

**Burning of African American
Churches in Alabama and
Perceptions of Race Relations**

**Alabama Advisory Committee to the
United States Commission on Civil Rights**

Transcript of a Community Forum
Held July 2, 1996, Boligee, Alabama

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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Birmingham

Ms. Charlena Bray
Birmingham

Ms. Nancy A. Carnley
New Brockton

Mr. Michael Davis
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Mr. Jerome A. Gray
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Ms. Freddi Aronov-Heilpern
Birmingham

Dr. Rex J. Morthland
Selma

Dr. George Munchus III
Birmingham

Mr. Jack W. Selden
Birmingham

Ms. Anne Shumaker
Centre

Dr. Annie M. Wells
Huntsville

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The community forum of the Alabama Advisory Committee to the U.S. Commission on Civil Rights convened at 5:30 p.m., July 2, 1996, at the Paramount High School, County Road 20, Boligee, Alabama, with Alabama Advisory Committee Member Dr. Annie Wells presiding. Other members of the Advisory Committee present were Mr. Rodney Max, Chairperson, Mr. Michael Davis, Dr. Rex Morthland, Dr. George Munchus, and Ms. Anne Shumaker. Also attending the meeting was Commission Chairperson Dr. Mary Frances Berry. Also present were Commission Staff Director Ms. Mary K. Mathews and Central Regional Director Mr. Melvin L. Jenkins.

Proceedings

Dr. Wells. Good evening and welcome. I am Annie Wells, Acting Chairman of the meeting tonight. The meeting of the Alabama Advisory Committee to the U.S. Commission on Civil Rights shall come to order.

For the benefit of those in our audience, I shall introduce my colleagues. We are pleased to have with us the Chair of the U.S. Commission on Civil Rights, the Honorable Mary Frances Berry. Also present of the agency, Staff Director Mary Mathews. Finally I want to introduce staff from the Commission's Regional Office in Kansas City, Melvin Jenkins, Regional Director, and JoAnn Daniels in the back.

The U.S. Commission on Civil Rights is an independent, bipartisan agency, first established by Congress in 1957 and reestablished in 1983. It is directed to:

Number one, investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, age, sex, disability, or national origin, or by reason of fraudulent practices;

Study and collect information relating to discrimination or denial of equal opportunity, of equal protection of the laws under the Constitution, because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

Appraise Federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

Serve as a national clearinghouse for information in respect to discrimination or denial of

equal protection of the laws because of race, color, religion, sex, age, disability, or national origin;

Submit reports, findings, and recommendations to the President and Congress;

And to issue public service announcements to discourage discrimination or denial of equal protection of the laws.

The Commission has 51 Advisory Committees, one for each State and the District of Columbia. Each is composed of citizens familiar with local and State civil rights issues. The members serve without compensation and assist the Commission with its factfinding, investigating, and information dissemination functions.

The Alabama Advisory Committee to the U.S. Commission on Civil Rights is here tonight to conduct a community forum on race relations in Greene County in the aftermath of recent fires at black churches. We also want to focus on Federal and local law enforcement efforts to solve these fires. Hopefully, this forum will give individuals an opportunity to discuss some of their concerns and ideas about the reasons these first occurred and also provide an avenue to search for solutions.

Our goal is to fulfill the guidelines that have been set by the Commission in terms of the Alabama Advisory Committee to be the "eyes and ears" of the Commission. Information which relates to the topic of the meeting will be especially helpful to the Advisory Committee. The proceedings of this meeting, which are being recorded by a public stenographer, will be sent to the Commission for its consideration. Information provided may also be used by the Advisory Committee to plan future activities.

At the outset I want to remind everyone present of the ground rules. This is a public meeting, open to the media and the general public. But we have a very full schedule of persons who will be providing information within the limited time we have available. The time allotted for each presentation must be strictly adhered to. This will include a presentation by each participant, followed by questions from Committee members.

To accommodate persons who have not been invited but want to make statements, we have scheduled an open session from approximately 9:45 p.m. until about 10:30 p.m. Anyone wishing to make a statement during that period should contact Ms. JoAnn Daniels in the back at the table for scheduling. Written statements may be submitted to Committee members or staff here tonight, or by mail to the U.S. Commission on Civil Rights. And if you'd like to write the address down, it's U.S. Commission on Civil Rights, 400 State Avenue, Suite 908, Kansas City, Kansas 66101-2406. And I'll repeat, the U.S. Commission on Civil Rights, 400 State Avenue, Suite 908, Kansas City, Kansas 66101-2406. The record of this meeting will close on August 2, 1996.

Though some of the statements made tonight may be controversial, we want to ensure that all invited participants do not defame or degrade any person or organization. In order to ensure that all aspects of the issues are represented, knowledgeable persons with a wide variety of experience and viewpoints have been invited to share information with us.

Any person or any organization that feels defamed or degraded by statements made in these proceedings should contact our staff during the meeting so that we can provide a chance for a public response. Alternately, such persons or organizations can file written statements for inclusion in the proceedings. I urge all persons making presentations to be judicious in their statements.

The Advisory Committee appreciates the willingness of all participants to share their views and experiences with the Committee.

The Chairperson of the U.S. Commission on Civil Rights, Dr. Mary Frances Berry, will now make a few remarks.

Dr. Berry. Let me, before I do that, let me just ask Melvin Jenkins, the Regional Director, to introduce the other members of the staff who are present tonight.

Mr. Jenkins. Okay. We have, to my far left, Michael Davis from Mobile, Alabama; Anne Shumaker from Centre; Dr. Rex Morthland from Selma, Alabama; the Acting Chair has introduced herself. We have at the far end Dr. George Munchus from Birmingham, Alabama, and Jerome Gray from Montgomery, Alabama.

Dr. Berry. Thank you very much. Let me just say that before I begin that Bill Lee, who is standing over there with his hand up, is the press officer who is in charge of the care and feeding of the media. He will be able to take care of any needs that you have.

Let me also say that the address that was given out by Ms. Wells was the address of the regional office of the U.S. Commission on Civil Rights. Our main office, like most Federal agencies, is in Washington, D.C. And we also have a hotline which takes information and complaints about law enforcement officials and anything else anybody wants to complain about, at 1-800-552-6843.

Let me just say that the Alabama State Advisory Committee has done wonderful work and the Commission as a whole is very grateful to them for putting together this community forum. They have put together community forums. It's part of their job. They do it all the time on major issues that occur in their State, as do all of our State Advisory Committees. They have been responsible in the past for working on some major issues, like the infamous Tuskegee study, which brought to light the inhuman treatment of black men by the U.S. Public Health Service doctors who deliberately infected these men with syphilis and withheld treatment long after penicillin was discovered. In the 1960s they did a number of reports on race relations in Selma and other reports that were important for some of the civil rights changes that occurred, and reports also in the 1990s.

Also I want to tell you that the Civil Rights Commission is very familiar with Greene County and very familiar with Boligee. We have done reports in the past on this county. We did one in

1968 called *Cycle to Nowhere*, which is available, which was about the social and economic and racial problems that existed and exist in this community. We did another one in the 1980s called *Fifteen Years Ago: Rural Alabama Revisited*, in which we looked again at Greene County and Boligee and Eutaw and looked at the racial climate here and the social and economic problems, and found that little change had taken place, that blacks had political power but not economic power. Today, we find that many of these features have not changed, and we're here to find out the ones that have and the ones that have not, and to try to get some kind of understanding of what's going on with this issue of racial and ethnic tensions in this community and what kind of solutions might be made.

What we're doing here, in particular, these church fires brought us here, the dramatic rise in African American church burnings in the Southeast, beginning last year, but even more sharp this year. And it came as less of a surprise to us at the U.S. Civil Rights Commission than most people in this country, and that's because for the last 4 years we have been investigating the resurgence of racial and ethnic tensions in the United States.

We have completed a number of reports, which are called *Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination*. I believe they should be required reading for those who argue that all is well with the Nation's race relations and the church fires can be explained away as the acts of a few mindless people and that as soon as we rebuild the churches, we can move on and begin dealing with the rest of our lives. At our last meeting the Civil Rights Commission warned that the destruction of the churches, and I'm quoting, goes beyond the sanctuaries themselves to attack the bonds of community and our foundations as a nation.

We begin the forums here this evening, in this State, and by July 18 we will have held forums in every one of the Southern States in which the majority of the church burnings has taken place, and I have taken it upon myself as Chair of the Civil Rights Commission to go out to attend every one of these forums. There will be reports done, first a transcript and a summary of the findings

within 30 days of this forum. Then after that a longer report and there will be one on every single forum that we have in order to try and figure out why we think this is happening, what we think the causes are, what we can do to have racial reconciliation in this country, and how we can go beyond the idea of these current arsons.

But we do need to find the perpetrators, and one of the things we want to do is to look at what the State and Federal law enforcement people are doing, and to see whether they are doing a good job and to see what the complaints are, and can they do the job better. That is why we have a list of witnesses who were invited by the State Advisory Committee to give us the kind of information we need and so that we can ask them questions, and then after that, we will listen to other people.

I have already been talking to people in this community who will not appear here—today when I was out, and I'll be talking to more of them tonight, who don't care to appear in a public forum. There will be others who do and are willing to appear in a public forum, who will come here. We're here to get information and we will have a report.

With that, let me proceed to recognize the mayor of this town, Boligee, Mayor Buddie Lavender.

Welcoming Statement of A.L. (Buddie) Lavender, Mayor of Boligee, Alabama

Mayor Lavender. First of all, I thank you all for being able to be here, with all of us being here, and I'd like to thank you for taking the opportunity to come in and hold this meeting for us. I feel like that this meeting is very necessary because we've got to get together and talk. We've got to lay our gripes on the table and let the healing begin from here.

And this is what I hope that happens here this evening and we really appreciate you all taking time out to come down to be here to hold this meeting. And thank you all for coming.

Dr. Berry. All right. Well, thank you very much for thinking of us and we very much appreciate your greetings. And now I want to recognize the distinguished Congressman from this district, the Seventh Congressional District, the U.S.

House of Representatives in Washington, the Honorable Earl Hilliard, Congressman Hilliard.

Statement of Earl F. Hilliard, U.S. House of Representatives, Seventh Congressional District of Alabama

Rep. Hilliard. Thank you very much. Let me first say that I applaud the effort of the Alabama Advisory Committee to the U.S. Commission on Civil Rights, and I applaud the effort of the U.S. Commission on Civil Rights for holding this hearing. I hope that the effort that results from this hearing will be fruitful and progressive.

First of all, let me invite those of you who are from outside of the State to the Seventh Congressional District. This is the home of George Wallace, Rosa Parks, Bull Connor, and Jimmy Lee Jackson. It is also the cradle of the Confederacy and the birthplace of the civil rights movement. And it's the place where Jefferson Davis took the oath of office as President of the Confederacy, but it's also the place where Martin Luther King introduced the doctrine of passive resistance.

It is a place that has a history of racial problems, but it also has a history of solving those problems, in a confrontational manner and in other ways. I applaud those who seek the other ways. So for that reason I welcome all of you here. This is one of the other ways.

There are two subject matters I would like to deal with. The very first one deals with the efforts of the persons involved with the investigation of the fires that have occurred. We have had nine such burnings of churches in this district. I fault the FBI and the ATF because I felt that they should have intervened at a very early stage, and I think that if they would have done that, then we would have been able to obtain or ascertain evidence that perhaps would have shown us an organized pattern.

If you look at the location of the fires that have occurred throughout this country, you will find that there are basically four clusters. Those clusters range in areas of South Carolina, Tennessee, Mississippi, and here in the Black Belt of the State of Alabama, which is located within the Seventh Congressional District.

Since that pattern has been established, the later fires have been in a scattered pattern, and I think this is the result of an unorganized effort, a result of attention being brought to the problem, so we have had, later on, copycats and firebugs getting involved. And I am sure that those arrests of those later fires will show that it was the result of an unorganized effort and just the act of some individuals acting in small groups without any type of organization.

Secondly, I fault the powers to be, the FBI basically and the ATF, because they failed to clearly define the issue concerning the burning of the churches in their investigatory patterns they conduct. They mixed the issue of burning fires with that of voter fraud. Voter fraud is an effort and has been an effort to intimidate African Americans who have voted in the past elections in the Black Belt. It has been used once before in a pattern that the Justice Department has stated clearly was unorthodox, that it was not legal, and the effort that has been used just recently, I think, may bear some resemblance to that. To mix those two investigations I think was a terrible mistake and I think one of the reasons why we have not had any positive results is because of that mistake, coupled with the failure of early intervention.

There are two other problems that we are very much concerned with. They are very much in a long-term nature. I'm concerned about rural churches being able to finance new construction, not just for today or tomorrow, but for next year and in the next decade. I'm very much concerned that they would have difficulty in obtaining insurance for those churches and that if they are able to get the insurance, if they are able to get financing, then the insurance and the financing would be costly, would be above market rates, and it would have a long-term impact on them being able to finance these churches.

I thank you very much for the opportunity to come and address this group, and I'll be happy to answer any questions that you may have.

Dr. Berry. Does any member of the Advisory Committee have questions or comments for Mr. Hilliard? Ms. Wells has a question for Congressman Hilliard. Then I have one.

Dr. Wells. I had a question in reference to the amount of money that President Clinton has allotted for the churches, \$6 million, I believe. I would like to know how that money will be used. Will it be used for anything, including insurance, new building?

Rep. Hilliard. I'm sorry. I'm unable to give you any information concerning that at this time. I understand that he has authorized certain Federal agencies to get involved. I do not know the level of those involvements at this time.

However, I did talk to some of the elected officials who are local in nature. They stated that they have also heard about those things, but they have not seen any of the monies as of this time.

Dr. Berry. You may be referring, Dr. Wells, to the idea that the President asked Federal agencies to give assistance from the various categories of assistance that they have, to the churches, as well as the money that has been requested and allocated to the enforcement agencies to speed up the enforcement, the package, but I don't know of any specific amount given to any specific church for any specific purpose either.

Does anyone else—yes.

Ms. Shumaker. Congressman Hilliard, how would you assess the benefit of the private donations and the private services that have been used or have been given to help the rebuilding of the churches?

Rep. Hilliard. There were two funds that have been set up at local institutions in this area, and to my knowledge, the last time I checked, there was only about \$14,000.

I also understand that as of yesterday some of the persons who had come here to volunteer their services in helping rebuild these churches were complaining because they were unable to get funds to buy materials with or that the materials that would be needed were not available, because they had not been purchased.

So whatever is being done, it is haphazardly done. I'm sure that because of the large number of churches involved in this area, it's not a centrally organized effort. I think that, in order for it to be successful, that there has to be someone organizing it, and that might be a little difficult,

inasmuch as you have so many churches and they are not all in the same county.

Ms. Shumaker. Since we have so many members of the media here, would you like to give an address or name of the bank to which people could make donations? I didn't mean to ask a hard question.

Dr. Berry. There's a staff member there. Do you have the answer?

Rep. Hilliard. I believe I have that somewhere in my notes.

Dr. Berry. When you have it, pass it up to us and we'll announce it.

Rep. Hilliard. Thank you very much. I'll be happy to do that.

Dr. Berry. I have one question for you if no other member of the panel does. Do you—yes, Mr. Davis has a question.

Mr. Davis. Congressman, I assume that you're in touch with the Federal agencies who have investigated to this point on what's transpiring. Have any of them divulged in any way, shape, form, or fashion why they think—I note a couple of people have been convicted already and they've been associated with some hate groups or whatever the case may be. Have any of these people divulged in any way, shape, form, or fashion why they did it?

Rep. Hilliard. The type of conversations we have had have been, basically, I have attended two hearings. One of them was put on by the Congressional Black Caucus and the other one we had a briefing by the ATF, as well as by the FBI, and that question did not come up.

But they did indicate to us that they had observed some patterns, and they were following those leads. And they were looking at those patterns. They were unable to say at that time that what had happened was a result of organized efforts or otherwise, because they had not solved any significant numbers. I think we're only talking about three and in those situations most of them were firebugs involved, and in one situation I think you had some youthful offenders.

I think that as we give notoriety to what has happened, we are in certain ways inviting copycats and firebugs to participate. Because of that I don't think you're ever going to be able to get any

patterns, enough evidence to point to any organized group. I think we did not seize that initiative early and we probably have lost it, so we probably will never know.

Dr. Berry. Could I ask you a couple questions, Congressman?

Rep. Hilliard. Please.

Dr. Berry. The first one is, What do you mean when you keep saying because we lost initiative or didn't gain initiative early?

What you referring to? You said that twice, but you didn't say who didn't gain the initiative and who didn't do whatever they were supposed to do?

We have some more witnesses here who are involved in law enforcement and we're going to be asking them these questions. What—

Rep. Hilliard. Very good. I hope that you ask them when they initially got involved. As you know, many of these fires have been set more than 2 years ago, and it's my understanding that late in 1995 the ATF and the FBI got involved. And I think that at that stage it had become a commonplace thing, and it was too late to really ascertain and really get evidence that may have established a pattern.

Dr. Berry. So you're just saying that they didn't take it seriously at the beginning and waited too long to take it seriously? Is that your point?

Rep. Hilliard. I think they waited too long to get involved.

Dr. Berry. Okay. The second question I wanted to ask you, you said that now, with copycats and the like, it may be impossible to find a pattern, or words to that effect, and that calling attention to it may stimulate copycats, if I understood you correctly.

Are you suggesting that we should not call attention to the fact that the burnings have taken place or even be discussing them, and we shouldn't even be here having the forum and we should all just not talk about it, or what are you suggesting?

Rep. Hilliard. No, I'm not suggesting that at all. I'm just saying that because of the fact that emphasis is being placed on what has happened and what is happening, we probably will have persons who are natural firebugs or who partici-

pate in these type of activities decide to do it just because of the notoriety of the act.

Dr. Berry. What should we do about that?

Rep. Hilliard. Well, continue to investigate. I don't think you ought to stop. Please don't stop.

Dr. Berry. Okay.

Rep. Hilliard. You don't have a choice in this matter.

Dr. Berry. All right. Because I know that happens every time there is some kind of—

Rep. Hilliard. Yes.

Dr. Berry. —crime, you have copycats. The question of whether you should talk about something or not is, you know, it's sort of like if you have vermin all over the place and you don't say anything about it, maybe it keeps growing or do you expect them to die if you don't. I just wanted to be clear about what you meant.

Rep. Hilliard. Well, you have to continue; if necessary, you have to accelerate the effort.

Dr. Berry. Okay. Thank you very much. I appreciate your comments, and if you get that address, please pass it along to us or we'll get it from one of these other people here.

Rep. Hilliard. I'll have it to you shortly. Thank you very much.

Dr. Berry. Thank you very much for being with us. We appreciate it.

Our next witness is Rev. Levi Pickens, Mt. Zion Baptist Church, which is a church that was burned and is being rebuilt and that we went out to see today and talked to people out there. Reverend Pickens, could you come forward, please, if you're here? Thank you very much for being with us, Reverend Pickens.

Statement of Levi Pickens, Pastor, Mt. Zion Baptist Church, Boligee, Alabama

Rev. Pickens. First, I'd like to say good evening to everybody and I'm the pastor of Mt. Zion, Boligee, where I have been serving for 5 years, and our church has been burned.

We are in the process of getting it back in operation again, and I'm just astonished at what's going on. Every time you turn your radio on or a TV on, you hear of a church fire. It seems to me that it's something that's going on wrong. We're supposed to be Christian brother and sister.

We're supposed to have love in our heart. And every time we kill something, then I don't approve and I don't believe God approves of it.

And something is the cause of it. First, we want to say that we realize that we're having problems. If you don't realize that you have a problem, you don't know you have a problem; then you don't have a problem. Somebody else has a problem.

From what I been hearing, that we don't have a problem here in Greene County—I've been living here around 71 years, and it hasn't just now started. I wish that we could do something about it. Somebody said that we don't have a racial problem. I don't go along with that, because I know we do.

I can remember just a few years ago I was in the seminary. We had a white teacher, and just as soon as his congregation found out that he was teaching the black ministers, he had to leave town.

We have a problem and we just have to admit that we have a problem, and we ought to have enough love in our hearts to solve our problem where we come down to living together. God created all of us equally. God intended for all of us to live in this great big world.

I'm supposed to have all of the rights as anybody else has, but we don't have it. And I'm praying to the Lord that after today that we will not have this problem.

Thank you. If you have any questions?

Dr. Berry. Does any member of the Advisory Committee have any questions for Reverend Pickens? Yes, Michael Davis.

Mr. Davis. Yes. A lot of times, Reverend, crimes of hate are initiated to invoke fear. I'm curious to know how has this affected your congregation, the members. Has it slacked off participation, Sunday services, or so forth? And if that is the case, what type of ramifications, repercussions are you getting again, trying to spread your message?

Rev. Pickens. I don't think that it had anything to do with the congregation. It looks like to me they are attending just as they was before the church burned. And we got the faith that God's going to build the church back, and I'm getting good response on the congregation.

Ms. Shumaker. And from outside the congregation?

Rev. Pickens. Outside of the congregation? Yes. Yes, we're getting response from outside the congregation.

Ms. Shumaker. Did your church also have some insurance to cover any of your losses?

Rev. Pickens. No, we didn't have enough to cover the loss.

Dr. Berry. Mr. Gray.

Mr. Gray. Jerome Gray. You mentioned that you have a race problem still in Greene County, and you talked about the minister who was teaching at the seminary, he had to leave town.

Rev. Pickens. Right.

Mr. Gray. What has been the response from the white clergy since the church burning in terms of support or lack thereof?

Rev. Pickens. Well, I had response from two pastors. One invited us to come in and have worship service with them and use their church.

Dr. Berry. And other—Dr. Wells?

Dr. Wells. I have a standard question that I would like to ask now once and for all, to each of the ministers and any other presenters, and that is if you will, you may choose not to, but if you will, give us a hypothesis as to the reason your church was burned. In view of the research that I have read, it indicates there are a variety of reasons that these churches are burned, and I am sure that the victim churches that are burned would have a hypothesis, as to whether it's race or any of those other factors.

Dr. Berry. Do you have any idea or any thoughts or any idea why your church burned, since we don't know who did it?

Rev. Pickens. Maybe I can answer that question. The person that burned down our church, in my judgment they do not know Jesus Christ and they do not have love or respect for God's church.

Anything else?

Dr. Berry. Let me just ask my question. You said that there is a race problem in Greene County.

Rev. Pickens. Yes.

Dr. Berry. Now, I said before I got the microphone so you could hear what I was saying, that the Civil Rights Commission knows this

county very well. We came down here in the 1960s and did a report called *Cycle to Nowhere* on these rural Alabama counties, including Greene. And we came down here in the 1980s and did another report called *Rural Alabama Revisited* and have a whole section here on Greene County. And we talk about the racial segregation, white academy and the black public school system, part of which we're sitting in right here. We talked about the need for jobs and economic development, and we talked about blacks having political power and no economic power. And we talked about racial hostility persisting in that report.

I've been here today and I've been out running around the county here. I found the same white academy I saw the last time I was here, that's talked about in this report; the same black public school system; the same poverty in both races.

Rev. Pickens. Right.

Dr. Berry. A lot of catfish ponds. They don't seem to take much labor, I'm told. I've investigated catfish ponds.

And I've seen a lot of things and talked to a lot of people. Now, what has happened in Greene County since the last time we did this report to make the economic condition of everybody better, to relieve the race problem? What are the changes that have happened that you can see and why do we still have a race problem in Greene County?

Rev. Pickens. I just cannot answer that why we have, because I don't know why we have, but I do know that we have it.

Dr. Berry. Do you know what could be done about it?

Rev. Pickens. No, I don't unless of all of us, do like David, the Creator gives me a clean heart, and renews unto me the right spirit.

Dr. Berry. Okay. Well, do you think that when your church is finished rebuilding—we went out and looked at it. It's coming along real well—do you think when it's finished, the building is finished, the other two churches, the building is finished, they're coming along too—

Rev. Pickens. Right.

Dr. Berry. Will that solve the race problem in Greene County?

Rev. Pickens. No.

Dr. Berry. Still be here?

Rev. Pickens. Yes.

Dr. Berry. Okay. If nobody else has any questions—Mr. Jenkins has a question for you.

Mr. Jenkins. Several years ago the Alabama Advisory Committee issued a report calling for a State Human Relations Commission, a commission that would be able to go into a community such as Boligee, Eutaw, to sit down and mediate problems concerning race. If we had a commission in place in the State of Alabama now, do you think that would be able to start bringing people to the table to honestly talk about the race issue and to carve out solutions for racial justice?

Rev. Pickens. I think it would help, but we must remember that the racial commission is not going to stay here. There is a space between the time you leave and the time you come back.

Dr. Berry. That's a good statement, because there's a space between the last time we were here and the time we're coming back here.

Rev. Pickens. That's right.

Dr. Berry. Well, thank you very much, Reverend Pickens, for being with us.

Our next witness is the Honorable Garric Spencer, who is the Chairman of the Greene County Board of Commissioners. The county seat is in Eutaw, right down the road, and Mr. Spencer is the Chairman of the Greene County Board of Commissioners. Thank you very much, Mr. Spencer, for being with us. We appreciate you accepting our invitation. Please proceed.

**Statement of Garric Spencer, Chairman,
Greene County Board of Commissioners,
Eutaw, Alabama**

Mr. Spencer. Good evening. First of all, it's a pleasure having you in Greene County, and I'd like to personally thank each and every one of you members for coming.

I'd like to echo a little bit of what our Congressman said a few minutes ago. It is my opinion of the situation is that the FBI and ATF got here too late. I think that the trail was cold. I think had they got here earlier and investigated earlier, that we may have found somebody who set these churches on fire.

I also have a very serious problem with the FBI in particular. I have not talked to any ATF

agents, but the FBI engaged in a very serious investigation here in Greene County in regard to absentee ballots. They have intermingled the church burnings and the absentee ballot probe in Greene County, and it in many instances had tormented senior citizens and those folks who work out of town on election day or out of the county on election day, who vote by absentee ballot. I cannot understand how somebody can be questioning a person about absentee ballots and at the end of that conversations say, "Well, do you know anything about those church burnings?"

They're already intimidated enough and I think the FBI has done its mission—it has in the last election, if you would look at the results—it has crippled people who vote—many of those folks who have no other means of voting, they can't stay off work and vote, so they vote by absentee—but these folks are in the county and have struck fear into many of the voters in Greene County, and they've also struck fear into folks who if somebody would possibly know somebody about the church burnings, they're so afraid of the FBI, that they're afraid to talk to them.

I think that if the FBI or if the Federal Government really wanted to do something to help to find out who burned these churches in these local communities, that it would behoove them to get with the local district attorney, the local sheriff. People are more comfortable dealing with folks that they know. They're intimidated to death by these guys with these big bags and who are saying anything and everything to it—that's a real problem.

You asked a question a few minutes ago, Is there a problem with race relations in Greene County? We're not fighting in the streets or slapping each other everyday, but one only has to ride up through Eutaw and ride right outside of Eutaw and there's Warrior Academy. Right down the street from there there's Eutaw High School, Paramount High School, the building that we sit in.

It is my understanding that 99.5 percent of the children in this school are black children. One hundred percent of the children in Warrior Academy are white. Well, there's something wrong.

There's clearly something wrong with race relations in this county.

I ponder the question, How can we best go at solving who is burning our churches in Greene County? One of the answers I think the way that we can solve it is that blacks and whites of this county have got to come together and we've got to start, one, in the school. We've got to start with children going to school together.

The second place that we've got to start is in the churches. It's either a black Methodist church or a white Methodist church. There isn't any black and white Methodist church in Greene County. There isn't any black and white Baptist churches. We're separate, even at the churches.

I believe that if somehow we could bring ourselves together in the churches, and then we'd be really worshipping where love is, and I believe if this love grew, then we wouldn't have a problem with burning churches in this community.

I'll try to answer as many questions as I possibly can.

Dr. Berry. Okay. Does anyone have any questions for the Honorable Chairman of the County Commission, Chairman Spencer? Mr. Davis has a question.

Mr. Davis. I've always believed that the basis for any good relationship is communication. You've already alluded to that, whether it be religious, economic, or educational, or whatever the case may be. As the county commissioner, what are you and your fellow commissioners doing to spark ongoing dialogue and integration in business through your chamber of commerce; what are you doing to again spark communication, say, from this Warrior Academy and administrators of it and cycle that interest back into your public school system? What are you doing to involve recreation with regard to the color barrier, so on and so forth? Please speak to that.

Mr. Spencer. Well, let me—I want to talk about the board of education and the county commission and go from there.

When the whites were on the board of education and the county commission, it was all white. When the blacks took over, it was all black. In an effort to give whites a voice in county government, Sen. Tate Samuels, who is State senator

from this district, and Lucius Black, some years ago—I think back in 1986, decided that they would give—at our request that they would give whites a chance to have a voice in county government and a voice on the board of education.

So we went to single-member districts and carved out a specific district so that whites would have representation. We felt like that if we put a white member on the board of education and a white member on the county commission—specifically the board, first of all, we put a white member on the board of education—that the effect of that would be maybe we could get some whites back into the school system and we could move forward.

To date no white has run for that seat, and that seat is probably 70 to 80 percent white district. The whites chose to run a person on the county commission, Commissioner Beachum, who has been on there since that district was established.

So we have tried. I remember a project through the board of education was called Project Come Back, that was to try to get whites back into the school system, but to date we have not had any efforts along those lines.

I am not giving up over. Over the course of the last couple or 3 years, we have had some involvement with whites, as we're working with economically and just across the street here we're building a \$9 million plant, and we've had great cooperation from the city of Eutaw, from the industrial board, and many whites in this county.

So maybe we are—hopefully we are—we're going to break ice with economic development and hope that we can work towards harmony in this county.

Ms. Shumaker. Just for my own information, I'm curious: Are there any communitywide ecumenical religious services, such as a hymn festival or Thanksgiving service or July 4 patriotic service or anything along that line, that would involve people of all denominations?

Mr. Spencer. There are a few of those around Christmas time that involve Christmas singing, and there are some church groups who are assigned to break the ice and do that. A church in my community, Johnson Hill United Methodist Church, is working with a youth program, and they are

involving some whites—again, they're on the cutting edge and they're trying.

Dr. Berry. I wanted to ask you, Mr. Spencer, what effect has the competition to the Greene County Greyhound Park had on the availability of revenues to make improvements in the public schools and other tax-supported enterprises in the county? When we did the report, *Rural Alabama Revisited*, and the section on Greene County, we were told that the revenues generated by the greyhound park were very instrumental in trying to improve the schools, and some of it was funding Project Come Back that you just were talking about to try to attract white students back in the public schools.

I understand that the greyhound park isn't doing too well or something because of competition from casinos and other things. What impact has the availability of funding had on your ability to carry forward some of these initiatives that you had underway?

Mr. Spencer. It has hurt, it has hurt, it has hurt. It's hot in here today. We don't have airconditioning in the schools, and the reason being that the board of education does not have the money.

I don't know if there's one in here that is not repaired or I don't believe that there's one in here, period. The board of education used what money they were getting from the greyhound track to try to hire more teachers and to educate our children better, and we are at the point now where the money is so little that we have got to find some means of raising some monies to even continue the level that we are right now.

Dr. Berry. Today we went up and visited the Warrior Academy, which we also wrote about in that earlier report. Some reporters followed us up there and went in with us, and I guess they didn't know quite where they were or what they were doing. Warrior Academy is a white private academy, and so they were using their camera to look at the pictures of the graduates on the wall.

Mr. Spencer. Yes.

Dr. Berry. And finally one of them said, "They're all white. They're all white from beginning to end." And I wanted to say, well, that's the point, just as it was 20 years ago, just as it

was 20 years before that, in these communities and across the country, we have a problem with no school desegregation and racially isolated schools, but in particular here with the flight to the academies; it's still perpetuated now.

That's what I meant when I was talking about whether the problems we wrote about them have addressed, and so that told us something when the reporter even said, "What does this mean, all these people are white?" You know, what happened to the other people?

Do you have plans to replace the revenues from the greyhound park with some other kind of economic development enterprise, which everybody says is sorely needed here in Greene County?

Mr. Spencer. One of the things about economic development is that, in the first few years, the only benefit that a county would get out of it would be putting your people to work, because most of the industries and so forth want you to give so much to get them in. You don't benefit tax-wise probably 10, 20 years from now, but our benefit will be putting ourselves to work.

So we've got to find another way to fund the county government as well as the board of education, and a way to do that is *ad valorem* taxes, and we have been talking and looking and hopefully in the near future we'll put something together with *ad valorem* taxes.

Dr. Berry. Okay. One other question.

Mr. Gray. Mr. Spencer, I believe you all have two newspapers in this county. I'd like to know what has been the experience of that coverage of the church burnings and what has been the spin put on that, and also kind of give us some background as to those two papers in terms of how they have covered race relations in Greene County, say, for the past 10 years.

Mr. Spencer. Well, and I want to be very honest with the Committee today. I don't read but one paper in Greene County. There's one paper in Greene County that when I pick it up, I know that it's going to lambaste. It is going to lambaste folks that I work with. It's going to try to find anything bad on me and write that about me, and I make it a weekly ritual not to read that paper.

I read the *Greene County Democrat*. I think that it has done a good job in covering all the

events that's surrounded by the black church burnings.

What has been put in the *Greene County Independent*, you would have to ask somebody else, because I just don't know.

Dr. Berry. The last question is you have mentioned the inquiry or the investigation into absentee ballot voter fraud.

Mr. Spencer. Yes.

Dr. Berry. What stimulated those investigations from your perspective and why were they being carried out at the same time?

Mr. Spencer. I don't know why they were being carried out at the same time. I guess because the FBI were in here investigating the voter fraud, and they just decided to throw the two together. I think they're in here investigating absentee ballots to stop black folks from voting, and I think if one would look at the last election, the run-off, and the election before that, that they have accomplished what they came here for, but we are the black folk, we are black people. We're going to regroup, and in the next election we're going to vote more folks on absentee ballot.

Dr. Berry. Okay. Thank you very much for your participation. We really appreciate it. I want to take the opportunity before I introduce the next witness to introduce the Chairperson of our State Advisory Committee, Mr. Rodney Max, who is right here. Mr. Max is a distinguished attorney in Birmingham, with Sirote & Permutt, and he has devoted his energies to the State Advisory Committee's activity and has been one of the most effective State Advisory Committee members and Chair in all the time I've been on the Commission and I've been on the Commission for too many years.

So I'm very pleased that you've arrived, but we decided that I will go ahead and introduce the next witness and that's what I'll do.

Our next witness is Mr. Spiver Gordon from the Southern Christian Leadership Conference, who is the local leader of the Southern Christian Leadership Conference here in Eutaw, Alabama, and is a member of the City Council of Eutaw. Thank you very much for being with us.

Statement of Spiver Gordon, Southern Christian Leadership Conference, and Member, City Council, Eutaw, Alabama

Mr. Gordon. Let me just say that I certainly appreciate the fact that you've come to hear our story, and I want to particularly congratulate you and am familiar with your work and the good things that you're doing and what this Committee is doing.

I just hope that what we do here tonight in some way will help bring this community together and get some truth out. One of the things that I understand that you're trying to do is to ascertain race relations before the church burnings and race relations after the church burning.

And I listened to much of the testimony that was given by persons who preceded me, and I hope those questions are asked of me, because I want to be able to respond. And my response might be a little different.

Let me preface my statement by saying that I don't walk on eggshells and I don't put my head in the sand and pretend that things don't happen that are happening, and if I offend anybody, it's from the head and not from the heart. But I'm going to tell it just the way I see it and just the way I think you want to hear it. Any other way it would be what's going on in this community now—denial.

And I think that's what's going on in the State. I think that's what's going on in this nation. It is denial that we are in a serious problem with race relations, and I say to you, Mr. Spencer was asked by Mr. Gray about news coverage in this county, and I'll tell you that the number one problem in Greene County, Alabama, that is responsible for racial discord, that is responsible for the hate, the division, the mistrust that's going on in this community is printed in this what is supposed to be a newspaper, all kinds of lies, manufactured lies, and I know that tomorrow I'll be the subject again of an editorial full of lies again.

In fact, we were told before we came here tonight how to behave by the *Tuscaloosa News*, that we—

Dr. Berry. Now, now, you're not supposed to name—

Mr. Gordon. Okay, I'll try not to—

Dr. Berry. —people or organizations; otherwise it violates the defame and degrade portion of our statute, and we have to give them an opportunity to respond.

Mr. Gordon. Well, let them respond, but I'm just going to tell it like it is. I'm not going to behave the way folks want me to behave. I'm going to tell what I see as problems, and there are serious problems and the problems prior to the church burnings that were here, and they're still here.

We have problems at the United States postal system. Black men have complained to me about racial discrimination that's going on in the postal system. We have written and we called and we've tried to get some investigations going, and hopefully perhaps we'll get around to having that done.

With respect to the church burnings, I agree with Congressman Hilliard that the initial investigation was lackadaisical; it wasn't intensified. In fact, they weren't serious at all. The ministers who were spoken with were asked the question—the one minister who was asked—are there any drug dealers in your church? Without any context, he was asked that question, which in my opinion is totally insensitive and it's kind of what's happened all over the country with all of the other ministers.

The wrong people are being investigated. The victims are being investigated as opposed to the people who are the actual people burning these churches.

I don't think that the State fire marshal is right when he says that this is a "suspicious" fire. You have to know where these churches are. In my opinion they were deliberate. Someone burned these churches, and I know who has the history of burning churches. It isn't black folk.

It's the same old group, the Klan, the Skinheads, Aryan Nation, and all of those hate people are involved in this thing, and whether or not it's a national conspiracy, I don't know that, but I do know it's a conspiracy of hate that's out there, that's perpetuated by people in high places, people who are fanning the fire and who make it almost fashionable for people to be racist now.

In this community, when the few ministers who are white who have come forward and tried to get

the races together at several churches—and I'd like to name names, but you don't want me to do that—they are no longer preaching at those churches anymore. They are gone. They have been gotten rid of because of their attempt to bring the races together.

Now, I'm not suggesting that anybody is beating anybody over the head or doing like they did in the 1960s. It isn't done that way anymore.

We are dressed-up folk, using coded kinds of things, calling themselves coalitions of blacks and whites, when in reality they are phonies, because they're excluding the people who have been fighting for 30 and 40 years trying to change things in this nation and in this county.

You cannot have a coalition, in my opinion, when you try to do it around politics. And that's the only effort that has been put forth by folk here who want to say we need to come together and coalesce around politics. We can't do that because in Greene County, Alabama, the most segregated hour in this county on a Sunday is still 11:00 with our churches.

Our churches are still segregated. You've heard about the schools. We've got two schools. We've got two banks. We've got two graveyards. We've got two swimming pools. We've got two too many of the wrong things as opposed to trying to bring us together.

And the people who stand up and who tell the truth, they are projected as troublemakers, outsiders, folk who are not concerned about the people, and yet when people get in trouble, they know who stands with them, they know who are with them, and I just think that this Committee needs to look into a whole lot of things in this county in terms of what is going on under the cover.

Mr. Spencer's absolutely right. Every week there are negative articles about black people printed, and if you keep saying that this particular group is wrong, today they're wrong, tomorrow they're wrong, people begin to believe that they're wrong.

And this is not going to change until folk recognize that they don't have a monopoly on accountability and responsibility. There is a group of folk in this county who think they are the only ones who are accountable and who are respon-

sible, and just keep appearing in the newsprint suggesting our black leaders are irresponsible.

I heard a whole lot of talk and I read in the newspaper about all this money that's coming into this county. Well, it isn't coming here. I understand, Mr. Jenkins, you've brought a whole lot of money in this county, and there are all kinds of stories about money—well, it's in the paper.

I've been meeting with the Mennonites, a fine group, with the Quakers, a fine group of young people, who are working here, and they need money to build these churches. Now, I know that there is money out there, but it isn't here. I think, to date, we've raised collectively about \$125,000; I think that's what we've raised through national media, through getting it on public radio and just talking about this thing.

I disagree with the Representative about whether or not we ought to expose this thing because of fear of copycats. I'm not worried about that, because it's the same old thing. There aren't any copycats. They're racists. If they're doing it, if they're copycats, why are the copycats passing white churches and burning black churches?

Why are the thrill seekers passing white churches and burning black churches? Their race is at the core and that's what is behind all of this thing is hate, because it's being fueled by people at the top, presidential candidates saying things, the Governor of Louisiana against affirmative action, Governor of California against affirmative action.

The so-called "angry white men" are pointing at black people saying we are taking the jobs, when all of us are suffering. When there's downsizing on plants, they're closing—there are all kind of problems in this country and to sit here and try to deny that we don't have racial problems, because we are affected, just as the nation is affected.

The reaction to the O.J. Simpson jury is ridiculous, but it was a reaction. That's out there. We all know what that reaction was. The Rodney King beating, the other kinds of beatings that are taking place, all have contributed to where we are now with these churches going up in flames, with people getting out there burning churches.

Now, that's my gut feeling. Conspiracy is a legal term, and I can't talk about that, but I can

talk about the conspiracy hate that I see that's out there, and some of the same things that's in this nation is happening right here in this county with so-called people who say they're for togetherness, and yet we find so much division at our churches and in our schools and in our communities.

Dr. Berry. May we ask you some questions?

Mr. Gordon. Surely.

Dr. Berry. Does any member of the Advisory Committee have a question of Mr. Gordon? Chairperson Max.

Mr. Max. Spiver, what have you seen in terms of a State response to both the church burnings and the race relations before and after, and when I say State, I'm referring to the public leaders at the State level?

Mr. Gordon. What I've seen has been very negative. A person has sent a letter to the Governor asking the Governor to take a position on these church burnings, and I cited 10 different racial things that had happened in western Alabama, and the basis for his needing to get involved.

His response was, shortly after my letter, was to establish at every welcome center in Alabama the Confederate flag. That's been his response.

And when the President called the Governors to go to Washington to meet with him to discuss this issue, our Governor was too busy and could not attend. The attorney general has been playing politics with this thing. Unprecedented in this county, a young black district attorney, in fact, the first one in the nation, has been removed from a case—this has never happened before—by the State attorney general, a case involving a judge whose family was almost killed. He was almost killed. His house was shot into—and I don't care what the rumors are or what people say, the attorney general in my opinion has a responsibility to say, "This is wrong; we're going to do something about it." And to take an aggressive, articulate, well-trained, well-committed, young black district attorney off the case, in my opinion, borders on rank racism.

Dr. Berry. Any other member of the Advisory Committee have a question? Let's just point out that, the Civil Rights Commission, the national Civil Rights Commission has been very interested in this issue of church fires since early January,

February. And our State Advisory Committee that's sitting here, Mr. Max on their behalf, wrote a letter to the Governor of Alabama, Mr. James, asking him for a meeting to discuss the fires in March of this year.

He got back one of these form letters signed by some low-level bureaucrat—I'm calling him that; does that defame and degrade?—"The Governor appreciates your interests; however, due to demands on his schedule, we cannot schedule a meeting between you and your organization to discuss this issue."

We get meetings with the President of the United States. He's busier than the Governor of Alabama, I'm sure. And not just this President, but other ones. But this Governor of Alabama has too many activities on his schedule to even deign to give Mr. Max the favor of a reply and has some form letter sent by somebody.

Did he ever call you or write you after that, Mr. Max, to apologize for "dissing you," as we say in the community, and to ask you to meet with him?

Mr. Max. I guess I have been dissed, but after that we sent approximately 3,000 names to the Governor, explained to him that in Birmingham we were able to, through the churches, the synagogues, and the community sector, private community, show support for the churches that were the victims of the hate, for the individuals who were the subject of the hate, and we encouraged the Governor, as the leading public official of the State, to make a statement and with these petitions encouraged that. To date we have not heard from the Governor.

Dr. Berry. Maybe someday the Governor can fit into his busy schedule some concern for this matter. We may have some recommendations as to what people might do in that regard.

We have one other question for the—

Mr. Gray. Mr. Gordon, you were part of the Commission study in the 1980s, *Rural Alabama Revisited*, and the Chairperson of the Commission has indicated and summarized that report. In looking at 1996, we again come back, we look and note the lack of progress. Where do we go from here in terms of racial relations for Greene County or for west Alabama?

Mr. Gordon. Well, it's what I've always said and what I say now, we've got to get our hearts together and not our heads.

I believe that the solution to this problem that we have, this racial gap that exists here, can be resolved when the ministers of this community, when the churches of this community—the churches unfortunately are being destroyed now—in my opinion is the only hope for us, because there's so much hostility at political meetings. There's so much division at other kind of meetings.

Let me just give you an example of what I saw happen at one of the churches here. A young minister came in this community at one of the churches, and he invited people, blacks and whites, to breakfasts, and to sit and to talk, and that went on for 2 or 3 weeks, and in my opinion we were beginning to talk and we were beginning to at least get to know each other and learn a little thing about each other, and then suddenly he's gone. He's shipped out. The parishioners have gotten rid of him.

I think that it's going to have to come through churches. We're going to have to recognize that we're all God's children, that we're all the same blood, and that we're all human beings and that's my hope, that we will come forward and work toward resolving those problems, but we have to do that from a position of respect. We've got to respect each other and I don't see that's happening.

Dr. Berry. I would think—yes, Ms. Shumaker.

Ms. Shumaker. Is there an organized ministerial association with officers who could lead an ecumenical-type service in the community and really get this cooperation going?

Mr. Gordon. I think there are a couple of them here that—and to answer the question, yes, that could do that if they choose to do that kind of thing. But I think what the ministers have done, have kind of sat back and leaving it to a group that called themselves coalition of blacks and whites, that have excluded the elected officials and the civil rights people from any meaningful discussion, either through a tax or either through not involving them in what they're doing.

So I think the ministers have just sat back and said, "Well, it's being addressed," when in reality it's not being addressed, or they're afraid that they're going to get shipped out next, if they get involved.

Dr. Berry. Okay. Another question from—

Mr. Gray. Councilman Gordon, you indicated that the only coalition building you've seen this county has been limited to politics only. Did you see or do you see or was there ever an opportunity with the Greene Track, since I know Paul Bryant, Jr., was a major player in getting that started, to have an economic coalition of blacks and whites in this community with I guess Greene Track of being maybe the focus. Has that happened?

Mr. Gordon. No, that has not happened.

Mr. Gray. Why do you think it didn't?

Mr. Gordon. Well, I think because Greene Track was primarily interested in making money, and in fact I know that certain people were excluded from any kind of discussions that was going on about Greene Track.

The only discussion that takes place, meaningful, honest discussion, that takes place between whites and blacks, happens either at city council meetings or it happens at industrial development meetings, industrial development board; that is a limited amount of meaningful, honest discussion that takes place.

What people call honest, open dialogue is folk who have chosen as leaders of black people who meet with them and say what they want to hear, and they call that meaningful dialogue; so that isn't happening.

Dr. Berry. Thank you very much. Those are all the questions. Thank you very much, Councilman, for being with us. Just a minute, Mr. Max wants to make a statement.

Mr. Max. Spiver, before you leave, I think it's appropriate for me to make this statement now, and I want you to know that I'm going to make it to every minister that comes before us tonight, and you have mentioned bringing ministers together, and I think that is the place to begin.

On July 16 at probably the most famous church that stands for hate in the South, and that is the 16th Street Baptist Church, a coalition is going to come together, Spiver, but it's not a political

coalition. It is a coalition of right-minded citizens from the metropolitan Birmingham area, and they have asked me to reach out to you, and to every minister and to every citizen of this community that has been the victim of the hate over the last few months, to come visit with us on July 16 at 7:00, at 16th Street Baptist Church. There will be speeches. There will be prayer. There will be contributions made, not only to get to your churches here and to get to rebuilding of communities.

There will be more said about this as we go through the night, but I didn't want you to leave without knowing that and, please in the networking that you'll do in your community, please make that be known. We want to invite those from this area to be a part of our community and we want to reach out to your community because we want to— whoever it is out there, that thinks about burning, destroying, or harming any minority, that this community, our community, my community and your community, stand together and you will not stand alone.

And the result is going to be a bigger, stronger, church than you ever had before, and please pass that word along, because we want to see you there. We want to see ministers there. We want to see our community at 16th Street Baptist Church on July 16 at 7:00 p.m.

Mr. Gordon. Mr. Chairman, I just want to leave with you copies of what I see as a problem that's happening in this country. This is a copy of a leaflet that was sent to a 92-year-old black minister who had his church burned down. "Niggers will destroy America."

Then this is a letter that's addressed to "Reverend Nigger Lewis" that says, "I pray every night with millions of white people that every Nigger church will be burned."

This is the kind of hate that—and this guy has his telephone number, his name, and he's a real, live living person, and I've spoken with him and perhaps some of you can call and talk to him, because this brother is in dire need of a doctor.

Mr. Max. Are you telling me that these two documents you're giving us—have they been delivered to the reverend at or about the time of these burnings?

Mr. Gordon. He got them a couple of weeks ago. Reverend Lewis got one and Deacon Henry Carter has one. The district attorney is aware of that. I've sent copies to the Justice Department, and I'm sure the district attorney is going to do his job and going to investigate those, but that's the kind of hate that I'm talking about that's fashionable in this country, when a man will put his name on it, his address, his telephone number, and who will talk with you if you called.

Dr. Berry. Thanks a lot. While we're calling up the next witness, I want to say another word about the Governor of Alabama. Our next witness is Booker Cooke, who is a staff member of the Greene County Board of Commissioners in Eutaw, the county seat.

But what I want to say about the Governor is I understand from Mr. Max that the Governor—and I know this, the Governor didn't go to the meeting that the President called of Governors—to discuss these issues. The Governor has yet to issue any statement concerning these issues.

He did announce a reward for finding the perpetrator, but it's just the kind of failure of leadership that the Commission has found over the years is a major problem in the perpetuation of racial and ethnic violence and hate crimes, when political leaders fail to speak out, when political leaders, whatever their political party or political persuasion, do not exercise the kind of leadership that says that this kind of behavior will not be tolerated, all it does is to exacerbate racial tensions and to make people feel that they are justified in what kind of behavior.

So I am tonight inviting the Governor of Alabama again to please speak out and make clear his denunciation of this and make clear that this kind of behavior will not be tolerated. He wasn't even persuaded by 3,000 voters on a petition. I don't guess he's going to be persuaded by me. I don't vote in Alabama. But at least I will make that appeal to him, as I will make an appeal to every Governor in every State where we go to be forthright on these subjects, and I just think that that's important.

But let me now turn to Booker Cooke for his testimony and let me turn this over now to Chairperson Mr. Max.

Mr. Max. Mr. Cooke, we appreciate your being with us tonight. We're ready for your presentation.

**Statement of Booker Cooke, Chief of Staff,
Greene County Board of Commissioners,
Eutaw, Alabama**

Mr. Cooke. In the letter that I received—I don't know if I misread it or didn't—but it was my understanding that we were to focus on—and which I had intended to do—I wanted to give you a written report. I began to do that, and the caretaker for my country house called me and told me they were putting snakes in the house, so I've been killing snakes until 4:30.

I didn't write it but I'm going to give you an overview of what I will write, because I will feel better if the report is written.

But I will give generally some areas, but more specifically I will talk about black males, in particular, in Greene County. I work also at the Department of Planning and Development as well as the chief of staff of the Greene County Commission. I am not a commissioner.

One of the population characteristics, in the 1980 and 1990 census, there was an increase of about 12 percent of black males born, but if we continue to have the murder rate, which has also increased, about 12.9 percent, according to the 1980 census—we don't argue about the 1990 census until we do the 2000 census, and then the 1990 census becomes, I guess, acceptable, so I'll use 1980 and 1990 census.

The black male population will decrease by 12 percent or more by the time; you would have less black men who would live to be 55 to 65. That's because of the increase in violence in our community.

Greene County is a microcosm of the Nation, and as Shakespeare said, or Hamlet, all in the State of Denmark is not well.

We have the same types of statistics here. Among black males, you have 64.2 percent divorce, while among white males, which is high as well, 55.5 percent.

Educational opportunities, it's 12 times more likely that a white child is going to graduate from high school or even grade school than do blacks.

You have the same degenerative economic disparities in employment. A white with a college degree in Greene County makes approximately \$5,000 more than does a black graduate in Greene County.

The mean income of a black family in Greene County is approximately \$6,000, while whites are \$14,000. At the various companies, the few companies that save that employment, REA, the steam plant, the others, the disparities in employment—the janitors, all of the people who are working on the floor in the factory are black—still exist here in Greene County.

I think the county jail runs about 98 percent full of black or young males, and of course we always have the problems of health mortality and our suicide has increased. Homicide has increased about 25 percent, and suicide has increased among black males by 10 percent.

Now, one of you asked—and when I give you my written statement, you know, I'll go into the sociology that we all know about that, but I think it was Ms. Berry, who has excused herself, asked the question, Why is this? Why does this continue? Why—because these are the same symptomatic conditions.

White males are 41 percent of this population. They own 91 percent of our land, have been a 100 percent of all the Presidents, 97 percent of all the Senators, 82 percent of all the CEOs in this country, 87 percent of all the professors at universities, 88 percent of all the CEOs at the businesses, 96 percent of all the media in the country, and it is a conscious design to maintain blacks and people of color all over the world—men in particular and women in general, that we live like 35 percent of the blacks here in Greene County, that our lives are like physics without math, like math without numbers, like philosophy without cause or effect, like fire without heat, and like flowers without fragrance.

And justice still is in Greene County, like Martin Luther King said many years ago, no more than a system of adultery perpetuated by illicit intercourse, between injustice and immorality.

I'll give you a written report.

Mr. Max. Thank you, Mr. Cooke. Do you have any questions, comments from the board at this time? May I ask you one question?

Mr. Cooke. Yes.

Mr. Max. In terms of the children growing up, going to elementary, junior high, high school, and maybe I didn't catch your statistics, in terms of coming back to this community, graduating and not graduating, what are you seeing, in the white population and black population of the kids growing up and staying here, versus kids growing up and leaving here, black versus white?

Mr. Cooke. In the 1990 census more black males are beginning to stay.

Mr. Max. And how about the white population?

Mr. Cooke. The white population, it's about the same. For example, whites move further distances in the county than do blacks. There—in fact—an increase in the 1990s of black immigration into Greene County.

Mr. Max. The statistics that you've read off, will you share that with us in writing?

Mr. Cooke. Yes, I'll be sharing it in writing.

Mr. Max. Thank you. We appreciate that. I would like to call at this time Barrown Lankster. I realize it's not on your program, but I understand that he does have to leave and has requested an opportunity. He is the DA of Greene County, Sumter. We'll make a few minutes available to you. Thank you for being here tonight.

Statement of Barrown Lankster, District Attorney, Seventeenth Circuit, Sumter, Greene, and Marengo Counties, Alabama

Mr. Lankster. Thank you. Good evening and welcome to the 17th Circuit, wherein I serve as district attorney. I was elected to office as DA in January. In fact, I was elected in November and I took office in January 1993. It's my pleasure to serve this 17th Circuit as its district attorney.

Note that I was the first African American elected district attorney in the history of Alabama, and the way things are going with the Supreme Court, I will probably be the last one to be elected as DA, African American.

I worked in Greene County back in 1972 with the Office of Economic Opportunity. At that time

there was dilapidated housing. In Greene County there were a lot of homes that did not have indoor plumbing, running water. Things have changed in Greene County with respect to housing substantially, dramatically, since that time. I think there has been some progress in Greene County with respect to the condition that people live in.

However, with respect to some things I don't think there's been much change, and that is the fact that black and whites in Greene County seem not to be able to push this county forward economically, and I think that the reason for that is the question of control.

If I am not actually driving the car, then I'm not willing to sit in the back seat. I don't care where the car is going—I'm not going to be a part of this particular trip, because I'm not driving, and to a large extent that holds the county back.

Back in February of 1994 there were three Caucasian individuals who vandalized three churches in Sumter County, and we were able to get the individuals involved to confess to their wrongdoing. There was no question but that in those three cases race was the motivating factor. I went out to the scene and I saw where there was this white church that sat on County Road 23 in Sumter County, the old Belmont Church, that had been passed at least two or three times by the white youth, who had gone to unusual—it had to be a struggle to get to those churches, because of the bumpy road.

The Bucks Chapel Church is about 3 miles down from this old Belmont Church. The Pine-top Church is about 2.9 miles in another direction from this old Belmont Church. Oak Grove Church is about 3 miles from this old Belmont Church. The old Belmont Church sits right in the middle and it's a white church.

Now, our thrust at sentencing was the fact that these vandalism cases were hate and racially motivated based on race and religion, and that was our thrust at sentencing. There was one individual who was a juvenile who we did not certify and of course he died from a gunshot wound, but he was a juvenile. But there were two individuals who entered pleas in the cases and we had a 4-hour sentencing hearing, and the thrust of the sentencing is that these were hate motivated and the fact

that we felt that the court should send a very strong message that this will not be tolerated in Alabama, in this circuit, as long as we are standing watch in Sumter County.

And it just so happened that on the day that the story was widely circulated, that is on January 11, when the local papers picked up the account of the sentencing, the paper in Sumter County carried a front-page story, full-page story of the thrust of our arguments, the allegations, and no question but we were saying that there were hate and racial motivated, that you had two churches to burn in Greene County, on January 11.

We don't think that that's isolated, not to say that those who were involved in the cases in Sumter County were involved in the burnings. We know that those young men were in jail at that time.

But we think that there is a correlation. We think there's a relationship here, and for that reason we feel that the churches that burned on January 11 were hate and racially motivated, perhaps having been motivated or instigated by the coverage that was given to the sentencing of these young men in those cases.

But we alarmed to see the pace at which these churches are being burned throughout the South, and I share with the other presenters in saying that I don't think that the Governor of this State is sincerely interested in what's going on with respect to these church burnings. We requested that the Governor post a reward for information leading to the arrest and conviction of those parties responsible for the burnings.

The Governor posted \$1,500 initially, which was not the maximum—of course, we felt that the very maximum should be posted—a very meager amount, if you're looking at the nature of the offense itself. But the fact that only half of what was said to be the maximum was posted suggests to me at that time, very early on, that the kind of seriousness that should be attached to these incidents was not attached by our Governor. And the fact that he did not go to meet with our President and with the other Governors suggests also that the seriousness is not there, and I'm not sure that he really understands the nature of what is happening,

that he really understands the facts of the investigation.

There have been some suggestions about other things that have absolutely nothing to do, in my opinion, based upon the witnesses that I've talked with, based upon the FBI, the ATF, and those folks that I've been talking with, about the possible drug connection, you know, and I think that if we go off in the wrong direction, then we're going to lose sight of the main focus. I think the purpose should be to try to find out who is responsible rather than trying to sugarcoat or rather than trying to damage control the situation.

Thank you.

Mr. Max. Thank you very much. Before you leave, are there any questions?

Dr. Wells. I've heard tonight a couple of reasons why the majority of the cases have not been solved. I'd like to see what your hypothesis would be.

Mr. Lankster. Well, I think that there seems to be an attempt by some people who have responsibility to try and find what happened. There seemed to try to be an attempt to distance certain motives, such as the possibility that race may be involved. I have read instances in other States where no question but that the person who has been apprehended is a Caucasian, but this was a little prank or they were out partying or this was a beer thing or whatever.

And it's my experience in trying to determine whether or not something is hate or racially motivated, you have to look at the facts. Nobody is going to say that my intent was to do this because those folks who worship here are black. They're not going to say that.

But you look at the facts. You look at the fact that you have a white church that has been sitting right here in the middle that has been passed several times.

You look at whether or not this person had a choice. The individual who is responsible for vandalizing the churches in Sumter County came from Demopolis. Well, there are a lot of churches in Demopolis, both black and white.

Why come to Sumter County in a very rural area to destroy, literally, black churches? Over \$30,000 in damage was done to those three churches.

ches combined; and they are very small, they are rural, and when you do \$30,000 in damage to those kinds of churches, you have just about torn the churches up.

Dr. Wells. Do you feel that people are afraid to come up with clues or suggestions as to who might be doing it?

Mr. Lankster. Well, I'm not sure that people are afraid to come up with clues. I think that there may be a situation where people who may be in the know are not forthcoming. It may be because they have not been asked. It may be because of the nature of the question or how it's asked, or the thrust of investigation.

I don't think that people will not come forward, but it may be the person who is asking the questions, the parties who are pushing this forward, and maybe the kind of question that's asked. But I think people really want to see these cases solved, and they will come forward if they're only asked.

Dr. Munchus. I've got a very short question. George Munchus of Birmingham. We've heard some comments earlier about a district attorney—a prosecutor—I hope I never find myself on the other side of your efforts.

Mr. Lankster. Thank you.

Dr. Munchus. But the State attorney general's office had removed some district attorney who was investigating certain cases, and I'd like to know are you that district attorney that was removed by Attorney Jeff Sessions?

Mr. Lankster. Yes.

Dr. Munchus. And if so, could you give an opinion as to whether or not this has ever happened to your knowledge since you've been in the practice of law in the State of Alabama and what might you think might have been the motives for the State attorney general by the name of Jeff Sessions to have removed you from a case that is such a serious crime as the ones that you have been charged with the State law to investigate?

Mr. Lankster. Yes, sir. Under normal circumstances if there is a felony that arises in my circuit, then it's my responsibility to prosecute that particular felony case or misdemeanor case that does not occur in the city limits of those cities that have municipal courts.

But I was removed from the case, and normally a district attorney would see and determine whether or not he has a conflict of interest. Most district attorneys, if they feel that there is a conflict of interest with respect to the parties involved, with respect to the focus of investigation, will ask that the attorney general would appoint someone from his office or a fellow colleague to come in and prosecute the case.

Of course, that did not happen in this case. The attorney general sent me a letter on March 6 indicating that because of the nature of the case and the parties, because of the possibility that I may be called as a witness in the case, that he was asking that I step down from the case, and that case would be handled by his office.

That's unusual. Of course, it does fall within the discretion of the attorney general. He does have the authority under State law to intervene at any time in a criminal prosecution that the State brings.

But it is not a matter that I asked for. I think that, certainly, I am well capable of prosecuting the case involving the firing on the home of Judge Hardaway, who is the African American circuit judge—the only African American circuit judge in this circuit—so I don't think that there was a problem with my ability to prosecute the case, but, nevertheless, I was asked to step down and I acquiesced in that.

Ms. Shumaker. Would you have feared for your safety if you had prosecuted this case?

Mr. Lankster. No, absolutely not. My job is to prosecute cases and safety is secondary. I prosecute cases involving drug dealers, involving people who are charged with murder, capital murder, and it's an occupational hazard; but certainly my safety was not a concern of the attorney general, I can assure you of that. It was not the reason why, in my opinion, I was taken off the case. I would not think that the question of my safety had anything to do with my being removed from the case.

Ms. Shumaker. Along another line, have you in your position or has anyone else in a position of authority suggested, requested, required that these churches that are being rebuilt install burglar or fire alarm systems?

Mr. Lankster. Well, I think that on a national level efforts are being made to make sure that things like this do not happen again, and there's some training with respect to how to make sure that that does not happen, and the installation of burglar alarms certainly has been a part of that, to tie that in with the sheriff's department, to the police department, to make certain this does not occur again, so I think that was a good idea, and I'm sure that the local ministers will think that minimum investment would be very, very well spent.

Mr. Gray. Earlier we heard testimony regarding these FBI agents who come in and were asking questions regarding the voter fraud and this kind of thing. Were you aware of their coming in? Did they try to hook up with your office so that there would be, I guess, some interaction between your office and the FBI so that they wouldn't be going around scaring the daylights out of people?

Mr. Lankster. No, there was absolutely no communication between the FBI with respect to the voter fraud investigation and my office.

Mr. Gray. Was that atypical or unusual that they would be doing this without sort of involving you all?

Mr. Lankster. Well, it does raise some concerns because I'm familiar with an investigation that took place in the Fourth Circuit where I used to serve as assistant district attorney, and I think the DA in that particular circuit certainly was advised and certainly was a part of the investigation or at least offered opinions and help with respect to the investigation, certainly was consulted.

That did not happen in this particular case here. I might add, though, that I don't think that the mixing of the investigation of the church and the voter fraud investigation was proper, and I think that perhaps those folks who were involved probably would think that that should not have occurred.

I think it should have been separated because you're going to compromise one or the other. You can't mix voter fraud and church investigations and expect to be fruitful in either. You're going to compromise the investigation of one or probably both.

Mr. Gray. Do you know whether these FBI agents were in State or out of State?

Mr. Lankster. I'm not sure. As I said before, I have not been consulted with respect to voter fraud investigations. I would think, however, that they would have been from the Northern District of Alabama, which would have been in State. I would think that, but again, I don't know for certain.

Dr. Munchus. I've got one last question. Is the Alabama Bureau of Investigation involved? I do know that there is an entity called the ABI. Have they at all been involved with any of these efforts to try to uncover some of this criminal activity?

Mr. Lankster. The ABI has very much been involved in the investigation in the shooting into the home of Judge Ed Hardaway. They have been the lead agency with respect to that investigation. There's been an agent from the attorney general's office who has been assigned to the church burning cases. I'm not sure that he works directly with the ABI.

I'm not thinking that ABI has been actively, on a consistent basis, been involved with the church burning cases. I think basically ATF and the FBI have been the lead agencies with respect to the church burnings.

Mr. Max. I'd like to go back to the question of your removal from this case. Can you describe the grounds or why was it that you were removed from the case? I heard you say something about you may be a witness in the case. But was there some other reason other than you may be a witness in the case?

Mr. Lankster. Well, actually I can't think of any other reason and I don't know why I would be called as a witness, for instance, but that's not for me to decide. But certainly at 2 or 3 o'clock in the morning I was in bed when Judge Hardaway's home was shot into, so I don't think with respect to the thrust of the issues in this case, with respect to the crime that was committed, that I am a witness; but if I am a witness, of course, I can't prosecute the case.

Mr. Max. Are you saying that that was the only reason given to you that you may be a witness in the case?

Mr. Lankster. Well, the parties involved. That was another reason that was given—of course, this is a circuit judge, but if you look at the fact that the circuit judge was a victim, his home was shot into, so I don't see why and how there would be a conflict of interest.

There may be something about the investigation that I do not know, because I've not been kept abreast with the ongoing of the investigation. So I'm not sure of exactly what it is I may be able to illuminate with respect to testifying, but the parties involved—that is, he's the circuit judge and I'm the district attorney. We work together very closely with respect to criminal cases.

Mr. Max. Who has been selected as the replacement for you on that case?

Mr. Lankster. The attorney general. However, Don Delesca [phonetic], who is a career prosecutor with the attorney general's office, as I understand, is going to head up the prosecution.

Mr. Max. Is he white or black?

Mr. Lankster. He's white.

Mr. Max. Out of Montgomery?

Mr. Lankster. Yes. Works for the AG's office.

Mr. Max. One other line of questioning. About two or three years ago the legislature did pass some legislation on having higher penalties for hate crimes or increased penalties for hate crimes. These individuals that were prosecuted, did they fall under this and were they given higher penalties because it was a hate crime?

Mr. Lankster. Well, certainly they faced a maximum of 30 years, because each one of these offenses, which was criminal mischief in the first degree, carries a maximum of 10 years. So we're talking about three crimes, three churches, three separate indictments. You're talking about 30 years maximum. We asked for a very stiff penalty. I think in this particular case the judge was certainly very considerate, and he sentenced these young men to 5 years in the penitentiary, 6 months to be served in the county jail in Sumter County. They're now out.

Mr. Max. They're now out?

Mr. Lankster. The remainder of the time will be on probation, but they began their term back in January of 1996.

Mr. Max. And lastly, there is a reporting mechanism for hate crimes in this State. Were these crimes and the conviction, were they reported to the State office?

Mr. Lankster. Yes. Yes. In fact, what we tried to do, very early on, because we felt that these were hate crimes, they were based upon religious hatred and race hatred, and we contacted the U.S. attorney's office. We also wrote Attorney General Janet Reno. I did try and get the FBI to investigate.

They did come down to investigate and I talked with the assistant U.S. attorney about the possibility of them filing civil rights violations with respect to these cases in Sumter County. They deferred to State prosecution, but they were made aware of the fact that these were, in our opinion, hate crimes and given the option to pursue this in Federal court, and they chose not to.

Mr. Max. The reason I mention this is that we have learned that the State is not receiving many reportings of hate crimes—they may be reporting to the Federal Government, but they're not reporting to the State. Are you doing that?

Mr. Lankster. Yes, absolutely.

Mr. Max. Very good.

Mr. Lankster. They were reported to the State.

Mr. Max. Thank you very much.

Mr. Lankster. Thank you. My pleasure.

Mr. Max. Now I'd like to call on the Honorable Brenda Jackson Goree, Greene County Tax Collector, Eutaw. Is she here? If not, we will move on. The Honorable Edmund Bell, Sumter County Tax Assessor, Livingston, Alabama. Is Edmund Bell here?

We will move on. Reverend Arthur Coleman, Mt. Zoar Baptist Church, Boligee, Alabama. Is Reverend Coleman here?

Unidentified Speaker. Could not make it.

Mr. Max. Could not make it. Thank you very much. Reverend Willie Coleman, Rising Star Baptist Church, Greensboro, Alabama? Is he here? Or anyone from either of those congregations?

Next I'd like to call on Robert Langford, Special Agent in Charge, Federal Bureau of Investigation. I believe, also, Jim Cavanaugh,

Special Agent in Charge, U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms.

As they come to the microphone, I do want to say this. I know that for many years there has been some suspicion about the FBI and their investigation. I'm going to let Rob Langford tell how long he has been here in Alabama. I want to be a witness to the fact that since Rob Langford has been in Birmingham, Alabama, he has not only been an ideal professional with the FBI, but he has been most sensitive to race relations in our area.

He serves as cochair of the Community Affairs Committee of Operation New Birmingham, and he's active with the Coalition Against Hate Crimes, and he has been involved in the National Conference of Christians and Jews prejudice reduction workshops, and he has been visible in the minority community, showing his sensitivity and concern in these areas. Rob.

Statement of Robert Langford, Special Agent in Charge, Federal Bureau of Investigation, U.S. Department of Justice, Birmingham, Alabama

Mr. Langford. Thank you, Mr. Chairman. Mr. Chairman and Members of the Committee, I'd like to make some statements and then I'd be glad to answer any questions, and I'll address them to the Committee.

We presently have four unsolved church burnings under investigation in Alabama, the three in the Boligee area and the one in the Greensboro area. There have been some statements made tonight about the FBI—and I'll just address the FBI—lack of prompt response and let me address that.

There was a church burning in December of 1995, which we were not aware of. I don't think anybody was aware of in Federal law enforcement. Then the two church burnings in January of 1996, we became aware of those and immediately the next day began an investigation which continues intensively to this day. In fact, I believe the Chairperson mentioned that possibly your Committee in February or March addressed a letter to the Governor, and we were investigating as soon as

the second fire occurred, extremely active investigation.

These are very, very rural churches, as those of you who have visited the sites know, and I'll let the next person from ATF talk about the evidence, but there is absolutely no evidence, forensic-type evidence, available.

So what do we focus on then? We focus on the people. Are there witnesses? Are there people talking who are informants, have information, and that is what we are doing, trying to develop information.

Normally we would not talk about the status of our investigation. It's not a proper thing to do; however, I can tell you that at the present time we have not made significant progress towards identifying the individuals who burned—if that was the case—who burned these churches. We believe, obviously, they were burned with intent. However, because there is total lack of evidence we cannot say that.

We also cannot say that the church burnings in Greene County are connected to each other. We can certainly assume that due to their proximity in time and distance; however, again looking at it from our standpoint of evidence we have to present to the U.S. attorney's office, we cannot say that.

So at this point we are looking at every single possible motive. We are looking at every single possible way these churches could have been burned. There's been some criticism of us and comments made tonight about the fact of us asking, Are there drug dealers in your church? That's a possibility, if a pastor is preaching very hard against drug dealing and there are drug dealers in the church, that is a possibility. It doesn't mean we're zeroing in on that. It's just one of many: Are there hate groups? Have there been threats made to that church? Has there been previous vandalism?

We are looking at the whole broad spectrum of possible motives so we can try to identify the individuals who did it. We investigate these cases under the civil rights statutes of the U.S. Code, which involve conspiracy to violate constitutional rights, which involve the damage or destruction of religious institutions, intent to damage religious

institutions where destruction is over \$10,000, and then under another civil rights statute, just the damage to religious institutions. So those are the statutes that we use.

There's other motives that we're looking at. There might have been a gang ritual to burn a church. Are there gangs in the area? We've been criticized actually for this too, but, Was there a financial motive for burning a church?

Could it have been an insurance fraud? We have to investigate a lot of fraud cases, insurance fraud cases—could that have been a motive? We're looking at everything, and so I think it's a little unfactual to single out of these motives when we go around asking questions.

Our investigation is very much a joint investigation with the Bureau of Alcohol, Tobacco and Firearms, who we will hear from in a minute. The State attorney general's office and Sheriff Hall has one of his investigators assigned to from Greene County. We're working very, very closely together. We share all the information with each other. Some of the interviews are joint. Some are separate, but again all the information comes back to each other.

And again, we've used every technique in investigation that is available to us, and interviews—and I want to come back to interviews in just a minute because there's been a lot of discussion tonight about some of the interviews.

We've offered rewards. Initially, our thought was when we put out posters all over the county that we would not put an amount of money on the reward poster, because sometimes if there's a large amount of money, then that might trigger somebody to actually attempt to burn or burn and call and get the reward.

So we did not—if you noticed our original posters, they did not have an amount on them. But there's approximately \$30,000 reward between ATF and FBI out there, separate from the State's award or reward, so we've used rewards.

We've looked at all the landowners and some are local, some are out of State. We looked at hunters. This is a very active deer hunting area. That was deer season. We've interviewed over 180 hunters who were in the area trying, again, to develop either information or suspects.

We've even used hypnotism to help a witness try to recall some details about the case. So we have really, I think, and are continuing to utilize every investigative technique we have available.

I would like just really briefly to address the issue of the voter fraud and church burning interviews. Our voter fraud investigation is a large investigation. It was underway some time prior to the church burning, quite a bit prior. It's a joint investigation between the FBI, the U.S. attorney's office, and the State attorney general's office. We had several meetings because we needed to do about 800 interviews, which is a massive amount of interviews. We had already set up 800 interviews for the voter probe investigation.

Then the church burnings began, and we said what a resource we have. Since we're already going to be interviewing over 800 people, what a resource to go ahead and while the investigators are out there, ask questions about the church burnings, which we did.

We separated the interviews. We talked to people about voter fraud—and again these are witnesses we're talking to, not subjects that we know of and we don't think so—and then we did ask them, Do you know anything about the church burnings?

And the witnesses—again, over 800 interviews that we have—were very concerned, of course, about the church burnings, responded to us to those questions, and to date we have not had a single complaint from the witnesses that we interviewed to us. And we made the public statement, if you have complaints—because this issue was raised earlier—about our methods of investigation or possible inappropriate actions of our agents out there interviewing, please let us know, and Mr. Chairman, we have not had any complaints. We have looked at that after the fact, you know, Monday morning quarterbacking, was that an improper or ineffective way to do the interviews, and we believe again that the utilization of manpower, having all those interviews already scheduled, it was a proper way.

I don't believe the questions were confusing. But that was our reason for handling that—now we're up to about 1,000 interviews that we've conducted in the church burning cases, including

probably 800 of the voter fraud—but just a massive investigation, a full-time investigation by the FBI here in Alabama.

I'd be glad to answer any questions from the Committee.

Mr. Max. Michael.

Mr. Langford. While we're bringing the mike, another issue was raised about the hate letters that were received. We're very aware of those. I have copies of them. They were furnished to us immediately.

We're very aware of this individual. He is an 81-year-old white male in Georgia. He does take telephone calls and spews out his beliefs and feelings, I guess. He has been interviewed previous to this in other cases, so it was an individual we are very aware of. He is being interviewed in regards, particularly, to these church burnings also.

Mr. Davis. Thank you. Are you able to tell us the type of material that was used in the three church burnings to burn the churches and if there was any correlation of that type of material in the three churches?

Mr. Langford. That's a good question, but I would defer if I could to the expert on the arson investigation.

Dr. Wells. In view of the percentage of unsolved crimes made of the churches, how can the FBI improve on its strategy and methods for enhancing the success rate?

Mr. Langford. We're open to suggestions. They are very frustrating cases, and I believe I've been quoted as saying that. It's very frustrating because we have not been more successful.

I think a lot of factors feed into that, but the very, very rural nature of these churches, there's not many witnesses around. The fact that in these churches they burn right to the ground, which leaves us absolutely no evidence, is a factor.

But, again, we are trying every technique we know to get information. We have rewards out there, but again we're very, very open to other ideas.

Dr. Wells. Are you using successfully the local, State, and Federal investigators?

Mr. Langford. I believe we are. The sheriff has an investigator assigned almost full time to this case. He has a small department, so it's hard for

him to do that, and the State authorities are in it full time, as are the other appropriate Federal authorities, ATF and us. And I believe we are using every available resource that we have to investigate.

Mr. Max. You said you have looked into the hate groups in the area. Are you in a position to be able to identify whether or not you have found that there are hate groups in this area?

Mr. Langford. I can't be real specific except to say—and I think it's been publicly acknowledged—that there are hate groups in Alabama that are identified. I can't be more specific than that.

Mr. Max. Well, I guess one other question in that regard. In the investigation, finding that the churches have been burnt to the ground, would that indicate to you that it is the work of someone who is just a prankster or would it indicate to you it is someone who is more professional, knows something what they're doing?

Mr. Langford. Well, I think, and again I defer to the arson expert, but I think it's mostly due to the very, very rural nature of the churches, and they weren't even discovered until they had burned to the ground. There's very little fire-fighting activity because they were so rural, until they were noticed burned.

Mr. Max. But would it indicate to you, in the profession you're in, is it a prankster or can it be kids that can do that kind of destruction, or is it somebody has to know what they're doing in terms of—

Mr. Langford. Many of these churches are very old and very tinder dry, and so even if a prankster set a fire, because of the dryness and also the remote location, they would burn like that. Again, ATF is more of an expert than I am.

Mr. Max. Are there any other questions of Rob Langford?

Dr. Berry. I have a number of questions, Mr. Langford. First of all, I know that the mayor told us today when we were out that one of the churches was permitted to burn down completely instead of stopping it because it was down so far, it was just easier to clear it out, but we'll ask the ATF about that, because I know you're not the arson expert.

But the questions I have to ask of you, first of all, when you said the 81-year-old man in Georgia was the source of these—

Mr. Langford. He has acknowledged that he is.

Dr. Berry. Right. And you said there was—it sounds like since he's 81 years old that we can all laugh and dismiss it and say move on, but are you looking into whether he has any connections with anybody else who may have been involved in this?

Mr. Langford. Yes, ma'am. I did mention that we are investigating him as a possible connection to these. He claims that he is not, but that he would love to see all these churches, burned, so, you know, there's something coming out of it.

Dr. Berry. Right. How long have you been an FBI agent here in this area?

Mr. Langford. I've been an agent 28 years and 2½ years in Alabama.

Dr. Berry. Two and a half years?

Mr. Langford. Yes, ma'am.

Dr. Berry. In view of the sensitivity that many people in the African American community have about the FBI, based on the history of the FBI in Alabama and other areas during the civil rights movement and since, do you believe that it was insensitive for you or your agents to question people about such matters as voter fraud in connection with the fires without explaining to them what it is you were trying to do, and to just assume that they would not be fearful or feel intimidated or anything? Upon reflection after the fact, can you be introspective about thinking of how one could be more sensitive, or is that just an unfair question?

Mr. Langford. No, I don't think it's an unfair question at all. I mean, we're trying to gather information, and then again I was not present at the interview, so maybe some of the interviews were done in an insensitive manner. I can't answer that, although again we have not received any complaints.

But upon reflection, merging the two investigations together, again I do not believe was an improper way to do it, when we were already going to have 800 interviews out in the community, which was a tremendous resource of possible knowledge.

Dr. Berry. In light of what I just said to you about the feelings of some people in the African American community about the FBI, do you think it likely that people who wanted to complain about how the FBI treated them would call the FBI to complain?

Mr. Langford. No, and I understand that very much, but we can make the offer and hopefully if they don't call us direct, they would call maybe your Committee or somebody else to get that information to us.

Dr. Berry. Right. But do you realize, Mr. Langford, why it is unhelpful to keep repeating that no one called you to complain, when you are asked whether anyone might possibly have been offended and why. Merely the repetition of no one called you to complain would cause someone like me, who is very sensitive to the history of the FBI in the black community in this State and elsewhere, to wonder why you keep saying that, when it would be obvious to me that no black person in my family would call the FBI to complain about what the FBI had done to them. Do you understand what I'm saying?

Mr. Langford. Madam Chairman, I do and I believe I'm very sensitive to that, but we get calls all the time from members of the black community giving us complaints about various violations, so we do receive those, but I'm very sensitive to what you're saying.

Dr. Berry. Okay. And I would repeat that we do have a number, 1-800-552-6843, that people can file complaints.

I want to ask you—and I hope there aren't any because I would assume and would hope that everything went the way it was supposed to go—the other question I have is a task force—I want to know how your activities are coordinated. There have been some suggestions made to me today by people outside of this room that they don't believe that the law enforcement agencies are coordinated and that the different law enforcement agencies have come up with announcements of different reasons for the fires or different hypothesis about who did what, and that it doesn't sound like there's much coordination.

Now, my understanding is that there's supposed to be a task force in which ATF and the FBI are

involved, along with other people, and the U.S. attorney is supposed to be coordinating this effort. Is that happening or not?

Mr. Langford. It's very much happening, Madam Chairman. Like I say, I've been in the FBI 28 years and, except for the Hoffa investigation in Detroit that I was involved in, this is probably the most coordinated investigation. Special Agent Charge Cavanaugh and myself talk very, very frequently. We both have agents assigned full time that go on interviews together.

All of our reports go up to our headquarters and the U.S. attorney, who is here tonight, is made aware of everything. In March of this year we hosted a meeting between all the FBI and ATF investigators and the U.S. attorney's offices from throughout the South, to try to talk face to face. Sending reports to each other and talking on the phone is one thing, but talking face to face is another, so we hosted a meeting in Birmingham to have all these investigators come together.

I've been to a meeting at headquarters with us. The special agents in charge of the ATF and FBI and the U.S. attorneys met together, so it's a tremendously coordinated investigation, I can assure you.

Dr. Berry. And how do you coordinate with the State and local—

Mr. Langford. Well, again, Sheriff Hall has an investigator assigned again almost full time to the investigation, but again he's a smaller department. The State agencies, State attorney general's office and ABI—ABI has not assigned a full-time person but the State attorney general's office has, and they're with us; we're all together making the reports and investigations.

Dr. Berry. And how many agents altogether of various law enforcement agencies are assigned to try and figure out who did these fires?

Mr. Langford. I don't know a number, but at least each of us has one full time, and then when there are massive interviews like we did, we pull more in, but each of us have at least one full time who knows everything about the case, so he or she is a repository for all the information, and all of us are using computer databases to make sure we don't lose any information also.

Dr. Berry. And in the testimony that was given by the Justice Department and BATF before the various committees of the House and Senate recently on the subject, explicit commitments were made that your departments would use every effort and not stop until you found out who committed these fires. Is that your understanding?

Mr. Langford. That is my understanding and I have already committed that we are going to do that. We are going to continue this investigation.

Dr. Berry. Thank you.

Mr. Gray. Agent Langford, this picks up on Dr. Berry's question to you regarding sensitivity. I want to know, do you know whether there were any black agents participating during the interviewing?

Mr. Langford. There were black agents. Two of ours, I believe, were involved in the massive set of interviews, maybe three in the massive set of interviews. Our case agent happens to be white, but there are black agents that are assigned to help in the interviews.

Mr. Gray. And my second question is, Were any whites interviewed regarding the voter fraud issue and to what extent percentage-wise? How was that done? How were the people, these 800 interviews of people, how were they selected? And do you know how it broke out racially?

Mr. Langford. I do not know percentages. If there were any whites, it was very small. I don't believe there were. The interviews were selected based on the information that came to us from the absentee vote—the absentee ballots. The names that were on there, there were maybe one name witnessed, I think, 90-some absentee ballots, so we tried to interview all of those voters that one witness witnessed, and it just happened that all those voters were black. I don't believe there were any white voters, but I'm not sure about that.

Dr. Berry. Any other question?

Dr. Munchus. I have one question. There's been some testimony from you about touching base with the local sheriff in Greene County. What has been your relationship with the local district attorney in this area prior to you all coming in here? I mean, was there any courtesy call or just what happened, because we're hearing conflicting testimony from you and the district

attorney about the relationship that's going on between your office and at his office, and we just sort of want to know from your perspective what do you think is going on and what happened?

Mr. Langford. Yes, sir. And I don't believe you heard any conflicting testimony from me regarding the district attorney, because to my knowledge we did not contact him. We're just talking about investigative agencies in investigating it.

So to my knowledge we didn't—

Dr. Munchus. Is that a standard practice to contact the district attorney as a courtesy? Is that a standard practice not to contact the district attorney's office?

Mr. Langford. No, sir. I think it depends on the investigation. Some, where they have investigators and they would be feeding us information, in fact we're working together on several with other district attorneys. In this case there just was no investigative input from them, but, in retrospect, we should have made a contact with them, I agree.

Mr. Gray. What about on the voter fraud question? Sir, what about on the voter fraud issue, since this is a district that is a majority-black district, you have a black district attorney—you had these 800 people were interviewed and you said the majority of them probably were black. Was the district attorney involved in that at all?

Mr. Langford. Not to my knowledge. When the prosecutors got together from the State attorney general's office and the U.S. attorney's office, I'm not sure if the district attorney was involved in that or not. From an investigative standpoint, which is where I come from, I don't believe the district attorney was contacted because he didn't have investigators assigned.

Mr. Gray. But most times in voter fraud cases, most times the complaints often go to the district attorney in the local circuit.

Mr. Langford. Well, in this case—again, the prosecutors would have to answer specifically, but they determine where it's going to be prosecuted. We don't, and between the State and the Federal prosecutors, they determine if we would work it jointly between the State attorney general's office,

who is the State prosecutor for us, and then it would be presented to both the State prosecutor and Federal to determine where best to prosecute it.

I'm not sure if there was any discussion—maybe it wouldn't even be appropriate for prosecutive—in the local level there, as opposed to the State. I'm just not sure because I'm not a prosecutor. I'm not trying to evade your question, but I'm just working at it from the investigator's standpoint.

Mr. Max. Any other questions?

Dr. Berry. I just have one. What's your success rate, so I could just know whether I should be optimistic about your finding anybody.

Mr. Langford. My success rate—

Dr. Berry. How successful are you in trying to resolve complaints when you have civil rights complaints? What's your batting average there in general?

Mr. Langford. In civil rights complaints, it's probably about 60 percent of the complaints that we get and most of our civil rights complaints are police brutality. That's the majority of our civil rights complaints. We have very few discrimination in housing or discrimination in business complaints.

Dr. Berry. About 60 percent.

Mr. Langford. In our civil rights complaints, which again are mostly police—

Dr. Berry. Police brutality.

Mr. Langford. Yes, ma'am.

Dr. Berry. Okay.

Mr. Langford. In bank robberies, it's 85 percent solution rate.

Dr. Berry. Thank you.

Mr. Max. Are there any other questions of Rob Langford? I would like to call Jim Cavanaugh at this time. Rob, thank you very much. We appreciate your being here. Mr. Cavanaugh.

Statement of James Cavanaugh, Special Agent in Charge, Bureau of Alcohol, Tobacco and Firearms, U.S. Department of the Treasury, Birmingham, Alabama

Mr. Cavanaugh. Thank you, Dr. Berry and members of the panel for having me. I'm Jim Cavanaugh. I'm the Special Agent in Charge of the ATF.

I'd like to tell you a little bit about what we've been doing in Alabama and Mississippi, and certainly around the country. My division encompasses both Alabama and Mississippi, and so I have a little larger problem than Rob has here in the Northern District.

I currently have eight active church fire investigations going on, and I, literally, as we speak have agents all over these two States working on the cases. I have five accidental church fires at black congregational churches in this division in the last 2 years. And I also have two cases where arrests have been made and certainly on the part of Rob's agents and ATF agents.

I would like to say that, on behalf of the men and women of ATF that have been aggressively investigating these cases, some of our agents have actually worked to the point of exhaustion, and to say that we're not aggressively pursuing these cases is really not the case at all. We have aggressively pursued every case that's come to our attention, and we always do. We are the government's bomb and arson people. I think you'll see if you go to any one of these fire scenes, you'll see a lot of agents working pretty hard in 100 degree heat, digging out these fire scenes, in the field doing interviews. We're very aggressive. I notice one of the directors was from Kansas City. I think you'll recall we just solved the case in Kansas City that occurred in 1988, where six firemen died in the explosion that was an arson case. So we never let it go. And we're not going to let these go either.

Prior to this I was the deputy chief of the arson and explosives division in Washington, and I oversaw all arson and explosive incidents for ATF, and worked on a lot of cases—Unabomber—and I've seen a lot of cases through.

I think we'll solve a lot of these cases. Dr. Berry asked about the solve rate. I think the

national arson solve rate is probably about 16 percent. I hope we'll do much better than that. When we had the abortion clinic cases in the 1980s, we solved probably 60 percent of those, or at least a high percentage, more so than normal in bombing cases.

I think you're starting to see around the country and certainly in cases coming to fruition—and let me just mention—I don't want to go into a lot of statistics, but I do think it's important because one of the problems we talk about is this copycat issue, which I hope we can address in just a minute, but does the news drive these things?

A lot of the reporters have asked me, genuine concern on their part—“Gee, we don't want to drive these things. I hope we're not driving these things,” and I have told all the ones that have spoken with me that I think we've seen a change and I'm sure it's not all from what I've said, but a lot of people, report the arrests, don't just report the fires. Don't let people think out here that this is a free ride, that you can get away with this, that you can do this with impunity, because that's not the case.

That is not the case. We've made arrests all over the country for all sorts of motivations, including racial hatred, and will continue to do so, but these numbers are of a little bit of interest. Since 1990 over 243 incidents of fire or desecration of churches and other houses of worship were reported to Federal authorities. Over half of these occurred in the last 18 months.

Since June 1995 there were over 40 fires at churches. We've solved and prosecuted a lot of these cases. Arrests have been made in 83 of these incidents. That's 83 of 243 incidents of arson and desecration. Forty-one persons have been convicted.

Now, in the particular problem that I think you're here for, and I think that we don't want to lose the particular problem we're trying to address, and that is the fires at black congregational churches in the Southeast, and certainly in the Birmingham Division, you've seen a lot of arrests in those cases.

We were able to assist in making arrests with the State authorities in Tyler, Alabama, and also in Yazoo County, Mississippi, in the last 120 days.

And that came from an aggressive response to the fire by throwing a dozen ATF agents and a dozen FBI agents, State fire marshals, and ABI and attorney general and sheriff's deputies at the fire and coming up with the answer.

Sometimes we come up with the answer and it's accidental or electrical, and sometimes it's very frustrating because it's undetermined or undetermined/suspicious.

I've been investigating arson since the 1970s, and I would also say that ATF is second to none in catching white hate and Klan and Aryan Nations and all of the apparatus of white hate. I've arrested Klansmen, Nazis, in places—synagogues—as long ago as 1981.

And we have always been the people at the forefront of that; we take their bombs and their guns away and we broke up the Skinheads in Birmingham in 1992. One of the members is from Birmingham, and I think you remember that case. We undercovered the Skinheads. There was ATF agents that joined undercovered them. We caught the head man, Riccio [phonetic]. He was convicted on Federal gun charges. So we are investigating those groups for firearms and explosives violations, when nobody else is or nobody is thinking about it. Of course the FBI is too, but they do it on different violations of the law. Our violations are very unique to ATF, so with that, I'd like to try to answer any questions I could.

Mr. Max. Mr. Cavanaugh, I'm holding the mike so let me just ask you a few real quick. You're telling us that there are eight church burnings in this area; is that correct, between Alabama and Mississippi; is that right?

Mr. Cavanaugh. Right, that I have open now.

Mr. Max. And you distinguished that there were five accidental church burnings. Would you characterize these eight as being nonaccidental?

Mr. Cavanaugh. The eight are either classified or determined to be arson or incendiary fires, or undetermined/suspicious as in Greene County. Those are under active investigation.

Mr. Max. Based on your experience in this area, and I asked Rob Langford this, perhaps you can answer it—from the evidence that you see, is this work of some pranksters or, as you mentioned before, a copycat kind of thing that may be an

amateur or is this the work of someone who is more professional in what they're doing or perhaps more organized in what they're doing?

Mr. Cavanaugh. That's an interesting question. It varies sometimes from scene to scene. And it varies from case to case. If we can take the copycat issue to start with, you know, a copycat issue is really kind of hard to define here.

I mean, if I commit an armed robbery and you commit an armed robbery, you're an armed robber. You're not a copycat. If I commit a murder and you commit a murder, you're a murderer. But if I burn a church for racial hatred and bigotry and you burn a church for racial hatred and bigotry, you're a hateful person and a bigot. It has nothing to do with being a copycat.

Mr. Max. Right.

Mr. Cavanaugh. So I think we ought to probably lose that word. I mean, if news reports are driving bigots to do it or other persons, serial fire setters or whatever, then they must have something in their heart that drives them to do it.

Certainly, there's a thrill element part of being part of a national event that maybe some offenders will have in conjunction with their hatred, but as far as telling whether the fire was professionally set, these are very old churches. A lot of them were 100 years old. We found that many had termite infestations, that they didn't have fire walls, sprinkler systems. They're old. They were built many years ago. There weren't any fire codes. It was a rural area.

A small flame set by available material, a hymn book, paper, in a church where there's no alarm, no smoke alarm, no witness, no fire break, no sprinkler system, could burn that church to the ground. We don't have—and the firefighters will tell you—we don't have hydrants. When they get there, they're carrying their own water. I mean, we're fighting everything when we have a fire in a small, rural church. We're fighting not only the person who might have lit it, but all the situation that goes with that.

Now, you can tell sometimes—from your question, a very good one, that can you tell—sometimes it's a very determined professional effort. Yes, you can sometimes from the evidence. If there's a lot of evidence, cans and

bottles and flammable liquids, a deliberate-type forced entry or burglar alarms cut, you know, we've seen a lot of those things happen over the years where you can tell this is a professional torch job, somebody knew how to set a fire, somebody set a fire before.

Now, in Greene County and in Hale County, which was the fire we just had in Greensboro, Alabama, the similarities are the fact that there's nothing. I know that's hard to explain, but what I'm telling you is we didn't find in Greensboro, Alabama, 10 gasoline cans and flammable trailers and rags soaked in flammable liquids. We didn't find any of that.

We found basically what we found in Greene County, undetermined/suspicious. We're working these fires as a cluster. That's a word I've used a lot and I've been using for a long time. I've seen it now in a lot of reports, but really it sets the difference between just, in my opinion, church fires in general, which unfortunately we have in America, a certain level of churches burn because they're victims of crime; but we've seen, I think in this situation here in the South, so they might have somewhat of a cluster event here at Greene and Hale County. We have it under northeast Mississippi. We had three fires in one night. So I think that's a little different.

Mr. Max. One last question. The 1992 investigation, what you were able to do with regard to the hate groups in Birmingham and around that area were accessible in terms of finding the person, bringing them to trial and conviction—since 1992 have you in your investigation with church burnings, in other investigations, have you found evidence of a rise of hate groups in this area, or perhaps asked differently, what have you seen with regard to hate groups in this area up or down since 1992?

Mr. Cavanaugh. I think after the Skinhead faction was busted up in 1992, we arrested a leader, and back then—that was before I came to Birmingham—but we were having all these marches in Birmingham, so it was a very open event, open hatred. But after we busted them up, and the sheriff and the police all played a role in that, I think they kind of dissipated, sort of knocked them back if you will. I think they were knocked back.

This leader was so—he was very much older than the younger members, which a lot were teenagers and early twenties. He was very much older than them, and he was a very important influence on the members of that racial hatred group.

So we did knock them a big blow when we convicted him, and they kind of just dissipated. And they never completely go away, but certainly have not been the force that you've seen in the past, marching and so forth. Those people are always around.

We stay in constant touch with the FBI, Morris Dees' people, Center for Democratic Renewal, the Anti-Defamation League. I have agents that talk to them constantly. The Simon Wiesenthal Center, we are in constant touch with folks who know what those people do, if we have a criminal investigation and we need to know.

Mr. Max. Very good. Are there questions of Mr. Cavanaugh?

Dr. Berry. I have a couple questions, Mr. Cavanaugh. First of all, have you been distributing the *Church Threat Assessment Guide* in this area?

Mr. Cavanaugh. Yes, Doctor. Tonight in Hale County at the courthouse in Greensboro we have invited and we were hoping to have 75 ministers from Hale County there tonight with FBI and ATF agents passing those out, and we have been trying to distribute those.

We have not set the meeting yet in Greene County. The reason is the agents were going to set it tonight, and this was the day they had picked and I had to tell them that this would not be the right night, so we're probably going to have to back it up to next week, but Hale County we're doing tonight. We were going to do them both tonight.

Dr. Berry. For those who don't know, this is the ATF *Church Threat Assessment Guide*, which is supposed to be, according to the testimony that was given to the Congress a couple weeks ago, has been distributed or is being distributed nationwide by the ATF to tell people how to protect their churches and how to prevent these fires, so it is being distributed here.

The second thing I wanted to ask you, we were told by the mayor today that in one of the church fires here the church was burning and it was

burned down because it was in a sense permitted to burn all the way down because it's out in a rural area and it would just be easier to clean up afterwards if it burned all the way down. Does that make any sense? Is that because of the lack of a fire department and all the other points that you just made a minute ago or what?

Mr. Cavanaugh. Well, as an arson investigator, we always tell firefighters that if there's no risk to life or limb, if you won't be injured, put the fire out as quickly as you can; it will delay the arson investigation to let it burn through, will burn the evidence.

Now, you've got to understand that when you deal with a rural volunteer fire department, that is sometimes very difficult, and they may only get there with one or two people. They have a limited water supply. Could they have put some water on it? It's kind of a judgment call that they have to make, but we encourage them to put the fire out, put the fire out. My father was a fireman for 32 years in Newark, New Jersey, and I know a lot about fire and I've investigated fire a long time, and I think when you go to those big cities, you'll see these standing hulks of buildings, at least you used to years ago, and that's because the firemen put the fires out all the time in those buildings, because they didn't burn to the ground. The city firemen got in there and fight them and they're close. They have equipment and they have manpower and they have hydrants and they have resources, and they get in and fight those fires, and it's sometimes in the smaller communities, you don't have those resources.

Dr. Berry. Some of the fires or one of the fires at least I know was committed by a firefighter. I've forgotten whether—was that in your region or somewhere else?

Mr. Cavanaugh. We had an incident here in Tyler, Alabama, which is Dallas County over in Selma, where a volunteer fireman confessed to a deputy sheriff, an ATF agent, and a fire marshal, he had in fact burned the church. At least that is partly motivated by the fact that he's a volunteer firefighter. Now, we have referred to the FBI and United States attorney to look further into that case to see if there could be civil rights violations.

Dr. Berry. The reason why I ask you that question, I'm following up on the first question that I asked you about the burning down of the church. Now, based on what you've just told me, anybody who lives in this area knows that it is likely that if they burn a church in a rural area, it's going to burn down. First of all, they know the firefighters don't have anything except water to bring. All the things you've described—firefighters would know that, volunteer firefighters would know that, and people who live in the area would know that, which means that if they were firefighters, they would also know that if you burned it all the way down, the evidence would be burned, all of which you just told me, which seems to be common knowledge in the field.

So have you folks taken into account any of this common knowledge and these inferences that I made just sitting up here listening to you and investigated where does this lead you?

Mr. Cavanaugh. Certainly we have, Doctor, and we do take those things into consideration. We've dealt with arresting volunteer firefighters with this hero complex, but what you're saying really generally tends to be and, in the case where the fire wasn't suppressed, the opposite of what we normally find.

In other words, in the hero-complex fire setter, we find they set the fire so that they can put it out. See, that's the purpose, part of the purpose anyway, at least part of it, so they can be the hero.

If they don't put it out, there may be another viable reason that's based more on equipment, manpower. When you see a building and certainly that is totally almost burned to the ground, and you know when you've been to fires and you've fought fires that if you put some water on it, the building is not going to be saved. Then maybe you won't do it. We don't ask them to do it to save the building. We ask them to do it to save the evidence.

Dr. Berry. I understand that. That's precisely my point, that one would know that if you burned it down, you'd destroy the evidence, which means a person who was in a position to make these inferences we've just been making sitting here, which means that these people know that if they burn down a church in a rural area, that the

church is going to burn down, the evidence will be burned, and you guys will have a tough time ever finding out who did it.

Mr. Cavanaugh. That's correct.

Dr. Berry. Which means that is this task force that you're working on which has all these officials in it, as well as the FEMA involvement, has anybody given any thought to trying to beef up local firefighting on an emergency basis, whether through FEMA or some other way, so that people won't know that the odds are that you can burn these churches down and that you guys will never find out who did it?

Mr. Cavanaugh. I think that's a good point and I hope FEMA does. I know they've been tasked with working with the fire department to do that. You know, in some States we have laws that say—

Dr. Berry. Federal Emergency Management Agency, for people who don't know what FEMA is. Anyway, go ahead.

Mr. Cavanaugh. In some States there's laws that say you have to have a fire hydrant within 1,000 feet of a school, church, or community center. And you know, many times that may not be the case if the structure was built prior to the fire code being put in.

So I hope that in some cases maybe we can see, when churches are rebuilt, for example, in Greene County, that we could see fireplugs put in near the church. That's one thing that would certainly help the fire suppression efforts is to have fireplugs, and rather than the firefighter dragging that water all the way up there and maybe some funds to help the firefighters do that.

Dr. Berry. Otherwise if you don't, then churches can be rebuilt and somebody could burn them down again and nobody could find out who burned them down the second time from what you're telling me.

Mr. Cavanaugh. Very difficult cases.

Dr. Berry. Last question I have to ask you is an inevitable one about the "Good Old Boys Roundup." Now, is there anybody—I have to ask you this—have any of your agents been involved peripherally or otherwise with the "Good Old Boys Roundup"?

Mr. Cavanaugh. Yes. There has been involvement with the "Good Old Boys Roundup" here, but no agents have ever been there when there was any racial event occurring. I mean, you know that that event occurred over 15 years, and the early years was somewhat of a picnic event, whitewater raft thing, and the Treasury Department report, I think, clearly stated that the racial events occurred after 1989 or 1990, and the Director and the Treasury Secretary have disciplined and set for discipline persons ranging within 31 agents, who had been there when any of those events occurred. They moved two agents off these cases based on that.

Dr. Berry. And the testimony that was given and the conversation I had with the Assistant Secretary who was responsible for your enforcement at the ATF is that there is no one who is involved in these investigations who was involved with even being disciplined or at the "Good Old Boys Roundup" when these racial things occurred; is that correct?

Mr. Cavanaugh. That's correct.

Dr. Berry. Okay. Well, thank you very much. Those are all the questions I have.

Dr. Wells. I've heard tonight that perhaps the reason why some of the cases have not been solved is that the investigators have not intervened quickly enough. I'd like for you to comment on that.

Mr. Cavanaugh. The events that first occurred in Alabama occurred here in Greene County in December of 1995. We were not notified of the first fire that occurred in December of 1995. ATF was notified January 12, which was the morning or day after the two fires that occurred the night of the 11th, before the Dr. King holiday. And we responded then. And we have been responding aggressively to all these fires ever since. We have uncovered fires in Alabama and Mississippi that were not reported to us in the past, and now that there's been some attention placed on it have brought those forward.

You must understand that ATF does not respond to every fire. We don't have the agents to do that. We're not the fire marshal or the fire investigator. We're Federal agents who come in on significant cases that have a major community

impact—cases that involve traveling arsonists, paid arsonists, organized crime, major losses, major loss of life. We don't respond to every fire, so when we're notified, we respond aggressively.

Mr. Davis. This would be the job of local officials?

Mr. Cavanaugh. Local officials are the first to respond. Local police, sheriff, fire marshal, are first to respond.

Dr. Wells. In these eight fires is there a common fuel or other substance that was used to ignite these fires?

Mr. Cavanaugh. I can answer it somewhat. You know, we had fires in Kossuth, Mississippi, 2 weeks ago; two black churches burned to the ground; a white church, that was an incendiary-type device found there. We found flammable liquids at those three scenes.

We have not found any flammable liquids at the scenes in Greene County or in Hale County. These fires are undetermined but suspicious. If we found flammable liquids or pour patterns in there, we would have called it arson. We didn't find that.

So there's not a difference in this cluster here of Greene County and Hale County. These four fires seems to be the same from the absence of evidence; yet Kossuth, Mississippi, we had three fires that all had flammable materials used the same night.

Dr. Wells. By your method of investigation, would these results indicate possibly that these fires may have been started by the same person/persons?

Mr. Cavanaugh. A fire setter can use different methods.

Dr. Wells. Mississippi is the same—

Mr. Cavanaugh. The Mississippi cluster there's flammable liquid, but here there's not.

Dr. Wells. Right. So my question again, wouldn't that kind of indicate that the same person/persons may have—

Mr. Cavanaugh. In Mississippi? Yes, absolutely, and I understand—I thought you were making them both together. We're working that Mississippi issue as a cluster, and we also have to look at it a variety of ways. One, individually;

two as a cluster; three, regionally or nationally. But yes, we do.

Mr. Max. Thank you very much, Mr. Cavanaugh. While we're on law enforcement, I would like to invite Caryl Privett to come up for just one minute. She is a U.S. attorney out of Birmingham, and while we're talking law enforcement, I thought it would be appropriate to give her an opportunity to make a brief statement. Caryl.

Statement of Caryl Privett, U.S. Attorney, Northern District of Alabama

Ms. Privett. I would like to thank you, first of all, Chairman Max and Chairman Berry, for the opportunity to address you all. I really had not any prepared remarks, but a number of questions have arisen that really come in my jurisdiction as the chief Federal law enforcement officer for the Northern District of Alabama.

The first thing I would like to say is that, yes, we do have a very active task force and that was done in conjunction with the two gentlemen who just spoke, the attorney general for the State of Alabama, and the sheriff of Greene County. In addition to that, we have an assistant U.S. attorney who is assigned to this case. In addition to that I am briefed on it on a regular basis. My assistant is briefed on it on a regular basis. My criminal chief is briefed on it on a regular basis, and my deputy criminal chief is briefed on this case on a regular basis, so that there is no gap in knowledge.

We also on a regular basis talk with the attorneys in the Department of Justice Civil Rights Division, who are assigned to these cases on a nationwide basis. We are in constant communication with them so that there will not be any gaps. We are trying very, very hard to make certain that all information is shared and that all leads are followed, and we are committed to doing that.

I was assistant U.S. attorney before I was court appointed to U.S. attorney. I've been an assistant U.S. attorney for 20 years. Before that I was a civil rights lawyer. I have seen the days when law enforcement did not cooperate. I have seen the days when FBI and ATF did not cooperate, and they didn't cooperate with locals. That's not the case today.

What you have here in the task force that we have in the Northern District of Alabama is probably one of the best examples of cooperation in law enforcement I have ever seen in 20 years in this job. And the agents are to be commended for that.

So beyond that, I would like to be available. If you have a question, I will be here to answer it.

Mr. Max. Caryl, we appreciate your being here, and I would just say that Caryl, like Rob, is most active, not only in Birmingham but throughout Alabama in many areas that involve civil rights. I think you do an excellent job. Any questions from the panel?

Dr. Berry. See, when you come up to make a statement, you open yourself up to a question. I know that as U.S. attorney you are a person who is supposed to chair this task force, which the agents in charge of the FBI and of the BATF are involved.

Let me just ask you, Why have we not had any arrests in these cases and what are the prospects for making any and how optimistic should we be that you folks are going to find out who did this?

And secondly, do you have any recommendations concerning the exchange I had with the BATF agent about the susceptibility of these churches to fires and about the evidence being burned and about the fact that they could be burned and the knowledgeability, and do you have any recommendations for what might possibly be done about that, and just, in general, give us your reactions to those?

Ms. Privett. All right. Let me answer the last question first since I'm remembering it a lot easier. Double-ended questions, I dislike them. I can now understand why witnesses have trouble with them.

But as to what can be done, in addition to the brochures on the church threat assessment that ATF has prepared. I found out last week that one of the local DAs in another county had neighborhood watch-type meetings with the ministers of black churches in Talladega County, which has had Klan activity in the past.

And the district attorney over there in fact called those meetings. I found out about it and am going to—one of the things I was going to do this

afternoon is before I realized I was supposed to be here at the request of the Department of Justice, was to get out a mailing to all of the sheriffs, all of the district attorneys, and all of the police chiefs in the 31 counties in my district that includes that information, so that they can assist us in getting the information distributed throughout the district and throughout the State, because I think that the sharing of information is extremely important.

The Federal Government cannot prevent these fires from happening. We can't do the job alone. We have got to have the support of local law enforcement, local fire prevention people as well. So I think my task and my responsibility is to do what I can do in that regard to get the information out, to encourage my fellow law enforcement officers to work in their own communities at fire prevention and preventing this from happening, at putting together coalitions to try and prevent this happening in communities, because that's not something that I as U.S. attorney can do. All I can do is to give them the information and encourage them. I can't prevent it from happening.

Dr. Berry. How did you Federal law enforcement officials get yourself in the position that everybody is looking to you to solve this, when really it's a State and local responsibility, and now you say the obvious, which is you don't have the resources, you don't have enough people to go out and watch over churches or go solve this, but yet everybody is looking to you to do it? For example, is anybody out watching these churches tonight, even the ones here in Greene County?

Ms. Privett. I don't have the answer to that obviously. I think that we do have a role to play, particularly in whether there are allegations that a hate crime is a motivation here, because we do have jurisdiction there, and were it not for the assumption that there was some motivation, some racial motivation, we wouldn't have jurisdiction really to be involved, at least the FBI would not in the past, prior to the FACE [Freedom of Access to Clinical Institutions] Act. So we are making that assumption, but we don't have the evidence to support it in order to further the investigations.

Now, your first question had to do with my optimism about whether or not this case is going to be solved. I am extremely hopeful that it will

be solved. I desperately want them to be solved. In terms of making predictions about when the case is going to be solved, I learned a long time ago that's not my job; I can't do that. All I can do is put my best efforts into it, encourage the people who work with me and for me to do their best jobs and to work as hard on it, as creatively as possible, and I think in many respects we've done that. Rob Langford talked about being frustrated. I share that frustration.

Mr. Max. Caryl, thank you very much, and to you and Rob Langford, Jim Cavanaugh, there is a community that is crying out for you so we wish you luck and hope that it comes soon.

Pam Montgomery, Citizens for a Better Greene County. Is she here? Pam Montgomery? All right, let's go to H.O. Kirksey. Mr. Kirksey, Citizens for a Better Greene County, and writer for the *Greene County Independent*. Good seeing you, Mr. Kirksey.

Statement of H.O. Kirksey, Citizens for a Better Greene County, and Writer, *Greene County Independent*

Mr. Kirksey. Mr. Chairman, Doctor, and other members of the staff. I received a letter to come to a discussion of race relations before and after the church burnings. Pam Montgomery had an emergency and she will not be able to come and I would just like to thank you for asking me to come, but I have some priorities in being here.

When I walked in, I went through and expectations that I don't usually associate myself with, and there were some remarks made here about certain things. I think there are some people in the audience here, if you will ask those people, they could answer those questions for you, such as why there is no airconditioning and these kind of things here.

So I won't tolerate you with a lot of rhetoric. I would just like to say I would like to make some statements to this Commission but under the conditions and the reasons one has here—I will refuse to make any statements unless myself and those other people who have made these accusations are put under oath, because there has been a lot of untruth here, a lot of total untruth. I am not very fond of

the camera. Some people, every time the camera comes on, you see their faces on it.

And I want to ask why that happens. So I think if this was a different type where people could be held accountable to what they say, I think I would be more willing to contribute to it.

Thank you for having me here.

Mr. Max. Mr. Kirksey, you spoke to us a few weeks ago when we were, I think, in Sumter County. You were most articulate, spoke very well of what you saw and observed, and I want you to know that the reason you're back tonight is because we respected what you had to say then and it would be most helpful to us now. Would you be willing to respond to some questions that we may have of you?

Mr. Kirksey. Well, let me make one other statement. Then maybe I'll answer some questions.

Pam Montgomery and I founded an organization here in Greene County called the Citizens for a Better Greene County, and as far as the racial conditions are concerned, our positions in this organization and most people that I deal with, that I see, and I deal with most of the people here in Greene County, our problems is not interracial, it's intraracial.

Now, what do I mean by that? Our problems are black against black, basically. Now, I heard some remarks made by some people prior to my coming and they make those remarks everywhere they go, but nobody ever tries to make them prove themselves.

I would like to have a situation where you can get under oath so you can be held accountable for some of these kinds of statements. There was some impugning of personalities and I don't want to do that. There were some references presented; I refuse to do that. So I think that it should be done under a different situation. This is a public meeting and I just wouldn't—

Mr. Max. We appreciate the fact that avoiding the personalities is what we want to also avoid. What we do want to do though is to get into the issue of race relations, and if I may ask you this, you are a part of this organization, Citizens for a Better Greene County. It is a biracial group; correct?

Mr. Kirksey. Yes, it is.

Mr. Max. How long has it been formed?

Mr. Kirksey. Just over 3 years.

Mr. Max. How often do you meet?

Mr. Kirksey. Monthly.

Mr. Max. And how many members do you have?

Mr. Kirksey. We have over 600 registered members.

Mr. Max. And when you meet on a once a month basis, how many people attend?

Mr. Kirksey. It varies. Depends on what the agenda is.

Mr. Max. I can understand. As many as what and as few as what on a monthly basis?

Mr. Kirksey. As many as 180 and as few as 55 or 60.

Mr. Max. I see. And what issues do you deal with?

Mr. Kirksey. We don't deal with racial issues, because we don't have a racial issue in this organization. This organization is biracial by law, and it is about 50-50, white and black, and those who come seek to make living better in Greene County. We do talk about the voting situation here and I think some lady said that she doesn't vote in Alabama, but I've got news for her, she could have if she had talked to the right ones.

Mr. Max. I want to stay away from personalities. I want to ask you this. In terms of getting together and making it for a better community, what does the group do to do that?

Mr. Kirksey. We promote standard meetings. We are busy organizing other counties and we have six other counties organized, of which we have an umbrella group that governs most of the Black Belt, and we are all working on the same basis to basically come together to try to have a fair relation and to have fair opportunities for everybody.

Now, there was something mentioned here about integrating the schools. There was an attempt to integrate the schools and the board of education didn't want it so it's not that these things have not been tried, and race relations are good, where people want them to be, and they are not good where there's an advantage for the other people.

Mr. Max. Mr. Kirksey, one last question from me. We have found in our community that getting together at monthly meetings or weekly meetings—as a matter of fact, I've got a couple good friends here who have got very frustrated with just a meeting, because sometimes I think the word is you can talk the talk and walk the walk, but that's all you're going to do is meet, greet, and you're not going to get anywhere.

But I will say this: There is a good purpose for dialogue in that you get to know one another better, and by getting to know one another you get to trust one another, and by trusting you begin to deal together, but there is an extent to which talking, talking, talking gets nowhere and people get frustrated.

You're a new organization and some organizations where I am have been meeting since the sixties and are still talking. Now, what do you see in your group getting beyond the talking stage and perhaps dealing with more sensitive issues that may be in people's guts that they may not want to be put on the table? What's being done to try to get that out and do something about it?

Mr. Kirksey. We are acting as a conduit between local and State government. We have meetings with the Governor's office. We have meetings with the secretary of State's office, the attorney general. In fact, I am down in Montgomery every second Tuesday and meet with those people on a regular basis. I am a member of the Alabama Health Department, and I'm also a member of the State Voter and Registration Board, so I have contact with all of those people there, and I don't see all of this racial stuff as a planned situation. I don't think most people want to live in those conditions now. I find that there are as many whites are as anxious as blacks and vice versa to not have this kind of situation.

Let me say one other thing. We give two scholarships each year and we just promote harmony; we organize to watch over voting places free of charge. We don't charge for anything we do. And we've made a difference here, and that is why you hear a cry about this organization all the time. This administration is totally against the organization, and I can see the reason why and if

you knew as much as I do, you would see the reason also.

But we are planning to sponsor a voter education class and we're working on some things and we go to the people and get their ideas and what they would like to have, and we have no problem at all, no problem at all.

Dr. Wells. As an organization with the name "Citizens for a Better Greene County," can you go from this meeting tonight to your organization and come up with some plans, some suggestions that came out of tonight's meeting that would make this county a better county?

Mr. Kirksey. Possibly. Possibly, but I've heard nothing good tonight, and you don't deal in negatives, the situation—I cast those aside.

Dr. Munchus. I've just got one short question. Since you're a writer for this *Greene County Independent*, if you know—

Mr. Kirksey. The *Greene County Independent*.

Dr. Munchus. The *Greene County Independent*, what is the history of this *Greene County Independent*, and do you know if it's independently owned by a local family or is it owned by some corporate entity like Scripps Howard or Newhouse, or is it owned by a local family which lives here in Greene County?

Mr. Kirksey. This newspaper is owned by black and white citizens and it's co-owned by black and white citizens.

Mr. Gray. Mr. Kirksey, you mentioned that you see many of the problems in Greene County as being intraracial. I think I've referred to Greene County as the active kingdom. Let me ask you this. If whites were in control politically in Greene County, do you think this coalition would exist?

Mr. Kirksey. Possibly would, if I had anything to do with it. But we are—

Mr. Gray. You say it like that, you had anything to do with it? If whites were in control, do you think there would be a need for a coalition for a better Greene County?

Mr. Kirksey. There probably would be. There probably would be.

Mr. Gray. What would the coalition work toward? What would be their agenda?

Mr. Kirksey. I'm not able to tell you. I'm not able to tell you that, because I don't know anything about what would have been. We're not dealing in the past. That's our problem. We deal too much in the past. Of course the past matters; it does matter. But if you keep dealing in the past, the future is going to leave you standing right there. So we just don't deal in the past. We go for the future. We plan for today and tomorrow.

Dr. Berry. I have a couple questions, **Mr. Kirksey.** The Commission on Civil Rights has done several reports on Greene County, and I referred to this earlier. And we have uniformly found in the reports we did on Greene County segregation in public education. We have uniformly found a lack of economic development, great poverty, economic disparity, employment disparity, poor whites and blacks. We found some blacks with political power but no economic power.

We have found racial tensions uniformly. We have found these problems to exist in Greene County. What has your group done about economic development in Greene County or alleviating school segregation in Greene County, or do you believe that these are problems in Greene County and do you believe that racial hostility is a problem in Greene County?

Mr. Kirksey. Let me ask you a question and then I'll answer your question. Where did you get your information at?

Dr. Berry. From the census of the United States, number one, the data, part of the data. From interviews and research of and fact sheets on the numbers of people who are in education, the separate academy that exists in Greene County, which I have visited on more than one occasion.

Mr. Kirksey. What year was that?

Dr. Berry. Today. I went there. Today.

Mr. Kirksey. You're talking about what you heard.

Dr. Berry. Today I went there, not years ago but today.

Mr. Kirksey. Okay.

Dr. Berry. This afternoon, as a matter of fact.

Mr. Kirksey. Very good.

Dr. Berry. So the information that I have is not only based on research, but it's also based on statistical reports and talking to people and actually observation, so I'm just wondering what you think—whether you think these problems exist and what do you think we should do about it?

Mr. Kirksey. I didn't say they didn't exist. They exist everywhere.

Dr. Berry. Are there separate swimming pools in Greene County—in Eutaw or—

Mr. Kirksey. There are two swimming pools in a lot of cities.

Dr. Berry. Yes.

Mr. Kirksey. They can swim in either pool they want. There is no restriction.

Dr. Berry. So in your view there's no race problem in Greene County?

Mr. Kirksey. No, I didn't say that. You must be talking to our present government. You sound as if you talked to our present commissioners.

Dr. Berry. I wish I could. Go ahead.

Mr. Kirksey. I mean our local government.

Dr. Berry. Yes.

Mr. Kirksey. There's racism everywhere and you'll not be able to stamp out the racism and such. Now, you have done all this but nobody has ever heard about these things, and I've been fighting here in Greene County since 1979. I was carried to Federal court because of my position on these things, but nobody ever says anything to me about it—just—I'm not saying you didn't feel it—evidently you've been talking to the wrong people.

Dr. Berry. Talking to the wrong people?

Mr. Kirksey. Yes, ma'am.

Dr. Berry. I'm talking to you.

Mr. Kirksey. Well, I'm telling you it is not true.

Dr. Berry. Okay. It's not true that there's a segregation in the school system in Greene County?

Mr. Kirksey. It is segregated, but by choice.

Dr. Berry. Oh, okay. Well, I don't have any questions—

Mr. Kirksey. Didn't you hear me when I first came on, there was an attempt to integrate the schools? The board turned that down—and that

has been my effort ever since I been here. And you probably seen fliers around here with my name on them and some other people, but there are more than 600 people here in Greene County that is different from what you are saying.

Mr. Max. Let me say this. While it is worthy for a community to bring itself together, and I applaud all those who are attempting to do that, I think at the same time you cannot forget the past. I think that you've got to make sure that the past doesn't get repeated by understanding and dealing with the past, and I couldn't help but, driving from Birmingham up Highway 59, to take a look on the left in Advance, Alabama, and see this incredible facility called I think it's Mercedes, and to see that I think they have some sign up there about 1,000 people getting jobs, and as I passed Tuscaloosa, coming from Tuscaloosa here, I saw nothing, and I've got to say that if there is a group of well-minded individuals in Greene County, Sumter County, Boligee, Eutaw, I think you need to sit around a table and begin to talk to another.

The papers, as great as they may be, can divide you and have divided you, but papers should not get in the way of the poverty. They should not be the ones that get in the way of an education system where people aren't graduating. If some want to think that it is my choice and others want to say that it is not, I think it's in the results where kids aren't graduating and those that are leaving and not coming back, I see that as a problem that needs to be deal with by right-minded citizens who are willing to have the courage to deal with it, whatever color, whatever religion it is.

If there is segregation, as there is in many communities, not only in Alabama but around the country, that are segregated at 11 o'clock on Sunday, I think it behooves us in Alabama—I think every time there is an civil rights issue, Alabama gets targeted. We need in Alabama to be doing something about it.

Now, we can blame the Governor, which we have and we will continue. We can blame newspapers. We have and we will continue, but the right-minded citizens of this area must begin to see that it is going to happen, it's going to happen among us. It's got to begin to happen among us. Race relations doesn't just begin to happen.

It is not by some Federal Government or some commission coming and saying it and blessing that it's bad or good and all of a sudden there's supposed to be a change.

If nothing else we've got to leave here and begin to say the heck with the problems—it divides you, but if you're interested in getting together, let's start working at it.

Now, I'm not here to be any holier than thou, because I'm as much of the problem as you are. Let me say it again. I am as much of the problem as you are.

Now, I really appreciate you agreeing at least to come to the podium, Mr. Kirksey. I applaud the efforts of your group. I do hope though that your community can begin to heal itself and I would like at this time—are there any other questions of Mr. Kirksey?

Mr. Kirksey. I'd like to make one more statement, please. I think you said in your statement we should come together. That's our purpose. That is our purpose. That organization does not keep any person away from it according to race, color, creed, but it does require people to have some kind of stature and some ideal right and some chance of wanting a change.

Now, I'd like to say that I wish—I think I extended this invitation to you before. I wish you would come to one of our meetings. We would be glad to have you come to one of our meetings. I think there are several members still around here that are members of that organization, but I don't think they've gotten out of this meeting really what they want to get out of it.

Mr. Max. Thank you.

Mr. Davis. Sir, I am a father and if it's true that children are our greatest resource, and I believe it's true—they are our future—I'm curious to note what are you and your group and other people doing to educate—I mean, what I'm hearing and what I've heard over the last few months is that you really do have a very segregated educational system here, so on and so forth. What are you all doing in your opinion to enhance the ability that your children won't be what you've become, and I'm not trying to make a judgment call. I'm just responding to what I've heard.

Mr. Kirksey. There is no one on earth that cares more about the children than I do. I spent part of my retirement, part of my earnings—have you ever come to Greene County? Have you ever asked what was done with over \$200 million in the 16 years—what happened to it? And that's why they were talking about bringing industry here.

Twelve of our local people had organized and went through this county commission, not asking for money, asking for a lease of some county property, on which to build a building which would immediately employ 175 people or more, and they turned it down flat and went to Kentucky and got two people that they had to furnish all the money for.

See, that money that was put into that building they were talking about was sent to Greene County to be distributed to local entrepreneurs. And that was completed, at most it would employ 25 people, and none of them will come from Greene County, because nobody here had any training to work there. So these are the things you don't know about. See. What are they doing now? They have the money; they have all the money.

We are organizing trying to get a leeway to gain some control here, some equity. We are totally left out.

Dr. Wells. Do I understand, though, your point is that history is probably going to repeat itself if something is not done immediately.

Mr. Kirksey. Color—tell him. Okay. We appreciate it.

Mr. Max. While we're talking about communities coming together, I think those of you who have been at the church several months ago, several of you who were at the meeting that the Commission had several weeks ago, you have seen a group coming from Birmingham. They've quietly sat in the back. At times they've been asked to speak briefly.

They're here again tonight. They're here not just to tell you that they have the answer, because none of us have the answer. But they're here because they are concerned. They want to reach out, be part of your community, by way of helping, and perhaps some of the examples of our failures, as well as some of our successes, will be of assistance to you.

And I would like to take a few brief moments to first of all recognize them. Reverend Woods. Would you come on up just one second perhaps and address the group?

Next to you is Colonel Stonewall, Sadie Slane, LaMar Washington, with NCCJ, Glen Hicks, heads up MAJIC [Metro Area Justice Interfaith Committee] in our area. I'd like to give one or two of them an opportunity to talk to you about what is happening at Birmingham, not that it's all good, because we've got problems in Birmingham and I'm sure you're going to hear some of them—but what may be done by a group and you see that there are black and whites and we're from all different denominations, what we attempt to do in coming together.

Reverend Woods.

**Statement of Abraham Woods, Pastor,
Birmingham, Alabama**

Rev. Woods. Thank you. I did not expect to come before the mike, but I'll welcome any opportunity. As a longtime Baptist preacher, and in the civil rights struggle ever since the fifties, I certainly did not want to miss this hearing.

I want to applaud you as an example of what can be done when black and whites get together. I have been a part of various meetings of whites and blacks, and so often what it boils down to is just talk, and I don't go to too many of the sessions now because I just don't have time for a lot of rhetoric and dialogue and after that nothing is done.

It reminds me sometimes of what happens in church after the singing and the preaching and the shouting. So many of the parishioners go out and that's the end of it. But we have to do something after discussion and after talk.

I cannot forget your coming forward in Birmingham. So many times my voice was the lone voice speaking about issues and I have quite a bit of notoriety there because I don't pull any punches, and I cannot forget that when Rodney King was beaten brutally, and when we had some deaths by the Skinheads in Birmingham, that you were a white brother that came forward and I wanted to know whether or not you were just going to do that talk and not walk that walk.

And I don't have much respect for those who do the talk and don't walk the walk, but I want to say that you did walk the walk. You called it like it was, and you became unpopular with some people, but we have to deal with the truth. It's just the truth and the truth shall make you free.

Frankly, to tell you the truth, after you started marching with us and speaking out and trying to change things, we had some good blacks who had been avoiding us and never did march with us, but when you started marching with us, they came from everywhere, and I wondered why they didn't march before you came. I don't know whether it was your complexion or what it was.

But Birmingham used to be a tragic city, and it's on its way to be the magic city. It used to be called Bombingham and we can now call it Birmingham, but what's happening to these black churches is nothing new.

We came out of a situation there where one section of our community was called Dynamite Hill, and our churches, our homes and of course you know the thing that shifted this nation was the bombing of 16th Street Baptist Church and the death of those innocent little girls.

And I listened to my friend Rob Langford and God, bless him, Rob has been to my church and he sat through all of my service and we last—I preach a long time, and we don't turn off early, and I thought Rob would make his speech and leave, but Rob stayed through it all, and I can appreciate Rob being open and sensitive and that sort of thing, and I don't know whether he's still here or not, but my jury is still out on Rob.

I'm still looking to see whether or not Rob is sincere because we have been so pained and hurt by the FBI down through the years. I sit and listen to the deception and I'm glad to be in this same building with this great personality, Dr. Mary Frances Berry. I've taught for 33 years and I used some books by memory. I just wanted to know when she's going to update that book because I don't want to change, and I sat and listened to you talking about the relationship that we've had with the FBI.

We're hopeful that it's going to change, but my jury is still out. I had one good FBI agent wanted to carry me to a religious group. They said that

you come up, carry me, go to lunch, and I told him I would, but then I got to thinking about it, that maybe he just wanted to infiltrate me and investigate me, so I didn't go with him. So, you see, so we're still sensitive to these kinds of things.

But you didn't get me up here to do all this talking. I think if the FBI—and I hope that they're really serious and sincere, but when I see that they didn't talk to the black DA here, I have some serious problems with that. When I see they don't want the black judge to be involved, I have some serious problems with that. It looks like more of the same thing. We thought if they had caught those perpetrators who bombed 16th Street Baptist Church, that a lot of the bombings and maybe the fires that have been set would not be going on.

It took a brave man, Attorney General Axley [phonetic], to convict one of them. The FBI had all of that information and that information on all of the rest of them, but did not come forward and take anybody to court. You see, now I want to be optimistic, but I'm still looking and I have to look real hard. You've got to convince me that you're willing to change, but things can take place, Rod. Again, I want to commend you because we have a coalition against hate crimes and we stand up and we march.

We seek to bring about change and time is out for and black and white groups to come together just to eat and greet. You've got to do more than that. I don't come to meetings because I want to have some socialization and relationship with white folk. I don't have to have that. I come to meetings with my white brothers and sisters because we need to deal with the problem, and it's all of our problem. Certainly if we can do anything, whatever we can do to help from Birmingham—but a whole lot can happen and again, I want to thank all of the members of this Commission, my good friend Brother Max there; he gets a little obnoxious sometimes, just like I am, has quite a bit of notoriety.

But you have to stand up and tell the truth, whether people like it or not, and so we wouldn't be anywhere but down here in in Boligee from Birmingham, Alabama, because Birmingham certainly—thank God for Montgomery—the capital

of the civil rights movement. Nowhere in this country did 4,000 or 5,000 people go to jail and fill them up and stay there and face the dogs, the water hoses, and everything else, so we still got a fire burning in Birmingham that cannot be put out and as I take my seat, Rod, I'd like to say this.

I'm going to echo what Jesse Jackson has said, it's not enough to just find some people who set the fires and stop that. We've got to do something about the atmosphere, the incendiary atmosphere, and the climate and a lot of that is emanated from our high political position out of Washington, D.C., and some of our other places all around the country.

The atmosphere of the climate is charged and when the atmosphere takes on certain forms, you're going to have some tornadoes. You're going to have some fires and that sort of thing, so you've got to do more than that and I'm grateful that groups like the Coalition Against Hate Crimes in Birmingham, that it's seeking not only to try to help rebuild the churches but to do something about the atmosphere.

Birmingham—it must be done here, God bless Brother Kirksey, but you've got to do more than eat and greet. You've got to do more than come together. You've got face the issues and that's not going to be easy. God bless you and God keep you.

We are from Birmingham and we are proud of it and we got some political power up there. We got some SCIBIS civil rights, but we are a long way from having our s-i-l-v—civil rights, Sister Berry.

Mr. Max. Thank you very much. Let me say this. We have not healed in Birmingham yet. We are trying and what Reverend Woods is saying is standing up against the hate of these churches is one thing. What we're trying to do in Birmingham is reach out to everyone here; please join us in Birmingham on July 16.

It is our way of saying to you we not only want to rebuild these churches, we want to help rebuild community and by coming here—not to say here's how we do it in Birmingham, forget that, but how do we do it in Alabama and we do it in whites and blacks and Christians and Jews, and please come to Birmingham on July 16 and join us for an

evening of brotherhood and sisterhood where we can heal together.

I feel we need to move on due to the lateness of the hour. I want to go back to our program where you see the Honorable Buddie Lavender, Mayor of Boligee, next on the agenda. We'd like to give him an opportunity to speak.

**Statement of A.L. (Buddie) Lavender,
Mayor, Boligee, Alabama**

Mayor Lavender. I'd like to take this opportunity to thank the Commission for coming down and taking up time to hear our complaints and listening to us.

I'm real disappointed tonight that the real issue hasn't hit the tables. We haven't talked about what the problems are here. We come here and call names and accuse everybody of doing, and what I had hoped that this forum would do, would come and bring the races together and talk and let the healing begin, and this hasn't happened tonight, and I'm real disappointed in it, and I want to take this opportunity to thank Ms. Caryl and Mr. Cavanaugh and Mr. Langford for responding when I called them into this case. I want to thank them for responding in and working closely with us to try to solve these problems before I go into it.

The first issue that I haven't heard tonight is an issue that Paul Harvey broke about 2 weeks ago here, and he stated that 49 churches have burned in the last 18 months.

Of this 49, 23 of these churches were white. A couple of days ago the *Tuscaloosa News*, which I have here, reported this not on page 1, but page 4, and this is another article here, they say, "Suspicious fires have hit more than 40 churches in the South in the last 18 months."

Federal authorities have investigated suspicious fires in a roughly equal amount of white churches during this same period of time, and we haven't heard a word about it in the media or nowhere else, and I don't think we're getting a fair shake here.

All right. Our next thing is reported that the white churches in Boligee were driven by when my own church in Boligee, the Boligee Presbyterian Church, has been set on fire two different times

in the last 10 or 15 years, not in the last month, but it's been set on fire. You don't read that in the newspaper at all.

They may only report things that causes tension between the races, and that's a shame. That's a bad shame. They're not reporting the truth. We have people that leave Washington and New York and come down here with one perception in their mind, they're not getting down here finding that and they write what they want to write and not the truth, and that hurts the community.

We are here to discuss racial relations. We do not have a problem as black and white or have it as black and whites. We do not have a problem—I feel we get along well, but as far as job opportunities in Greene County, if you're not correctly politically aligned, you cannot get a job, whether you're black, white—the organization does not hire people that are qualified, but they hire people that are politically aligned in here.

One perfect example is our school system. They claim the whites left the public school because they were integrated. I know for a fact this is not true because my oldest son graduated from an integrated school in Greene County. They left the public school system because of a degree of quality of education here and not only the white children left this education system, but the upper and middle class blacks also left this school system and got to other counties to seek a better education.

I have been informed that the amount of work investigating what is wrong with our education system—this federally funded system is for the public and not for a selected few. Federal monies come into this school system, and they have racially imbalanced faculty, administration and supervisor staff in the central office. If you can count how many whites have been teaching in this county—but to make it easy, let me say, How many whites are in administration or in the central office in Greene County?

When this system allows such conduct as what has happened in this system, the guilty parties are given promotions and raises, and the problems, they should not be allowed in any school system, and I will talk to you later on that.

I have been saddened this morning by the treatment that I have received recently from certain people about the church burnings. I feel that the devil works in all people, even preachers. I feel like they need to ask their maker for forgiveness, for I've already forgiven them and even after all the harsh treatment I received, I still love them and I intend to help them rebuild our churches. I'm a pretty tough fellow and it takes more than few ugly words to put me down or run me off.

What you really don't understand is that I grew up in this community and I have lived here since 1935. I watched Boligee go from a thriving industrial city to a city with one store and a post office. I have helped raise most of these people that continue to badmouth me and have watched them and their children grow up. I have been mayor in this city for more than 20 years, and you don't achieve this goal by being dishonest and unfair.

But, most important, I have two interests in this affair: to catch the guilty party and see that they are punished and to see that these churches be rebuilt and see that these races come together. We have one more opportunity for this, and there was—what the people in Greene County wanted to do, black and white go down on the weekends and have like a barnraising and work together, the women fix lunch and bring it down, and that was a wonderful opportunity for people to get together and talk, get to know one another, and start some—and that did not come about.

Mr. Max. Mayor, can I ask you why?

Mayor Lavender. Pardon?

Mr. Max. Why?

Mayor Lavender. I don't know why. I'm wondering myself why.

Mr. Max. What was done to try to—

Mayor Lavender. Well, they rejected the efforts—

Mr. Max. When you say they—

Mayor Lavender. The preachers and the people around rejected the efforts of the local people to work. You can go to any of these churches today, and you don't find any local people working around these churches to rebuild these churches, because these efforts have been rejected.

Mr. Max. Well, Anne asked the question a little earlier, when you're dealing with churches, and yes, they're segregated all over the country, it's no different than here, but what efforts have been done with you as the public leader of the area, and perhaps you can through the constituencies that keep you in office and put you in office, do you have the ability to perhaps through the a ministerial association or the creation of a ministerial association, reaching out to the ministers of the various Catholic, Protestant, Methodist, whatever, and through their leadership bring some—

Mayor Lavender. I met with the black ministerial association and the white ministerial association. They had a fund. We met up there and the black ministers were invited to come. They did not come to that meeting. They were offered one of the churches in Eutaw as a place of worship and that offer was rejected.

Mr. Max. In other words, what did the white ministers agree to do?

Mayor Lavender. Well, they offered help. They were willing to help and I can't speak for the white ministers, but after all of the accusations come up in the treatment and all, they pulled completely out of it. They are not in the fundraising business or anything anymore, and it's sad. It's sad that we can't come together and work together as one people instead of a black race and a white race, and we need to be one people in this community.

Mr. Max. I agree with you. Let me ask you a question. Let's move to a topic of economic development. Do you see it in the best interest of the city of Boligee for there to be a group that's called a task force of white and black men and women who could discuss together what could be done to bring business and economic development to this area? Has that been done?

Mayor Lavender. We have an industrial board, which is a combined black and white, and we have a director that's really active in getting out and trying to bring business into Greene County and all, and we're working real hard, but as far as getting a committee together other than this biracial board that we have, there's been no effort to bring anything into Greene County to my knowledge.

Mr. Max. You have a beautiful area here and it would seem to me—

Mayor Lavender. The prettiest in the world.

Mr. Max. And you would think that by opening it up and this world is becoming a browning world, and that is people that come in to see a community that is all black and white—we face it in Birmingham as well, that companies don't like to just black and white. They like to see the browning of American.

Mayor Lavender. Right.

Mr. Max. The ability for a company outside of our area to be attracted to this beautiful community, see that kind of task force or committee I think would—

Mayor Lavender. It would be most helpful and I would be very instrumental in organizing such a task force, but now let me give you an example in the past. We had a German firm that was coming in here and going to put a \$300 million paper plant right across the road over there. They brought 512 acres for \$1,078,000, and intended to come in here, but then we had people to go to them and say if you come in here, you're going to hire such—this person or that person or this color or that color, and the German said this is my money, they went to Oregon and built a plant, and they didn't come here.

Mr. Max. Anyone have any particular questions? Annie?

Dr. Wells. Do you think that in your position as mayor the time is right for a coalition against hate crimes or some kind of human relations commission or some kind of task force on education or economic development?

Mayor Lavender. The time is always right for anything that's going to better our community. Why should we wait for a time? Why hasn't this already happened?

Dr. Wells. Well, is that something you're willing to do now?

Mayor Lavender. Well, we're looking for help from you all to tell us how to do this, and we would appreciate anything that you all can suggest to us to bring us together and help build this community into a beautiful community that it is something that I can be proud of instead of when

I go off, I don't want to say that I'm from Greene County, you know.

Dr. Berry. I have a couple questions. Mayor, we spent some time together today and it was very informative to me, but now, after I've listened to your testimony, I'm beginning to understand why we have such a problem here. And I've been sitting here listening all evening and part of it is on this issue of why we're paying attention to black church burnings and not paying attention to white church burnings.

Mayor Lavender. That's certainly a concern of mine, Dr. Berry.

Dr. Berry. Right. How many white churches have been burned in Boligee in the last 6 months?

Mayor Lavender. None. They've been burned—but that doesn't mean that they—

Dr. Berry. I just wanted to know.

Mayor Lavender. None in the last 6 months, no.

Dr. Berry. The other thing is, there are about 65,000 black churches in the whole country, about 65,000. That's the latest count. There are over 300,000 nonblack churches—that is, white churches—and I understand from the data that's been collected by the Federal agents that most of the church arsons that occurred in the South—well, since January 1, 1995, there have been 144, and the arsons—there are about 80 of white churches and 64 of black churches, and given the disparity in the numbers of churches, I'm talking about, number of white and number of black, there clearly are a disproportionate number of black church arsons.

Even more than that, are you aware that racial motivation has been alleged in the burnings of these white churches? In other words, are we dealing with allegations that people are burning white churches for racial reasons? Such as we're dealing with in the case of about 70 percent of the black church burnings?

Mayor Lavender. That is a very good possibility.

Dr. Berry. Possibility.

Mayor Lavender. Right.

Dr. Berry. Okay. Well, then I think we need to call back the Federal agents in charge to ask them whether racial animus has been alleged in the

burnings of the white churches, because to my knowledge that is not the case. So I want to find out whether this is true, because from my perspective the reason why we're here and dealing with this race issue is to make people address the issue and to not engage in suspicion and belief. Before you can deal with an issue, you have to agree that it is an issue, and if you don't even agree, how in the world can you bring people together? So I can sit here all night long and try to bring people together, if you don't even agree that the racial motivation is an issue in the case of the black church burnings and I'm not aware that it's an issue that blacks are going around burning up all the white churches in the South—I haven't heard that, so I want to get the FBI and the BATF back up here so they can tell us whether that's the case. I haven't heard it.

Mayor Lavender. I haven't heard it because we didn't even know until 2 weeks ago the amount of white churches that had been burned so if they're not disclosing the amount of white churches that have been burned, how can they disclose other evidence of—

Dr. Berry. I gather it in the newspaper, on the television, it's been in hearings. I've got the numbers, but let's hear from them because I think that before we can discuss coming together, we have to have a basis on which we can do that, and that what I was hoping is everybody understood that there was a problem.

The question was we—

Mayor Lavender. There's a problem here and that's what this Committee is here tonight for is to try to help us solve this problem—

Dr. Berry. Right.

Mayor Lavender. —and come together with suggestions that you're here—but I feel I want to reiterate what Mr. Kirksey said, I think everybody here ought to have been under oath tonight, and so we would have to tell the truth. I think there should be some accountability of these funds coming in here that's come to build these churches.

I think there should be full accountability, you know, and when you put us under oath, it's not just the few that's going to tell the truth; every-

body is going to have to tell the truth or face perjury charges.

Dr. Berry. Well, let me just be clear so I'm sure I understand before I try to ask questions of the agents. You believe that one of the major problems here is that people are not really telling the truth about what's going on?

Mayor Lavender. Exactly.

Dr. Berry. And that until we do that, we won't be able to really begin to solve the problem?

Mayor Lavender. You're exactly right.

Dr. Berry. And you agree that there's a need for economic development and the questions that Mr. Max asked you?

Mayor Lavender. Right. There is very much a need for economic development here because according to the 1990 census, the average income in Boligee was \$6,000. So that right there tells me there is more than just a need; it's a great need for something to come in here, so these children that are coming up in Greene County today won't have to leave Greene County to get a job; they could stay at home and go to work. Until we get together and we can solve these problems, and work around them, then that is not going to happen.

Dr. Berry. Okay, thank you very much. Mr. Max.

Mr. Max. Mayor, sometimes you cannot make progress unless you deal with some of the tough things, and I appreciate you addressing them as I appreciate the others—

Mayor Lavender. I tried to be as honest as I could.

Mr. Max. I appreciate that.

Mayor Lavender. I'm not trying to call names. I'm not trying to lay blame. I'm just trying to be honest with the situation in Boligee and Greene County.

Mr. Max. I appreciate that and let me say this to you. It's very sensitive to me to come from Birmingham and suggest that perhaps we have a way of helping you, but you have opened that up by saying you are looking for some help, and the thing I would like to do is make an offer:

Mayor Lavender. And I'd like to accept that offer too.

Mr. Max. Let me tell you about the offer. The offer is not that I have the answer.

Mayor Lavender. Well, I don't think at this time anybody has the answer, but we can get together and talk. When we talk, we can start the healing process which hasn't started here tonight.

Mr. Max. Well, yes, it has because you've laid some good seeds, believe it or not, as have the other speakers that are here, even the speakers that have an opposite point of view. And here's what I'm going to suggest, and I'm not just speaking to you but to those in the audience who have spoken before or who may have opposite points of view of the matter, and that's this.

Sitting in the back here are some representatives of the Community Affairs Committee of Birmingham who have a conciliation, mediation task force that brings people together.

Mayor Lavender. That sounds great.

Mr. Max. There is also a representative of the National Conference of Christians and Jews that deals with race, prejudice reduction workshops, and the ability of people to forget prejudice, the ability of people to better understand one another. What I would offer to you is this. And you know the citizens of your community as well as anybody, but I would also like to encourage some input from others. You know the respected black members and white members of your community from opposing points of view.

Mayor Lavender. Mm-hmm.

Mr. Max. I lean on your courage and I'll lean on your leadership to identify those people who would be willing to, whether they come to Birmingham or Birmingham comes to you, through these organizations, and within the next 30 days, within the next 30 days, let's get ourselves together and let us act as only the facilitator, not with the answers, with the opportunity to bring the competing sides together.

I want to see your children staying in Boligee. I want to see this beautiful community economically developed. I want to see your education system better than it is, so that all the children graduate and move on to the University of Alabamas, the Auburns, and all the other higher institutions—

Mayor Lavender. The UAs and the Alabama State Colleges and all—

Mr. Max. Yes. Would you accept my offer that in 30 days—and I offer it to you as well as to some of the others in the community, to come to Birmingham to have that very tough conversation with some people who may be shaking their heads that there's no way I could ever get together with that group or that individual, I am offering that opportunity, and Saddle Slane, who is a Community Affairs Committee—her number is 324-8797. That's 324-8797. She is the director of the Community Affairs Committee, Operation New Birmingham. And I simply invite, if you have the courage, to try—off the record, no newspapers, no politicians, from the standpoint of being Democratic or Republican, we don't—I want to talk in terms of what you can do in the community educationally, economically, and perhaps citizen to citizen.

And if you don't want to accept that invitation, I understand, but if you are willing to, Community Affairs Committee of Birmingham, to get together with some other organizations, is willing to do that. Mayor?

Mayor Lavender. I challenge everybody to accept that offer and come with us up there and sit down and try to work our problems out. Nobody is without problems. That little woman right over there that I love more than anything in the world, but some nights she won't let me in the back door, you know. So we all have problems and it don't mean we can't work these problems out.

Mr. Max. I invite you to come away from this area only because it's too difficult to—

Mayor Lavender. I think we need to be in a neutral area to try to work this thing out. I don't think that we can work it out in Greene County in Boligee, Alabama. I think we're going to have to have a neutral people to referee and not let it get to be a hollering match—to be a discussion to start the healing process in Boligee and Greene County.

Mr. Max. We will serve as that facilitator. I will be disappointed if I do not hear from the community within 30 days.

With that, any other questions of the Mayor?

Mr. Jenkins. Let me also point out, I'd be remiss if I did not, we have a representative this evening from the Community Relations Service of the Justice Department. Mr. Stallworth has been

in and out of the area the last few days trying to ascertain the status of race relations. His agency is a Federal agency responsible for working and mediating and conciliating community disputes, so that's also—

Mayor Lavender. That's another avenue that we can take to get together, and we need to take all the avenues that we can and—just like I said, from the Civil War to the Movement, this much—but since the Movement to here, we've come a long way, and we look like we was closer together and we've got some people that want to drive a wedge in between relations for their own personal political reasons.

Mr. Max. Mayor, thank you very much. We appreciate your being with us. Any other questions from the group at this time? Thank you.

Mayor Lavender. Thank you for being here and I really appreciate you all coming to help us out in this area. Dr. Berry, I've enjoyed my evening with you.

Mr. Max. We'll look forward to hearing from you. Yes. Before we have our next speaker, I think there's been a request for Mr. Cavanaugh and Mr. Langford to respond to the situation with regard to the white church burnings. Yes.

Dr. Berry. Let me just ask you the specific question. The church fires or arsons that have been reported and are under investigation of white churches in the South, in the same period that you're investigating these black church arsons, is it alleged that these are civil rights violations and may have been perpetrated by blacks for racial reasons as far as you know?

Mr. Cavanaugh. I don't know of any situation as you describe. The number I gave you earlier, Doctor, about the 243 cases involve all houses of worship, synagogue, white, black, congregational churches.

Certainly we respond to any house of worship that's desecrated. I think the difference we've seen here of note is—the mayor makes a good point. There's white churches that burn too. And that's true and there's hundreds of churches that burn every year in a Nation with 300 million people.

But the particular issue that we've noticed, that I've noticed in the Birmingham Division, is that

we seem to have these multiple events or cluster events, and we have not seen that with white churches. In other words, it's a more clearshot-type event, some of them more random. I don't know of any that have been racially motivated.

Dr. Berry. Same question for Mr. Langford.

Mr. Langford. Madam Chairman, we have not had any reports of any racially motivated white church burnings. Under new statutes, however, there does not have to be a racial motive. It's just a house of worship and we have just completed a nationwide survey—in fact, in Alabama I've just been told coming down today that since 1990 we had 20 white churches and 20 black churches that have been burned for various reasons.

So we will start looking at that, but none have been reported from a racial motive, no white churches.

Dr. Berry. Right. I just thought it was important to clear that up. We're concerned about the burning of any churches and the Commission, under our jurisdiction we're concerned about religious discrimination as well as racial discrimination; but it's just that the point was that these churches seem to be an issue of racial motivation, which is why people are focusing in on this clustering of them.

The next witness is Mr. Abraham Kinnard, the principal of Paramount High School, on whose premises we happen to be sitting right now. Mr. Kinnard, would you please come up?

Mr. Kinnard. Thank you.

Dr. Berry. Thank you for being with us.

Statement of Abraham Kinnard, Principal, Paramount High School, Boligee, Alabama

Mr. Kinnard. Thank you and first of all, I'm Abraham Kinnard, principal here at Paramount High School, in Boligee, Alabama, which you are visiting at this time, and on behalf of the Greene County Board of Education—we did have one of our board members here with—I don't see her now—our superintendent, Mr. Joseph Dasma, and all of our staff members—we do have some here.

We are very happy to greet you and welcome you to this west central Alabama rural area. We hope that your stay has been a very pleasant one and we do apologize for the heat, but this is the

way Alabama is at this time of the year. So when you come South, you just be prepared for a little heat. Hopefully as we get back in, we'll have the place airconditioned and you won't have to endure all this.

Let me just say that we apologize for being somewhat late. You beat me here today due to some emergency circumstances. I was unable to get here, but as we hope that you were able to find your way in and you found some hospitality, just good old southern hospitality. That's what we want you to enjoy while you're here.

I'm going to just greet you and leave space for someone else, because of the time.

Our school is in the midst of this area of church burning and our school was directly and deeply affected by the burning of the three churches in this area. We had staff members who were members of either one of the three churches. Also students. So we are very concerned about it and it deeply affects us and we are just hoping that, number one, that the burnings will cease, and we hope that the persons responsible—person or persons—will be brought to justice.

So, on behalf of the educational system of Greene County, we welcome each of you here.

Dr. Berry. Thank you very much, Mr. Kinnard. We appreciate your hospitality. I assume there are no questions—does anybody have any questions for Mr. Kinnard?

Mr. Kinnard. Well, we heard something about our school system. I guess I would be remiss if I didn't say something about our system. We've heard a great deal about how the education system in Greene County—certainly it has all the problems that we see in our inner-school system, violence occurs in our system. Also we have the areas of drugs and that type of thing, but also some positive things have come out of our system, and we are appreciative of those.

You can see that we are in the midst of poverty and deprivation, but we are very happy of some of the things that have occurred from our system. We have produced what other systems have produced, in terms of leaders, doctors, lawyers, politicians, professional athletes, and what have you, have come right through this system.

We still have many miles to go before we can sleep, but—well, thanks for the distance that we have come and we do realize the goal—before the journey ends.

Dr. Berry. Thank you. Thank you very much for your testimony and for your greetings. Our last witness before the open forum is the sheriff of Greene County, the Honorable George Hall. Sheriff Hall, could you please come forward? Thank you very much, Sheriff Hall. Could you please proceed in whatever way you'd like and we'll ask you some questions.

Statement of George Hall, Sheriff of Greene County, Alabama

Sheriff Hall. Good evening, Madam Chairman. To the rest of the guests, good evening also.

I've heard a lot of testimony this evening and I'm kind of puzzled and baffled as to which direction that I need to go or what I need to say, and if we stand here this evening and say there's not a problem in Greene County, Alabama, I would be lying.

There is a division or a racial problem between the races, and I guess everybody is wondering what's the solution to the problem or what do we do to solve it.

One thing I think we should do, or we need to do, is recognize blacks as being capable of holding political office. I think if the white community would recognize this and come together with blacks, that we could solve some of the problems that we now face. I've been somewhat disappointed since the burning of the churches about the way situations and conditions have arose and the way things have gone.

Most communities are looking to the law enforcement official to solve their problems, and we realize this is our job, that we should be looking for those people that committed the crime or committed the act, and bring them to whatever justice they deserve.

But when the community is led or guided by misquotes and dislike of leadership by blacks, I think it adds to the problem. Now, I'm not here to discredit anyone, belittle anyone, but I would like for this Committee to note and those who are listening that being sheriff of Greene County, I

think I'm the chief law enforcement official. I think if anyone comes to Greene County in the respect to have to do with law, that I should be contacted. And that has not been the case throughout the investigation. I talked with the mayor of Boligee and we had a long discussion about him and the official from Washington or whomever else contacted him without contacting the sheriff's office. Since the law has not changed, I'm still uncertain as to why different groups continue to contact the mayor without consulting myself.

These fires of the churches are definitely having an adverse effect on the community, and our department has spent numerous hours along with ATF and FBI and other agencies trying to locate who committed the acts.

But, again, this has spread into the community and I've noticed how some of the white citizens have responded to the sheriff's department when they call. They act in an unprofessional manner which is belittling to those people that work in the sheriff's office.

I'm suggesting to each community that they realize that I was elected by the majority of the people. My position is to serve all the people, and I'm not going to be a sheriff for any particular group or any particular person, but I expect and I'm demanding that the citizens of Greene County understand that I am the sheriff until the election comes again, and if reelected I will be the sheriff again, but if not, whomever takes the position, then they would be sheriff.

So I ask all citizens to respect the sheriff's office and respect the position. I notice whenever I'm on the streets, my name is George. But if the mayor or somebody else comes by, it's mayor. Now, I'm confused as to why I'm not Sheriff Hall.

All I'm asking for is respect and I'll give respect. So that's the first step I think that's upon us, that we must as white men, white ladies, whoever, recognize that black officials can do a job, but we need the cooperation from these people, not to sit back and criticize and degrade the officials.

And if they come to grips with reality and face that point, I think we can move forward. And I'm

not going to continue to say there's not a problem in Greene County. Some people say there isn't, and some people say there is. But most people just stand back, look and observe the problem.

From the Federal or State governmental offices, all the way down to any local office, you can see where there is a division.

When the blacks cry—most of them are reluctant to make complaints or speak out openly, because they are fearful of what's going to happen, and that's sad when they feel that they are not going to be represented or not going to be heard, and if they make a complaint or say something in a negative manner, then somebody is going to retaliate against them. Then they come and cry on my shoulder and expect me to resolve the problem. And it's heartbreaking when you go to the official that's in charge and try to communicate, and you don't get the response you think you should get.

I'm very concerned about the situation with Greene County. I'm very concerned about the situation in the State of Alabama, when it comes to racism. It doesn't take much to start a fight or to spark a race riot, but if we don't come together as a people, we're going to destroy ourselves, and we've got to do this and I'm asking that whatever assistance that your office can give, from the President down, that they don't sit there and say well, okay, let's avoid a decision and see what will happen and play avoidance with it, because sooner or later it's just a matter of time. If we don't address the problem, it will become a bigger problem. So I thank you all and I'm open for questions.

Mr. Max. Sheriff Hall, what would you ask of us in connection with what we can do for you?

Sheriff Hall. I would like for you or any other source to talk to the white citizenship of Greene County and ask them will they work with the elected officials, not just myself, all elected officials, and put aside the criticism and the negativity as to what has happened in the past and what they accuse some of the officials of doing. I mean, we can easily discredit someone.

But then, how many times do we talk about the positive things that those people elected out here to serve the people go through, the hardships, the

disappointments, the restless nights, and the public continues to dog them out. I mean, I can speak to that because I'm an elected official and I've run into people and they continue complaining about what you're not doing, but they don't look at the things that you are doing.

Mr. Max. I'm curious. It's interesting. In many communities we have a situation where there is a predominantly white police force or sheriff's office—

Sheriff Hall. Yes.

Mr. Max. That will have problems in the black community. There has been brutality. There has been harassment. There have been a lot of things, for which there is distrust of that police force or sheriff's office.

Here we have a reverse situation, and I see you're very articulate and you present yourself very well, and yet you have a white community that may not be as at ease with a black sheriff, sort of like a black community may not be very at ease with a white sheriff.

Sheriff Hall. Yes.

Mr. Max. Now, do you have within your offices, let's call it a community relations division that attempts to go out—whenever there's a problem and not only deals with the arrest or the problem or the robbery or whatever it is, but also deal with the community's perceptions that can probably be as problematic as the crime itself.

What if anything do you have in that—

Sheriff Hall. We are a small department and we do not have a relations program in effect, so the only relationship we have is when the officer goes to the scene, try to deal with the incident, or if someone comes into the sheriff's office, we try to communicate in a professional way.

Mr. Max. How many officers do you have or deputy sheriffs do you have?

Sheriff Hall. Five.

Mr. Max. Five?

Sheriff Hall. Yes.

Mr. Max. That's five including yourself or yourself and then plus five?

Sheriff Hall. Myself and five.

Mr. Max. Yourself and five. Okay.

Sheriff Hall. And I think what the public fails to realize is that there is only X number of hours a man can perform a job.

Mr. Max. I understand.

Sheriff Hall. And for us to be at each church or each house or each club isn't always feasible, and I think that's what they expect—if something is going wrong, they expect us to solve it at that point.

Mr. Max. Are there civic organizations in Greene County that meet on a regular basis, Kiwanis, Rotary, Civitan or—

Sheriff Hall. There may be, but I'm not aware of them.

Mr. Max. Have you ever been asked to speak to any of them?

Sheriff Hall. No. I mean, this is a problem that we have. I think blacks are excluded for whatever reason may be. I don't know if they feel uncomfortable with blacks being in charge or just a situation of being uncomfortable with blacks.

Now, if we can learn to get past this barrier and associate and deal with each other, and I think we can move forward. I think the problem is with some of the white citizens. I don't think it totally lies with the blacks. I think again, like I said earlier, I think the problem is that a lot of whites cannot accept blacks being in charge. Now, if they can get past that barrier and work with blacks, I think things can move forward.

Mr. Max. Anne, you had a question or comment?

Ms. Shumaker. I've been listening tonight and I would really like your opinion on something. Do you see a problem among individuals, black, white, Native American, and Asian American, or is it just among groups, the total population? Can individuals get along with members of other races and does that happen easily?

Sheriff Hall. I think they can, but I don't think it happens often.

Ms. Shumaker. I was just curious if you saw a lot of individual friendships among the different races.

Sheriff Hall. I really don't see that, but I understand the group they were talking about earlier only speaks for a few black citizens. It doesn't speak for the masses, and seeks the masses

of citizens. This would be in opposition to what their whole objective is.

Ms. Shumaker. The best way to start is with individuals, I guess.

Sheriff Hall. Yes, I agree.

Mr. Max. Can I just ask one, just—you're an elected official.

Sheriff Hall. Yes.

Mr. Max. When did you run last?

Sheriff Hall. This is my sixth year.

Mr. Max. When was—this is your sixth year?

Sheriff Hall. Yes. Two years ago I ran.

Mr. Max. I want to get inside your campaign if I could just for one second.

Sheriff Hall. Sure.

Mr. Max. You're elected by all the residents of Greene County; is that correct?

Sheriff Hall. Correct, yes.

Mr. Max. You have, as most campaigns would, campaign managers, people that assist you out in the community?

Sheriff Hall. Yes.

Mr. Max. Do you have—could you—and you don't need—I'm not asking you to name names, but do you have white citizens, residents who are a part of your campaign committee?

Sheriff Hall. Very little. We have contacted whites and tried to get them to work with us, and they refused to do that, even with implementing programs into the jail system, they beg away.

Mr. Max. Is there one or two that are there to assist you in some way in the white community?

Sheriff Hall. No.

Mr. Max. So your campaign or election is based on the strength you have among black constituents alone?

Sheriff Hall. Yes.

Mr. Max. And I presume at the last election you had an opponent.

Sheriff Hall. Yes, I did.

Mr. Max. And was it a white opponent?

Sheriff Hall. Yes, there was one.

Mr. Max. And did that white opponent have black supporters?

Sheriff Hall. Yes, I think so.

Mr. Max. Okay. All right. Thank you.

Dr. Berry. What I want to ask you, when Mr. Max started on this line of questioning about how people in the black community oppose white police and claim police brutality and a lot of things, and when it was similar—you have a white community, the white community isn't claiming police brutality, is it?

Sheriff Hall. No, they are not.

Dr. Berry. Is what the white community is complaining about is that you don't enforce the law the way they want you to, or you're not as responsive as the system used to be before there was a black sheriff or their perception is—it's not police brutality?

Sheriff Hall. No.

Dr. Berry. They're not complaining that you go out and arrest a bunch of white people and beat them up or anything?

Sheriff Hall. You're right.

Dr. Berry. That's not the issue.

Sheriff Hall. You're right on key.

Dr. Berry. Well, what is it they're saying you're not doing? What is it you're just—

Sheriff Hall. It's just like the other agent was saying here, if a case or crime occur, you've got to try to gather the facts.

Dr. Berry. Right.

Sheriff Hall. Before you can make a case.

Dr. Berry. Right.

Sheriff Hall. If a crime is committed, they expect the sheriff or my department to have someone in jail before night, if it happened this morning, and if that doesn't happen, then we're not doing our job.

Dr. Berry. And is very often the person who they think should be arrested a black person?

Sheriff Hall. That's 9 times out of 10.

Dr. Berry. So that their perception is before you had a black sheriff—I'm just asking—

Sheriff Hall. Sure, go ahead.

Dr. Berry. If it was a white sheriff, somebody would have been in jail by the end of the day?

Sheriff Hall. That's true. You used to do that under the old law.

Dr. Berry. And that's the way it used to be?

Sheriff Hall. That's the way it used to be.

Dr. Berry. They don't like you because you don't do that?

Sheriff Hall. You can't do it. The law says you can't do this anymore, so we can't rush the jury, as it's said. I mean, if we start doing that, we're going to create all kinds of problems, and I think the public fails to realize that.

Dr. Berry. Yes.

Sheriff Hall. My department has been slandered in the papers for incidents of this type. We didn't see the party commit the offense and nobody gave us information; it takes days, sometimes weeks, sometimes years to collect information as to who may have committed the crime, but then if this person is not in jail or somebody is not in jail, then we're not doing our job I think is the way they perceive it.

Dr. Berry. So what you are suffering is the kind of thing we've seen elsewhere where blacks get political power or any out group that gets political power and doesn't have economic power, when they first gain power, that there's resentment that you don't do things the way they used to be done. Is that what you perceive as-

Sheriff Hall. I do. That's correct.

Dr. Berry. And what Mr. Max also was asking about is whether you got coalitional support—are there any whites in the community who are willing to try to , you know, change the perspective or work with you on this or are the lines so hard between black and white that it's your perceptions that you're not able to do that right now?

Sheriff Hall. I think that somebody said a line has been drawn in the sand. Now, how we get on the opposite side of the line, I don't know. My situation happened to be that I'm not going to sugarcoat things and play partners with anybody that's doing wrong, first of all.

And if somebody is doing something wrong, I think it's my job to say that it's wrong, especially being a leader. When you question some of the things that happen in the system, then you become the bad guy, and that's what has happened to me.

I've questioned some things in the past and it's there, it's there. It continues. It doesn't go away.

Dr. Berry. So that if Mr. Max's proposal is taken up of trying to get blacks and whites in the

community, whites and blacks to sit down and deal with the social context, then it may make your job easier?

Sheriff Hall. It would make it a whole lot easier.

Dr. Berry. Okay.

Sheriff Hall. If we could communicate and we could be of one group, then we could move forward. But in the situation where we have here, we have division, people taking sides, and a lot of times the facts are not presented to those people that take the side, so they have an impression by what somebody was saying, not the true facts.

Dr. Berry. All right, thank you.

Mr. Max. Any other questions or comments for the sheriff? Sheriff, thank you very much. We appreciate it.

Open Session

Mr. Max. We are now at the stage of our meeting that we have an open forum. And we have some people who have indicated that they would like to speak.

I'd like to start with Lawton Higgs from Birmingham, Alabama. And if I could, Reverend Higgs, because of the lateness of the hour, if we could try to limit these comments to say, 2—3 minutes at the most for each speaker. Thank you.

Statement of R. Lawton Higgs, Sr., Birmingham, Alabama

Rev. Higgs. Thank you for the opportunity to share with you. Listening to the statements here tonight in light of my own experience with racism and the struggle for racial justice as a white pastor over the last several years, I would like to make a call to challenge the leadership in the white community, especially the leadership in the white church, to a new and concerted effort to work for human dignity and the respect for the humanness of all people, especially African Americans. As the white pastor of a multicultural-interracial church in Birmingham, I understand the difficulty of this work in the white church. The time has come, is way past due, for white church leadership to make a more determined and committed effort to respect the full humanity and leadership of the African American people.

The burning of the black churches is another symptom of our larger American cultural flaws. Dr. Cornell West's analysis of the Los Angeles riots in the introduction to his book *Race Matters* describes not only what is taking place in urban American but rural American as well. The Civil Rights Commission would do well to apply Dr. West's analysis of the LA riots to their continued investigation of the black church burnings.

In the statements here tonight we have heard the report of the deadly linkage of economic decline, cultural decay, and political apathy. These are the root causes of the LA riots that Dr. West identified. Race is clearly the visible catalyst in the black church burnings. It is a deep rage, however, that continues to fuel the fire of the burning black churches. The rage is rooted in the economic, cultural, and political decline in America. There must be a new committed white and black leadership that must address these issues.

And one of the key elements through our response, I think, and I want to challenge the community here, is for the white church to take leadership in respecting the humanness of all people, and I think that's the key elements in our addressing these issues. As a white pastor of a multicultural interracial congregation, I know it's a very difficult challenge in the white community, and I think it's time that the white church and white leadership and others began to address the issue of the humanness of all people, the full capability of all people for leadership, and to affirm these issues.

And I would think that it would be helpful that the Commission might look further into some of Dr. West's analysis of what took place in Los Angeles and how this is now manifesting itself in rural American with the fires that are taking place in the churches.

Mr. Max. Thank you, Reverend Higgs. We appreciate your being here. Next Eunice Outland, retired educator. And I do appreciate everyone staying to this late hour.

Statement of Eunice Outland, Greene County, Alabama

Ms. Outland. My name is Eunice Outland. I lived in Greene County for 40 years. I am a retired educator. I was the first black high school teacher that worked in the Greene County School System before the white flight.

And as I was listening to all of the dialogue that was going on, I was compelled to say a few words. Just prior to my coming here I was listening at the news, and I didn't have any idea at that time what the agenda for this meeting was going to be, but the news item that struck me most was in relation to James Hood—all of you are familiar with James Hood.

He was the young black African American that attempted to integrate the University of Alabama when Governor George Wallace stood in the door. Well, to make a long story short, today Governor Wallace and James Hood had a meeting, and this meeting was arranged by a professor at the University of Alabama.

And one of the burning questions that James Hood had that he wanted to ask Governor Wallace was, Did he believe what he did was right? And he asked him that question today, and Governor Wallace replied, yes, what he did was politically correct because that was what the people wanted.

But now, in retrospect, he thinks it was morally wrong. So I took that idea to really determine what I had to say this afternoon, that we do have a national decline in race relations, a local decline in race relations, and a State decline, and I think this is brought about because everybody is trying to do what is politically correct as opposed to what is morally correct.

Another reason that I think we have a decline in race relations is because of the inability for white America to get above stereotyping. Now, when I say white America, I'm not talking about every single white person, because this is not true. I have—as to joke always go about whites say about—like I have some very good white friends, people who have been extraordinarily kind to me, and I believe they are sincere people, but I'm saying we do have a lot of stereotyping.

When you talk about crime, welfare reform, affirmative action, violence, food stamps, drugs—

everybody automatically thinks that this is applied to the black race only, which is not true. Affirmative action, for example, not only were blacks able to profit by this splendid piece of legislation, but white women were also provided the opportunity to make some upward mobility steps from that, so the stereotyping, if we could get above that, I think that we would be back on the road to improving race relations.

And sometimes there are some things that I think are done harmlessly by some whites. They don't intend to offend, but it does become offensive. For example, I had the opportunity to work in the polls during the last election, and when I went over to vote, some black people were busily looking at a certificate on the wall in the mayor's office, and this was a certificate that he had earned from the National Association for the Advancement of White Trash, and the people that were looking at it didn't know that perhaps this was a satirical gesture.

Is he really a member of the National Association for the Advancement for White Trash? Now, I understood perfectly that, perhaps, this was an attempt at humor, but then they said, "Well, let's look and see who signed it," because they thought it was a real certificate.

Well, the one person that signed it was supposed to have been Michael Swire. Now, if I'm not mistaken, I think that he was one of those boys that were killed in Philadelphia, Mississippi. And if I'm correct, that was not humor to me. It was outrage, you know, that you could take a very, very serious situation and like that and make fun.

And the other person, that signed it was Lester Maddox, but I think that it was placed there, as I said initially, in a kind of a humorous gesture, but perhaps it was not realized how other people would really take it. It was not funny to some and some didn't understand it. You know, they thought this was a real organization. Of course, I knew better.

So I think that we can improve race relations by better communication and so therefore, you know, I kind of struggled with the idea of whether or not I should mention about this offensive certificate, but I think that this really needs to be

communicated to the person so that the same mistake will not be made again.

Mayor Lavender. Michael Slater on that certificate and not Michael Swire, so it had no reflection on anybody anywhere else. You can put a lot of input into something that's not true if you don't understand it.

Ms. Outland. Well, I still think in any circumstance it was lame humor. It was my understanding-again, that's communication. That's communication.

Mr. Max. I understand.

Ms. Outland. And one last thing. We have difficulty corroborating and communicating. When I was an educator—I retired 2 years ago—we organized an organization and it was called the Greene County Local Education Foundation. And this was an initiative that was sponsored by Alabama Power Company, whereby they would give local education systems who had this organization organized—they would match the money that they raised to take care of different projects that the county or the school system otherwise would be unable to sponsor.

I was instrumental in organizing this local education foundation here in Greene County. But to my surprise I read in a paper that the local education fund was some kind of political arm that was designed for politics, which was totally untrue.

So I—

Mr. Max. I apologize. We have a limited amount of time. If you could bring it to a conclusion, we'd welcome your written comments if you wish to make something in writing.

Ms. Outland. Thank you very much.

Mr. Max. Thank you. I'll ask you one quick question. If the mayor meets our challenge to bring together a group of people, would you be willing to come to Birmingham to be a part of that dialogue?

Ms. Outland. I'll be right there.

Mr. Max. Appreciate it. Next we have Carol Zippert. And again, if you could limit your comments to 3 minutes.

**Statement of Carol Zippert,
Greene County Resident**

Ms. Zippert. Good evening. I probably will limit my comments, but I think it's a little unfair, because if this hearings was for Greene County citizens, then I think that other guests should have been expected to give their comments at the end, so I think it's unfair for this restriction but because it is late and we are all tired, but I'll have further words with you about that later.

I did want to talk about our community. It is polarized in a very serious way that you heard much of those comments that demonstrate that we have separate schools, that we have separate churches, we have separate—we recreate separately even though there are two swimming pools and it is true technically children or anyone can go to either one, but the black children going to the white swimming pool on the white side of this town, or the swimming pool on the right side of this town, may be subject to harassment. They may be subject to being—just barricaded from going in.

It's happened in recent years that some local children were prevented from even going in, and of course you have to call the officials and get that straightened out, so why bother? So they just go to the pool on the black side of town.

So that kind of polarization exists, but there are other kinds of things that keep people in a fearful state.

Just a few years ago State highway 14 was dedicated and renamed the Martin Luther King Memorial Highway. The appropriate State signs were put up naming the highway. But every 2 or 3 months the signs have to be changed where local people—I guess local governments can afford to change them—because they get riddled with bullets or they get painted with KKK. This is in the nineties. This is not 1960. That happens. There are still some signs that are currently defaced, because I guess you can only spend so much, I suppose, on replacing signs, so those kinds of things continue to happen to us.

And we are subject to victims being blamed for the crime or for the offense. We saw that very clearly, what happened with Judge Eddie Hardaway in Sumter County. He is not just the first

and only black circuit judge in the circuit, which includes three counties, he is the only—so can you imagine the power of that position, attorneys at other—can't go to anybody else. In adjoining Tuscaloosa, there are many circuit judges. I don't know how many, but there's one black, so that you can—legal personnel can, I'm sure, do something to bypass the black circuit judge if they try hard enough.

But they cannot do it in Sumter, Greene, and Marengo Counties. But when his home is shot into, when he and his family are there, and then questions are raised that would suggest that he may be responsible, you know, that's blaming the victim. Like the woman who is raped, you blame her for that. That's blaming the victim. That's harassment; that's the kind of harassment that is going on even today.

Some mention was made about getting assistance and funds for rebuilding the churches. There were at least two groups that were helping to raise funds, but then they—and these were predominantly white groups or just white groups, that were in charge of raising some of these funds, the ones I'm speaking to; there were some other groups as well. But the practice—I mean, how they wanted to turn over the funds spoke to the fact that they did not trust black leadership, that black folks cannot make decisions about our own lives, we can't decide about how to build a church, and how to spend the money to build a church, so they raised some funds, and they said, "We will give it to you on a reimbursement basis. After you have spent something, we'll reimburse you for it."

Now, these white folks are not members of those churches. They are not in any leadership position in those churches, but yet they say they want accountability. They want black members and leadership of those three churches to account to them on how they're spending those contributions in building the churches. What is that?

What is that if that's not the old plantation system, the old plantation mentality of the white master being in charge, and that we black folk can't be ourselves? What is that?

So about help being refused—you know, that's the kind of help that's being refused. You know—

Mr. Max. If you could bring your comments to a conclusion, I'd appreciate it.

Ms. Zippert. You can leave. I'm going to finish my comments. You invited us to go to Birmingham but I don't know, there's something in that that's a little unsettling too. Why don't you come here and I don't know if folks would—if you would get the people there that would make a difference? But why don't you come here or why don't you talk with a group about what it is you can do to help, that maybe that isn't the first step. That may be a second or a third.

I don't know if we're there—you know, we're separated in so many ways. A key way that we're separated, if we could work together on, and that's having our children share their lives in some way.

Black and white children don't share their lives in this county in any significant way. Perhaps in small numbers or some groups somewhere, I don't know—I'm not aware of it, but we don't go to school together, we don't worship together, we don't recreate together. Our children don't know each other, and I think that that is what is perpetuating the continuation of racial problems in our community. Our children don't know each other. We don't give them the opportunity to learn our different cultures so that we can appreciate each other, so that they will not have the same struggles with change that we do, and it is hard for me to change as a black person.

I'm on the defensive. I mean, I've always had to fight. I don't know how not to fight, but I want my children to learn how not to fight, but I wasn't—please don't do that.

Mr. Max. Ma'am, let me ask you this. You have some very, very good points that are worthy of us continuing beyond 3 minutes to listen to and I want to give you that opportunity. I want to give you the that opportunity. Could you please summarize them to conclusion so we can move on?

Ms. Zippert. I would like to challenge our community to come up with ways to let our children come together and learn each other. You don't have to marry each other. It worked for me, but it may not work for everybody. You don't have to marry each other, you know, unless that's a personal choice, but at least they could learn

who we are and learn to respect the fact that we may be different but there are a lot of things about us that we have in common.

Mr. Max. I would invite you and your family to some dialogue with some NCCJ representatives here who I think can help in some of the things you're raising. I have Jan Lavender, citizen of Boligee.

**Statement of Jan Lavender,
Boligee, Alabama**

Ms. Lavender. Since I only have 3 minutes, I'll try to limit my time, so I'm going to read this very quickly.

I'm upset to see that most of the people that need to be here to hear what I say have already left. I really do feel that for a group of people that came here not to call names—some people have certainly done a lot of that, particularly of our Honorable Governor Fob James.

So this person who says that our number one problem in this county is the *Independent* newspaper, let me ask him, but he's already left—do you believe everything that you read? I was taught in grade school not to believe everything that I read.

I would say that our number one problem in Greene County is paid agitators. Those of us in Greene County know who those paid agitators are.

Our number two problem is our so-called public school system. What white mother or father would be expected to send their children to a school system in which there are no white principals, no white administrators, no white supervisors, and no one working in the central office that is white? As far as the number of white teachers, last count I had last summer was 19. But I'm sure it's increased somewhat since then.

Qualified whites who have applied for these supervisory positions are not hired. And, of course, off the record the statement was made by one of our public officials that the reason whites are not hired in the public education system is it's payback. I hope they have enough back pay to cover their discrimination against qualified white people.

My last comment pertains to someone whose name that I can call, Mayor Buddy Lavender, who is my husband. For a person who has been so giving of his own time and money, who has consented to over 100 interviews pertaining to these church fires only, who serves as mayor and fire chief and acting police chief, and who is paid a meager \$275 a month for all of this, he has been horribly mistreated.

His only sin has been that of having too big a heart, a problem that he's always had, but God bless him, I pray that he keeps that heart because those of us who really know him realize that one day he will be with his Maker. Some of us need to ask ourselves where we're going to be. Those who choose to attack my husband so wrongfully are either not here or like I said, they have already left.

Two swimming pools in Eutaw? Yes. There are two swimming pools. I visit one of those swimming pools and frequently I do see black children and no, they are not mistreated. They are not mistreated. I've seen it myself.

When 34 percent of the votes is absentee ballot in Greene County, and the normal is 4 percent, there's got to be a problem somewhere, and in response to the certificate on my husband's wall that was to be so offensive, I have personally seen a constant "Do not disturb" sign hanging on one of our retired principal's doors.

Thank you for listening to a wife who has heard it and had it all.

Mr. Max. Thank you, Ms. Lavender. We do appreciate it. Our last speaker is Lamar Washington, executive director of the National Conference of Christians and Jews, for 3 minutes.

Statement of Lamar Washington, Executive Director, National Conference of Christians and Jews, Birmingham, Alabama

Mr. Washington. Thank you, Mr. Max. It won't take 3 minutes.

We've heard an awful lot of things this evening. I come from Birmingham. I live in Birmingham. I'm executive director of the National Conference of Christians and Jews. Our mission, the national mission is to promote tolerance, respect, and understanding.

And the thing that I have not heard a lot of this evening is the fact that this crisis presents this community with an opportunity. We've heard a lot about a lot of problems, but we have an opportunity now to address those problems, to address those issues, and whether those of us from Birmingham come here or you come to Birmingham, we can certainly work that out.

I'm sure that Mr. Max simply made a statement and as to whichever way we go and whatever we can do to help this community, because it's our community, we're not from Birmingham, we are Alabamians. We are all in this together.

When our country as a whole is attacked, such as the Persian Gulf, we all pull together. We sent black soldiers, white soldiers. We sent Americans to the Persian Gulf to fight those wars, and we are in a crisis now. This is the battleground now for us in Alabama addressing the issue of race and other things that seem to divide us.

So we have got to reach beyond ourselves and face the issue. We can do that without a lot of screaming and name calling. We get hot, we can take a break, and we can come back to the table, but we can get beyond this if we simply work together.

Mr. Max. Thank you, Lamar. Very much. I appreciate it. I don't wear a watch. I don't know what time it is, but I do know I haven't eaten dinner so I'm a little bit hungry, but I do appreciate everyone for being here, for your comments.

This is only a beginning. Please, this is only a beginning. It does not solve your problems today, I would have liked for this Commission to see a Community Affairs Committee of Operation New Birmingham, the National Conference of Christians and Jews. I want to reach out to your community and be of every help that we can.

The Advisory Committee remains the eyes and ears of the Civil Rights Commission. Use it. You can contact us through any of the phone numbers of the individuals here from the various cities we're from. You can contact Melvin Jenkins and his staff at their office in Kansas City.

Melvin, do you have anything in concluding remarks?

Dr. Berry. I just want to say how pleased I am that the State Advisory Committee held this forum. It's been very informative, and I hope it proves to be useful and I do hope the community takes up Mr. Max's offer of trying to help people meet together and see if we can begin to discuss these issues.

I think tonight we opened up the issues. And I have seen people talking today. People told me they talked to each other today before we got here, or talked at each other who haven't talked to each other at all, so at least you've made a beginning and can reach out—and I just want to thank you on behalf of the Commission and I'm glad I was able to be here with with you.

Mr. Max. Before we close I think it would be most appropriate—this is the first time that we have had someone from the United States Civil Rights Commission come to our area, the very first time. I mean, not only do we have somebody, we have the Chairman of the United States Commission on Civil Rights and I want you to know, Commissioner Berry, I very much appreciate this.

I hope it's not the last time we will see Commissioners come to our area, whether it's Alabama, Mississippi, Arkansas—this area needs your presence, needs your vision, needs your insight, and we very much appreciate it.

(The forum concluded at 10:50 p.m.)

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