

# **Burning of African American Churches in North Carolina and Perceptions of Race Relations**

**Executive Summary of a Community Forum  
Held July 18, 1996, Charlotte, North Carolina  
by the North 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.

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**Mr. Asa T. Spaulding, Jr.,** *Chairperson*  
Raleigh

**Mrs. Geneva Bland Brown**  
Winston-Salem

**Ms. Lena Sun Chou**  
Cary

**Dr. Joseph E. DiBona**  
Durham

**Rev. Mazie Butler Ferguson**  
Greensboro

**Mr. Darrel J. Williams**  
Charlotte

**Mrs. Bettie C. Hooks**  
Jonas Ridge

**Mrs. Valerie Jarvis-Samuels**  
Chapel Hill

**Dr. Wyatt D. Kirk**  
Greensboro

**Ms. Deborah Crouch McKeithan**  
Charlotte

**Mr. John Poag**  
Morehead City

**Mr. William Stern**  
Greensboro

## **Burning of African American Churches in North Carolina and Perceptions of Race Relations**

Nine African American churches were subjected to arson in North Carolina between December 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.<sup>1</sup> These fires have provoked a national outpouring of attention and sympathy because some of these have proved to be the work of racial bigots, intent on destroying institutions at the heart of the black community. As the U.S. Commission on Civil Rights, in a statement issued June 14, 1996, noted: "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."<sup>2</sup>

On March 14, 1995, the New Outreach Christian Center in Charlotte was burned with damage estimated at \$17,000. No arrests have been made; the 72-member church, founded in 1982, had no insurance coverage.

The Mt. Pisgah Missionary Baptist Church in Raeford, located near Fayetteville, was founded around 1900 and has 600 members. A fire set on Halloween, 1995, caused about \$15,000 in damage. No arrests have been made and the police suspect Halloween mischief.

The Mt. Moriah Baptist Church in Hillsborough, to the west of Durham, was burned on Christmas Day, 1995. Fortunately, the congregation of the 114-year-old church had gone to another church that day. No arrests have been made.

Mt. Ohova African Methodist Episcopal Church in Barnesville was burned on January 6, 1996, in the afternoon. The minister of the 50-member church found a white man inside and when he returned with help, a fire had been set. The white man was arrested and charged.

The Mt. Tabor Baptist Church in Cerro Gordo, near the eastern South Carolina border, was burned on May 23, 1996. Two black men who had been doing remodeling work were arrested for the arson, which caused some \$60,000 in damage.

The next day, in East Howellsville, Pleasant Hill Baptist Church suffered about \$2,000 damage from a fire. The church was founded around 1890 and has 50-75 members. A white teenage firefighter was arrested. The pastor of Pleasant Hill Baptist invited the young man to the church and he and other members of the congregation forgave him.

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<sup>1</sup> 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.

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

On June 6, 1966, in Charlotte, Matthews Murkland Presbyterian Church was burned. The sanctuary was destroyed and damage estimated at \$125,000. A 13-year-old white girl was arrested for the arson; police report her motive was anti-Christian. Matthews Murkland Presbyterian was founded in the 1860s and has 150-175 members.

St. James AME Zion Church in Maysville, some 20 miles south of New Bern, was burned on June 30, 1996. Accelerant was spread through the church and eight Molotov cocktails were found inside.

The North Carolina Advisory Committee, which is engaged in a study of racial tensions in the State, decided to hold a community forum on the topic on July 18 in Charlotte.

### **North Carolina Snapshot**

North Carolina ranks eighth among the States and the District of Columbia in the proportion of residents who are African American. In 1990, 75.6 percent of North Carolinians were white and 22 percent were black. The remainder of the population was American Indian (1.2 percent), Asian American (0.8 percent), and Hispanic (1.2 percent).<sup>3</sup> In rural<sup>4</sup> North Carolina, the population was 81.1 percent white and 16.4 percent black.<sup>5</sup> In urban<sup>6</sup> North Carolina, the proportions were 70.1 percent white and 27.5 percent black.<sup>7</sup> Overall, in 1992, the population stood at 6,836,333, an increase of 16.3 percent over 1980.<sup>8</sup> Median household income in North Carolina in 1989 was \$26,647 and 13 percent of all persons were below the poverty level.<sup>9</sup>

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), North Carolina had 7 law enforcement agencies reporting 7 incidents for 1994<sup>10</sup> and 6 agencies reporting 10 incidents for 1993.<sup>11</sup> North Carolina law makes ethnic intimidation (based on race, color, religion, nationality or country of origin) or the teaching

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<sup>3</sup> U.S. Department of Commerce, Bureau of the Census, *General Population Characteristics: North Carolina*, 1990 Census of Population (1990 CP-1-35), p. 15.

<sup>4</sup> Places of fewer than 2,500 persons. Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> Places over 2,500 persons. Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> U.S. Department of Commerce, Bureau of the Census, *1992 City and County Data Book*, pp.2-3.

<sup>9</sup> U.S. Department of Commerce, Bureau of the Census, *County and City Data Book 1994*, p. 7.

<sup>10</sup> U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1994*, p. 20.

<sup>11</sup> U.S. Department of Justice, Federal Bureau of Investigation, *Hate Crime Statistics 1993*, p. 23.

thereof a misdemeanor.<sup>12</sup> Penalties may be increased when a misdemeanor<sup>13</sup> or felony<sup>14</sup> is committed because of race, color, religion, nationality, or country of origin. The law also covers church burning<sup>15</sup> and cross burning<sup>16</sup> and exhibits meant to intimidate.<sup>17</sup> North Carolina has a State human relations commission.

In 1993 North Carolina's 468 elected black officials were 8.5 percent of all elected officials in the State.<sup>18</sup> Twenty-five African Americans served in the State legislature.<sup>19</sup> In other elective positions, blacks were 49 of the members of county governing bodies and other county bodies,<sup>20</sup> held 279 elective municipal offices,<sup>21</sup> and 31 judicial and law enforcement offices.<sup>22</sup>

### **The Forum in Charlotte**

The North Carolina Advisory Committee's community forum<sup>23</sup> was held at the Charlotte Convention Center on July 18, 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.

Introductory remarks were made by North Carolina Advisory Committee Chair Asa Spaulding, Jr., who in turn introduced Dr. Mary Frances Berry, Chairperson of the U.S. Commission on Civil Rights, Commissioner Carl Anderson, and Southern Regional Director Bobby Doctor. Dr. Berry thanked the North Carolina Advisory Committee for organizing this community forum and for its reports on in-school segregation and *Black/White Perceptions of Race Relations in Greensboro*. Dr. Berry observed that the Commission's project on racial and ethnic tensions has revealed that racial tension is on the rise.

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<sup>12</sup> N.C. Gen. Stat. § 14-401.14.

<sup>13</sup> N.C. Gen. Stat. § 14-3.

<sup>14</sup> N.S. Gen. Stat. § 151-1340.16(d).

<sup>15</sup> N.C. Gen. Stat. § 14-62.2.

<sup>16</sup> N.C. Gen. Stat. §§ 14-12.12(a) and 14-12.12(b).

<sup>17</sup> N.C. Gen. Stat. §§ 14-12.13 and 14-12.14.

<sup>18</sup> *Ibid.*, table 2, p. xxiii.

<sup>19</sup> *Ibid.*, table 6, p. xxvii, and table 7, p. xxviii.

<sup>20</sup> *Ibid.*, table 10, p. xxxi.

<sup>21</sup> *Ibid.*, table 13, p. xxxiv.

<sup>22</sup> *Ibid.*, table 15, p. xxxvi.

<sup>23</sup> 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.

Committee Chair Spaulding asked members of the Advisory Committee to introduce themselves. They included Geneva Brown, Wayne Kirk, William Stern, and Rev. Mazie Ferguson. Bob Knight, civil rights analyst for the Southern Regional Office, was also present. Invited discussants were also introduced at the beginning of the forum.

The forum began with a presentation by Mark Calloway, U.S. attorney for the Western District of North Carolina, who noted that he was also representing the U.S. attorneys from the Middle and Eastern Districts of North Carolina. He said that he is also the U.S. attorney representative to North Carolina Governor James Hunt's task force on church burnings.

The job of U.S. attorney, Mr. Calloway noted, is to prosecute Federal crimes that occur in North Carolina. The office works closely with the U.S. Department of Justice and Federal, State, and local law enforcement agencies to carry out investigations and prosecutions. Mr. Calloway stated that the Federal Government is using a full range of resources to respond to violent acts directed at houses of worship and noted that Attorney General Janet Reno has directed each U.S. attorney to set up a local task force in their districts to deal with church burnings. The North Carolina U.S. attorneys, he said, have formed a statewide task force in response. The purpose is to ensure that efforts at the Federal level are coordinated, comprehensive, and aggressive.

Mr. Calloway explained that in any instance where a fire occurs, the three investigative agencies, ATF, FBI, and the State Bureau of Investigators, will respond to the scene as soon as possible and engage in a coordinated investigative effort with the local fire and police and/or sheriff's departments to determine if the fire was arson or accident, and if it was arson, who set the fire and why. When these questions are answered, Mr. Calloway continued, a review and consultation meeting with the State district attorney, in the prosecution district, is done to determine the best forum for bringing charges. Mr. Calloway provided a handout that contained each U.S. attorney's district, phone number, and the name of the victim-witness coordinator for the district. The victim-witness specialist is responsible for making sure that the office stays in close communication with the victims of any type of crime and that regular notification is maintained about the status of the case as it proceeds through Federal court. He encouraged those affected by these crimes to use this service.

Mr. Calloway also spoke of other efforts the U.S. attorneys' offices have made to coordinate with State and local law enforcement and government officials to deal with the church burning issue, on prosecution, as well as the policy level. He serves on the Governor's Task Force on Racial or Religious Violence or Intimidation and noted that the three U.S. attorneys had participated in an information and educational seminar on protecting religious sanctuaries that was sponsored by North Carolina Attorney General Mike Easley's office, at North Carolina Central University in Durham. This seminar, with over 300 participants, he said, provided an opportunity for law enforcement officials to speak to and to listen to community representatives on the issue. Mr. Calloway provided the Advisory Committee with a copy of the information disseminated at the conference.

Mr. Calloway discussed the various Federal statutes available for prosecution, noting that the guidance that Federal law enforcement follows is what is best for the case in determining whether prosecution should be in Federal or State court. He explained that section 247 requires interstate status and the intent to defame, damage, or destroy religious property. A



newly added section "C" of that statute has removed the interstate prong if it can be shown that the action was based on hatred of race, color, or ethnicity. Conspiracy under Section 241, Mr. Calloway said, requires two or more persons to agree to commit an unlawful act. Other Federal statutes cover fires resulting from bombs or threats made by mail. Mr. Calloway closed by stating that law enforcement was committed to stopping all fires. He said that he hoped that the investigation and the outcry against the fires would lead to the elimination of racism and discrimination.

The Advisory Committee then asked Mr. Calloway a number of questions. Committee Chair Spaulding asked Mr. Calloway to consider appointing a member of the Advisory Committee to the Governor's Task Force on Racial or Religious Violence. Mr. Calloway was asked by Dr. Berry about the number of hate crimes prosecuted by his office in the last 1-5 years. He responded that he was unable to provide actual numbers at the meeting, but would provide them in the near future. He cited two cases he was aware of for the 2 years he has been in North Carolina. The individuals involved were sentenced to 9 years apiece. Asked about evidence of Klan activity or other organized hate groups in North Carolina, he replied that other than what is public knowledge and the prosecutions of the cross burners, he had no specific data on the Klan or other hate groups.

When asked if there were problems with coordination efforts, Mr. Calloway said that the law enforcement activity was well coordinated at local, State, and Federal levels, and added that the State has tried very hard to keep the public informed. Mr. Calloway also told the Advisory Committee that his office has had no complaints about church property insurance being canceled or denied as a result of the burnings. He added that the ministers of the affected churches could better answer the allegations of questionable insurance company reaction to the fires.

When asked by Ms. Brown about how the task force reports incidents, Mr. Calloway said the victim-witness coordinator receives calls from victims and assists them with their rights under Federal law. He also said that he and ATF agent Mark Logan have attended a number of meetings statewide. Mr. Calloway declined to give specifics about the cases because of concerns of compromising the investigations. Asked if he thought the burnings were subsiding, he said that he hoped so, but that it is very important that investigators follow through with the plans made and not give up on their efforts because media attention may drift away.

Pam Stubbs, district liaison for U.S. Congressman Mel Watt, read a statement from the Congressman expressing his regrets over not being able to attend the forum because of his legislative schedule. In the statement, the Congressman noted congressional hearings on this issue and the passage of the Church Arson Prevention Act, which was signed into law July 3. He applauded the Commission for initiating forums to discuss the issues and expressed outrage for these lawless acts. Ms. Stubbs advised the panel that the Congressional Black Caucus has established a task force on church burnings and one item that has been addressed immediately is the insurance issue.

A statement from U.S. Sen. Lauch Faircloth, a cosponsor of the Church Arson Prevention Act, was made a part of the record.

Mark Logan, special agent in charge of the Bureau of Alcohol, Tobacco and Firearms for

North and South Carolina, began by stating that ATF takes it as a top priority to investigate and solve the church fires. His office, he said, will respond to every church fire, and all supervisors have been directed, on any fire relating to a church, to call an ordinance specialist and a sufficient number of agents to respond immediately and work closely with State and local investigators. In his division, Mr. Logan pointed out, there are 76 investigators and coordinators on this problem. He noted that they not only investigate the fires, but speak to the public on ways to secure their properties and churches against vandalism and fires. Literature on how to prevent vandalism and secure churches has been distributed. Mr. Logan reported that he personally has appeared at many informational forums in North and South Carolina, discussing the church burnings and soliciting help from the public to solve them.

Mr. Logan spoke of the investigative techniques of his agents and some concerns as to the sensitivity, or lack thereof, by some agents when interviewing pastors and church members. These concerns, he said, have been addressed with all ATF agents in an attempt to gain public confidence while they carry out their duties. He said he has also heard concerns that the investigative activity might be diminishing or slowing down, but he assured that that was not the case and the investigations are fully active. Mr. Logan spoke of the concerns raised about the "Good Old Boys Roundup" in Tennessee. He stated that ATF has addressed those problems and that in no way have they affected any of the investigations.

As to motives of the arsonists, Mr. Logan said that he prefers possible motives to be addressed in court, so that nothing jeopardizes the criminal prosecution of the culprits. However, he added, evidence has not been found of one particular group or person being involved in all the fires.

In response to Committee Chair Spaulding's question, Mr. Logan said his resources were adequate for the increased investigations and when needed he can call for additional resources from other parts of the country. Mr. Kirk asked about the number of church fires and if any were perceived to be the result of conspiratorial motives. In North Carolina, Mr. Logan said, he has 13 investigations; 10 are considered arson or "undetermined" and 3 are electrical; 6 of the arson or undetermined cases have resulted in arrests as of mid-July. He was asked how many of the 76 assigned staff in his office are minority; the response was 10, not including himself. When asked about attendance at meetings and forums on the issue, he responded that there has been a mixture of white and black, but the percentage of whites, from his recollection, has been low. The meetings have been called by the pastors, he said, not the investigating agents. The *Church Threat Assessment Guide* was distributed at the meetings.

Mr. Logan was questioned by Dr. Berry about the timeliness of notification and the mechanisms that get ATF involved in specific church fires. He said that ATF generally is called by local officials and that in some cases, notification of a church fire has come months after the event. As an illustrative example, Mr. Logan told the Advisory Committee that although the Mount Pisgah Church was set afire on December 31, 1995, the ATF was not notified of the blaze until June 1996. Dr. Berry read a list of churches that have been reportedly burned in the State. Mr. Logan was unfamiliar with a number of the churches

cited. He explained that his lack of knowledge of other church fire incidents in the State is why local department reporting of the fires is critical. Early involvement in an investigation, he said, can be a factor in solving cases. Mr. Logan said that arson is difficult to prove, and

when investigators with expertise come together and share resources, the tasks proceed much faster.

Mr. Logan, in response to a question from Dr. Berry, said that rewards have not been effective in helping to solve any of the fires in North and South Carolina. He was asked whether any agents involved in the fire investigations had participated in the "Good Old Boys Roundup" and whether this had been a factor in the investigations. He said that in his personal review of the church fire investigations, he has not found it to be a factor. Mr. Logan was asked if any of the burnings he is investigating are racially motivated. He responded that some fires are clearly racially motivated, pointing to one in South Carolina, but that court is the proper place to deal with motivations, which will likely vary--race, profit, boredom, and so on.

Mayor Pat McCrory welcomed the panel to Charlotte and cited the steps taken by officials to deal with the church burning issues. These steps, he said, included gathering all the facts without jumping to conclusions and trying to calm the community and working together in a team effort to attempt to solve the crime(s). He noted that he was proud of the relationship between local police, firefighters, State government, and the Federal Government. He said that all segments of the community worked together--black churches, white churches, the affected pastors and their congregations, law enforcement, and the private sector (local banks offered rewards for information leading to arrests). The mayor said that he was not proud that a church burning occurred in Charlotte, but he was proud of the way all citizens of Charlotte handled the terrible event.

Asked by Reverend Ferguson about the status of civil rights issues in Charlotte, he responded that Charlotte, like other American cities, is not exempt from stress between races and cultures. However, he said, Charlotte has open lines of communication between all segments of the community and a strong community relations committee. He described the CWAC ("City Within A City") coalition, formed before the church burning, and consisting of black and white churches, business and government leaders, and the community, that is trying to solve the problems of joblessness, homelessness, and public safety issues, in an area off of downtown. The group plans to provide recommendations on ways to address these issues. Dr. Berry told the mayor that, based on conversations with some of the local residents, they did not appear to be aware of any efforts being made to deal with race relations and other issues. The mayor acknowledged that perhaps a better job of getting the word out is needed.

Richard Moore, Secretary of North Carolina Crime Control and Public Safety, described Executive Order 96, which formed the Governor's Task Force on Racial and Religious Violence and Intimidation. The members are himself, the North Carolina Attorney General, the Director of the North Carolina Bureau of Investigation, the Chairperson of the North Carolina Human Relations Commission, the Chairperson of the M.L. King, Jr., Commission, and 16 others from law enforcement, the General Assembly, the religious community, and the general public. At the first organizational meeting, four specific committees were formed: Committee 1 will focus on future legislative changes, Committee 2 will focus on awareness and prevention, Committee 3 will focus on what needs to be done regarding race relations, and Committee 4 will focus on how to better channels of communications--how to open channels of communication and what steps can be taken.

Mr. Moore noted a few things the subcommittee on prevention, of which he is a member, is

doing. For example, a preexisting program called Community Watch is being patterned into a church watch program, with packets being sent out telling church leaders how they can better protect their churches. Also a toll-free telephone number (1-800-990-CRIME) has been set up to provide assistance to any congregation that requests it. Also, his department has ordered the North Carolina State Highway Patrol to make special trips by every rural church.

Dr. Berry asked Mr. Moore to consider a member of the Advisory Committee as an observer of Executive Order 96. Mr. Moore said he would do so. Mr. Moore was asked about evidence of KKK activity in North Carolina. He responded that his department has no prosecutorial authority in this regard, but, as a citizen, he lives in a county where the Klan has an 800 number with a disgusting message. He said that he was not specifically aware of any other hate groups, but he would be shocked if they did not exist in the State. Mr. Moore was asked by Reverend Ferguson about complaints about racism in the State. He replied that he did not know any details but that the North Carolina Human Relations Commission is very active and its role is to explore these issues. Mr. Moore said that he had no knowledge that cancellation of any insurance policies has been threatened in North Carolina. He has consulted with the Insurance Commission in that regard. When asked about the racial problems at Fort Bragg and what the State is doing about it, he responded that the Governor has no authority on the base at Fort Bragg, but based on a conversation he had recently with the Secretary of the Army, Mr. Moore was told that Army leadership is pleased with the progress made at the base as a result of investigations and subsequent changes.

Woody Enderson, acting special agent in charge for the Federal Bureau of Investigation in Charlotte, described the FBI's historical involvement in civil rights violations in North Carolina as primarily directed toward excessive use of force by police, discrimination in housing, and involuntary servitude and slavery. The FBI, he said, has redirected its resources and placed all available agents and support personnel on church fire investigations. Mr. Enderson pointed out that in North Carolina, State fire marshals frequently go out and investigate these fires, which may not be reported to a law enforcement agency. He said the Federal task force is attempting to develop a uniform system of reporting and recording each church fire through the North Carolina Bureau of Investigation. Mr. Enderson said that his policy is that if a church fire is reported to him, he immediately directs that a civil rights case be initiated. If the fire turns out to be electrical, or some natural cause, or a straight arson case, it is closed as a civil rights case.

Commissioner Anderson asked Mr. Enderson when was the bureau called into a case, as opposed to other agencies. He responded that the Bureau and ATF have pretty much responded to the cases at the same time or within hours. Normally, ATF will be notified first and it then notifies the FBI. The National Church Arson Task Force, he said, decided ATF and FBI would be co-leading agencies in these matters if they are prosecuted federally. In response to questions about timely notification about fires, Mr. Enderson said he thought that working through the Governor's task force and the State and local agencies involved, rules would be established to ensure appropriate reporting procedures and resolve issues of the timely notification. He added that he was unaware of any instances where the fires were deliberately not reported.

Commissioner Anderson asked if there is a reasonable expectation of time to clear or solve an arson crime, Mr. Enderson cited some nationwide statistics: Arson cases are solved about 20 percent of the time, and in 1994 about 48 percent of all arsons solved were committed by

people under 18 years of age. He added that rewards have not been as helpful with the church fires as they are in helping to solve bank robbery cases. When asked if there were weekly briefings with other agencies, Mr. Enderson said he was not aware of weekly briefings on the fires throughout the Southeast.

Mr. Enderson was asked if he would comment on the conspiracy theory regarding the fires in North Carolina. He said that in some fires two or more persons have been involved, which meets the definition of conspiracy as an agreement of two or more persons to commit an act. He considered it premature, based on facts now known, to conclude that any national church burning conspiracy exists. Asked about possible Klan involvement, Mr. Enderson refused to speculate, pointing out that it is essential to have an open mind in criminal investigation, without preconceptions. He said, in response to another question, that he was not aware of any Klan or organized hate group activity during his tenure of about one year in North Carolina. He noted that the FBI does not conduct intelligence activities on groups that are lawful, whatever agents may feel about them, unless they are engaged in a crime.

Next to address the Advisory Committee was Ozell Sutton, Regional Director, Community Relations Service, U.S. Department of Justice. Mr. Sutton began by explaining that the Community Relations Service was established under Title X of the Civil Rights Act of 1964, to assist communities, institutions, and agencies with resolving racial and ethnic conflicts. He noted that he heads the agency's task force to direct the agency's work across the country as it relates to the church burnings. He spoke of the importance of the black church to the black community, and of the suspicions of the black community toward Federal, State, and local agencies regarding their intent, devotion, and commitment in solving these crimes. Mr. Sutton commented on the conspiracy theory, noting that "it makes little difference whether or not there is a conspiracy at all; racism is involved.

Mr. Sutton told the Advisory Committee that his agency's funding for fiscal year 1996 was cut in half and they lost 60 percent of the staff, despite increased racial tensions in this country. Approximately 20 staff persons have been detailed and assigned to Alabama, Mississippi, Tennessee, North Carolina, and South Carolina, where most of the church burnings have taken place. He further stated his view that the fires are a manifestation of the lack of concern about and attention to racial problems. CRS will assess the level of racial tension in those communities where a church fire occurred and cooperate with all Federal agencies, he said. Regarding the CRS budget, Mr. Sutton said he is concerned about the next fiscal year. Mr. Sutton ended his presentation stating that he has seen nothing but good faith efforts on the part of all law enforcement in the investigations of these fires.

Brooks Skinner, Jr., representing the office of the North Carolina Attorney General, provided an overview of hate crime laws in North Carolina--the ethnic intimidation statute, the two sentence enhancement statutes, and the church burning statute. The church burning statute makes it a Class E felony to burn a church regardless of motive. A sentence may be enhanced if the motive is hatred based on race, religion, ethnicity, or national origin. Mr. Skinner pointed out several proactive things the North Carolina Attorney General's office is doing, namely, conducting and participating in seminars and conferences to provide information to clergy, law enforcement, and the public about prevention and practical things; establishment of church watch programs by the North Carolina Department of Crime Control and Public Safety; and initiating dialogue on the underlying issues of racial and religious intolerance and hatred in North Carolina and the Nation.

Several questions were directed to Mr. Skinner about the extent of hate group activity in North Carolina and the adequacy of the laws dealing with their activities. He deferred questions on extent of activity of such groups to the investigative and intelligence gathering arm of the State and cited chapter 14, article 4a, of the North Carolina General Statutes, which prohibits secret groups or societies from participating in advocating, and encouraging any illegal activities. Mr. Skinner said he was not aware of specific instances but added that hate groups have been more vocal in recent years and they have legitimized their existence. Mr. Skinner said the Justice Academy, which provides training for law enforcement in North Carolina, has a 2-day segment on hate crimes for law enforcement officers.

The Advisory Committee then heard from Mike Robertson, special agent in charge of the North Carolina Bureau of Investigation. Agent Robertson said since 1995, there have been over 70 fires in the Southeast. He said that North Carolina had a total of 14. He also provided information on specific fires and said that motivation for the reported fires includes racism, drunken teenagers, devil worshippers, burglars setting fires to hide their crimes, and fires set by firefighters. He stated that some of the fires were copycat crimes. Mr. Robertson concluded his statement by agreeing with other law enforcement representatives that there is no link between these fires and no known group(s) responsible for the fires.

In response to a question on the reporting of these fires, he said there is a problem with the reporting system on arsons in North Carolina, noting that the North Carolina Attorney General's office gets some reports and the Insurance Commissioner gets some. However, this problem should be corrected in the near future, he said.

The Advisory Committee moved on to hear Gene Troy, a human relations specialist representing Eddie Lawrence, Director of the North Carolina Human Relations Commission. Mr. Troy described the factfinding functions of his office and the information network called the "Hate Against Violence Information Network" where they do basic factfinding and coordinate with law enforcement and other community groups and organizations throughout the State. Mr. Troy said the agency is involved with the Governor's task force and is also taking a look at the training offered to law enforcement on police-community relations, with a view to including hate crimes and hate crime law. Mr. Troy said that he became involved and began his factfinding activities after learning the Durham office of the NAACP received a threat in May that churches would be bombed. Mr. Troy said that he has worked closely with the ATF, FBI, and the State Bureau of Investigators agents who are working on the fires. Responding to a question by Mr. Doctor, Mr. Troy explained that his office spearheaded the creation of the Governor's task force and said there were two agency members on the task force.

Next to address the Advisory Committee was William Simmons, a community relations specialist with the Charlotte-Mecklenburg Community Relations Committee. The 35 year-old organization, created to improve race relations in the community, deals with public accommodations, education, fair housing, and police community relations. Mr. Simmons noted that, based on his observations at the fire scene of the Mathews Murkland Church and conversations with various individuals, it is his impression that law enforcement agencies, Federal, State, and local, have performed their duties and responsibilities in an exemplary fashion and seemed to be doing everything possible to bring an end to the situation.

Mr. Doctor asked Mr. Simmons if he has noticed an increase in racial tensions in the Charlotte area or increased activity on the part of hate groups. Mr Simmons responded that he did notice increased racial tension in the area, but was not aware of any increased hate group activity. When Dr. Berry asked why he thought there was an increase in racial tension, Mr. Simmon said that he believes tensions are increasing around other issues, relating to jobs, economics, and housing.

The Advisory Committee next heard from the executive director of the Robeson County Human Relations Commission, John Campbell. He also serves as a rural Baptist pastor. Mr. Campbell spoke of the two fires from his area of service, Pleasant Hill Baptist Church (Lumberton) and Ohova AME Church (Barnesville/Orrum). He told the Advisory Committee that, instead of dividing and alienating people in Robeson County, the fires had brought people together. Mr. Campbell closed by stating that there was a need for human relations workers and increased awareness for tolerance and equal opportunity.

Mayor Pro Tem Robert D. Shaw of Lumberton next addressed the Advisory Committee. He spoke of the reaction to the fires in Lumberton, where city and county leaders used their normal 4th of July celebration as an awareness program. A proclamation/special letter was offered at the ceremony attended by some 12,000 persons, condemning the church burnings and praising the efforts by the community to move forward.

Ronald Parker, Fire Chief of Lumberton, spoke of an arson task force that was created in 1989, made up of officials of the fire department and the police department. He said they have over a 60 percent conviction rate for arsons committed in Lumberton. Chief Parker expressed frustration with the lack of priority given to get all arson cases investigated and said when cases do get to court, culprits sometimes only get a slap on the wrist. He asked for assistance from the Commission or any one else to help the fire service departments in North Carolina to get additional staffing and resources for full-time arson investigators. Chief Parker, responding to questions, said he was not aware of any deaths attributed to any of the fires that appeared to be racially motivated.

Dane Mastin, Sheriff of Wilkes County, said his greatest concern, upon notification of the fire at the Beulahland Baptist Church in Roaring River, was what the media would do to the investigation. He said that media attention makes it difficult for law enforcement to conduct proper investigations. He cited a number of motivations that might cause someone to start fires. Mr. Mastinn said, in his 17 years in law enforcement, there has never been a racial confrontation in the community. At Beulahland, located in a racially mixed neighborhood, with a predominantly white congregation, the fire was started by a white male. Sheriff Mastin considered that the boy was striking out at the community, who he felt had turned their backs on him. Sheriff Mastin offered a personal comment on the church burnings, noting that they are a symptom of the lack of love and respect that goes from the individual to the family to the community.

The Advisory Committee heard from its last discussant, Samuel Kaplan, director of the North Carolina-Virginia Anti-Defamation League. He said that ADL's 1995 report on anti-Semitic incidents showed a slight decrease nationwide but a drastic increase in North Carolina. North Carolina, he continued, is home to several national hate groups and icons of the hate movement, who continually recruit new members and peddle messages of hate. One such group is the National Alliance, a neo-Nazi organization that had a bulletin board outside Ft.

Bragg advertising "take our country back, join the National Alliance" with an 800 number listed. ADL, Mr. Kaplan said, has been working with the Army to provide training for military law enforcement about extremist groups and hate crimes.

Mr. Kaplan described efforts by the ADL and other organizations to raise money for rebuilding burned churches as well as to start a Bigotry Watch and to inform community institutions how to protect themselves. He observed that the situation has brought together people who may have been apart for some time but who have common issues to address. Mr. Kaplan said he is convinced that the number of hate crimes is much higher than reported and that a campaign is under way to encourage reporting.

Mr. Kaplan was asked about extremist groups in North Carolina, and he cited several in response--the Confederate Knights of America in Huntersville, the Christian Knights of the Ku Klux Klan in Charlotte and Mount Holly, the National Association for the Advancement of White People in Charlotte and Yadkinville, the National Socialist White People's Party in Chapel Hill, as well as a number of militia groups. Such groups are on the increase, Mr. Kaplan said, noting their use of the Internet for recruiting. He described ADL reports on the issue of hate groups using the Internet and their first amendment rights, and on parental guidance to children in this area.



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