

Burning of African American Churches in Louisiana and Perceptions of Race Relations

**Executive Summary of a Community Forum
Held July 8–9, 1996, Baker, Louisiana
by the Louisiana Advisory Committee to the
United States Commission on Civil Rights**

The United States Commission on Civil Rights

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**Louisiana Advisory Committee to the
U.S. Commission on Civil Rights**

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Baton Rouge

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Dr. Robert L. Ford
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Dr. Laurabeth Hicks
Baker

Mr. Robert A. Kutcher
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Mr. Salvador G. Longoria
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Ms. Roberta Madden
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Ms. Glenoa Keller Parks
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Ms. Rupert F. Richardson
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Burning of African American Churches in Louisiana and Perceptions of Race Relations

From May 1995 through June 1996, nine African American churches in Louisiana were burned under circumstances that have ruled out accident. These churches were among the more than 59 arsons of African American churches in the South between January 1995 and June 1996,¹ arsons that have caused great concern among many Americans. As one minister observed:

We are very concerned about the large number of black churches that have been destroyed by fire. The church is the heart of the black community. It is not merely a place of worship for the membership; it is also a place for social gatherings and for training and educating our youth. To have it deliberately destroyed because of racial prejudice would be a devastating blow to members and residents of the community.²

The U.S. Commission on Civil Rights, in a statement issued June 14, 1996, noted that "Southern rural black churches...were rallying points for many galvanizing demonstrations that ushered in the modern civil rights movement. As religious institutions, black churches were havens for the people who marched for five days from Selma to Montgomery, shelters where freedom riders ate and slept, hosts for meetings and voter registration drives, and headquarters for the Montgomery bus boycott." Retaliation against the churches for their support of the civil rights movement included fires and bombs.

In the current 18-month period, the first suspicious fire at an African American church in Louisiana took place in Vivian, in the far northwest corner of the State, when the Mt. Corinth Church of God was burned on May 24, 1995. The 49-member church was founded in the late 1950s, and no one has been arrested for the arson, which also destroyed a neighboring house.

The next four fires took place the same night, February 1, 1996, in Zachary and Baker, in East Baton Rouge Parish. As of August 1996, no one had been arrested for these fires. The Cypress Grove Baptist Church in Zachary suffered extensive interior damage from the fire, which occurred about 1:30 a.m. Cypress Grove was founded in 1888 and has 120 members. Next to be torched was St. Paul's Free Baptist in Baker, where some \$3,000 in damage was done to a wall by a fire set about 4:30 a.m. St. Paul's, an 80-member congregation, was founded in 1896. The third target was Sweet Home Baptist Church in Baker, a congregation of 25 founded in 1934. The fire, which was set between 5:30 a.m. to 6:30 a.m. caused \$5,000 in damage. The final site on February 1 was Thomas Chapel in Zachary, where about \$2,000 in damage was done by a fire set between 5:30 a.m. and 6:30 a.m. These four churches are within 6 miles of each other.

Two months later, a fire was started at St. Charles Baptist Church in Paincourtville about 5:30 p.m. when a propane torch was thrown through a window. Damage amounted to \$500. No arrests have been made. St. Charles has about 250 members and was founded in 1896.

¹ Current information on the fires is taken largely from a fact sheet issued by the National Church Arson Task Force (U.S. Department of Justice and Department of Treasury), "African American Church Fire Investigations in the South" (January 1, 1995 to September 4, 1996) and "Black Church Burnings: Why They Did It," *USA Today*, July 1, 1996. As Federal investigators and others have discovered, not all fires at rural black churches have been reported.

² Edward Jordan, Sr., Pastor, St. Moses Baptist Church, Jenerette, La., letter to Lorna Bourg, Executive Director, Southern Mutual Help Association, Inc., New Iberia, La., Mar. 26, 1996.

On June 24 in Shreveport, the New Birth Temple, founded in 1994, suffered \$15,000 in fire damage. The African American congregation of 50 was renovating an old union hall for its church.

A final fire occurred in New Orleans on June 29, when a stack of lumber by a church that was being built was torched. The facility under construction was for the Greater Ebenezer Baptist church; however it was not obvious that a church facility was being built here and most would not consider this a possible hate incident.

Concerned particularly about the fires in Baker and Zachary, the Commission's Louisiana Advisory Committee held a briefing on the topic in Baton Rouge on March 28, 1996.³ Community leaders told the Committee about efforts to help rebuild the churches and church leaders and members described the effects on the congregations and the help being received. They also discussed earlier vandalism at some of the churches. A member of one church described reports with license plate numbers that were made to law enforcement on the vandalism and indicated he did not believe that followup measures were taken on these reports. Other community leaders talked about the apparent lack of coordination between Federal, State, and local law enforcement. A representative of the Federal Bureau of Investigation also briefed the Committee on the progress of their investigations.

The Louisiana Advisory Committee agreed after the briefing that members would continue to monitor the situation and exchange information with other Advisory Committees. As concern grew, the Committee determined to hold a community forum on the topic in Baker on July 8-9, 1996.

Louisiana Snapshot

Louisiana ranks number three among the States and the District of Columbia in the proportion of African American residents. In 1990, Louisianans were 67.3 percent white and 30.8 percent black, with American Indians (0.4 percent), Asian Americans (1.0 percent), and Hispanics (2.2 percent) constituting the rest of the population.⁴ Overall, in 1992 the population stood at 4,278,899, an increase of 1.7 percent since 1980.⁵

In East Baton Rouge Parish, location of the cities of Baker and Zachary, total population was 380,105 in 1990,⁶ with most (219,531) of those persons resident in the city of Baton Rouge.⁷ Persons in Baker number 13,233⁸ and in Zachary, 9,036.⁹ Baton Rouge is 53.9 percent white and

³ See Minutes, Meeting of the Louisiana Advisory Committee to the U.S. Commission on Civil Rights, Mar. 28, 1996.

⁴ U.S. Department of Commerce, Bureau of the Census, *Louisiana: General Population Characteristics*, 1990 Census of Population (1990 CP-1-20), p. 11.

⁵ U.S. Department of Commerce, Bureau of the Census, *1992 City and County Data Book*, pp.2-3.

⁶ U.S. Department of Commerce, Bureau of the Census, *Louisiana: General Population Characteristics*, 1990 Census of Population (1990 CP-1-20), p. 14.

⁷ U.S. Department of Commerce, Bureau of the Census, *Louisiana: General Population Characteristics*, 1990 Census of Population (1990 CP-1-20), p. 21.

⁸ *Ibid.*, p. 21.

⁹ *Ibid.*, p. 45.

43.9 percent black;¹⁰ Baker is 71.7 percent white and 27.6 percent black;¹¹ and Zachary is 72.8 percent white and 26.6 percent black.¹² Overall, East Baton Rouge Parish is 63.3 percent white and 34.8 percent black.

Median household income in East Baton Rouge Parish was \$27,224 in 1990,¹³ compared with \$21,949 for the State as a whole.¹⁴ In Baker and Zachary, median household income was \$28,170 and \$32,625, respectively.¹⁵ Median household income in Baton Rouge city was \$21,898 in 1990.¹⁶

Louisiana does not have a hate crime statute, but does provide for civil action by hate crime victims and for increased criminal penalties for vandalism at houses of worship.¹⁷ In the two most recent reports under the Federal Hate Crimes Statistics Act of 1990 (which called for voluntary reporting of hate crimes by law enforcement agencies to the Federal Bureau of Investigation), Louisiana had two law enforcement agencies reporting 9 incidents in 1994¹⁸ and five agencies reporting 23 incidents in 1993.¹⁹ Baker and Zachary were among the cities reporting no incidents in 1994 (Baton Rouge did not send in a report),²⁰ and Baton Rouge reported no incidents in 1993 (Baker and Zachary did not send in a report).²¹

Louisiana had 636 elected black officials in 1993, or 12.8 percent of all elected officials.²² These officials held 31 seats in the State legislature,²³ 139 seats on county governing bodies,²⁴ 206 municipal offices,²⁵ and 104 judicial and law enforcement offices.²⁶

¹⁰ Ibid., p. 21.

¹¹ Ibid., p. 21.

¹² Ibid., p. 45.

¹³ U.S. Department of Commerce, Bureau of the Census, *1992 City and County Data Book*, p. 247.

¹⁴ Ibid., p. 7.

¹⁵ Ibid., pp. 877, 878.

¹⁶ Ibid., p. 750.

¹⁷ La. Rev. Stat. Ann. § 9:2799.2; § 14:225.

¹⁸ U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1994*, p. 20.

¹⁹ U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1993*, p. 23.

²⁰ U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1994*, p. 29.

²¹ U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1993*, p. 29.

²² Joint Center for Political and Economic Studies Press, *Black Elected Officials: A National Roster, 1993* (Washington, D.C.: 1994), table 2, p. xxiii.

²³ Ibid., table 6, p. xxvii, and table 7, p. xxviii.

²⁴ Ibid., table 10, p. xxxi.

²⁵ Ibid., table 13, p. xxxiv.

²⁶ Ibid., table 15, p. xxxvi.

The Forum in Baker

The Louisiana Advisory Committee's forum²⁷ was held at the Baker Civic Auditorium. The purpose was to assess the investigative procedures of Federal, State, and local law enforcement officials and to examine race relations in the community. Invited participants included Rev. James Larry Freeman, Moses Thomas, Rev. Ted Roelings, and Rev. Charles Smith from the religious community. The Advisory Committee also heard from members of the community, including Judge John Englesman, Jerry Himmelstein of the Anti-Defamation League, and Lavell Crump, president of the Student Government Association at Southern University.

Augustus Taylor represented the Community Relations Service of the Department of Justice. The Advisory Committee heard from law enforcement officials from the local, State, and Federal levels. Major Silas Gerald, of the East Baton Rouge Parish Sheriff's Department, and Butch Browning, director of the East Baton Rouge Parish Arson Task Force, spoke about local law enforcement efforts. David Hunter, supervisor of investigative support of the Louisiana State Police, was a representative of State law enforcement. Federal law enforcement officials included E.J. Hymel, U.S. Attorney for the Middle District of Louisiana; Jim Letten, First Assistant U.S. Attorney for the Eastern District; George Buttram, FBI assistant agent in charge; and Hamilton Bobb, ATF special agent in charge.

Mayor Bobby Simpson represented the city of Baker and Rodney Braxton appeared on behalf of the Governor's office. After hearing from the invited discussants, the community forum was open to the public for remarks.

SAC Chair Bill Quigley welcomed the public to the forum and introduced Chairperson Mary Frances Berry and Commissioner Yvonne Lee of the U.S. Commission of Civil Rights. Committee Chair Quigley introduced members of the Louisiana Advisory Committee present: Lorna Bourg, Laurabeth Hicks, Salvador Longoria, Roberta Madden, and Glenoa Keller Parks. U.S. Commission on Civil Rights' Staff Director Mary K. Mathews and Central Regional Director Melvin Jenkins were also introduced.

Church Representatives

Ministers of all the churches attacked by arson or otherwise in Louisiana were invited to participate in the forum. The Committee also invited religious representatives from other organizations.

Rev. James Larry Freeman of SweetHome Baptist Church told the Advisory Committee that his church is located outside the city limits of Baker between Scotlandville, which is a black area, and Central, which is racially mixed. He told the Advisory Committee, "violation of civil rights, that's a common thing around here." Reverend Freeman added that the older generation goes on for the sake of the younger generation. Reverend Freeman stated that the church is where they go for salvation and learning, and it is the only place blacks can go to when the rest of the world rejects them. Reverend Freeman concluded by saying the fires will not prevent the church from being rebuilt, and he asked that the doors remain open to provide help for those who burned the churches. Louisiana Advisory Committee members asked Reverend Freeman a number of questions at the

²⁷ The State Advisory Committees to the U.S. Commission on Civil Rights do not have subpoena power. When a community forum is held, the Advisory Committee invites persons to present differing points of view on an issue. Since the Advisory Committee cannot compel participation, persons invited to present information may not appear. At the conclusion of such forums, persons in the audience who wish to present a statement on the topic of the forum are permitted to do so.

conclusion of his statement. Committee Chair Quigley asked Reverend Freeman to elaborate on the prior attack on the church. Reverend Freeman reported that the February 1, 1996, arson attack was not the first time the church had been burned. He said that in the late 1970s or early 1980s SweetHome was burned and graves were vandalized. Reverend Freeman said he was told that the church was burned down completely and had to be rebuilt. To best of his knowledge, the fire was reported to authorities, but they say they do not have a record of this report.

Mr. Longoria asked Reverend Freeman if he has any problem with insurance coverage for the damage to his church. Reverend Freeman replied that his insurance company paid for the reported damages. He told the Advisory Committee that he has no idea who burned the church in that incident or in the current matter. Responding to Ms. Hicks' inquiry about the impact the fire has had on the congregation, Reverend Freeman said that church members are now afraid to go to church and night services have been discontinued.

Ms. Hicks asked Reverend Freeman about race relations in the area. He stated there are no race relations among blacks and whites and that violations of civil rights are common in Louisiana. He noted that blacks are treated differently in employment and in the pursuit of public office. Reverend Freeman specifically mentioned the remapping of congressional districts in Louisiana that reduced the number of black congressional seats from two to one, causing the loss of Congressman Cleo Fields' district. He stated that racism was the cause of this loss. Regarding Ms. Madden's and Chairperson Berry's question about the response of local whites to the church fires, Reverend Freeman related further that although white local officials have offered their help and condolences in the burning, more needs to be done to address race relations and more dialogue is needed between the races. He recommended that local pastors support law enforcement efforts in catching the arsonists. He also noted that when there are meetings about community issues, if the meetings are held in the black community, only blacks will attend, and if the meetings are held in the white community, only the whites attend. Since he has been in the area, he said, he has not seen black and white leaders sit down and discuss the problems in the community.

Moses Thomas, vice president of the Thomas Chapel Benevolent Society, stated that when he first became aware of the fire he reported it to the authorities and also advised Reverend Connor of SweetHome to do the same. The police were called and they said they would be there in 30 minutes. Mr. Thomas reported that he was questioned about the fire when the first officer arrived on the site. A few days later he was called to the Zachary fire station for a further interview about the fire. Mr. Thomas also visited with Congressman Cleo Fields about the fire. He reported that the FBI interviewed him at his home on three or four occasions.

Rev. Ted Roelings represented the Baker Ministerial Association (BMA) at the forum. He told the Advisory Committee that the official position of BMA on the recent church burnings is that it is an abomination to humanity and something intolerable.

Reverend Roelings said that as a minister and a member of BMA one of his goals is to bring the area churches and races together. BMA's mailing list includes all the churches in the area, and when meetings are held, notices are sent to both black and white ministers. These meetings, he related, are interracial and interdenominational and have provided opportunities for black and white ministers to work together.

As a resident of the area since the 1960s, Reverend Roelings has seen race relations go from animosity to toleration to acceptance and finally to working together. However, he said, there is

still a need for further growth between the races and believes that the city of Baker is working on it in an honest way.

According to Reverend Roelings, the most significant thing that brings whites and blacks together on the church burnings is the principle that the church is sacred and nothing should interfere with its operations or foundation. He stated that when a white church (First Presbyterian Church of Zachary) was firebombed in 1969, both whites and blacks worked together to restore the church. Race relations are still evolving, he stated. Reverend Roelings noted that these same efforts are being made in the recent church burnings. He reported that BMA also responded by establishing a disaster fund for the affected churches.

Rev. Charles Smith is the pastor of Shiloh Baptist Church, a 124-year-old church in Baton Rouge. He told the Advisory Committee that on June 20, 1996, a hangman's noose was placed on the front door of the church. Reverend Smith told the Advisory Committee that the major impact of this incident is the cost of increased security. Instead of a 14-hour day professional security service, the church now has 24-hour security. He said the positive outcome is that this incident has made people more aware of the seriousness of the attacks on black churches and has motivated people of goodwill to want to come together. Reverend Smith said that Shiloh Baptist Church is a historic and very active church in the inner city where many social and community outreach programs are provided. He described Shiloh Baptist as a predominantly African American church with a wide socioeconomic background. In his conclusion, Reverend Smith noted these acts of intimidation have brought the races together and renewed their determination to do more to work for racial harmony and justice.

In response to Ms. Hicks question about the concern of the church members, Reverend Smith reported that the congregation's initial reaction to the incident was fear and intimidation. He said that he has received many calls of sympathy and concern from people of all races and that fellow clergy, regardless of race or denomination, have been most supportive and reassuring. He also indicated that the media coverage and response was very favorable.

Commissioner Lee asked about the response of the law enforcement officials. According to Reverend Smith, Federal and local law enforcement agencies responded very quickly and have been responsive in their investigations. At this time, he reported, law enforcement officials do not have any leads in the case and are hesitant to label this incident as racially motivated until more evidence is obtained.

Ms. Bourg asked Reverend Smith about his impression of State politicians and their positions on race relations. Reverend Smith stated that although he does not know the motivations behind the noose incident or the church burnings in Louisiana, he believes the political climate in Louisiana has fueled racial tensions. He thinks that the leadership in State government could do more to express a concern for the inequalities that minorities have had to face on a daily basis. Reverend Smith added, however, that there are people of goodwill who are doing things to work for racial harmony in Baton Rouge.

General Community Response

John Englesman is city court judge in Baker. Judge Englesman immediately addressed the allegation that Cypress Grove Church has had mud thrown at the structure. The judge explained that the location of the church makes it a prime target for vandals, regardless of the race of the church's members. Judge Englesman told the Advisory Committee the he and Mayor Simpson of

Baker brought the community together to respond to the church fires shortly after the occurrences. Almost \$12,000 has been donated for distribution to the affected churches in Baker and Zachary, and building materials for the rebuilding of St. Paul's Church have been gathered.

Judge Englesman has lived in Baker since 1973 and describes Baker as a good place for all races to live, work, and raise a family. He said that the city is not a town of hate or a burning cauldron of racial tension. Judge Englesman told the Advisory Committee that although the perpetrator(s) of these fires are still unknown, he, as well as others, were concerned that a small group of hooligans might be responsible, and thus setting the tone for race relations. But, he said, the church burnings have succeeded in starting a fire of community spirit. He noted that the First United Methodist Church in Baton Rouge also brought in a team of people to help build, and a \$26,000 reward was offered for information pertaining to the arrest and conviction of the perpetrator(s). Judge Englesman said it was his belief that 99 percent of the citizens of Baker feel that these fires are repugnant.

On race relations, Judge Englesman stated that he disagreed with Reverend Freeman that there are no race relations. He said that blacks and whites do interact and in a very civil fashion. Public facilities, neighborhoods, civic organizations, and recreation activities such as Little League baseball are integrated. However, Judge Englesman does admit that Baker is not free of racial problems, and that he is not aware of any organized activities in the community to discuss and address existing racial concerns. He recommended that the churches initiate and provide the leadership to begin such a dialogue.

Judge Englesman dismissed Committee Chair Quigley's point that there is a disparity of services between whites and blacks by pointing to Parkwood Terrace, a predominantly black housing subdivision. Ms. Bourg asked Judge Englesman about the apparent different views on race relations held by blacks and whites. Ms. Bourg explained that whites seem to say everything is fine and blacks seem to view that there is an absence of race relations. Judge Englesman said that changes in race relations have occurred but said there are generational differences. He added that he was disappointed that the arsonists behind the church fires are projecting a negative image of race relations despite the efforts of many who have worked for progress in relationships. When Commissioner Lee asked if the city had ever held a meeting to hear the concerns of blacks prior to the rash of fires, Judge Englesman responded that he had no knowledge of such meetings. He noted that Mayor Simpson had an open door policy which allows any citizen to come to his office or before the city council to raise concerns. Judge Englesman added that a partnership between white and black churches may be helpful.

Jerry Himelstein is regional director of the New Orleans office of the Anti-Defamation League (ADL). He told the Advisory Committee that ADL's mission is to combat anti-Semitism, prejudice, and bigotry of all kinds and promote justice and fair treatment of all citizens.

He cited to the Advisory Committee areas of concern that impede Louisiana's ability to respond to hate crimes and in this case to prevent the destruction and desecration of black churches. Mr. Himelstein stated that more training of law enforcement personnel in responding to hate crime is direly needed. Such training happens occasionally in Louisiana, but not often. Identification of

hate crimes, careful reporting and sensitive response to the victims, he said, are all vital, but often law enforcement does not have the proper training. Mr. Himelstein pointed out the severity of this

problem by noting that one local official admitted he was unaware of the term "hate crime" and therefore was unable to carry on an informed discussion on the issue.

Mr. Himmelstein stated that Louisiana needs to increase law enforcement's participation in hate crime reporting. He said that according to the 1994 hate crime reporting statistics, of the 348 law enforcement agencies in Louisiana, only 58 participated in 1993 and 92 in 1994 in reporting hate crimes. He indicated that the towns of Baker and Zachary did participate in the reporting but not Baton Rouge.

Mr. Himmelstein pointed out that Louisiana also needs to join the 35 other States that have a penalty enhancement statute to provide for increased penalties if it is determined that a crime is motivated by bias or bigotry. He reported that a hate crime bill based on ADL's model was initially introduced in the State legislature 4 years ago but was defeated. The bill would have provided training for law enforcement, a State data collection system, and an enhanced penalty statute for crimes committed based on race, religion, ethnicity, and sexual orientation. Each time the bill was introduced, it passed the Louisiana Senate by a wide margin but failed in the Louisiana House of Representatives.

Committee Chair Quigley asked Mr. Himmelstein why he supported an increase in the funding of the Community Relations Service. Mr. Himmelstein said that the Community Relations Service of the Department of Justice had great potential to help the healing. Commissioner Lee asked why there was opposition to the passage of a hate crime law in the State. Mr. Himmelstein explained that there were two main opponents to the bill. The Christian Coalition opposed the bill because of the inclusion of the sexual orientation category. Mr. Himmelstein said he considered the David Duke supporters who opposed the hate crime bill extremists.

In a written statement submitted for the record, Mr. Himmelstein, on behalf of ADL, made the following recommendations to the Louisiana Advisory Committee to the U.S. Commission on Civil Rights on ways to effectively confront church arsons and hate violence:

Focus public attention on these arsons and demonstrate support for the victims of these arsons.

1. Congress should enact legislation to make it easier for Federal authorities to investigate and prosecute attacks on houses of worship.
2. Congress should enact legislation to provide an ongoing mandate for the Hate Crime Statistics Act (HCSA).
3. Congress and the Administration should promote comprehensive implementation of the HCSA by State and local enforcement officials.
4. Every State should enact a penalty-enhancement hate crime statute and existing statutes should be vigorously enforced.
5. Congress should increase funding for the Justice Department's Community Relations Service (CRS) and examine whether additional funding is necessary to expand FBI civil rights investigations and BATF arson investigations in these cases.
6. Congress and the Administration should promote hate crime training initiatives for Federal law enforcement officials.

7. Congress and the Administration should help promote civility and acceptance of differences in our society.²⁸

Augustus Taylor is Deputy Regional Director, Community Relations Service, U.S. Department of Justice, Dallas, Texas. He explained that Congress established the Community Relations Service (CRS) 34 years ago because it wanted a government agency that would specifically deal with racial problems and bring parties together to resolve problems in a nonadversarial way. Mr. Taylor said that CRS' funding and staff were recently cut but because of the church burnings some staff members were called back temporarily to help the affected communities. He said that his office went from a staff of nine to three.

Mr. Taylor told the Advisory Committee that perception is reality. He surmised that one of the reasons law enforcement may be having a difficult time obtaining more leads is related to the black community's distrust of law enforcement. He reported that he has talked with residents of Baker to determine the pulse of the community and how the community feels about the church burnings. Although residents that Mr. Taylor talked to did not have evidence to support their opinion/perception, overwhelmingly they believed that a hate group wants to destroy the black church. He told the Advisory Committee that it is his job to assist the overall community with either founded or unfounded racial problems and concerns. Mr. Taylor hopes to work with the community and city leaders on this situation and stressed that the healing process should not just include "experts" and exclude the victims or those affected by hate crimes.

Committee Chair Quigley asked Mr. Taylor what recommendation would he make to improve race relations. Mr. Taylor said that if a community is affected by racially motivated crime, he would recommend that it establish a human relations commission. Further, if relations between the black community and the police are polarized, he would recommend that the city use community-oriented policing to improve relations. Responding to Ms. Bourg's question, Mr. Taylor said perceptions remain a driving force in how people view race relations. Mr. Taylor said that the CRS at every level is working to dispel racial tensions. Replying to Ms. Bourg's questions about the jurisdiction of the Community Relations Service, Mr. Taylor said that the office does not have enforcement authority but calls for everyone to work on alleviating the problem. Mr. Taylor told the Advisory Committee that he plans to meet with Mayor Simpson in the near future. He also told the Advisory Committee that under Louisiana law, the mayor can create a human rights commission.

Commissioner Lee asked about sensitivity training offered by the Community Relations Service. Mr. Taylor said that the Community Relations Service has offered police departments training in race relations and civil rights and liabilities. He cited the office's working with the New Orleans and Shreveport Police Departments as examples. Mr. Taylor added that requested training is done at no cost to the municipality.

Lavell Crump is president of the Student Government Association at Southern University and a former resident of Baker. Although he had no information to show that the church fires were racially motivated, he believed that race was a factor. He described the black church as the foundation of the black community and as a place looked to for salvation and reflection. Mr. Crump remarked that the reason the church is being attacked is because it is the cradle of the black community.

²⁸ Written statement to the Louisiana Advisory Committee submitted by Jerry Himmelstein, regional director, Anti-Defamation League, New Orleans, July 9, 1996.

Committee Chair Quigley asked about the status of race relations in the area. The church fires are just one of many attacks that are being lodged against the black community, Mr. Cump said. He cited as evidence the dismantling of affirmative action, the closing of historical black colleges, and the outright support of racist groups and individuals. Other sources of racial problems, he noted, include the schools and police-community relations. When Ms. Parks asked about steps to racial healing, Mr. Crump said that the first step was to stop denying that race is the cause of community problems. Mr. Crump also said he talks directly with those who are affected by the problem and those who try to find solutions.

Law Enforcement: Local

Major Silas Gerald from the East Baton Rouge Parish Sheriff's Department reported that the sheriff's department was only involved in the investigations at the SweetHome Baptist Church and the Thomas Benevolent Society Building. The report of the fires came in at 11:25 a.m. on February 1, 1996, from a church member. Because the sheriff's department is not capable of conducting arson investigations, the East Baton Rouge Arson Task Force was immediately called in, he said.

When Ms. Parks asked who contacted the East Baton Rouge Parish Sheriff's Department about the fires, Major Gerald said a church member of SweetHome Baptist called regarding the fires. He said that the church and the Society Building are about 25 yards apart. Ms. Parks asked Major Gerald what could be done to provide information to rural citizens on what to do in the event of an arson attack. Major Gerald stated that although these churches are in rural and somewhat isolated areas, the department does offer neighborhood watch programs and other community policing activities to make residents aware of how and where to report crime.

Butch Browning is director of the East Baton Rouge Parish Arson Task Force and also assistant fire chief, District #6, for East Baton Rouge Parish. He said that he has 10 years of experience in arson investigations. Mr. Browning advocates the philosophy of maintaining a progressive, upbeat, and community-oriented fire department.

Mr. Browning said that the task force services 10 fire districts, including the towns of Baker and Zachary. The task force in East Baton Rouge was set up, he continued, because, with the exception of the city of Baton Rouge, all fire departments in the area were volunteer based. Arsons were not being identified or investigated properly, and the volunteers and some firefighter personnel were not trained to conduct arson investigations. He said the task force trains firefighters to understand the importance of the crime scene, determine causes of fires, and methods of preserving evidence. Mr. Browning noted that there have been instances of evidence being thrown out or destroyed by firefighters.

Mr. Browning told the Advisory Committee that his task force consists of experienced investigators who volunteer their time. No compensation is received by the investigators, but the task force has an annual budget of about \$3,000 for operating expenses. To date the task force has exceeded its budget by \$4,000. Additional funds have been received from the fire department in East Baton Rouge to help offset costs associated with the recent rash of church fires. Mr. Browning told the Advisory Committee that the local arson task force investigates approximately 120 arsons per year, a trend that has been consistent since 1991. He said that as of July 8, 1996, the task force responded to 76 arsons in Baton Rouge. Mr. Browning reported that approximately 12 investigators and 2,600 person hours have been expended on the church fires. This does not

include other unrelated arsons. Mr. Browning noted that arsons in general are on the increase in East Baton Rouge.

Mr. Browning stated he wanted to rebut an earlier statement made to the Advisory Committee that Federal officials were not notified of the fires until 36 hours after the initial report was made. He said that ATF was notified as soon as the task force determined that it had multiple church fires. He provided the Advisory Committee with the following chronology of events on February 1, 1996:

- 2:00 a.m. Call came in from Zachary Fire Department, identifying fire at Cypress Grove Baptist Church. Investigator sent out. Zachary Fire Department secured the crime scene. The fire was determined to be arson.
- 4:00 a.m. Call came in from Baker authorities (fire department and police department) identifying fire at St. Paul Free Baptist Church. Investigator sent out.
- 7:00 a.m. A task force meeting was held. It was determined that there was a trend/pattern. Returned to the crime scenes to reconstruct situation and conduct interviews and with church members.
- 11:00 a.m. Call came in to East Baton Rouge Sheriff's Department identifying fires at SweetHome Baptist Church and the Thomas Benevolent Society Building. Parishioners who noticed the fires first called their pastor who, in turn, called the sheriff. Arrived at scene at approximately 12:30 p.m. The fire department was not called because the flames had already burnt out.
- ATF immediately notified of four church fires.
- 4:00 p.m. (approximately) ATF agent arrives for meeting.

Mr. Browning said it was possible that the FBI was not called onto the scene until 36 hours after the fires. He noted that the sheriff did call the task force because of its expertise in arsons. Mr. Browning also pointed out that, under Louisiana State law, the State fire marshal is only notified when there is fire loss involving the death of two or more persons or more than \$1 million of fire damage. In terms of the investigation, he said, there are no known eyewitnesses and very little evidence was found at the crime scene because it was burned out. Mr. Browning observed that these churches are prime targets for arsonists because they are in isolated areas with very little traffic after a certain time of night.

Mr. Browning explained that the main goal of the task force is to prevent another church burning. In this effort, the task force instituted a very aggressive surveillance program. Persons from the task force also met with elected officials and other law enforcement authorities of Baker and Zachary to inform them of what the task force's responsibilities are and to solicit their cooperation. He reported that the ATF has also been involved in various task force meetings.

Mr. Browning indicated that there has been great cooperation among the different levels of government. He says the Federal representatives have been tremendous in providing investigative and technical support, particularly ATF. At no time have local authorities been excluded from the decisionmaking.

Mr. Browning recommended more community involvement and public education to prevent arson. In addition, he recommended that an arson task force be established in all rural areas. He believes it would deter arsonists because they know the crime will be investigated properly.

Committee Chair Quigley asked Mr. Browning if any of the 76 arsons in the area were catalogued as hate crimes or race-based crimes. Mr. Browning said that none of the arsons has been identified

as such because there has been no evidence of racial animus. He also said there were no signs of graffiti, threats, or people taking credit for the crime. Mr. Browning added that the increase in fires in Baton Rouge is the work of juveniles.

Ms. Hicks asked if hate crime was a motive being considered. The task force does catalog or identify arson by type or motive, Mr. Browning said, but to the best of his knowledge no arson has been identified as a hate crime in East Baton Rouge.

Dr. Berry asked if there were white churches in the area that were set afire. Mr. Browning noted that there are white churches in the general locale of the black churches, but these were not burned. In fact, he reported, no white churches have been burned in East Baton Rouge. The fires at the black churches may be hate- or race-based arson, Mr. Browning said, but officials have not identified these fires as such because they do not have evidence to support this type of conclusion. Mr. Browning indicated that all possible motives are under consideration at this time.

Law Enforcement: State Level

David Hunter is supervisor of Investigative Support, Louisiana State Police. He said that he was directed to attend the forum because the church arsons may be race based. Mr. Hunter told the Advisory Committee that the most experienced investigator, a criminal investigator with 25 years of experience, was assigned to work the Baker-Zachary fires. The State is committed to solving these cases, Mr. Hunter said. He told the panel that a few days after the fires in Baker and Zachary were reported, the Governor directed the superintendent of the Louisiana State Police to assign an investigator to the arson task force. Although this investigator does not have experience in arson investigations, he is one of their most qualified staff persons, he noted, and will remain with the task force until all cases are resolved. The investigator has worked with Federal, State, and local officials, stated Hunter. He indicated that the Louisiana State Fire Marshal's office is responsible for conducting arson investigations, but in these cases he believes ATF is taking the lead on the technical aspects of these investigations and the forensics. To date, there have been no suspects or arrests.

Mr. Longoria asked Mr. Hunter why the Governor did not meet with President Clinton at the Governors' meeting in Washington, D.C. Mr. Hunter said the Governor told him that the meeting was essentially a gathering to build morale.

Law Enforcement: Federal Level

E.J. Hymel is the U.S. Attorney for the Middle District of Louisiana and appeared on behalf of the U.S. Attorney for the Western District of Louisiana as well. He is in charge of the recently formed arson task force consisting of Federal, State, and local law enforcement agencies. Mr. Hymel pointed out that normally arson investigations are a local and State function unless it is determined that the case has a Federal interest. In the cases under investigation in the district, the Federal interest is interference with a person's right to exercise his or her religion. He noted that a national task force has also been created to oversee the investigations in all the affected States and to serve as an information clearinghouse.

Mr. Hymel stated that the church arson cases are the number one priority and the biggest investigation ever conducted in his district. He reported that as many as 100 investigators have

been assigned to the cases and almost 600 persons interviewed. The task force meets every 10 days to discuss leads, new information, and coordinate theories, Mr. Hymel said, noting that the FBI and ATF have set up a reward and a local hotline to receive information on these cases. All of the forensics support is provided by the FBI and ATF.

Mr. Hymel explained the difficulties in solving arson crimes. He indicated that the crimes are usually committed in the dark of night without the perpetrator having to face his or her action. He cited national statistics that only one out of three or four arson crimes is solved. Mr. Hymel admitted that the church fires in his district may never be solved. At this point, he related, the task force is assuming that one person or persons are responsible for all four of the fires because they were all started the same morning. He noted that there were no white churches burned.

Committee Chair Quigley asked about the reporting of hate crimes, specifically, an allegation that a church was vandalized with mud and graffiti and had items disturbed. Mr. Hymel said that he has found that at the local level, particularly small communities, law enforcement officers are not familiar with the possible connection between arson and hate crimes. To them, arson is not a hate crime. As a result, he believes much of this type of crime goes unreported. Mr. Hymel also stated that he believes that minor acts of vandalism go unreported that soon escalate to more serious acts of destruction. He was aware that some churches in the past had experienced such vandalism such as mud thrown on the church, a broken window, etc. Mr. Hymel believes that the rash of church arsons in Baker and Zachary may be an escalation of previous vandalism and expressed the need for all such incidents to be reported as soon as they occur.

When Committee Chair Quigley asked about the FBI's response time to the fire, Mr. Hymel responded that the FBI was not notified of the church fires until 36 hours after they were reported. As a result of these cases, he said, local law enforcement and fire officials are now learning to start off with the presumption that the arson may be a crime based on hate or race and work back from that contention.

Ms. Parks asked about local law enforcement responses to the fires. Mr. Hymel answered that the local fire department is always the first to be contacted and to arrive at the scene. State fire departments will be called in for an investigation, and where there is Federal interest, the ATF and FBI will be called in, said Mr. Hymel.

Ms. Bourg asked about training and the coordination of law enforcement officials. Mr. Hymel told the Advisory Committee that a local hot line has been established and \$20,000 has been raised as a reward for information leading to the arrest of an arsonist. Mr. Hymel said that training is always needed. His office has a committee called the Law Enforcement Coordinating Committee that provides training for local, State, and Federal law enforcement officials. He agreed that there is a need for coordination of information, learning of the law, and training at the local and State levels.

Dr. Berry asked Mr. Hymel about the solve rate, the number of investigators involved, and the involvement of the Federal Government. Mr. Hymel agreed that the longer the time passes, the less likely an arsonist will be apprehended. He said 100 investigators have been assigned to various cases. The Federal Government, he explained, is involved because of the civil rights implications and the possibility of hate crime activity. When Dr. Berry inquired into the number of white churches in the area that had been set afire, Mr. Hymel responded that no white church in the vicinity was burned.

Jim Letten, First Assistant U.S. Attorney, Eastern District, is located in New Orleans. Mr. Letten told the Advisory Committee that Mr. Hymel's task force serves as a model for most task forces nationally. An Eastern District task force is being developed, Mr. Letten said. All of the U.S. attorneys, he said, are committed to investigating and prosecuting aggressively any church fires or desecration. Mr. Letten reported that the Eastern District is currently investigating two incidents, but overall it has not had many church-related incidents. He referred to the *Church Threat Assessment Guide* produced jointly by ATF and the FBI as a valuable guide on the steps that may be taken to prevent fires, vandalism, and so on at churches. Mr. Letten noted that in meetings with church and community leaders, the focus of the discussion is on awareness, deterrence, and security.

Dr. Berry asked about concerns raised by church members about the type of questioning they have endured during these investigations. Mr. Letten defended the interviewing methods used, saying that investigators have to be extremely thorough and have to ask pointed questions of everyone in order to rule out the possibility of other motives than hate. Further, he said, the questions used were professionally designed and scientifically constructed to get to the bottom of the matter. When Dr. Berry asked if there was any support for the contention that any church members burned down their own churches, Mr. Letten responded that he could not answer that question without compromising the investigation.

George Buttram is the assistant agent in charge of the FBI in New Orleans. He stated that the FBI considers the attack on the black churches to be the most serious of crimes. It is a top priority item for the FBI and ATF. The FBI is working jointly with State and local law enforcement agencies to solve these crimes, and they worked together on the *Church Threat Assessment Guide*.

Ms. Bourg asked Mr. Buttram how many investigators were working on the fires. Currently, he reported, the FBI has over 200 experienced agents working on these cases. The team focusing on the fires in Baker and Zachary is made up of about 10-15 people. This includes representatives from the ATF, FBI, prosecutors, Louisiana State Police, State fire marshal, and the East Baton Rouge task force. He said a rough estimate of the race and sex composition of the group is about 60 percent nonminority, 40 percent minority, and 90 percent male.

Responding to Ms. Bourg's question, Mr. Buttram pointed out that one difficulty in establishing a hate crime case is determining motivation. In describing the approach used by the FBI to investigate such cases, he stated that facts lead the investigation, but motive is very important because it is also a part of the facts. Mr. Buttram said that the FBI's assumption when investigating hate crimes is to assume that the act is a hate crime until it is proven otherwise. Mr. Buttram also reported that the FBI's behavioral science unit is being used to provide guidance on the type of individual who might commit such crimes.

Mr. Longoria asked how likely the average person would be to know to call the Federal office in the event of a suspicious fire as opposed to the local sheriff's office. Mr. Longoria added it was likely that the sheriff would not be familiar with the Hate Crime Statistics Act or even recognize a hate crime as such. Mr. Buttram responded that the ATF and FBI have done a commendable job of reaching out to the communities and telling them how they can be reached.

Commissioner Lee asked Mr. Buttram to comment on the reporting of hate crimes. He stated that when the Hate Crime Statistics Act went into effect, the FBI spent a lot of time with local law enforcement officials and reporting agencies to ensure that they understood the meaning of hate

crimes and reporting procedures. With time, he says the reporting has gotten better, but he is not certain that they will ever be able to get everybody reporting the same.

Hamilton Bobb is assistant special agent in charge of the ATF. The ATF is committed to using all its investigative resources, he said, to determine the cause of the church fires and to arrest the people responsible. He stated that, in solving these crimes, full cooperation is needed from the affected congregations. He added that the prevention booklets distributed by the ATF and FBI are providing some assistance in ending the arsons. Mr. Bobb noted that the *Church Threat Assessment Guide* has received a positive response from church and community groups. He reported that the ATF had a meeting in Baton Rouge with about 250 pastors to discuss and disseminate the guide.

When Committee Chair Quigley asked about the number of agents working on the fires, Mr. Bobb responded that two-thirds of the Baton Rouge team is working on the investigations and if additional assistance is needed, the New Orleans team will be called in. Regarding Ms. Bourg's inquiry about the force's diversity, Mr. Bobb said the agency looks like America.

Mr. Bobb explained that the facts always guide the investigation. Commissioner Lee asked how hate groups are identified. Mr. Bobb said if the case involves the possibility of an arson being committed based on hate, he said that the FBI leads the investigation and ATF is involved only to the extent that arson is involved. Mr. Buttram said that the Department of Justice has a definition of hate crime which is the basis for compiling hate crime data nationally. He added that an attack on the church is assumed to be a hate crime until proven otherwise.

Ms. Bourg asked about the handling of forensic evidence. Mr. Buttram responded that the same lab offices in Atlanta and Rockville, Maryland that handled the evidence from the bombings of the Federal building in Oklahoma and the World Trade Center are evaluating the materials from the church arsons.

Commissioner Lee inquired into the agencies' effort to reach language-minority communities, efforts to coordinate with other agencies, and the training of agents. Mr. Bobb said he would look into getting the guides published in another language. On the issue of coordination, he said, a tremendous amount of coordination has occurred on these cases, especially throughout the southern region in Alabama, Mississippi, Georgia, and the Carolinas. The FBI and ATF meet at least once every 2 weeks with the chief investigators in their respective State and from other States to share information on patterns, similarities, etc. All of this information is computerized and maintained in a database to be shared with other law enforcement agencies. Regarding the training issue, he said that ATF agents train for 2 years with at least 100 fires before receiving certification. The prospective agent must also go through scientific and lab training. In order to remain certified, the agent must continue to "do a number a fires annually," Mr. Bobb said.

Mr. Bobb explained the difficulties in solving arson cases. He said that the evidence in many instances is destroyed in the fire, leaving only ashes to work with. The ATF and FBI laboratories are involved in analyzing the evidence, and other resources are committed to these cases as needed. If and when they find more leads, additional agents will be assigned to the cases.

Elected Officials

Bobby Simpson, Mayor of Baker, said the city has very few segregated areas. Baker, he reported, is an integrated community. The racial composition is 65 percent white and 35 percent black. The

city has a police force of 31 police officers and 30 reserve officers. Although there is a degree of segregation in the schools, 2,500 schoolage children in Baker attend East Baton Rouge Parish School District. Housing is basically integrated, with the exception of areas such as Parkwood Terrace and the Leland area. Mayor Simpson further reported that in 1991 the citizens of Baker voted to have single-member districts to ensure minority representation on the city council.

Mayor Simpson said that Baker is a small community that takes care of its own. Church is an important part of the community. He said that there are 42 churches in Baker, and Baker hosts the largest prayer breakfast in the State. When the church fires occurred, he said, the community immediately came together to support the churches. Although only one of the churches, St. Paul Free Baptist Church, is in the corporate area of Baker, the city also helped the two churches and the Thomas Benevolent Society located in Zachary. Mayor Simpson told the Advisory Committee that the town people had a meeting to organize help for the affected churches using the resources of city government, local churches, and volunteers. He said the church fires brought people together who were not divided but just did not know each other.

When asked by Commissioner Lee, Mayor Simpson reported that school desegregation is a source of racial division in the area. There is so much concern about the schools, busing, and the public school atmosphere that Baker is trying to get an independent school system approved in order to break away from East Baton Rouge School District. He noted that students of Baker are bused to 62 different schools, and the school district itself has become a third world country. Mayor Simpson further related that the elite attend private school while the poor attend public schools.

When Dr. Berry asked about hate crime, Mayor Simpson said that he has no knowledge of how to report a hate crime nor had he ever heard of the term. The mayor added that residents would simply call 911 or contact the elected police chief, regardless of the motive of the crime. When asked by SAC member Bourg, the mayor said he did not know if hate crime was a category as is arson. Answering Dr. Berry's question, Mayor Simpson said he was not aware of the collection of hate crime data. Residents of Baker probably have no notion of hate crime as a category of racial bias, he acknowledged.

When Dr. Berry asked about school desegregation, Mayor Simpson said although the schoolage population is probably 65-35, white to black students, the public school system has a make up of 35 percent white and 65 percent black.

Rodney Braxton, special assistant to the Governor and interim director of the Louisiana Human Rights Commission spoke on behalf of the Governor. He stated that the church fires personally offended Governor Foster. According to Mr. Braxton, the Governor's vision for race relations is that of a race-neutral climate, where people are viewed for their character and their quality as citizens.

Mr. Braxton noted that one of the first things the Governor did after the church fires was to make sure that the Louisiana State Police was involved to the fullest extent possible and to divert all available resources to the investigation. He said that Governor Foster has also met with community leaders and church representatives throughout the State to create a better environment. The Governor is currently working to establish an advisory committee that will advise him on racial issues and to make sure when policies are proposed that they will be race neutral and will not offend any segment of society, Mr. Braxton said. Finally, Mr. Braxton reported that the Governor

is working on setting up a reward fund for information that will lead to the capture of the person or persons responsible for the church fires.

Mr. Longoria asked why the Governor of Louisiana did not meet with the President on the issue of church arsons as had other southern Governors. Mr. Braxton said he was out of the country at the time of the meeting and does not know why the Governor did not attend the meeting. Responding to Ms. Parks' questions about the Governor's advisory committee, Mr. Braxton explained that at this time the criteria for appointment to such a committee have not been established. He observed that the Governor hopes to have a committee in place in about a month, but he said it is unknown whether the committee will be funded or set up on an ad hoc basis. A mission statement or goal has not yet been determined. Mr. Braxton said he takes responsibility for meetings not having taken place.

Mr. Robinson asked if Louisiana had a Human Rights Commission. Mr. Braxton, interim director of the State human rights commission, said that the agency only receives complaints on employment, public accommodations, and unfair credit practices. He said that the agency does not have hate crimes jurisdiction. Mr. Braxton reported that he was aware of attempts to extend the agency's jurisdiction, but such efforts failed after the legislation recognizing hate crimes in the State died in the legislature. Currently, the agency has an annual budget of \$100,000 with four staff; the director, a secretary, and two part-time clerks. It has a caseload of approximately 350 cases, which are mostly employment cases. Mr. Braxton is of the opinion that there is a need for such legislation and the systematic collection of such data.

On the Louisiana Advisory Committee's request to meet with the Governor to discuss race relations in the State, Mr. Braxton stated that he would urge Governor Foster to meet with the Committee on the church arsons and general race relations in Louisiana.

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