we had  
15 somewhere in the area of 120 reported bias  
16 crimes. This year we are already up in the area  
17 of 126, 127 and the year is not over yet. Yes,  
18 there is an increase in bias crime.

19 The second part of your question with  
20 respect to being proactive, working with  
21 communities, that is exactly what we do. That  
22 is how you get the word out. The top line chief  
23 law enforcement officer in that community helps  
24 to set the tone for the law enforcement  
25 community. The mayor, governor of the state

1 sets the tone for the entire state. So yes, in  
2 terms of working with the communities at a grass  
3 root level, this is what we do. There is lots  
4 of programs out there and we run a program  
5 called Johnny is Someone's Child. We run  
6 another program called I Cry, an inner city  
7 round table of youth. We run another program  
8 called Operation YOUTH, Young and Old United  
9 Together for Humanity. We run another program  
10 called SEY YES, Save Every Youngster, Yes Every  
11 Soul.

12 These are all programs that deal and  
13 address the issue of culture diversity, address  
14 the issue of bias crime and hate crimes. We go  
15 into all the schools in the State of New Jersey.  
16 We have been very blessed under the leadership  
17 of our county prosecutor, John Day, to travel  
18 around the country addressing this issue. I  
19 have been down to Washington, D.C. I have been  
20 to the Virgin Islands where I do a lot of  
21 consulting for the U.S. Department of Justice on  
22 this issue. I have been to Mexico and other  
23 places addressing this issue of hate crimes and  
24 youth violence.

25 And there are many different ways to

1 address this at the grass root level but it must  
2 start with the grass roots, starts at the grass  
3 roots level with the tone being set by the  
4 policy makers, the shakers and the movers,  
5 yourselves, and what I always say is we must be  
6 serious because the bottom line for me, sir, is  
7 kids dying and we need to stop it.

8 REPRESENTATIVE THOMAS: Thank you.

9 CHAIRMAN SCHULER: Representative James.

10 REPRESENTATIVE JAMES: Thank you, Mr.  
11 Chairman.

12 I want to thank you for taking the time  
13 to come here, for us to persuade you to try to  
14 come over here and take the time to come. We  
15 appreciate that. It gives us the kind of  
16 opportunity and sensitivity in terms of what you  
17 are doing over there. I noticed you said that  
18 you in several of your investigations you had  
19 young people come from Pennsylvania. Do you  
20 find that they were coming out of one particular  
21 area or county? I notice you mentioned  
22 Allentown.

23 DETECTIVE JORDAN: I did mention  
24 Allentown, sir. We found that some of them come  
25 out of Allentown, some out of Bethlehem, some

1 out of Philadelphia depending on what was going  
2 on at that time. All of our police officers in  
3 the State of New Jersey, for example, also have  
4 a bias liaison officer in each one of their  
5 departments who answers to the county bias  
6 officer, the county bias investigator in every  
7 county in the State of New Jersey. That is what  
8 makes up the state's Bias Officers Association.

9 REPRESENTATIVE JAMES: Let me ask you.  
10 I just want to put that in perspective. So you  
11 work for the district attorney?

12 DETECTIVE JORDAN: You would refer to  
13 it as the district attorney, yes, sir.

14 REPRESENTATIVE JAMES: And then the  
15 police agency, so the district attorney has the  
16 bias officer and the police department.

17 DETECTIVE JORDAN: Absolutely. The  
18 reason I brought that to light is because of the  
19 fact many times the uniform officer, the street  
20 cop, if you will, will stop an individual, be a  
21 suspicious motor vehicle, stop, and they will  
22 come across this type of literature in a trunk  
23 or a back seat or in the process of arrest.  
24 They know from their training that they have to  
25 take twice a year to report that to their local

1 bias officer and then to the county prosecutor's  
2 office for further investigation, if deemed  
3 necessary.

4 REPRESENTATIVE JAMES: You say  
5 training twice a year?

6 DETECTIVE JORDAN: Absolutely, sir.

7 REPRESENTATIVE JAMES: Why do you have  
8 to do that? Is that part of the mandatory  
9 training, in-service training?

10 DETECTIVE JORDAN: That is the  
11 in-service training for the police officer.  
12 Every police recruit has to go through this  
13 training while they are at the academy and I  
14 also teach at the police academy. I am a senior  
15 drill sergeant there so all our recruits go  
16 through bias training, two days of bias crime  
17 training. Our seasoned veterans go through  
18 three days of bias crime training. Police  
19 detectives, chief and so forth must go through  
20 once every two years mandatory by the attorney  
21 general of the state.

22 REPRESENTATIVE JAMES: Thank you.

23 DETECTIVE JORDAN: You are welcome.

24 REPRESENTATIVE JAMES: I think you may  
25 have answered this question. There are a number



1 of programs that you were describing that the  
2 prosecutor's office has.

3 DETECTIVE JORDAN: Yes, sir.

4 REPRESENTATIVE JAMES: Are they all  
5 related to cultural diversity and the prevention  
6 of racism?

7 DETECTIVE JORDAN: That is correct,  
8 sir.

9 REPRESENTATIVE JAMES: Thank you.  
10 What I would like to do, if possible,  
11 if you could, can we get copies of the programs?  
12 You might have been introduced to Lieutenant  
13 Hicks.

14 DETECTIVE JORDAN: Absolutely.

15 REPRESENTATIVE JAMES: You probably  
16 already know him. And if we can get copies of  
17 those programs to our committee so we can share  
18 the information, I would certainly appreciate  
19 that.

20 CHAIRMAN SCHULER: Any other  
21 questions?

22 Mr. Hennessey.

23 REPRESENTATIVE HENNESSEY: Officer  
24 Jordan, I think the numbers are higher today. I  
25 think we certainly want to have a look at the

1 rise of hate groups in Pennsylvania and across  
2 the country. Is this a whole lot different than  
3 it was when we were younger? I remember there  
4 was some scare about the Beatles records. If  
5 you played the Beatles record backwards, you  
6 somehow got a Satanic message out of it. At any  
7 rate, I tried to listen but couldn't ever find  
8 any.

9 But it seems to me it almost becomes  
10 sort of suspect. Maybe history promotes these  
11 things. People go out and buy records as a  
12 money making scheme. Is what you are talking  
13 about a whole lot different except in terms of  
14 numbers than what we saw when we were growing  
15 up?

16 DETECTIVE JORDAN: Yes, sir, it is.  
17 Unfortunately it is different.

18 REPRESENTATIVE HENNESSEY: Tell us  
19 why.

20 DETECTIVE JORDAN: I will tell you  
21 why. It is interesting you used the Beatles for  
22 an example. Growing up I was very into the  
23 Beatles, if you will, to some extent. But when  
24 you talk about the Satanic devil worshipping  
25 going on, if you will, have no doubt that

1           certain music that they have out there, if you  
2           run the tape on one track, which means by  
3           suddenly turning the balance, you will get a  
4           Satanic message. Now, what is normally for the  
5           parents, the parents hear the regular heavy  
6           metal music on one track. And then once the  
7           parents leave the home, the kids switch it to  
8           the other track and you have this Satanic  
9           subliminal message being sent to this child.

10                   Yes, the music is different. Yes, the  
11           message of hate is a lot different because it is  
12           that kind of right up front, up in your face  
13           music that many adults in our age group don't  
14           like to hear. Yes, clearly, sir, there is a  
15           difference in terms of what we see and what we  
16           experience in our lifetime versus what these  
17           kids are going through today.

18                   I think one of the reasons is any time  
19           economics, you have to look at that, plays the  
20           role that it is playing today; no recreation for  
21           these young people; nothing to do; the drastic  
22           decrease in employment, all this plays a major  
23           role. We have found that the recruitment of  
24           kids being involved in youth groups and hate  
25           groups takes place for most at the end of school

1 in the months of April through July. They  
2 recruit nationally. But from a national  
3 perspective the months of April through July  
4 they do their heaviest recruiting. Why?  
5 Because school is getting ready to get out,  
6 teachers have better things to do and we find  
7 that kids start to develop and where we start to  
8 get involved in that have-versus-have-not  
9 syndrome; I have got mine; you get yours; you  
10 are either a part of us or you are going to be  
11 against us, just that simple.

12 REPRESENTATIVE HENNESSEY: Used to be  
13 that you could, that the movie theaters used to  
14 advertise popcorn or soda with one frame every  
15 20 or so, subliminal advertising. You saw it  
16 there but you didn't realize you saw it.  
17 Suddenly you got hungry for popcorn. That was  
18 outlawed.

19 Are you saying that there is no  
20 federal law that outlaws this kind of subliminal  
21 messages or what do you call it, one track  
22 messages?

23 DETECTIVE JORDAN: You are absolutely  
24 right. But what is happening is you have a lot  
25 of records that are operating on the

1 underground, such as Screwdriver, is one of  
2 those such bands that operated in the  
3 underground, turns out music that was not sold  
4 on the open market where you would walk up to a  
5 store and buy it like you would any other record  
6 shop or CD shop. There are certain places you  
7 go, be it in New Jersey or Pennsylvania,  
8 wherever that place may be, to buy this type of  
9 music. These young people also order this type  
10 of music from over in London, from Michigan as  
11 was stated earlier.

12 REPRESENTATIVE HENNESSEY: Using  
13 credit cards on the Internet?

14 DETECTIVE JORDAN: Absolutely.

15 REPRESENTATIVE HENNESSEY: Would it be  
16 illegal to send it into the United States from  
17 overseas?

18 DETECTIVE JORDAN: I am not aware of  
19 that.

20 REPRESENTATIVE HENNESSEY: Seems to me  
21 that we do have laws against subliminal  
22 advertising. That seems to me to be a form of  
23 subliminal advertising, a subliminal message  
24 sent when you get two different messages off the  
25 recording.

1                   DETECTIVE JORDAN: Let me sum it up  
2 this way, if I may, with respect to my position  
3 and I would like to do that, if I may, in the  
4 form of a story.

5                   I note that a father took his young  
6 children fishing for the first time. And as  
7 they sat there early on the lake this Saturday  
8 morning with the mist still across the lake, he  
9 noticed that his children were at the other end  
10 of the boat chuckling to themselves. And the  
11 father asked the question, what is so funny, and  
12 the children said, oh, dad, you will see. And  
13 as they continued to sit there an additional ten  
14 minutes it was interesting to note that the  
15 children began to laugh so hard that the boat  
16 began to rock from side to side. They grabbed  
17 their stomachs and their mouths to hold back the  
18 laughing. The father became very upset and  
19 yelled at the kids. He said, that is why I  
20 haven't caught any fish; you are scaring the  
21 fish away; what is so funny. The children said,  
22 dad, there is a hole in your end of the boat and  
23 you are going to drown. Well, what the children  
24 failed to realize is that their father and they  
25 were in the same boat; if the father drowned,

1 then the children drowned.

2 So I kind of stopped by this afternoon  
3 to let you know in no uncertain terms that we  
4 are all in this boat together. If one of us  
5 drowns, we all drown. If my children drown, you  
6 will drown.

7 REPRESENTATIVE HENNESSEY: Thank you.

8 CHAIRMAN SCHULER: Thank you very  
9 much, Detective. We thank you for coming up  
10 here and enlightening us. This is all new to  
11 me.

12 We will take a little recess while  
13 people get situated. The next gentleman to  
14 testify is William Taylor Reil.

15 (A recess ensued.)

16 CHAIRMAN SCHULER: Let's proceed.

17 MR. REIL: I have prepared a  
18 presentation for today but after listening to  
19 what I just listened to I might change that.

20 My name is William Taylor Reil. That  
21 is spelled with a capital W, lower case letters,  
22 capital T, lower case letters, R-E-I-L, capital  
23 R-E-I-L. I spell that for a specific reason.

24 I find it interesting that we had a  
25 lot of discussion today and I have the written

1 material that was given to the committee on  
2 October 22nd and there seems to be an industry  
3 here where hate is personified and glorified and  
4 elevated to a level where it becomes profitable  
5 for folks that are involved in publicizing their  
6 positions. I have heard very little about law.  
7 I have heard very little about the constitution  
8 and the foundation of law and the oaths that our  
9 government officials take all, and I do  
10 appreciate your comments about gee, isn't there  
11 a crime for assault or property destruction.

12 There are so many laws. There is a  
13 proliferation of statutes and what I have found  
14 by research and I will -- perhaps some of you  
15 may know me by reputation. I am a scholar of  
16 the law and of history and Pennsylvania is a  
17 rich place for both constitutional laws  
18 specifically and in all due respect to the  
19 attorneys who may be listening, my indication of  
20 what I understand they learn in law school is  
21 zero, nothing regarding constitutional law,  
22 perhaps a little or less than history and what  
23 this great country, particularly this great  
24 state, is about.

25 So my discussion today and frankly



1 consists, is to help you as our agents, that is  
2 public servants all, to understand the  
3 frustrations perhaps of many of the people in  
4 Pennsylvania and in America in general. I have  
5 gone to great effort to try to understand what  
6 is really happening in this country, six years  
7 of intensive study, I think from a perspective  
8 not clouded by the bias that is so prevalent in  
9 our schools today, in our public arena today.  
10 Perhaps every arena we come to those positions  
11 with bias.

12 I don't know of anything that is a  
13 hate crime. Hate crimes are nonexistent. Those  
14 are a fictitious creation of what appears to be  
15 a society run amok controlled by special  
16 interest groups. I will tell you that the most  
17 influential and strongest is the government.  
18 The biggest business in the world is government  
19 and there is no separation of powers. That has  
20 been eliminated and you have to research  
21 yourself to find out exactly what you do in your  
22 job. How many times can you do something  
23 without asking an attorney in our society? It  
24 is the most litigious society in the world.  
25 There is approximately a million attorneys in

1           America. That is one attorney for every 300  
2           people. That is absurd.

3                        So one has to ask serious questions  
4           about what is really going on in our society.  
5           And by virtue of asking very serious pointed  
6           questions and I can tell you my background is  
7           first and foremost, I am a competent mature male  
8           who is an individual and I have, in fact,  
9           established my status as a sovereign Christian  
10          citizen in the republic Pennsylvania state, one  
11          of the original union republic states of the  
12          United States of America.

13                       I have claimed my birthright of a land  
14          grant given by William Penn to Oliver Gode in  
15          1682. I am by birthright a descendant of the  
16          state, in the land state, in the du jour State  
17          of Pennsylvania, not in the fictitious corporate  
18          state that has been created by lawyers and  
19          judges and professors of law, certain  
20          politicians, not all. Not all of anything is  
21          bad.

22                       You know, we have a rich history, a  
23          rich history of freedom and it starts in  
24          England. America is an English descent and  
25          whether we want to accept that or not or think

1           that the constitution as a living document and  
2           its interpretation is whatever the judge wants  
3           to make it, that is absurd. And if you lose  
4           sight of the law and its foundations in America,  
5           we get into wondering what we are. If you study  
6           the writings of the founding fathers, you will  
7           found out that they all warned us about where we  
8           are today.

9                         We must stop this proliferation of  
10           statutes. If you really want to look at it,  
11           Justice Harling in 1905, Biddow versus Biggle,  
12           know it very well, in the dissenting opinion, in  
13           the case, it was that the congress had powers  
14           outside the constitution and he said, wait a  
15           minute; that is not true, and he was talking  
16           about the stuff of government. But it is true,  
17           true for the state. Congress has no authority  
18           outside the constitution. The United States is  
19           a corporation, has assumed all sorts of powers;  
20           emergency powers, powers to do anything that the  
21           president chooses to do. If you want to get  
22           into that detail, we certainly will do that.

23                         But the bottom line is you have an  
24           oath of office, all of you, police officers,  
25           representatives, senators, government,

1           everybody, to support, obey and defend the  
2           Constitution of the United States and of this  
3           commonwealth and to discharge the duties of your  
4           office with fidelity, period. That is a solemn  
5           common law contract with the people. I am an  
6           individual. I, in Pennsylvania, am sovereign.  
7           You, as an individual in Pennsylvania, are  
8           sovereign. But when you step into your official  
9           capacity, you became an agent of the sovereign,  
10          me, and all the people like me. And the  
11          distortion of words and phrases that have gone  
12          on in this country at the hands of certain evil  
13          controlling people, by and large in the  
14          profession known as attorneys and judges and  
15          professors of law. Not all are evil but they  
16          are all guilty of allowing this to happen.

17                   I have spent six years studying this  
18                   based on constitutional research and if we don't  
19                   stop avoiding the problem and start dealing with  
20                   the fundamental cause of this, you are not going  
21                   to be able to pass any of those statutes. You  
22                   are not going to have enough police officers.  
23                   You are going to have somebody live with  
24                   everybody 24 hours a day. That is impossible.  
25                   Your budget constraints are already impossible

1 and now the supreme court has ordered the house  
2 and the senate to come up with a billion dollars  
3 a year to fund the court system and they want to  
4 extend that umbrella to incorporate as many of  
5 the county people as they can.

6 That is a constitutional crisis.

7 Where in the world does the Supreme Court of  
8 Pennsylvania get off telling my agent, the  
9 representatives, what to do? They have no  
10 authority to do that. And I would encourage  
11 each of you everywhere to search for your  
12 delegation of authority from me to do what you  
13 are doing and everybody like you and it better  
14 be founded on the constitution. And I can tell  
15 you that in the eyes of the legal profession  
16 that the Constitution of Pennsylvania is  
17 suspended. The Constitution for the United  
18 States, I note for the United States, is  
19 suspended. And we are operating like Justice  
20 Hall, who said under legislative absolutism, and  
21 he said, wait a minute; we are not here for  
22 that, because if we do, if we ever accept that  
23 we will have two forms of government, the  
24 constitutional government controlled and limited  
25 by the constitution and this legislative

1 absolutism which is worse than a monarchy, and  
2 that is exactly where we are. We have oligarchy  
3 run by a few people under the guise of a de  
4 facto government.

5 1871, if you want the date when that  
6 occurred, when the United States was  
7 incorporated. It happened because of the  
8 runaway aggression by certain very manipulative  
9 and controlling people, by and large lawyers, to  
10 usurp the authority of the constitution, both  
11 state and general.

12 I have talked to a lot of people and  
13 most children don't even know that there is a  
14 state constitution. That is a crime. That is a  
15 crime. It was taken out of schools in the '60s  
16 and the '70s when this new wave of  
17 reinterpretation of the constitution occurred.  
18 But it didn't start there. It started in 1850  
19 and 1861, 1868 with the passing of the so-called  
20 14th Amendment which is absolutely  
21 unconstitutional. And as legal scholars say,  
22 they changed the direction of this country.

23 Thurgood Marshall said in Hawaii in  
24 18 -- 1986, in a speech, I believe it was July  
25 4th, that the Union survived the Civil War but

1 the constitution didn't. And he was right. And  
2 the lawyers all have exposure to shelves of  
3 documents which prove that the 14th Amendment is  
4 unconstitutional. And what did that do? What  
5 does that do? It allowed the federal government  
6 under the guise of misinterpretation and  
7 misapplication to bring their federal type of  
8 government, the first eight amendments, the Bill  
9 of Rights, into your pocket and my pocket and  
10 everyone's lives; parental authority.

11 If you go and read the cases, it is  
12 the First and 14th, Fourth and 14th, everything  
13 cites the Fourth Amendment. If you really want  
14 to know, read the case Evans versus California,  
15 1947. It talks in the dissenting opinion by  
16 Justice Black, it was always the intent of the  
17 framers of the 14th Amendment to do away with  
18 the states. That is what the War Between the  
19 States or the Civil War was all about, states  
20 rights, states rights and commerce. Lincoln  
21 said, we will have a Union or slavery or not.

22 When you understand history and law,  
23 you will find out that we have been sold a bill  
24 of goods in our schools and they have been  
25 changed by intent. History is not the same.

1 Any reference to our religious heritage has been  
2 eliminated, systematically eliminated. That is  
3 a crime. Where does the Supreme Court of the  
4 United States come off saying that the Ten  
5 Commandments can't be hung in the schools  
6 because the children -- this is Stone versus  
7 Grant, 1980 -- the children might read them,  
8 might meditate on them, might venerate them,  
9 might obey them and that is an unconstitutional  
10 act. That is treason, pure and simple.

11 I would like to quote James Madison  
12 who was a founding father, a framer of the  
13 constitution. Again, I have gone afield from  
14 here but that is okay.

15 REPRESENTATIVE JAMES: Did you pass  
16 out or give out anything?

17 MR. REIL: No. I stayed up all night  
18 working on this. This was an on again, off  
19 again thing about me coming today and I do  
20 appreciate coming. I was called by Jim. I  
21 think it was last night that you were in a  
22 session trying to hammer out something and I  
23 frankly was dead. I have been up again a couple  
24 days without a whole lot of sleep so I took  
25 about four hours, knowing you guys weren't going



1 to be here today. And then I didn't hear  
2 anything by 10:00 and Jim said he wasn't going  
3 to call after 10:00. So I got on my computer  
4 and I finished when I came.

5 CHAIRMAN SCHULER: If you want to  
6 submit something later, you can do that.

7 MR. REIL: I will. If you will just  
8 give me a minute because, as I said, I am  
9 winging it here. By the way, this is a book of  
10 compilation of documents of law and I would  
11 encourage all these lawyers who finish your law  
12 schools and learn all these procedures and  
13 statutes to start studying the real law and I  
14 understand what this country is all about, what  
15 constitutional law is all about.

16 I think it was Justice Burger, maybe  
17 not, who said in 1980 there was less than 15  
18 percent of the lawyers who knew anything about,  
19 was competent to defend anybody because of  
20 constitutional deficiencies. Let me go on.

21 CHAIRMAN SCHULER: Proceed on.

22 MR. REIL: I know it is late and I  
23 will come back to that if I can find it.

24 But the essence of his quote is that  
25 America wasn't founded on government; far from

1 it. But it was, in fact, the ability and the  
2 insistence that individuals govern themselves  
3 and are responsible for themselves and to  
4 sustain ourselves according to the Ten  
5 Commandments of God. And so for the supreme  
6 court to say that you can't have the Ten  
7 Commandments hanging, which is a founding  
8 foundation -- in fact, many of you may not know  
9 that the motto of the Revolutionary War, the War  
10 of Independence was, no king but King Jesus.  
11 And when the presumption is made that God's law,  
12 the laws of nature and nature's law, if you  
13 remember the Declaration of Independence, was  
14 one of the three founding documents of this  
15 country, and by the way, the constitutions of  
16 the states were all in place before the federal  
17 constitution and it was always intended to have  
18 a limited, a limited function. And it wasn't  
19 until the 14th Amendment where that changed  
20 drastically.

21 If you like, I will give you a quote  
22 out of Thomas Coolidge's book on the  
23 constitution where that, in fact, drastically  
24 changed the interface between state and federal  
25 government. We have to realize that when men

1 for their own self interests start tinkering  
2 around with fundamental law and god-given  
3 inalienable rights, we are in deep trouble. And  
4 that is what is going on, been going on intently  
5 since 1861. We are all, all human beings  
6 endowed by God with certain inalienable rights.  
7 And if we don't stop statutizing rights,  
8 privileges and start relying more on the  
9 constitution, the fundamental law as our guide,  
10 you folks will be so busy trying to solve  
11 problems that are created frankly that nobody  
12 will be able to do anything. I think we are  
13 sort of to that point now.

14 We are to the point where there is  
15 something to tell you what you can and can't do  
16 for almost everything. That is wrong. In  
17 America that is wrong. And I don't know how to  
18 impassion you with the impassion that I have.  
19 So many people have died for freedom and  
20 liberties and America is unique on the face of  
21 the earth; at least it used to be to. Today it  
22 is evident that we are in a socialist police  
23 state. The law enforcers are no longer peace  
24 officers. They are doing social programs. Now,  
25 that doesn't mean that they shouldn't do that,

1           that that is not admirable, but they have no  
2           authority to do it, no constitutional authority.

3                       They have executive authority since  
4           March the 9th, 1933 when FDR declared all  
5           citizens 14th Amendment citizens of the United  
6           States enemies of the United States because they  
7           were hoarding gold. Now, if you don't know about  
8           that and the banking holiday, when the gold was  
9           seized and the Federal Reserve Board in New York  
10          told him to do that and it took over all power  
11          from the congress -- in fact, on March 9th, not  
12          having read that resolution, the congress said  
13          everything that Franklin Delano Roosevelt had  
14          done before March, since March the 4th, 1933, is  
15          hereby confirmed and approved and oh, by the  
16          way, before they said that they said that  
17          everything he will do hereafter is also  
18          confirmed and approved. He became a dictator  
19          just like was going on in Germany.

20                       It is the same thing that the congress  
21          said on July 5th, 1861 to Lincoln, and you need  
22          to study the history to understand what was  
23          really going on. And the emergency powers that  
24          were instituted on March the 9th, 1933 in  
25          Pennsylvania and March the 8th, 1933 and many,

1 many in the first hundred days conversion of  
2 this republic into a corporate state. Those  
3 statutes, those codes are in existence today.  
4 Where did that concept come from? Well, my  
5 research shows that the lawyers started  
6 aggressively, aggressively after the War Between  
7 the States in the new era bar and created all  
8 sorts of organizations, then in fact, were going  
9 to guide this country to, quote, the new world  
10 order.

11 And I take great exception with being  
12 lumped with so many groups. Now, I will concede  
13 to you and to anyone who hears this, that there  
14 is a lot of hate and there is a lot of crime and  
15 there is a lot of terrorism and there is a lot  
16 of arson in Pennsylvania, but I don't know of  
17 anything that is a hate crime. If somebody  
18 walks up to you and hits you, why in the world  
19 do you have to have a lawyer tell you that that  
20 is a hate crime? That is an assault punishable  
21 by any matter of law anywhere in the world. We  
22 don't need more statutes to do that.

23 We need to go back to fundamentals and  
24 the solution does not rest in more laws or  
25 having the government have more control, but in

1 fact, to have civility, morality, Christian  
2 principles back in everyone's lives from the  
3 very beginning of life and to hold life sacred  
4 and to get government out of our lives. First  
5 of all, you can't afford it and we can't  
6 tolerate it. And that is the essence of what  
7 this country is about, is that individualism.

8 And in fact, the term "freeman," the  
9 term "freeman" which is so maligned, now does  
10 that mean everybody that puts that label freeman  
11 on them is a good, upstanding Christian? No,  
12 but I am a declared freeman and I am proud of  
13 it, and the term comes from the Magna Charta.  
14 Don't malign something you don't understand. It  
15 is a fundamental precept in this country that  
16 comes from England. And when you start using  
17 words without understanding what they mean, you  
18 get manipulated and controlled. I read it from  
19 the Magna Charta.

20 In fact, this is out of Coolidge's Law  
21 on Constitutional Law, general principles of  
22 law. The Magna Charta extorted from King John  
23 in 1215 as a restriction upon what was then an  
24 almost unlimited kingly power, the most  
25 important provision of which was that quote, no

1 freeman shall be taken or imprisoned or banned  
2 or outlawed or banished or in any way destroyed,  
3 nor will their king pass upon him or commit him  
4 to prison unless by the judgment of his peers  
5 and the law of the land. Where did that go?  
6 Where did trial by jury go? We don't have trial  
7 by jury anymore. Who can judge both the law and  
8 fact, which was always the intent as a safeguard  
9 against government pressure, exactly what the  
10 king was doing and exactly what William Penn was  
11 put on trial in 1670, the Hat Trial. He won.  
12 Actually, the jurors won by holding out, four of  
13 them, the right to trial by jury, the right to  
14 freedom of speech, the right to freedom of  
15 assembly, the right to freedom of religion.

16 And by the way, when the constitution  
17 was written, religion meant sect or denomination  
18 and that is what it means today. The words in  
19 the constitution mean exactly what they meant  
20 when they were written, not what some lawyer  
21 might tell you what they mean today. And until  
22 you start looking at these issues from a  
23 fundamental basis, you are going to continue to  
24 make mistakes and you are going to continue to  
25 pass, quote, unquote, statutes under legislative

1 absolutism and they are unconstitutional, just  
2 like the constitutional changes in Pennsylvania  
3 in 1968 and the ones you did in '93 and the ones  
4 you did in '95 and the ones you are planning on  
5 doing in '97. They are unconstitutional in  
6 procedure if not substance and if you want that  
7 proof, I will give it to you, common law.

8 We have had reference to the common  
9 law courts. They are infamous. They have been  
10 maligned. Does that mean every one that is  
11 involved in those common law courts are  
12 upstanding great citizens? No, some are not.  
13 But I take great compassion with their  
14 frustration of no remedy of law in the courts in  
15 this country. There are no lawful remedies in  
16 law in this country. You are presiding over a  
17 corporate assembly, tribunal, using admiralty,  
18 quasi-admiralty or statutory jurisdiction, using  
19 your legislative absolutism which you have  
20 instituted unlawfully and the common law  
21 allegedly spent it.

22 I have a decision from a superior  
23 court. There is no such thing as common law in  
24 the court of common pleas or superior court that  
25 exists anywhere at all in the supreme court, the



1 king's bench. Bull. The Court of Common Pleas  
2 of Pennsylvania, doesn't that ring a bell, the  
3 common pleas court. They are an antecedent to  
4 the formation of Pennsylvania that come from  
5 England and nobody, but nobody can take away the  
6 common law. I think it would be wise, really  
7 wise if you understand what common law is before  
8 you start condemning common law courts. Those  
9 individuals who have gone to common law courts  
10 are searching for remedies. They come to  
11 government. They come to everybody. I have  
12 come to everybody and turned aside the arrogance  
13 of the power.

14 We, the people are the sovereigns,  
15 folks. I am the principal. You are the agent.  
16 You need to understand that and once you are  
17 elected, you work for everybody. I come to  
18 Harrisburg and say, hey, we have got a problem  
19 here; could I help share this information. They  
20 say, who, what group are you in. My answer to  
21 that is, that is a how-to-get-elected question.  
22 It is irrelevant. If I have a problem of  
23 something that is going on and I am concerned  
24 about it, I expect my agent to listen. If I am  
25 wrong, tell me I am wrong, not well, I feel this

1 way but with evidence, facts, because that is  
2 what I come with. Here it is just a little bit,  
3 right. If that is the arrogance of power, that  
4 is like start chambers and the king. That is  
5 the attitude.

6 So the people, many of the people who  
7 are involved in common law courts are frustrated  
8 with the lack of remedy. So what is the  
9 solution? The solution is to get the law back  
10 into the courts, the hypocrisy out of the  
11 courts.

12 In fact, if you go to Harrisburg, and  
13 you go there, go on the fourth floor. Look at  
14 the supreme court, what is behind the bench.  
15 The revealed law, the Ten Commandments, God  
16 chiseling the Ten Commandments in stone. Look  
17 around that room. Look everywhere in the  
18 capitol of the stone etchings and the paintings  
19 of the Holy Experiment in Pennsylvania. That is  
20 the solution. It is simple.

21 There is no separation of church and  
22 state. That is a myth created. Read the case,  
23 Everson versus The Board of Education, 1947.  
24 That is an amazing year. A lot of things went  
25 on that year. Then Engle versus Satol, 1962

1 where prayer was taken out of school and on and  
2 on. When you, in fact, take as Washington said,  
3 a rat in religious principles and morality, you  
4 get the destruction of a free society. Read his  
5 farewell address, which, by the way, has been  
6 taken out of the schools as well. More than  
7 that, it has been sanitized. There is no  
8 reference to Christ or Christianity.

9 I have compassion for everyone and  
10 tolerance for everyone's religion. I studied  
11 many religions, and you know what; most of the  
12 principles are very common. But this government  
13 is based on Christianity. Christianity has  
14 always been and always shall be part of common  
15 law in Pennsylvania, up to Garrett versus The  
16 Commonwealth, 1824. You can't separate. And  
17 anybody that takes Jefferson's 1802 letter to  
18 Danbury, Connecticut Baptists, The Wall of  
19 Separation -- and the supreme court did in  
20 Emerson versus The Board of Education, 1947 out  
21 of context, Reynolds versus U.S. 1878. The  
22 whole letter was there and it was there to, in  
23 fact, support the fact that this was a Christian  
24 nation. Not until the supreme court in its  
25 leftist, pardon me, its socialist agenda -- that

1 is better, leftist is a bad term -- did we get,  
2 move away from reality. It wasn't until after  
3 1933 when the law was debated.

4 You can't have this kind of society  
5 where you are going to try to legislate  
6 everything. You must go back to fundamental  
7 principles. That is the solution and that is  
8 the problem.

9 Now, I have gone way off of this  
10 subject but to bring it into focus I will tell  
11 you, it is my learned opinion and I am  
12 recognized as a scholar on what I study, write  
13 and speak about and I am going on, hoping that a  
14 couple people understand the truth. And I am  
15 targeted by the corporates and I have been  
16 arrested and I do travel, as a matter of right,  
17 in my automobile and I will provide to you the  
18 law that supports that. No one in America has  
19 to have a driver's license. That is a  
20 privilege. A driver's license is for the use of  
21 a motor vehicle in commerce or extraordinary use  
22 of the roads. I will give you dozens of cases.  
23 You have the write to travel in your private  
24 automobile, as you go. It is part of liberty.  
25 It is -- look in 11 AmJur. It is documented. I

1 have a 40-page memoranda of law.

2 You folks need to understand the law  
3 before you start tinkering with it and instruct  
4 the police officers that they are there to  
5 protect us, not to beat us up, which I have been  
6 beat up unlawfully and the reason I am here  
7 today, which I intended to start with, I would  
8 like to close with it.

9 CHAIRMAN SCHULER: Can you sum up in  
10 two minutes?

11 MR. REIL: Yes, is that on October  
12 22nd I was home and I got a call that Barry  
13 Morrison from ADL, director here in Philadelphia  
14 had mentioned me as, mentioned my name that I  
15 was involved in an alleged incident of December  
16 of 1993 and allegedly had attempted to ram or  
17 run a police car off the road. Now, that whole  
18 incident was absolutely unlawful. I know the  
19 law. I tried to discuss it with the police  
20 officer. He had no warrant. He had no  
21 authority. There is no authority to have to  
22 have a sticker on my automobile. That is a tax,  
23 folks. I have an automobile that is not  
24 regulated by the state, as all citizens have the  
25 right to do.

1                   But we must be responsible, you see;  
2                   there you go. If you are going to have freedom,  
3                   you must be responsible. If you want the state  
4                   to be a parent, which I noticed in several  
5                   documents that is apparently what the state now  
6                   believes it is -- what is the term, tacto or  
7                   pactum or something like that? That is a Roman  
8                   term. We are under Roman civil law and if you  
9                   don't understand that, let's find out. But we  
10                  don't have that lawfully. That is a de facto,  
11                  under force government.

12                  But I have the right to travel and in  
13                  fact, I do, my automobile. And I tell you this  
14                  candidly. My automobile is not licensed. It  
15                  doesn't have to be and I think it is time for  
16                  the legislature to understand that you are, in  
17                  fact, violating the law every time you get  
18                  involved with these motor vehicle codes. It  
19                  applies to people involved in commerce, not the  
20                  people traveling as a free right.

21                  CHAIRMAN SCHULER: Can we have time  
22                  for questions?

23                  MR. REIL: Yes.

24                  CHAIRMAN SCHULER: Any questions?

25                  Mr. Hennessey.

1                    REPRESENTATIVE HENNESSEY: Mr. Reil, I  
2                    think if we try to capsulize what you are  
3                    saying, you are saying you have seen that there  
4                    is too much federal or concentration of federal  
5                    power in people of the state level, certainly  
6                    that you felt that maybe we can agree with you,  
7                    these basic principles that you sort of  
8                    articulated there. I gather you go beyond that  
9                    and say there is probably too much concentration  
10                   of power at the state level as well and maybe  
11                   even the county and local levels because you  
12                   seem to come through this discussion as  
13                   trumpeting your rights of an individual almost  
14                   at the expense of every other level of  
15                   government for everybody. Is that fair to say?

16                   MR. REIL: No. It is not fair to say.  
17                   I am not anti-government. Again, people who  
18                   speak out -- again, if people didn't speak out,  
19                   we wouldn't be sitting here, all right. King  
20                   George, III was not a happy, not a nice guy.  
21                   And if it hadn't been for our founding fathers,  
22                   we would be part of England. Of course, they  
23                   have been trying ever since to get us back.

24                   But the point is that is not  
25                   anti-government. I am pro-government. I am

1 pro-government to stay within the box it was  
2 designed, in fact, contracted to do.  
3 Unfortunately you are outside the box, way  
4 outside the box. And until you can sit down or  
5 anybody can sit down and give me a delegation of  
6 authority from the constitution, you are not  
7 going to be able to talk to me.

8 If you want to, sir, you want to read  
9 a good case, read Hale versus Henkle, 201 U.S.  
10 43 at 74, where it defines what an individual's  
11 rights are and what the state can and can't do.  
12 The state has no authority to do anything to  
13 individuals, only corporations.

14 REPRESENTATIVE HENNESSEY: Back to  
15 where I started, I think your objection is, if I  
16 got it right, was that federal government has  
17 focused too much power on itself and I think you  
18 probably would think the state government has  
19 exercised too much power over the rights of  
20 individuals --

21 MR. REIL: Let me --

22 REPRESENTATIVE HENNESSEY: -- that  
23 almost every level of government has exercised  
24 more power than you think is delegated.

25 MR. REIL: Let me ask you a question.



1           The process here is to move the authority away  
2           from the people to international government, the  
3           world power. That is what uniform state laws  
4           are all about worldwide. We find -- the Uniform  
5           State Law Commission was, by the way, formed in  
6           1892 here in the United States under the  
7           American Bar Association. In Italy, Russia,  
8           England, France, there was an institution formed  
9           in Italy in 1926, uniform private laws. The  
10          answer --

11                         REPRESENTATIVE HENNESSEY: If I may,  
12          you have gone far afield.

13                         MR. REIL: No, it is not far afield,  
14          sir. It is, the answer to the question is that  
15          in America government has a function. In my  
16          mind and in the law's mind it is to protect  
17          individual rights and to punish those who  
18          violate individual rights. If you get beyond  
19          that, you are outside the scope of government.  
20          And this is set up, the hierarchy from God,  
21          individual, family, so forth, not the other way  
22          around.

23                         REPRESENTATIVE HENNESSEY: Today do  
24          you think that the federal government exercises  
25          more control over your rights than you think it

1           should?

2                       MR. REIL: I don't let it. I don't  
3 let the federal government do anything.

4                       REPRESENTATIVE HENNESSEY: Do you  
5 think it tries to exercise rights --

6                       MR. REIL: Absolutely, they do.

7                       REPRESENTATIVE HENNESSEY: -- and the  
8 state government?

9                       MR. REIL: Yes.

10                      REPRESENTATIVE HENNESSEY: And the  
11 county and local government does that?

12                      MR. REIL: Yes.

13                      REPRESENTATIVE HENNESSEY: Because I  
14 think that is what I asked you five minutes ago.  
15 You sort of --

16                      MR. REIL: Until --

17                      REPRESENTATIVE HENNESSEY: You have to  
18 let me ask my question.

19                      MR. REIL: Mr. Hennessey, let me  
20 answer the question. If you can have yourself  
21 go to the constitution and show me a lawful,  
22 where the constitution is lawful -- By the way,  
23 they have changed the law of the constitution  
24 where there is lawful delegation of authority,  
25 then I have no problem dealing with it. Or, if

1           it does not abrogate the laws of nature and  
2           nature's law, any law that is violated of those  
3           is void.

4                        REPRESENTATIVE HENNESSEY:   Let me  
5           suggest to you that when you take the position  
6           that perhaps the government, the federal  
7           government has tried to focus too much power on  
8           itself, even the state government, I think some  
9           of us can agree with you.  There is some of us  
10          who are very conscious of the limitations we are  
11          supposed to operate under, both at the state  
12          level and I think the current congress.  They  
13          started to evolve some of those powers back to  
14          the states so I think we can see movement in  
15          that direction, maybe not fast enough and not  
16          enough in substance to make you happy, but at  
17          least moving in that direction.  History moves  
18          more slowly than --

19                      MR. REIL:  You didn't listen.  We  
20          don't have constitutional government.

21                      REPRESENTATIVE HENNESSEY:  That is a  
22          different issue to be addressed for a different  
23          day.  What I am trying to suggest to you is that  
24          some of us agree with your initial premises.  
25          When you get into the one, you say, well, there

1 is no such thing as a hate crime, I think I know  
2 what a hate crime is, basically a different type  
3 of a crime than an economic crime.

4 MR. REIL: Let me ask you something.

5 REPRESENTATIVE HENNESSEY: Let me  
6 finish.

7 I mean, if I asked you what milk was,  
8 and I asked you to tell us what pasteurized milk  
9 is and you told me pasteurized milk is healthier  
10 to drink than regular milk, or unpasteurized  
11 milk, that is quite helpful.

12 As for hate crimes, it doesn't do this  
13 discussion any good for you to sit here and say  
14 there is no such thing as a hate crime when we  
15 are talking about criminal activity and you are  
16 using hate crime as something new. Hate is an  
17 adjective used to describe a type or category of  
18 crime. What I am saying to you is when you get  
19 into that discussion and start to deny that, it  
20 doesn't, we just don't move anywhere by creating  
21 arguments where there shouldn't be any argument.

22 MR. REIL: Well, I know you have your  
23 preconceived ideas and it obviously has been put  
24 there for a lot of years. All right. You have  
25 preconceived ideas. Let me ask you this

1 question. If somebody goes out and takes a  
2 spray can and paints on a building and they  
3 paint a swastika or some sort of bigotry or  
4 slander -- not slander, but words that are  
5 distasteful, or a happy face, is it not a fact  
6 that that is vandalism and isn't that the  
7 state's function to prosecute the vandalism and  
8 if, in fact, we were working back in the  
9 fundamentals instead of dealing up here with  
10 trying to get more and more laws to control,  
11 control, control, control, to come in here and  
12 say, wait a minute, young lady or young man in  
13 the home, these values are what is important.  
14 And that is where it is going to play, not the  
15 schools but, in fact, in communities and in  
16 families and individuals who have  
17 responsibilities.

18 You cannot pass enough laws or have  
19 enough prisons to control what is going to go on  
20 in this country if we don't stop this. You  
21 can't. Even if you could pay for it, which you  
22 can't, all right, that is not the solution.  
23 That seems to be government's, always the  
24 government's solution: Create a problem and  
25 then rush in to try to come up with a solution

1 so there is another law. That is exactly what  
2 happened to Rome. Is that where you want to go?  
3 That is not the way to do it in my learned  
4 opinion and so if you are going to categorize a  
5 hate crime and I think your point was well  
6 taken.

7 REPRESENTATIVE HENNESSEY: I think  
8 that is the point and I think a lot of us feel  
9 that perhaps we shouldn't expand the categories  
10 that are already involved in this statute.

11 MR. REIL: I would recommend, in fact,  
12 suggest the thing to do is to, in fact, repeal  
13 all references to hate crimes and start talking  
14 about what they are. They are fundamental  
15 violations of rights. They are fundamental  
16 violations. If it is slanderous, call it  
17 slanderous. If it is libel, just like Barry  
18 Morrison did to me, he lied. The alleged, the  
19 alleged quote, unquote ramming was dismissed in  
20 preliminary hearing and it is so bogus because  
21 the police officer was lying.

22 REPRESENTATIVE HENNESSEY: Well, my  
23 point is I think we can agree on a lot of the  
24 basic premises. When you get to the point where  
25 you start to deny certain things that are

1 obvious, we get off track.

2 MR. REIL: You called --

3 REPRESENTATIVE HENNESSEY: I don't  
4 think that that helps the situation.

5 MR. REIL: You called them something,  
6 Representative. You called them hate crimes.  
7 They are not. Why listen to these folks that  
8 want to create agitation and division and  
9 dissension and, in fact, separate people? We  
10 are all -- yes, we are all here together. Okay.  
11 Why do that by making those dissensions and  
12 making things out of nothing?

13 REPRESENTATIVE HENNESSEY: I think we  
14 can agree to disagree on that. Perhaps someone  
15 else wants to ask some questions.

16 MR. REIL: What happens to free speech  
17 if people can't talk in a group and go out and  
18 say what they want and if, in fact, somebody  
19 slandered or libeled, then those are  
20 prosecutable. But this idea that you are going  
21 to control somebody's speech is  
22 counterproductive. It is absolutely  
23 unconstitutional.

24 Now, there is all sorts of things that  
25 folks do that are unconstitutional. Wake up,

1 because if there is not going to be a stop to  
2 this, I am here to tell you that there is going  
3 to be problems here, real serious problems. We  
4 have to have remedies in law. Stop acting like  
5 men --

6 REPRESENTATIVE MANDERINO: And women.

7 MR. REIL: -- who think you can make  
8 solutions on statutes -- and women. Excuse me.

9 REPRESENTATIVE MANDERINO: Thank you.

10 CHAIRMAN SCHULER: Representative  
11 James?

12 REPRESENTATIVE JAMES: Thank you, Mr.  
13 Chairman.

14 How do you spell your last name?

15 MR. REIL: My name is Reil, upper case  
16 R, lower case E-I-L. It is English.

17 REPRESENTATIVE JAMES: Thank you.

18 Could I be a freeman if I wanted?

19 MR. REIL: Sure.

20 REPRESENTATIVE JAMES: You had said  
21 something about back in 1933 there was the 14th  
22 Amendment citizens. What are 14th Amendment  
23 citizens?

24 MR. REIL: If you study that in the  
25 original concept and the idea of civil rights,



1 civil rights are given by the state. Aren't  
2 civil rights given by the states? I think  
3 states give them and take them away. When the  
4 drafters of the 14th Amendment, and by the way  
5 it is an absolutely unconstitutional  
6 procedure -- put aside the content, okay. The  
7 14th Amendment is unconstitutional and always  
8 has been. Now, you may take exception to that  
9 but I will dump documents on you that will bury  
10 you that will prove my point. That is not an  
11 issue.

12 Now the question is, what was its  
13 intent and if you research the legislative  
14 history of the 14th Amendment, you will see that  
15 it was always the intent to put the federal  
16 government in everybody's own life, to control  
17 everybody. Now, it was originally interpreted  
18 only to apply to blacks. In fact, it was  
19 intended on the surface, to sell it, to say that  
20 blacks would have the same rights as whites.  
21 But it didn't. You see, that whole concept was  
22 just agitation.

23 You know, slavery was supposed to end  
24 in America in 1808 and if it hadn't been for  
25 some people, it would have. All right. All

1 right. And when people bring this up to me, you  
2 know, think about where the slaves by and large  
3 came. They were chiefs in Africa who were  
4 either raiding other tribes and selling them or  
5 selling their own people for money, for drugs,  
6 whatever. All right. This is an economic  
7 problem. It is not a -- you know, we are human  
8 beings and we need to communicate like human  
9 beings and put away the prejudices.

10 REPRESENTATIVE JAMES: So you don't  
11 believe in slavery now, do you?

12 MR. REIL: We are all slaves right  
13 now. We became slaves when and, in fact, FDR  
14 made this a dictatorship. That is right. We  
15 are all slaves and the statutes are in there.  
16 Look in USC, 95 A and B. You will find out that  
17 the president controls everything and the  
18 governor has the same power.

19 REPRESENTATIVE JAMES: And do you  
20 believe that African Americans are part of U.S.  
21 history and are full citizens?

22 MR. REIL: Sure. Now, let's stop.  
23 There again, I used to have -- when I was in the  
24 air force, I had a roommate who was a black man.  
25 All right. I called him by his name. Now, that

1 is a long time ago. All right. I didn't have a  
2 problem with that. There was some people who  
3 were in the service who did and I told them to  
4 shut up. That is my job. Don't talk like that.  
5 I don't want to hear that. That is wrong. But  
6 when you start labeling yourself African  
7 American, wait a minute. Aren't we Americans?  
8 There is a distinction now. I understand your  
9 need to try to seize your culture, all right,  
10 but if you are going to be cultured in America,  
11 we are all Americans. We are first of all we  
12 are Pennsylvanians and then Americans.

13 REPRESENTATIVE JAMES: So if you don't  
14 believe in hate crimes, what would you call an  
15 attack or a crime against a person because of  
16 their race?

17 MR. REIL: That is a presumption and  
18 first of all, that is trained, isn't it? So our  
19 real solution is to understand that we need to  
20 learn that that is wrong and making more  
21 statutes ain't going to fix that. You have to  
22 start young. Kids coming into this world, they  
23 don't know the difference. All right. But  
24 there is all sorts of things on the television  
25 that create this unrest. There is all sorts of

1 race against race, man against woman, religion  
2 against religion, all irritated by various  
3 organizations that want to make a profit from  
4 it; courts agitated by government. All right.  
5 Now, that doesn't mean there aren't some  
6 individuals who do it, Representative -- I am  
7 sorry. I don't remember your name. What is  
8 your name?

9 REPRESENTATIVE JAMES: Harold James.

10 MR. REIL: James. I think that we  
11 have to understand that Christianity, true  
12 Christianity, a lot of sense has been done in  
13 Christianity. All right. Look at Custer's  
14 attack on, you know, the military on the Indians  
15 out in the west in the Black Hills where they  
16 wanted to steal the coal. There is all sorts of  
17 Custers perpetrated by and large white men.  
18 Now, we are not, none of us is innocent. No  
19 race is innocent. Look at over in Africa, what  
20 is going on now. Aren't those atrocities? So  
21 why are we talking about race? What we really  
22 have to deal with is what is your behavior, what  
23 did you do that violates law, God's law and the  
24 laws promulgated according to the constitution.  
25 Stop looking at race.

1                   REPRESENTATIVE JAMES: So you think  
2                   the crimes should be punished; you just  
3                   shouldn't call it hate crimes?

4                   MR. REIL: It is not a hate crime. It  
5                   is a crime of whatever it is. Did the  
6                   individual beat you over the head? That is a  
7                   crime. But look, if you are going to tell me  
8                   that someone else in their ignorance is yelling  
9                   at you out of anger, that is not a crime. In  
10                  order for it to be a crime, even statutory,  
11                  there has to be intent and a harm.

12                  REPRESENTATIVE JAMES: So I see, you  
13                  base this on your experience. I heard you say  
14                  that you were in the air force and did you say  
15                  studying for six years? Did you start to go to  
16                  law school and that is what turned you around  
17                  about lawyers?

18                  MR. REIL: No. I got drug into the  
19                  court. I have been doing my own work on the  
20                  courts. I have done more, according to some  
21                  lawyers, more work in court than most lawyers do  
22                  in a lifetime. All right. But be that as it  
23                  may, I have studied my whole life. I hope to  
24                  keep learning until I am dead. But the point  
25                  being is that you don't have to be an attorney

1 to know the law. Frankly, in all due candor  
2 many attorneys don't have the slightest idea  
3 about the law. They have procedure and cases.  
4 That is all they read, that is the case. If you  
5 don't understand about that, I will tell you  
6 exactly how that happened. There is a mandate  
7 to move away from law understood by lawyers.

8 REPRESENTATIVE JAMES: Do you belong  
9 to a militia group?

10 MR. REIL: First of all, if I did, I  
11 wouldn't have to tell you, but it is immaterial.  
12 Militias are lawful, sir, despite this thing  
13 that went on after the Civil War. How are you  
14 going to control people in the south? Take your  
15 guns away, disarm them and then move in with  
16 government control. Look at how the 14th  
17 Amendment got passed. Disarm the southerners  
18 and they had the Reconstruction Act. They went  
19 in to disband the legislature, even though they  
20 passed the 13th Amendment and said the only way  
21 you are going to get back into congress is pass  
22 the 14th Amendment. Under marshal law, that is  
23 absolutely unlawful.

24 REPRESENTATIVE JAMES: Do you vote?

25 MR. REIL: I am disenfranchised from

1 voting because you are a corporate officer and I  
2 am here on a special appearance. I am not here  
3 as a resident. I am an inhabitant. I am not a  
4 resident. That is a corporate term. And  
5 unfortunately if, you understand what has been  
6 done by the legal profession, you will find out  
7 that you don't have any rights. Now, you will  
8 look and say, well, God, this guy is really off  
9 the wall. All right. I would have no problem  
10 in joining a militia. However, those  
11 individuals have to be absolutely 100 percent,  
12 maybe more than 100 percent lawful. I find  
13 some, notably Mark Thomas, I have given Mark  
14 Thomas whereto for many times at meetings, and  
15 walked out of those meetings. All right. That  
16 is my responsibility as a Christian to stand up.

17 REPRESENTATIVE JAMES: You don't think  
18 he is lawful?

19 MR. REIL: I know he is not.

20 (A brief recess ensued.)

21 REPRESENTATIVE JAMES: Okay. You also  
22 stated that --

23 MR. REIL: Let me, I want to qualify  
24 that answer. I think that is fair. I said that  
25 Mark Thomas is unlawful at times. I don't know

1 Mark Thomas that well. I don't know what he  
2 does. I know that in certain meetings which he  
3 has been present and started to speak, I  
4 repeatedly got upset and said, you are wrong and  
5 left. That is my responsibility and I tell  
6 people what I think. Some of the procedures of  
7 the common law courts go on record to say this  
8 is wrong. It is not lawful. We have common law  
9 courts. They are in every county. It is just  
10 that we have got people occupying those courts  
11 who are operating outside the law, judges and  
12 everybody else, not according to law, the common  
13 law which is dear in this country. All right.  
14 So I am for coming back to law, foremost and  
15 first.

16 REPRESENTATIVE JAMES: Based on your  
17 experience in the meetings that you have been in  
18 with maybe Mark Thomas and whatever other  
19 meetings, do you see the fact that people or  
20 young people, whatever age people are talking  
21 against or attacking other people because of  
22 race? Do you see that on the rise?

23 MR. REIL: I don't get involved in  
24 those kinds of meetings. I don't see that, but  
25 obviously there are all sorts of people. But I



1 would just like to be talking one on one between  
2 another human being and me and not trying to  
3 move everybody else. I am not part of a group  
4 if I don't want to be. I am an individual and I  
5 know there are a lot of fine, fine people in  
6 this country who are very concerned about what  
7 is going on who have learned enough to know what  
8 the government has done to us and I would  
9 encourage all of you to spend time with me and  
10 others to learn what we have learned.

11 REPRESENTATIVE JAMES: Who is we?

12 MR. REIL: Any of you. There are  
13 others who are scholars as well. Now, if you  
14 are trying to make something out of this, don't  
15 do that. Don't go there. All right. I am a  
16 law abiding, belligerent claimant on record. It  
17 is in the records of this state in the courts.  
18 They know who I am. I know who I am. All  
19 right, and don't try to attach any sinister  
20 thing to me because you would be wrong. All  
21 right.

22 The point is there are a lot of very  
23 fine Americans, very fine Pennsylvanians and I  
24 tell you Pennsylvanians first.

25 REPRESENTATIVE JAMES: Tell me; if I

1 wanted to learn about these other people, as you  
2 say we, how would I do that? Where would I go?

3 MR. REIL: Well, I have had several  
4 meetings with representatives already. We had a  
5 three-and-a-half hour meeting. We had a  
6 two-hour meeting, talking about  
7 unconstitutionality of this supreme court,  
8 alleged supreme court order to come up with a  
9 billion dollars, absolutely unconstitutional and  
10 it is founded on the 68th constitutional  
11 changes. They are unconstitutional. I can  
12 prove that.

13 REPRESENTATIVE JAMES: So there is no  
14 set place where your group meets?

15 MR. REIL: You are trying to pin  
16 something down here.

17 REPRESENTATIVE JAMES: No. I am not  
18 trying to pin you down.

19 MR. REIL: I will come to you. If you  
20 want to come to me, I will meet with you  
21 anywhere.

22 REPRESENTATIVE JAMES: Okay. Thank  
23 you.

24 CHAIRMAN SCHULER: Now, back to our  
25 other question.

1 MR. REIL: Back to our other question.

2 CHAIRMAN SCHULER: Would you repeat  
3 the question, Representative Hennessey, for the  
4 stenographer?

5 REPRESENTATIVE HENNESSEY: Thank you,  
6 Mr. Chairman.

7 I had asked Mr. Reil since in  
8 reference to Mr. Reil's earlier reference to the  
9 constitution meaning exactly what the founding  
10 fathers said it meant and nothing more, whether  
11 or not in that spirit he was going to travel  
12 home by horseback. That is how they traveled in  
13 1787. I meant it in levity and apparently he  
14 has taken it seriously. I will be happy to hear  
15 your answer.

16 MR. REIL: In all due respect the  
17 constitutions, both state and federal, are very  
18 dynamic and powerful documents. They are the  
19 foundation of this government. They are, in  
20 fact, the wills of the sovereigns, the people.  
21 And if you will study them as I have, the right  
22 to travel, then you will find that that  
23 statement, in all due respect, is ignorant and I  
24 don't mean derogatory. I am not saying that.  
25 You just don't know. All right. But I am going

1 to read it.

2 REPRESENTATIVE HENNESSEY: I think you  
3 are focusing it differently. It was a question  
4 of travel as opposed to the means of travel.  
5 But I understand.

6 MR. REIL: Fair enough. You are a  
7 lawyer. I am going to read the law to you,  
8 okay, as interpreted by the supreme court; fair  
9 enough.

10 REPRESENTATIVE HENNESSEY: You are  
11 reading from the constitution or one of the  
12 supreme court's decisions?

13 MR. REIL: I am going to read the  
14 composite, you know, the American Jurisprudence,  
15 a composite of decisions.

16 REPRESENTATIVE HENNESSEY: How long is  
17 that?

18 MR. REIL: Very short. First of all,  
19 the definition of a license is the permission by  
20 a competent authority to do something that  
21 without said permission would be unlawful,  
22 illegal trespass, Black's Dictionary, Sixth  
23 Edition. All right. Look in the American  
24 Dictionary. It is unlawful. In Andrew 5,  
25 Andrew Section 10 on automobile status it says,

1 in part, generally right to use highways;  
2 obviously the use of highways by automobiles is  
3 lawful. Now, you tell me if something is  
4 lawful, why do I need a license for it? Now, if  
5 that isn't good enough for you, go to 11 AmJur,  
6 Section 329, talks about liberty and it says  
7 generally it is a fundamental guarantee of  
8 American constitutional government that no  
9 person shall be deprived of his liberty without  
10 due process of law. Later on in that section it  
11 says, quote, personal liberty largely consists  
12 of the right of local nation men to go where and  
13 when one pleases, only so far restrained as the  
14 rights of others may make it necessary for the  
15 welfare of all other citizens. The right of a  
16 citizen to travel upon the public highways and  
17 the transport is properly thereon by horse drawn  
18 carriage, wagon or automobile is not a mere  
19 privilege which may be permitted or prohibited  
20 at will but a common right which he has under  
21 his right of life, liberty and the pursuit of  
22 happiness. Under this constitutional guarantee  
23 one may, therefore, under the normal condition,  
24 travel at his inclination along the public  
25 highways or in a public place and while

1           conducting himself in an orderly and decent  
2           manner neither interfering with nor disturbing  
3           others' rights he will be protected, not only  
4           his person but in safe conduct, end quote.

5                       I have, if you want, a 40-page  
6           memoranda of law that exercises this quite  
7           extensively, both with Pennsylvania cases and  
8           history and law. What you are doing with  
9           respect to Title 75 applies to those engaged in  
10          commerce for profit and gain. Look at 18 USC  
11          definition of motor vehicle. If you study this  
12          subject, you will find that it is for revenue  
13          and control. It is unlawful.

14                      So what we have is a whole bunch of  
15          ignorant folks going out here and being coerced  
16          and threatened into getting driver's licenses  
17          and engaged in some sort of commerce. Now, you  
18          may not understand that, but I do and, in fact,  
19          I am helping district magistrates understand it.

20                      CHAIRMAN SCHULER: Any other  
21          questions? Representative James.

22                      REPRESENTATIVE JAMES: Thank you.

23                      Just to follow-up with a question, do  
24          you believe that there is discrimination and  
25          racism in this state as well as this country?

1                   MR. REIL: Well, I tell you what; I  
2                   feel discriminated against all the time. All  
3                   right. So you haven't got a corner on that as a  
4                   race. All right. Now, I have had a lot of  
5                   discussions with black folks and there is good  
6                   and bad everywhere in this world. I have been  
7                   in various countries and there are good people  
8                   and bad people everywhere. All right. I don't  
9                   look at it that way and so I do know that in the  
10                  legal profession that exists today we are all  
11                  discriminated against. We are all victims.  
12                  There is a disproportionate amount. There are  
13                  people who have bias. It has been inculcated  
14                  for various reasons.

15                 I am for going back to law and to the  
16                 fundamentals of Christian principles and  
17                 morality and we won't have any problem because  
18                 we are, you and I, two men, two human beings,  
19                 two Christians of God. And I believe my faith  
20                 saved by grace by virtue of Jesus Christ and  
21                 coming and dying for my sins and as long as I  
22                 follow those teachings I remain in grace. If I  
23                 fall out, I fall under the law and that is my  
24                 belief. That is my understanding of the Bible  
25                 and I live that way. I wish we all did. I

1 wish, in fact, that we could look at what Paul  
2 went through and understand things haven't  
3 changed in awhile.

4 So to answer your question, there are  
5 all sorts of people everywhere. We need to deal  
6 with people and at a very fundamental basic  
7 level. Government cannot solve this problem.  
8 You and I must solve it. You and I must solve  
9 it. We all must solve it together. It is not  
10 my government's role to be my parents and I will  
11 be darned if I am going to give myself over to  
12 you. I am not going to do it. There is no law  
13 that says you have that authority. It has been  
14 seized unlawfully. I would encourage all of you  
15 personally to take the time to meet with me at  
16 your convenience, but soon, to understand how we  
17 can solve this problem.

18 I have asked this for six -- well,  
19 five years. I have been coming to Harrisburg  
20 five years and I look at some of the writings  
21 that I wrote five years ago and I was as  
22 ignorant as a post compared to what I know now,  
23 but I was not far off. The fundamental  
24 principles are the same. We are in serious  
25 problems here. We must solve them. We must



1 solve them together as human beings, not blacks  
2 and whites, not women and men, not race or  
3 religion. That is not it.

4 REPRESENTATIVE JAMES: Thank you.

5 MR. REIL: But this country, the law  
6 and the government is based on Christian  
7 principles. Don't try to change that.

8 REPRESENTATIVE JAMES: Thank you.

9 CHAIRMAN SCHULER: Are you finished,  
10 sir? I don't think there are any more  
11 questions.

12 MR. REIL: Well, I thank you very  
13 much. I appreciate you staying late. I know  
14 you have long days. I do, too. Again, I will  
15 finish this up. I may modify it a bit based on  
16 what I said today. In essence the content is  
17 the same.

18 CHAIRMAN SCHULER: Just submit it to  
19 Mr. Mann.

20 MR. REIL: I would also ask you very  
21 personally to take to heart what I said and to,  
22 in fact, ask and spend the time. I will help  
23 you to understand what I understand. I am  
24 deeply concerned about all of this, particularly  
25 our children. I have been there. I have done

1 that. Okay. And I am very much afraid of what  
2 is happening to our children. Children are  
3 dying because we are too busy scurrying around  
4 trying to coming up with some sort of hate  
5 crimes. We have to focus on the problem.

6 CHAIRMAN SCHULER: Thank you very  
7 much. Mr. James has a closing statement he  
8 would like to make.

9 REPRESENTATIVE JAMES: Thank you, Mr.  
10 Chairman.

11 There has been a demonstrated need to  
12 continue these public hearings. The testimony  
13 we have heard not only today but in the previous  
14 hearing of October the 22nd in Harrisburg, and I  
15 hope that the house leadership of our  
16 government, the house of representatives in 1997  
17 and '98, the 181st legislative session has the  
18 good foresight to accept my full recommendation  
19 of July 23rd, 1996 that we have these hearings,  
20 public hearings, that are convened throughout  
21 this commonwealth, that there is no question  
22 that there is a disease of racism and bigotry  
23 infectious in all walks of life.

24 We must make educated decisions in  
25 order to set forth strong, comprehensive

1           legislation and I can think of no other formal  
2           venue than to continue these public hearings  
3           throughout Pennsylvania.

4                     Our mission has been outlined before  
5           us today. It is simple and clear. Based on the  
6           testimony we heard today we must form a  
7           coalition of various ethnic groups to educate,  
8           reshape, reclaim, reaffirm our commitment to the  
9           sensitivities of one another.

10                    First, we must reshape the thinking of  
11           those that advocate irrespective of the domain  
12           the susceptible. We have heard the degree they  
13           are willing to go to spread their venom. There  
14           is no limit to their techniques.

15                    Secondly, we must reclaim our youth by  
16           patient program. It must be a partnership, the  
17           same which embraces the needs of our communities  
18           and children. Make no mistake; I strongly  
19           believe that one cannot legislate morality but  
20           one can, through the power and force of law,  
21           make that act a painful experience through their  
22           aggressiveness.

23                    Furthermore, we can enact legislation  
24           and policy that we can provide resources through  
25           the programs and services which serve as a

1 safety net of our community. Mean-spirited  
2 budgetary cuts are not a solution to eliminating  
3 the kinds of acts we have heard throughout the  
4 testimony. Taking away from the family does not  
5 achieve, rather by giving the family a helping  
6 hand, then we all achieve.

7 Chairman Schuler, I hope in our  
8 opening session you remain as chairman of the  
9 special task force. I look forward to working  
10 with you and other members in developing a  
11 series of public hearings with our judiciary  
12 committee throughout this commonwealth, one  
13 which would also include testimony from victims  
14 and not just one-sided hate groups or racists.  
15 Thank you.

16 CHAIRMAN SCHULER: Thank you. Any  
17 other closing comments?

18 I declare the public hearing closed.  
19 Thank you.

20 (Whereupon, the hearing concluded at  
21 4:30 p.m.)

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C E R T I F I C A T E

I, Marsha Hunter-Breen, Reporter,  
Notary Public, duly commissioned and qualified  
in and for the County of Montgomery,  
Commonwealth of Pennsylvania, hereby certify  
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