

Burning of African American Churches in South Carolina and Perceptions of Race Relations

**Executive Summary of a Community Forum
Held July 16, 1996, Columbia, South Carolina
by the South Carolina Advisory Committee to the
United States Commission on Civil Rights**

The United States Commission on Civil Rights

The United States Commission on Civil Rights, first created by the Civil Rights Act of 1957, and reestablished by the United States Commission on Civil Rights Act of 1983, is an independent, bipartisan agency of the Federal Government. By the terms of the 1983 act, as amended by the Civil Rights Commission Amendments Act of 1994, the Commission is charged with the following duties pertaining to discrimination or denials of the equal protection of the laws based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice: investigation of individual discriminatory denials of the right to vote; study and collection of information relating to discrimination or denials of the equal protection of the law; appraisal of the laws and policies of the United States with respect to discrimination or denials of equal protection of the law; maintenance of a national clearinghouse for information respecting discrimination or denials of equal protection of the law; investigation of patterns or practices of fraud or discrimination in the conduct of Federal elections; and preparation and issuance of public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the law. The Commission is also required to submit reports to the President and the Congress at such times as the Commission, the Congress, or the President shall deem desirable.

The State Advisory Committees

An Advisory Committee to the United States Commission on Civil Rights has been established in each of the 50 States and the District of Columbia pursuant to section 105(c) of the Civil Rights Act of 1957 and section 3(d) of the Civil Rights Commission Amendments Act of 1994. The Advisory Committees are made up of responsible persons who serve without compensation. Their functions under their mandate from the Commission are to: advise the Commission of all relevant information concerning their respective States on matters within the jurisdiction of the Commission; advise the Commission on matters of mutual concern in the preparation of reports of the Commission to the President and the Congress; receive reports, suggestions, and recommendations from individuals, public and private organizations, and public officials upon matters pertinent to inquiries conducted by the State Advisory Committee; initiate and forward advice and recommendations to the Commission upon matters in which the Commission shall request the assistance of the State Advisory Committee; and attend, as observers, any open hearing or conference that the Commission may hold within the State.

Burning of African American Churches in South Carolina and Perceptions of Race Relations

**Executive Summary of a Community Forum
Held July 16, 1996, Columbia, South Carolina
by the South Carolina Advisory Committee to the
United States Commission on Civil Rights**

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

Dr. Milton Kimpson, *Chairperson*
Columbia

Mr. Rudolph C. Barnes, Jr.
Prosperity

Mrs. Florence N.B. Bernardo-Allbaugh
Hilton Head

Ms. M. Malissa Burnette
Columbia

Dr. Marianna White Davis
Columbia

Ms. LaRhonda B. Henegan
Columbia

Mrs. Mary Pentreath Latham Miller
Greenville

Mrs. Arleen Bonita Cook Reid
Charleston

Bishop Johnnie M. Smith
Greenville

Mrs. Mary Dunlap Snead
Columbia

Mr. Harold Andrew White
Columbia

Mr. Charles Hiram Williams II
Orangeburg

Mr. Gilbert Zimmerman
Beauford

Burning of African American Churches in South Carolina and Perceptions of Race Relations

Ten African American churches were burned in South Carolina between May 1995 and June 1996. These fires were among the more than 59 arsons of African American churches in the South between January 1995 and June 1996.¹ National attention has been drawn to this spate of fires, in part because of ugly memories from the past. For a great many African Americans, their church is their community and their home; arson of an African American church hits them in a very personal way and it also causes some to fear.

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."² Retaliation against the churches for their support of the civil rights movement included fires and bombs.

On May 21, 1995, the Summer Grove Baptist Church in White Pond, south of Columbia near the Georgia border, burned down. The fire has been determined "suspicious," but arson has not been proved, and no arrests have been made. The 150-member congregation has rebuilt the church, which was founded in 1869.

On June 20, 1995, the Mt. Zion African Methodist Episcopal Church in Greeleyville was destroyed by fire. The church, founded in 1906, has 200 members and has now been rebuilt. A second church was burned 2 days later, on June 22, in Bloomville, about 10 miles east of Greeleyville. This 200-member church, Macedonia Baptist, was also destroyed but has now been rebuilt. Two white men with Ku Klux Klan ties have been charged with both fires.

St. John Baptist Church in Dixiana was founded in 1781. The 40-member church was destroyed on August 15, 1995. The church had suffered extensive vandalism over the years, aggravated by its remote location. Damage was estimated at \$250,000. Three white teenagers have been charged by the State with arson.

In 1996, on January 26, fire was set at two cabins on the grounds of the St. Paul African Methodist Episcopal Zion Church in Harleyville, northwest of Charleston. No arrests have been made. Nearly a year earlier a similar arson took place at a white church's cabins.

Butler Chapel African Methodist Episcopal Church was founded in 1905. A fire on March 31, 1996, which did some \$250,000 in damage, broke out when candles were knocked over during a satanic ritual being held by three teenage boys, two white and one black, the authorities say. The church is located in Orangeburg in the south central part of the State.

In April two churches were burned. Rosemary Baptist in Barnwell, which is near the Georgia

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 Statement of the United States Commission on Civil Rights on Burnings of African American Churches, p. 2, June 14, 1996.

border, has 50-60 members and was founded in 1880. No arrests have been made for the arson. The second fire was at Effingham Baptist, some 13 miles south of Florence. The church was founded in 1882 and has 53 members. The church sanctuary was completely destroyed and the meeting hall was damaged.

On June 11, 1996, four young black children set a fire in the New St. Paul's Apostolic Church in Florence. Minor damages occurred. The children were not charged.

Viewed in a wider context, the arsons, particularly those proved to be related to racial bigotry and hatred, occurred in a climate of increased racial tensions in South Carolina that the South Carolina Advisory Committee to the U.S. Commission on Civil Rights had documented in a series of briefing meetings in 1992. The meetings, held in Greenville, Charleston, and Columbia, drew the following comment from the Committee:

The Advisory Committee is troubled by the refusal of public officials, white and black, in all three cities to participate in the briefing meetings and to respond to excerpts of the draft of the report. There was a general consensus among briefing meeting participants that, while racial tensions in recent years have proven to be less volatile in the State, they, nevertheless, remain severely problematic. Perceptions of alienation, fortified by isolation and exclusion based on race, were the order of the day in all of the briefing meetings. Also, with the renewed issue of the flying of the Confederate flag at State facilities, racial tensions have become further exacerbated.³

After releasing its report, the Advisory Committee began returning to the locations of the briefings to see what, if anything, had changed since 1992. The first followup meeting was held in Columbia in September 1995, the second in Charleston in March 1996, and the third in Greenville in July 1996. The meetings showed that racial tensions remain severely problematic in South Carolina.

In light of all that had been learned from the racial tensions study and its follow-up, the Committee decided to hold a community forum on the burning of African American churches in Columbia, on July 16, 1996.

South Carolina Snapshot

South Carolina ranks fourth among the States and the District of Columbia in the proportion of the population that is African American. In 1990 whites were 69 percent and blacks 30.4 percent of the population, with American Indians (0.2 percent), Asian Americans (0.6 percent), and Hispanics (0.9) percent constituting the remainder.⁴ In rural⁵ South Carolina, the population was 69.3 percent white and 30.1 percent black.⁶ In urban⁷ South Carolina, the proportions were similar, 68.8 percent white and 29.6 percent black.⁸ Overall, in 1992, the population stood at 3,602,854, an

³ South Carolina Advisory Committee to the U.S. Commission on Civil Rights, *Perceptions of Racial Tensions in South Carolina* (May 1995), p. iii.

⁴ U.S. Department of Commerce, Bureau of the Census, *General Population Characteristics: South Carolina*, 1990 Census of Population (1990 CP-1-42), p. 9.

⁵ Places of fewer than 2,500 persons. Ibid.

⁶ Ibid.

⁷ Places over 2,500 persons. Ibid.

⁸ Ibid.

increase of 15.4 percent over 1980.⁹ Median household income in South Carolina in 1989 was \$26,256, and 15.4 percent of all persons were below the poverty level.¹⁰

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), South Carolina had 19 law enforcement agencies reporting 30 incidents for 1994¹¹ and 20 agencies reporting 27 incidents for 1993.¹² South Carolina has both a recently established State Commission on Race Relations and a long established Human Affairs Commission. South Carolina law provides for interference with religious worship¹³ but does not provide penalty enhancement for hate crimes.

In 1993 South Carolina's 450 elected black officials were 12.2 percent of all elected officials in the State.¹⁴ Twenty-five African Americans served in the State legislature.¹⁵ In other elective positions, blacks were 81 of the members of county governing bodies and other county bodies,¹⁶ held 188 elective municipal offices,¹⁷ and 15 judicial and law enforcement offices.¹⁸

The Forum in Columbia

The South Carolina Advisory Committee's community forum¹⁹ was held at the Adam Mark Hotel in Columbia on July 16, 1996. The purpose was to assess the investigative procedures of Federal, State, and local law enforcement officials and to examine race relations in the affected communities. Invited participants included Federal and State officials, community and church leaders, and law enforcement officers. South Carolina Advisory Committee Chairperson Milton Kimpson moderated the discussion. Other South Carolina Advisory Committee members present were Florence Bernardo-Allbaugh, Bishop Johnnie Smith, Mary Snead, Harold White, and Gilbert Zimmerman. Also in attendance were Commission Chairperson Mary Frances Berry and Commissioners Carl A. Anderson, Robert P. George, and Yvonne Y. Lee. Commission Staff Director Mary K. Mathews and Southern Regional Director Bobby D. Doctor were also present.

Opening the meeting, Advisory Committee Chair Kimpson pointed to the bipartisan condemnation of hate-motivated violence and then introduced Commission Chairperson Berry. Dr. Berry thanked the South Carolina Advisory Committee for its work, particularly its recent report on racial tensions. She described the Commission's national study on racial and ethnic tensions and the other southern community forums on the church burnings and racial tensions. Dr. Berry noted that both

⁹ U.S. Department of Commerce, Bureau of the Census, *1992 City and County Data Book*, pp.2-3.

¹⁰ U.S. Department of Commerce, Bureau of the Census, *County and City Data Book 1994*, p. 7.

¹¹ U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1994*, p. 20.

¹² U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1993*, p. 23.

¹³ S.C. Code Ann. § 16-17-520.

¹⁴ *Ibid.*, table 2, p. xxiii.

¹⁵ *Ibid.*, table 6, p. xxvii, and table 7, p. xxviii.

¹⁶ *Ibid.*, table 10, p. xxxi.

¹⁷ *Ibid.*, table 13, p. xxxiv.

¹⁸ *Ibid.*, table 15, p. xxxvi.

¹⁹ 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.

white and black churches have burned, but no white churches have burned for racial reasons, according to the U.S. Department of Justice.

The Advisory Committee first heard from a panel of Federal law enforcement officials.. They included Nancy Wicker, First Assistant U.S. Attorney; Steven Pirotte, from the ATF; Dodge Frederick from the FBI; Thomas Battles of the Community Relations Services; and Ike Williams, who appeared on behalf of Congressman Jim Clyburn.

Nancy Wicker, first assistant U.S. attorney, began the community forum's first panel, consisting of Federal officials. Ms. Wicker stated that church fires are the highest priority for the U.S. attorney's office in South Carolina. As of the date of the forum, she said, South Carolina has had 28 church arsons since 1991, and 60 percent of them have been solved. She noted that the national rate of solved arsons is only 16 percent. Ms. Wicker reported that one attorney in the office is working solely on church burning prosecutions and two or three attorneys are working on them part time.

Dr. Berry asked Ms. Wicker if the U.S. attorney for South Carolina had set up a Federal agency church fire task force. Ms. Wicker replied that a *de facto* task force and procedure were in place because so many fires had happened, but that no formal arrangements had been made. Dr. Berry said she would inform the Justice Department of the informal task force. Ms. Wicker said a task force would be formed by the following day.

Commissioner George asked Ms. Wicker if she was aware of complaints about the manner in which law enforcement officials carried out their investigations. Ms. Wicker said she was aware that some congregation members were offended by the investigative techniques but added that her office did not receive any direct complaints. Asked by Commissioner George about complaints of insurance for African American churches being canceled, Ms. Wicker said her office had not had any complaints of that nature.

Steve Pirotte, ATF assistant special agent in charge, cited the Federal law making it a crime to burn buildings affecting interstate commerce, and lauded national politicians for revising the statutes to make prosecution easier. Mr. Pirotte told the Advisory Committee that since January 1995, ATF investigated more than 51 church fires, with more than one-half that figure representing African American churches. He based the success of the investigation on the cooperation level between Federal, State, and local law enforcement agencies. He cited a 60 percent solve arson rate, as opposed to the national rate of only 16 percent. He commented on local agents with deep community commitments working 60 to 100 hours weekly in unpaid overtime. Mr. Pirotte elaborated on ATF's partnership with South Carolina's State Law Enforcement Division (SLED) and stated that, nationally, there were over 100 agents working the church fire investigations. In conclusion, Agent Pirotte said there is no evidence that the burnings are the work of an interstate racial hatred conspiracy. He remarked that some of the fires have been determined to be racially motivated.

Responding to Dr. Berry's question, Mr. Pirotte said that the *Church Threat Assessment Guide*, only recently printed, is being distributed and there are efforts to keep up with the requests. When Dr. Berry asked how many agents were working in South Carolina, he reported that ATF has some 25 agents working mostly full time on arson investigations. Regarding Dr. Berry's questions about adequate resources, Mr. Pirotte explained that his local office could always use more. He noted that ATF headquarters has sent out-of-State agents to help, seven in the last month. Responding to Dr. Berry's concern that ATF is often not notified of a fire or doesn't get involved until months

later, Mr. Pirotte answered that ATF's response varies because there is no requirement of notification by local law enforcement. Sometimes notification is while the firefighting is still under way and sometimes it is months later. Agent Pirotte noted that there is no requirement to report fires. Rural fires extinguished by volunteer fire departments may come to light only when an insurance claim is made, he said. He also pointed to the need for more training in arson determination.

Dr. Berry asked about the "Good Old Boys Roundup." Mr. Pirotte said that no agents who attended the events were working on the church fire cases. Commissioner George followed with a question about the public relations damage caused by the roundup. Mr. Pirotte said that South Carolina's ATF was especially affected, as a retired ATF agent in Greenville was involved in the picnic's activities. Commissioner George asked Mr. Pirotte if complaints had been made about insensitivity in questioning pastors and congregations. Mr. Pirotte replied that there had been none and that in fact some ministers had stated the opposite to him.

When Commissioner George asked about the investigation of satanic cults, Mr. Pirotte said there have been but he directed the question to the South Carolina Law Enforcement Division (SLED). Commissioner Lee inquired about the training received by the fire department regarding arson detection. Mr. Pirotte responded that an ATF agent will attend a firefighter conference in the state next week, and he will speak on the issue of arson detection and other subjects. He praised the professionalism and efforts of voluntary firefighters but noted that the reporting of fire incidents are often not done. The lack of reporting can lead to delays, said Mr. Pirotte. When Committee Chair Kimpson asked about a mandatory reporting system, Mr. Pirotte said the only national database that collects information are for fingerprints and photographs collected by the FBI. He said that often the valuable information comes from insurance claim forms.

Dodge Frederick, special agent in charge, FBI, Columbia, opened by commenting that many appear unappreciative of the long hours that accompany investigations, and that law enforcement agents want to solve and stop the fires as much as anyone. Asked by Commissioner George if any complaints had been made about how pastors and congregations were interrogated, Mr. Frederick responded that there had been none and noted that, in any investigation, all motives have to be considered. Regarding the coordination of the FBI, State and local officials, Mr. Frederick lauded the FBI-SLED-ATF partnership, noting their complementary roles: while ATF and SLED investigate arsons, the FBI has aggressively pursued the racially motivated/hate crime angle.

When Dr. Berry asked how many agents were working on the South Carolina fires, Mr. Frederick said the FBI had 10 agents working full-time on church arsons. Mr. Frederick remarked that the FBI is working on a number of fires that occurred 2, 3 or 4 years ago. In one instance, he said a pastor whose church was torched in 1994 recently contacted the FBI following press coverage on the issue. On the issue of complaints by congregation members about interrogation styles, Dr. Berry observed that the absence of complaints did not necessarily mean there were none. Mr. Frederick agreed and said that to get a fairer view, the religious leaders should be asked about the issue.

Commissioner Lee inquired if the FBI had trained State and local law enforcement officials to identify hate crimes defined by the Hate Crime Statistics Act. Mr. Frederick said that he was not aware of any training provided. He added that if training was requested, it would be provided. Since the rash of church fires, the FBI has not taken the initiative of training law enforcement officials to identify hate crimes. Commissioner Anderson asked what could have been done better in the investigations, and Mr. Frederick noted the lack of a statewide reporting requirement for

arson in South Carolina. From a national perspective, he said, the Federal hate crime statutes lack sufficient punishment. He also discussed the difficulty in determining motive absent a statement by the culprit.

Ms. Bernando-Allbaugh asked Mr. Frederick about the additional resources provided to the FBI following President Clinton's allocation of additional funds to combat the spread of the fires. Mr. Frederick said he was not aware of additional funds and explained that, despite the limited funds, he had some latitude regarding the assignment of agents to cases.

Mr. Zimmerman expressed his disappointment at Mr. Frederick's statement that the FBI said it could not tell a hate crime until the perpetrator was apprehended and admitted to the crime and motive. Mr. Frederick explained that until a suspect is identified, he would not be able to ascertain if the crime was religiously or racially motivated. He added that he was unsure if there existed a sociopsychological profile of persons likely to commit hate crimes. When Ms. Snead asked about preventive measures, Mr. Frederick said the Commission and others could assist by getting at the root of the crimes. The Advisory Committee posed Mr. Frederick a number of hypotheticals to get at how the FBI would identify a hate-motivated-crime. Asked by Dr. Berry about the effectiveness of rewards, Mr. Frederick said that in this situation reward offers have not brought forth needed information.

Thomas Battles, of the Community Relations Service, U.S. Department of Justice, told the panel that the primary role of CRS is mediating and conciliating racial and ethnic disputes. He explained that there were two groups of States. One cluster includes North and South Carolina and the other cluster includes Alabama, Georgia, Mississippi, and Tennessee. CRS works behind the scenes, Mr. Battles explained, by assessing community tension levels and beginning the healing process.

Dr. Berry asked Mr. Battles to define CRS "alerts." Mr. Battles said an alert is the initial process of recognizing a situation exists. After an alert is determined, CRS begins to assess the situation. CRS is particularly interested in South Carolina's community reaction to future arrests and wants to assist with ways to improve communications between law enforcement officials and the clergy. Mr. Battles said he could not answer specific questions about South Carolina because this was his first day since being reassigned from Miami, Florida. In response to Bishop Smith's question, Mr. Battles told the Advisory Committee that CRS can sometimes better handle crises because they are not inundated with politics and restrictions.

Following the statement of Federal law enforcement officials, the Advisory Committee heard from Ike Williams, a representative from Congressman Jim Clyburn's office. Mr. Williams told the Advisory Committee that the Representative was very upset about the fires. He praised the support of the rebuilding of the churches that has come from everywhere. Mr. Williams closed by stating that the Congressman wanted to help resolve the problems leading to the fires.

The Advisory Committee then heard from a panel of State representatives, elected officials, and State law enforcement officials. The panel included a representative from Governor Beasley's office, the Assistant Attorney General, the chief of South Carolina Law Enforcement Division (SLED), the Director of the State's Department of Insurance, the deputy director of the Consumer Services Division, and the commissioner of the State's Human Affairs Commission.

Representing Governor David M. Beasley's Office was Marilyn Matheus. Ms. Matheus coordinates the activities of the Race Relations Commission, established in December 1995 by the Governor, to "help open up dialogue on issues that divide South Carolina along the lines of color,

race and religion." Ms. Matheus described State initiatives on the fires: a church arson award fund; public service announcements promoting the State hotline, 1-800-92ARSON; requests for increased rural church patrols and community watches; and the provision of information on rebuilding schedules and activities to State employees should they wish to volunteer. She told the Advisory Committee that calls on the toll free number have increased from 200 per month to 800 per month. Ms. Matheus said that the Governor signed legislation that would double the penalties for church arson. The Governor's Office, she said, also acts as a clearinghouse for those seeking to donate funds.

Ms. Matheus was asked some questions regarding the Race Relations Commission. Commissioner Lee asked if there was legislation pending to address hate crime enhancement or penalty enhancement laws. Ms. Matheus responded that there were no plans for hate crime laws that she was aware of but added that penalty enhancement legislation for the arson of a house of worship is underway and would probably succeed in passage. Dr. Berry asked if the Governor would support legislation requiring the reporting of local fires to the State Fire marshal. Ms. Matheus said she was sure that Governor Beasley would support the measure.

In response to Ms. Bernardo-Allbaugh's question, Ms. Matheus said that the Race Relations Commission is comprised of 22 religiously and ethnically diverse members, all volunteers. She told the Advisory Committee that recommendations and comments would be taken throughout the year by the newly formed commission. When Dr. Berry pressed for more information about the Race Relations Commission, Ms. Matheus said that the commission has no budget, no funding for travel, and has only two full-time staff, one on detail from another State agency. Mr. Doctor informed Ms. Matheus of a letter sent by the Advisory Committee to Governor Beasley requesting information on the Race Relations Commission and regarding the issue of the flying of the Confederate flag that was never answered. Ms. Matheus said she would see that the letter receives a response. In closing, she said that the arson hotline is printed on all state employee checks.

Assistant South Carolina Attorney General David Pascoe next addressed the Advisory Committee. Mr. Pascoe said that at the request of Attorney General Charles Condon, he was asked to establish a hate crimes task force in May 1996, with authority to look into the church fires, all race-related hate crimes, and to monitor and learn of race-hate groups throughout the South. The task force is designed to coordinate with local prosecutors, the U.S. attorney's office, and other Federal and State officials, particularly SLED. At present there are two prosecutors at the disposal of the hate crime task force and currently civil attorneys are working on a case that cannot be commented upon. The prosecutors on the hate crimes task force can step in to take over a case that has been determined to be hate oriented.

Of the 28 church burnings in South Carolina, 18 have been solved, Mr. Pascoe said. At least two of the fires were race-hate based, he said. He responded to concerns about insurance for churches, saying that Mr. Bodel, executive vice president of Southern Mutual Church Insurance Company, had assured him that the 4,000 South Carolina churches the company insures will not have problems.

When Dr. Berry asked if there was an increase or decrease in hate crimes, Mr. Pascoe said he was unsure because the numbers of incidents have only recently been collected. In response to questions from Dr. Berry and Commissioner Lee, Mr. Pascoe said he thought there were 27 race-related crimes in South Carolina in 1993, and emphasized that Klan factions and militia groups are being monitored. When asked by Dr. Berry about the level of Klan activity in South Carolina, Mr. Pascoe said although there may be about four or five factions, he was aware of two factions and

added that most were fragmented. He said he did not think there were more than 400 Klan members in the State. Responding to Commissioner Lee's question. Mr. Pascoe said there may be two militia groups in the State. The information on hate groups was disseminated from the FBI and SLED, he added. He also said that the majority of hate crimes in the State have been white on black.

The Advisory Committee next heard from Robert Stewart, Chief, South Carolina Law Enforcement Division (SLED). Chief Stewart said since 1991, there have been 30 confirmed arsons of houses of worship. The torched structures included 17 African American churches, 11 white churches, an Islamic mosque, and a Hispanic church. There have been 20 arrests, he added, which included 11 white males and 8 African American males for the burning of the black churches, and 5 white males and 1 African American male for the fires set to white churches. The fires at both the mosque and the Hispanic church led to the arrest of white males. There are four burned churches (three black and one white) whose causes have yet to be determined, he added. Chief Stewart listed four motives for burning churches: to cover a crime, psychotic behavior, vandalism, and outright racist hate. He said copycat crimes are highly unlikely and that SLED has not seen evidence of insurance fraud. Chief Stewart noted that increased media and political attention has heightened public awareness.

Chief Stewart reviewed the history of the Klan in South Carolina. The 1960s and 1970s saw the Klan at its height, he said, with some 8,000 members in South Carolina alone. It has since whittled down to four groups: the U.S. Klan, the Christian Knights of the Ku Klux Klan, the Keystone Klan, and the United Klan, totaling less than 400 members. Chief Stewart explained that the Klan has taken a number of steps to gain new members through public rallies. The chief said that law enforcement has monitored these rallies by videotaping the activities and recording the license plates of the cars in attendance. Chief Stewart is certain that the monitoring of the activities has deterred support for the rallies. Chief Stewart likened the Klan activity in the State to cancer. He explained that no matter how small cancer may be, it is still cancer. He described SLED as a nationally accredited agency, the uniform crime reporting center of the State with 350 agents.

In response to questions from Commissioner Lee, Chief Stewart said that SLED is a State agency with exclusive authority over all State-level criminal investigations and it assists local sheriff and police departments with additional manpower and technology. Chief Stewart noted that SLED automatically calls the FBI and ATF in all church fire cases.

Commissioner George asked if religious bigotry were involved in any of the South Carolina fires. Chief Stewart replied that SLED had investigated two satanic-motivated fires perpetrated by young people. Chief Stewart declined to say if the fire at the mosque was motivated by religious hatred because the case is pending before the court. Commissioner Anderson asked about racial motives and Chief Stewart said that racial motives were prominent in one-third to one-half of the South Carolina church fires. He quoted a Northeastern University study showing three hate crime motivations: (1) The thrill crimes, about two-thirds of the crimes, usually involve poorly educated young white men who commit the crime after consuming alcohol or drugs. Racism or hatred is usually a motive for this group who would more likely select an African American church than a white church. (2) The second group, about a third of hate crimes, are likely to burn down a structure because they don't want it in their neighborhood. (3) The third group, about 1 percent of hate crimes, are mission-type crimes carried out by persons based in an organization who go out against a target. Chief Stewart said the South Carolina fires would fit all three categories.

Commissioner Lee asked Chief Stewart if he was in support of mandatory reporting of hate crimes

under the Hate Crime Statistics Act and of enhanced penalties for the commission of hate crimes. Chief Stewart said he would support toughened penalties. With regard to mandatory reporting of hate crimes, he said he supported it, but added that the interpretation of what is in fact a hate crime varies depending on the information gathered and the accuracy of the information. Chief Stewart said there is no question in his mind that the existence of hate groups hurts the overall climate.

Lee Jedziniak, director of the South Carolina Department of Insurance, followed Chief Stewart. Mr. Jedziniak said that laws protecting consumers from suspicious actions by insurance companies were passed not as a result of the recent church fires, but since the mid-1980s. He said this is why South Carolina churches do not have the problems that churches in other States do regarding midterm cancellation of property and casualty insurance policies. The law provides five reasons for cancellation, and Mr. Jedziniak emphasized that insurance companies cannot refuse to renew property and casualty insurance without a precise reason and a 30-day notice at the end of the policy term. He noted that these laws apply to all policies, whether for religious institutions, coastal hotels affected by hurricanes, or residential units.

The South Carolina Department of Insurance has a market assistance program to help consumers who cannot find insurance coverage on their own, Mr. Jedziniak continued, and a consumer services division that has contacted every burned church in the State to offer claims advice and processing, explain nonrenewal laws, and assess improper cancellation. The department has contacted the NAACP, the Urban League, the Human Affairs Commission, and the Consumer Advocate's Office offering to assist in any way possible with the church insurance situation. In closing, Mr. Jedziniak told the Advisory Committee that he is a member of the National Association of Insurance Commissioners.

Dr. Berry asked if there was any information on the black churches that were denied coverage. Mr. Jedziniak could not identify the churches racially but he reported that only two complaints had been made by burned churches: one concerning the value of an organ and the other concerning whether a church had canceled its own insurance policy upon relocating (the old building was burned). Mr. Jedziniak said he has not heard from the two complainants. He remarked that unlike calling law enforcement, people don't fear calling the insurance department.

Mr. Jedziniak's deputy director of the Consumer Services Division, James Byrd, stated that South Carolina's insurance industry views church arsons similarly to natural disasters: with the industry's integrity in question, they uphold it by "doing what they can to assure that policies are not being nonrenewed." Bishop Smith asked about churches whose insurance premiums increased significantly. Mr. Jedziniak could not say that costs have not increased, remarking that all people are generally unhappy about the cost of coverage. He added that the department has a rate formula that must be approved by an administrative law judge before implementation. This, said Mr. Jedziniak, is to ensure that rate levels are not excessive or unfairly discriminating. Mr. Byrd described to the panel brochures the department has developed to educate the public, including ministers, about the factors involved in obtaining insurance for structures.

The Advisory Committee next heard from Willis Ham, commissioner of the South Carolina Human Affairs Commission. Dr. Ham explained that the state human rights commission reviews allegations of discrimination on the basis of race, age, sex, color, national origin, disability, and in housing cases, familial status. The agency's jurisdiction with regard to law enforcement includes discrimination in housing, employment, public accommodations as well as the Americans with Disabilities Act. The agency's Community Relations Division, he explained, has developed local Community Relations Councils and provides training in mediation and conciliation at the local

level. Dr. Ham observed that the commission acts on the instruction of the Governor, the General Assembly and a 15-member board. The State's human rights commission does not act on such matters as community tensions unless it is called to assist.

Committee Chair Kimpson asked Dr. Ham about the relationship between his agency and the Governor's Race Relations Commission. Dr. Ham replied that when the Governor announced formation of the group, the State agency wrote him, indicating it was by law meant to do part of what he planned for the Race Relations Commission. The response from the Governor's office was that the Governor knew that and in the future the two groups would meet after the new body had gathered all the information it needed.

Dr. Ham and Mr. Earl Brown, a member of the Human Affairs Commission, explained that the agency has indexed and analyzed all South Carolina hate crimes and has a 25-year working relationship with CRS. The compilation of hate crime activities in South Carolina will be made available to the Advisory Committee, Dr. Ham said. When asked by Committee Chair Kimpson if the agency was asked to assist SLED with the church fires, Dr. Ham responded that the commission has been monitoring the situation but it has not been asked to assist. In response to questions from Commissioner Anderson, Dr. Ham said that there are some real problems in race relations in South Carolina and provided examples of racial discrimination.

The Advisory Committee next heard from Wayne Bryan, executive minister of the South Carolina Christian Action Council, a member of the religious community. Reverend Bryan explained that the 60-year-old council is a statewide ecumenical body comprising 16 denominations working together for social justice. Reverend Bryan stated that attacks on houses of worship are all deplorable but particularly those motivated by racial hate. He applauded the caring and civil responses to affected churches in the wake of the fires. The council, he said, has received calls from people across the United States wanting to help the rebuilding effort. Reverend Bryan observed that if the arsonists intended to divide citizens, they failed. Reverend Bryan said the council's Sabbath of support was implemented to increase State support for fire victims. The religious community spoke and preached on the issue, gathered offerings, and volunteered assistance. Reverend Bryan exhorted the community not to self-divide, stating that the entire religious community is under attack. When Dr. Berry asked about the council's position on the Confederate flag, Reverend Bryan replied that the council has called for the flag's removal for eight years.

The sole representative from the local law enforcement panel was Capt. Larry Shea, representing Sheriff James R. Metz of Lexington County. Two churches have been burned in Lexington County, said Captian Shea. One of those two churches, Dixiana's St. John's Baptist Church, was among the first to receive national attention, he said. Captain Shea commented that both he and Sheriff Metz were incensed that their investigation was decried as apathetic, because it was not; it was aggressive.

Captain Shea was asked if the reports of Klan activity were accurate. Captain Shea said KKK activities did exist in Lexington County and agreed with other law enforcement officials who said the activity has minimal influence. Continuing his statement, Captain Shea said that Lexington County citizens did not want to be judged on a small minority's actions. He told the Advisory Committee that there were clearly some racist activities against the church that was burned, as the members were targeted for at least 10 years and there was the writing of "KKK" on the doors of St. John's Church. Captain Shea described many of the crimes as acts of teenage vandals, spurred by the myth of a haunted church. There were some limited satanic activity, he added. Three

people have been arrested in connection to that church's fire. Since the fire, he said, the county police has had a resident deputy program, which is the equivalent of community policing, and the churches have been offered crime prevention inspections.

Dr. Berry asked for the number of churches in Lexington County and how many have been contacted. Captain Shea explained that because many of the churches are in rural sections of the county and the pastors are parttime, the number has been difficult to gather. He said he did have a list and said most of the churches have been contacted. Captain Shea will submit the list of churches to the Advisory Committee. Dr. Berry asked Captain Shea about the criticism he referred to regarding the dedication of local law enforcement to find the arsonists. Captain Shea said he attributed such complaints to *The State* newspaper and some TV broadcasts. He countered the validity of such criticism by commenting on the arrests of some 200 people in connection with the vandalism of the church over the past 15 years. He added that the vandalism was the work of teenagers and not necessarily racially motivated.

When asked if there were systematic efforts to meet with community leaders to address racial discord in the county, Captain Shea replied that the sheriff has met with such leaders and is a member of the Save St. John Committee. Regarding discussions on the issue of racial tensions generally, Captain Shea said he was unaware of such meetings. Responding to Dr. Berry's questions about area Klan activity, Captain Shea said the county has a very vocal Klan member whose influence is minimal. The department monitors rallies he holds on his property, Captain Shea said. Typically, the rallies attract out-of-State residents and others outside of the county, totaling about 25-30 people.

In response to Commissioner Lee's question about how the department determines hate crime activity, Captain Shea said the evidence has to be clear cut, such as "KKK" graffiti. Other types of vandalism, he said, are more difficult to ascertain. Captain Shea noted that the rise of crimes against the church is during Halloween, when vandals upturned the church cemetery. Captain Shea said the sheriff's department is equipped with a hate crimes interpretation specialist.

Responding to Southern Regional Director Doctor's question about why he was the only local law enforcement representative at the forum, Captain Shea said he was shocked by the lack of attendance. But, he continued, most communities do not want to admit to any racial tensions. Law enforcement in particular, he observed, does not want to think that a crime, especially an unsolved one, is attributable to racial tensions. He added that he was concerned about the underlying climate that may contribute to church fires. Commissioner Anderson asked about the climate of racial tension in Lexington County and South Carolina. Captain Shea said the fires have brought people together to support the afflicted congregations. Responding to Mr. Anderson's questions concerning the Federal Government's role, Captain Shea said that communities like to retain law enforcement at the local level. Where a community has the resources for local investigation, he said, it should go forward there. Because the church fires occur in local areas, Captain Shea would not advocate making church arson a Federal crime. Where needed, other help, such as SLED's, should be brought in. The Federal coordination, intelligence, and investigative support, he said, has been very useful.

The Advisory Committee returned to the panel representing South Carolina's religious community. Joseph Darby is board chairman of the South Carolina Coalition of Black Church Leaders, a coalition founded in 1986 and South Carolina's ecumenical organization for six historically African American denominations, linking 2,500 churches throughout the State. The coalition has established a church watch program, led by a committee of clergy, lay leaders, local NAACP

presidents, and at least one white pastor. The participants, Reverend Darby explained, carry cellular phones and cameras to report suspicious activities and they contact law enforcement officials to identify the churches in need of monitoring. Reverend Darby told the Advisory Committee that the program's greatest obstacles have been selecting the proper county representatives and volunteers to implement the plan.

Reverend Darby lambasted suggestions that churches have been burned to collect insurance money, stating that most burned churches have been small and are churches that insurers have refused or have charged exorbitant rates to cover. He applauded the national, State, and multiracial responses in support of burned churches. Reverend Darby said the arsons are a symbol of a greater problem. He stated that a number of excuses such as teenage vandalism and satanism have been provided for the church fires. If the fires are not the result of racism, he observed, why are African American churches burned most often? Reverend Darby stated that South Carolina's church fires have not occurred in a vacuum, citing the flying of the Confederate flag by the State, a business establishment glorifying the Ku Klux Klan, the brutal treatment of a black woman stopped for a traffic violation, the murder of a black man married to a white woman, a lynching, and numerous cross burnings.

Dr. Berry asked why law enforcement officials have such a difficult time answering questions about racial tensions or admitting the prevalence of racist incidents. Reverend Darby replied that when you admit a problem, you have to admit that you are part of the problem in some way. Things are often not identified for what they are, he said, unless there is overwhelming evidence that it cannot be explained another way. Ms. Snead asked if law enforcement officials supported the church watch program. Reverend Darby said the church watch had about 100 volunteers and that Chief Stewart and an ATF agent were very supportive.

Rev. Terrance G. Mackey, Sr., of Mt. Zion AME Church expressed disappointment that the religious community was testifying last. Noting a similar occurrence at a congressional hearing, Reverend Mackey stated that by testifying last, members of the law enforcement community never hear the grassroot problems. Reverend Mackey told the Advisory Committee that his church was burned to the ground on June 20, 1995. He said that losing the church was bad but it broke their hearts to learn that hatred was at the root. Reverend Mackey said fear is now their companion. He said that law enforcement officials are living in a state of denial about racism. The Confederate flag, he said, must come down. Reverend Mackey said churches will still be terrorized if racism is not addressed. He closed by recounting the experience of one of his members who alleged that she has been harassed with bricks thrown at her house and pejorative writing on her car.

Asked by Dr. Berry when things would get better, Reverend Mackey said he did not know. He said that he had neither heard of the Governor's Race Relations Commission nor seen its meetings publicized. Reverend Mackey said he was from Williamsburg County, not Lexington County. Dr. Berry asked why the Klu Klux Klan still exists in South Carolina, and Reverend Mackey said there is a state of denial. He recounted a story told to him by a former South Carolina Governor, who after taking his oath of office, returned to the Governor's mansion to find a golden-edged envelope on his desk containing a lifetime Klu Klux Klan membership. He told Reverend Mackey that he did not join. But Reverend Mackey pointed out to him that a person off the street could not have placed the envelope on the desk and warned of the infiltration of Klan members into the government. Reverend Mackey said that his figures showed the Klan being 3,000-4,000 strong. Reverend Mackey said that the member of his congregation who was harassed has not complained to the authorities and will not complain because of the lack of trust.

Rev. Patricia Lowman of St. John's Baptist Church recounted the history of the church. The property where St. John's Church, founded in 1758, sits was donated to slaves who were later given the title deed in the 1860s. The British, she said, burned the church in the 1800s, and the congregation rebuilt what was to become one of the oldest African American churches. In August 1995 the church was again burned to the ground. It was the last in a crime series that included countless vandalism documented for 15 years. The most outrageous occurred in 1985, when, Reverend Lowman recalled, the lights were jerked from the ceiling, the piano was chopped with an ax, the sacrament cloths were defecated on, the pews had gunshot holes, and Nazi and KKK symbols were written everywhere. A local woman began a committee to save St. John's in response to the outrage.

Reverend Lowman said that she has found a paper instructing vandals how to rob graves and what to take; statements that the church was haunted were an excuse to steal, she said. Reverend Lowman praised Sheriff Metz's department for responding and conducting Halloween stakeouts, arresting 35 to 50 persons each time. She said that she spoke with the President upon his visit to the area, and the Governor about increasing the penalty.

Reverend Lowman said her congregation was still without a church, having moved from a Seventh Day Adventist Church room to their senior deacon's home. Getting a loan to rebuild St. John's has been difficult, as the congregation is very small. Another difficulty has arisen, Reverend Lowman said. An old State road leads to St. John's, a dead end blocked off with a fence to keep out grave robbers. Governor Beasley held a conference on church burning issues in front of what remained of St. John's on June 7, 1996. He told parishioners that he would give them part of the surrounding property, enabling them to build in a more visible location, and giving them easier entry access. Since that time, Reverend Lowman said, someone has acquired the 100 acres and old State road surrounding St. John's. If they ever manage to rebuild, Reverend Lowman continued, they will be illegally trespassing everytime they attend church. Reverend Lowman stated that her congregation is scared to rebuild, although the owner said they could use the road provided they bury no more people in the cemetery. The church is short on reconstruction funds, having \$50,000 but needing \$75,000 for the outside edifice alone.

Dr. Berry asked about the church's rebuilding effort. Reverend Lowman said that the congregation has collected \$50,000, but the structure was appraised at \$75,000. Responding to Dr. Kimpson's questions about insurance, Reverend Lowman stated that they had insurance, but that it was revoked somehow last year due to recurring vandalism. Dr. Berry asked Mr. Jedziniak from the Department of Insurance to look into this matter. When asked if she thought the fire was racially motivated, Reverend Lowman said that she is certain race was a motive because of the inscription of the letters "KKK."

The Advisory Committee next heard from the panel of civil rights groups. First in this panel to speak was J.T. McLawhorn, executive director and chief operating officer of the Columbia Urban League. Mr. McLawhorn stated that at the church fires' heart is ignorant, mean-spirited racism, directed not only at the symbol, but the soul and spirit of the African American community. He stressed that at heart the fires are about scapegoating a specific people for the economic woes that have affected many. As an example he described the church fire in Tennessee set by three angry white men beset with economic or emotional hardships. The men, explained Mr. McLawhorn, burned a cross and firebombed a black-owned tavern and the Cannon African Methodist Episcopal Church. The men had complained that blacks get preferential treatment and drive fancier cars than they should, he said. Mr. McLawhorn said the Commission on Civil Rights should gather data and look into politicians who fuel racial hatred by scapegoating African Americans for society's

problems.

Advisory Committee Chair Kimpson asked Mr. McLawhorn about his role on the Race Relations Commission. Mr. McLawhorn replied that he was a former member of the South Carolina Human Affairs Commission and currently serves on the Governor's Commission on Race Relations. He stated that the Urban League had asked the Governor to speak at the annual Equal Opportunity Day dinner and suggested that he form a commission to look into race relations because they felt that race relations in South Carolina had reached a crisis state. Mr. McLawhorn said it was the first time this Governor acknowledged racial problems in South Carolina.

The Advisory Committee next heard from Constance Barnes, interim director of the South Carolina Conference of NAACP Branches. Ms. Barnes said that the NAACP has investigated the lynching in Clarendon County, the beating of an African American motorist, and the "redneck" shop in Laurel, the shootings in Greenville County, and the cross burnings and other racist incidents. She remarked that the Race Relations Commission had denied the NAACP participation in its activities. Noting that South Carolina "has a lot of problems," Ms. Barnes added that the Governor had emphatically stated at the January 6 Racial Justice Task Force meeting in Myrtle Beach that he did not believe South Carolina had a race problem. The NAACP. Ms. Barnes concluded, developed a national task force for Alabama, Georgia, Mississippi, South Carolina, North Carolina, Florida, and Mississippi to monitor the church fires and assist the affected churches.

Dr. Berry asked Ms. Barnes if the Governor's race commission responded to her letter asking why the NAACP was not included. Ms. Barnes stated that the NAACP's letter was not addressed until she met with the Governor and later raised the issue. The Race Commission has continued to deny the NAACP access. In response to a question from Regional Office Director Doctor, Ms. Barnes said that race relations in South Carolina were heading to a 9++ (on a scale of 1 to 10, 10 being the worst), noting rising tensions on every front. When asked by Commissioner Lee if the NAACP was doing outreach with other groups, Ms. Barnes said they are in contact with a number of groups and would work to meet with other organized ethnic groups. Ms. Barnes told the Advisory Committee that she has information that suggests members of the Clarendon County Sheriff's Office were members of the KKK. She said she would provide the Advisory Committee with that information.

Following Ms. Barnes, citizens Mr. Oglesby, Reverend Frances, Mr. Rogers, and Ms. Veo arose to express their views. Mr. Oglesby decried the evils of racism and read a poem about the end of racism. Ms. Veo said she was satisfied with clarification made regarding an earlier statement. Reverend Frances talked about increasing racism in South Carolina and questioned the veracity of law enforcement officials. Mr. Rogers described the Governor's race commission as "political minimalism" and said that it was the silent majority that gave him grave concern not so much the vocal KKK or minority.

The final discussant before the Advisory Committee was Tony Grant, chairman of the Race Relations Commission and senior vice president of Nation's Bank. The commission was formed, he said, following frank discussions concerning the State's racial climate in the Governor's mansion. It is designed to address divisive issues and "build bridges to help bring communities together," he continued. Since convening in February 1996, it has scheduled meetings in Beaufort County, Florence, and Anderson. Mr. Grant noted differing race relations viewpoints: some saying things are fine while others are suggesting the State is going to "hell in a hand basket."

Mr. Grant told the Advisory Committee that the commission has formed an executive committee

and subcommittees to address crime, the legal community, economic development, education, and health. The members have agreed to reach out to those not appointed by the Governor. Mr. Grant noted others' characterization of the Commission as made up of affluent folk and did not deny it.

Responding to Commissioner Lee, Mr. Grant stated that the members of the Race Relations Commission are appointed by the Governor with no set terms and that they are preparing a report with their recommendations concerning the commission's duration. He noted that their meetings have been publicized on the Internet, on post office bulletin boards and in newspapers. When pressed by Commissioner Lee, Mr. Grant said he was not solely responsible for the dissemination of the race commission's information, but added that he was speaking with groups about the commission.

When Dr. Berry asked about the staffing at the commission, Mr. Grant said that there were four people on the staff. Dr. Berry questioned Mr. Grant about Ms. Matheus' statement that the Race Relations Commission had only two staff members. Mr. Grant responded that she had only joined them 45-60 days ago. In response to when the race commission's report would be completed, Mr. Grant said that the report may be ready in 60 or 90 days, or early next year. Responding to other questions, Mr. Grant said that the issue of KKK may be taken up by the race commission and he was not certain about civil rights issues as the commission does not have a subcommittee addressing that issue. Mr. Grant said he hoped the issue of affirmative action and race discrimination would be addressed by the subcommittee. Asked why the new Race Relations Commission was needed when South Carolina already has a State Human Affairs Commission, Mr. Grant said that he did not know.

U.S. COMMISSION ON CIVIL RIGHTS
Southern Regional Office
101 Marietta Street
Atlanta, GA 30303

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300