

2001



Audit of Anti-Semitic Incidents

*An Orthodox Jewish man
looks at a doorway
painted with anti-Semitic
graffiti in Brooklyn,
New York.*



AP Photo/Kathy Willens

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2001

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Audit of Anti-Semitic Incidents 2001

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The Anti-Defamation League was founded in 1913 “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Now the nation’s premier civil rights/human relations agency fighting anti-Semitism and all forms of bigotry, ADL defends democratic ideals and protects civil rights for all.

A leader in the development of materials, programs and services, ADL builds bridges of communication, understanding and respect among diverse groups, carrying out its mission through a network of 30 Regional and Satellite Offices in the United States and abroad.

Executive Summary

- In 2001, 40 states and the District of Columbia reported **1,432 anti-Semitic incidents** to the Anti-Defamation League. This marks approximately an **11% percent decrease** in anti-Jewish incidents from 2000, when the total was 1,606.
- Anti-Semitic activity reported in 2001 comprised **877 acts of harassment** (intimidation, threats and assaults), the same number as in 2000. As in the past, harassment directed at individuals and institutions made up more than half of all the incidents reported (approximately 61%). Also, **555 acts of vandalism** were reported — the lowest total in 20 years — which reflects a decrease of 24% from 2000, when 729 incidents were reported. Acts of vandalism include arson, violence against Jewish institutions, cemetery desecration and other forms of property damage.
- The biggest declines in anti-Semitic incidents were reported in New York (408, down from 481 in 2000) and California (122, down from 257), which together account for virtually the entire decrease in the totals.
- Among the worst anti-Semitic incidents were a synagogue arson in Tacoma, WA, a bomb threat directed at a synagogue in Des Moines, IA, a cemetery desecration in Greensburg, PA (headstones overturned and defaced with swastikas), and the mailing of Holocaust denial materials to a Holocaust survivor in New York City. (None of these acts resulted in personal injury.)
- A total of 85 anti-Jewish incidents were reported on college **campuses** nationwide, a **23% increase** from 2000, when there were 69 incidents reported. After a five-year general trend of decline, campus incidents have increased for two straight years.
- Higher security awareness by Jewish community institutions and the significant law enforcement mobilization since September 11 may help account for the substantial decrease of anti-Semitic vandalism incidents in a year otherwise noted for terrorism.
- The *Audit* does not exist in a vacuum. There are still many groups dedicated to promoting their racist and anti-Semitic worldviews. In addition to their mass mailing of anti-

Semitic propaganda and printing of anti-Jewish and racist publications, these extremist groups continue to find in the Internet a growing vehicle for their hate. In today's atmosphere of heightened security measures at Jewish institutions, the Internet, as a medium that is inexpensive, can provide anonymity, and is almost impossible to regu-

late, has become an increasingly active vehicle for transmitting anti-Semitism. (Note: "General" Internet-related anti-Semitism not aimed at a specific target — e.g., that which is found at ongoing Web sites of hate groups; chat rooms and message boards; "spam" messages, and the like — is not part of the statistical findings of the *Audit*.)

Preface

Heightened security awareness in response to the events of September 11, the American campaign against terrorism, and the Palestinian Intifada against Israel, may have contributed to a decline in the number of anti-Semitic incidents in the United States last year.

While there were still well over 1,000 anti-Semitic incidents reported to ADL in 2001, the American people did not buy into the anti-Semitic conspiracy theories that blamed Jews for the September 11 attacks.

Conspiracy theories and rumors in the aftermath of the September 11 terrorist attacks, which primarily emanated from the Arab and Islamic world, found wide distribution on the Internet and in some American Arab newspapers, even though they had no basis in reality.

ADL documented instances where haters in the U.S. have seen their rhetoric published in the Arab world. Some hate groups also found an audience in American Muslim newspapers and e-

mail lists. In several instances, Muslim newspapers and Web sites reprinted articles found on Internet sites operated by hate groups. The Internet continues to play a prominent role in disseminating hate literature.

According to an ADL poll taken after the September 11 attacks, the American people also overwhelmingly rejected the notion that the close U.S.-Israel relationship was to blame for the September 11 terrorist attack on America.

The survey found that 63 percent of the American people believe that Osama bin Laden's attack on America occurred because "the terrorists don't like our values or way of life, not because of our relationship with Israel." Only 22 percent believe the attack would not have occurred if the U.S. were not such a close ally of Israel.

The finding of the 2001 *Audit of Anti-Semitic Incidents* supports the evidence suggesting that anti-Semitism has not increased in the U.S. as a result of the attacks.

The Findings

- The number of anti-Semitic incidents documented by the Anti-Defamation League dropped to a **total of 1,432** incidents from 1,606 in 2000, an **11% decrease**. Of the instances of anti-Semitism in 2001, there were **877 cases of harassment** (the same as in 2000) and **555 acts of vandalism** — the lowest total in 20 years — (down 24% from 729 in 2002). Harassment and vandalism incidents represent 61% and 39% of the total incidents respectively. The predominance of harassment totals over those of vandalism continues an **11-year trend**.
- The **five states reporting the most anti-Semitic incidents** in 2001 are **New York** (408), **New Jersey** (192), **Massachusetts** (126), **California** (122) and **Florida** (115). Together, these states (with the largest Jewish populations and thus the most targets of opportunity) account for 963 of the 1,434 incidents reported (67%). Florida showed an increase, while New York, New Jersey, Massachusetts and California showed decreases in the number of reported incidents.
- A total of 85 anti-Jewish incidents were reported on college **campuses** nationwide, a **23% increase** from 2000, when there were 69 incidents reported. After a five-year general trend of decline, campus incidents have increased for two straight years. Of these incidents, 28% involved the publication of Holocaust-denial materials in campus newspapers, a growing problem.

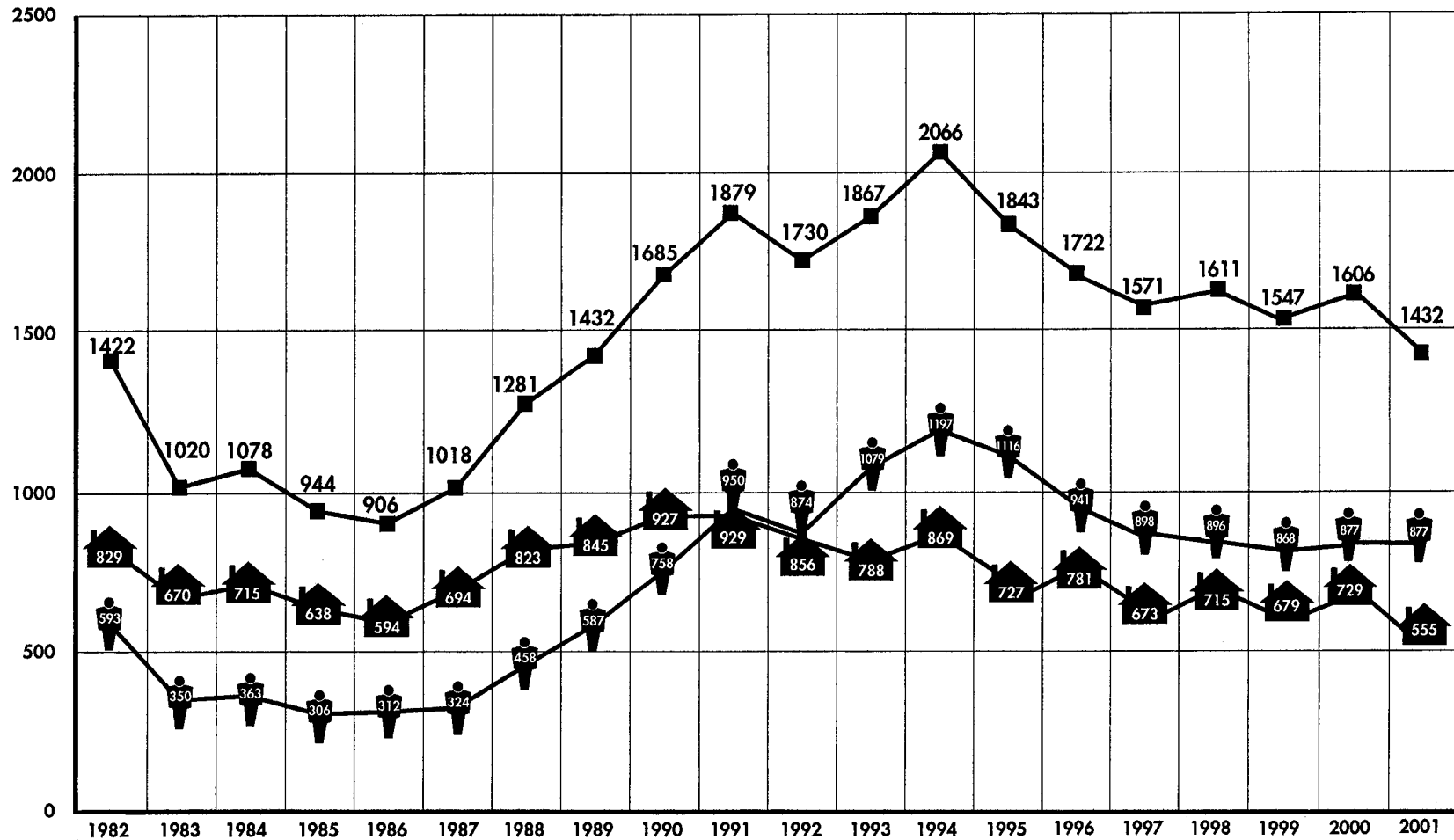
What is the ADL Audit?

The *ADL Audit of Anti-Semitic Incidents*, published annually since 1979, is an account of overt acts and expressions of anti-Jewish bigotry or hostility. It reflects accurately the number of incidents reported to ADL, and to law enforcement agencies when such figures are made available. It is not, and does not claim to be, a scientific measure of anti-Semitism in all of its forms.

Many incidents reported in the *Audit* are not crimes. For example, distributing neo-Nazi pamphlets or slurs directed against Jewish individuals are both protected free speech. Therefore, there will most likely be discrepancies between the total numbers of anti-Semitic incidents reported in the *Audit* and in official law enforcement bias-crime statistics.

The *Audit* is not only a catalog of anti-Jewish acts that take place in a given year. It seeks also to uncover trends in anti-Semitic activity, especially trends in the types of activity reported, such as changes in the proportion of attacks against Jewish institutions.

AUDIT OF ANTI-SEMITIC INCIDENTS YEAR-BY-YEAR, NATIONAL TOTALS
1980 - 2001*



KEY: ■ TOTAL INCIDENTS
 🏠 VANDALISM
 👤 HARASSMENTS, THREATS AND ASSAULTS

NOTE: 1979 report recorded only "Anti-Semitic Incidents," without separate category of threats, harassments, etc. The 1979 total was 129.

* Total reported incidents for 1980 were 489, with 377 for vandalism and 112 for harassments. Total reported incidents for 1981 were 1,324, with 974 for vandalism and 350 for harassments.

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A Note on Evaluating Anti-Semitic Incidents

Overt and obvious expressions of anti-Jewish animosity are easiest to categorize as anti-Semitic incidents, and the vast majority of incidents in the *Audit* do reveal such overt expressions of anti-Semitism. Swastikas spray-painted on synagogues or on tombstones in Jewish cemeteries, and epithets like “dirty Jew” directed against people wearing identifiable Jewish clothing (such as yarmulkes), are all clear evidence of anti-Semitism. More difficult to classify are situations in which, for example, a Jewish institution is vandalized without any specific anti-Semitic graffiti. For the purposes of this report, any deliberate and gratuitous destruction of Jewish property (such as broken windows or display cases), brings the act into the sphere of the *Audit*. Therefore, a stone thrown at a synagogue window, even without any markings of definitive anti-Semitic intent, is considered anti-Jewish hostility. While there may not be conclusive evidence to that effect, ADL tries to make reasonable judgments based on likelihood and probability.

- ADL generally counts as anti-Semitic harassment the distribution of neo-Nazi and anti-Semitic materials to individual Jews, or the placing of such items on their property. This also holds true if the material is sent to a Jewish institution or posted in a public area.
- A series of apparently related incidents, such as similar anti-Semitic graffiti painted on neighboring Jewish properties in one night, or a mass mailing of anti-Semitic material to many recipients in a particular neighbor-

hood, counts as one incident, even though many people may be affected.

- ADL also receives complaints of anti-Semitism directed at *non-Jews*. In ADL’s view, anti-Semitic slurs, threats or vandalism “mistakenly” carried out against targets thought to be Jewish, or purposefully directed against non-Jews believed to be sympathetic to Jewish causes, are clearly signs of anti-Semitic behavior and deserve inclusion in the *Audit*.
- Anonymously reported incidents represent an obstacle to maintaining the *Audit*’s integrity. ADL seeks to corroborate reports of anti-Semitic activity to assure accuracy, and to respond effectively to such acts. While it is relatively easy to authenticate acts of vandalism against Jewish institutions or in public areas, verifying incidents of verbal harassment and slurs proves more challenging. Absent any additional follow-up information to support anti-Semitic intent, these reported incidents require further evaluation and may be omitted from the *Audit*.
- ADL does not include cases of alleged employment discrimination in hiring, firing or promotion, unless the situation includes evidence of overt anti-Semitism. A claim of discrimination in itself, based on inferences of anti-Semitism because of alleged unequal treatment in work assignments or denial of time off for holiday observance, is not considered an incident for the purposes of the *Audit*. Such claims involve a different kind

of anti-Semitic problem which, while hurtful to the complainant, are nevertheless distinct from overt expressions of anti-Jewish hostility.

From year to year, ADL strives to maintain a consistent policy of evaluating anti-Semitic incidents in an effort to make accurate and reliable comparisons. There are times, however, when a significant shift in the types of anti-Semitism reported emerges, which requires a rethinking of *Audit* procedure. In response to the explosion of Internet use in the past few years, ADL has instituted the following policy on evaluating Internet-related incidents.

Anti-Semitic hate messages, threats or harassment received by electronic mail are treated as if they were sent by traditional mail and are therefore considered anti-Semitic harassment. These messages are sent deliberately from

one person to another in an effort to intimidate. As with mass mailings or local distribution of hate literature, an anti-Semitic e-mail sent to a large number of recipients is classified as one incident.

Hate-oriented sites on the World Wide Web are not included as anti-Semitic incidents in the *Audit*. The presence of such a Web site is comparable to the publication of a KKK or neo-Nazi newspaper, the mere existence of which, while of ongoing concern, would not be considered an anti-Semitic incident for purposes of the *Audit*.

Finally, the central purpose of the *ADL Audit of Anti-Semitic Incidents* remains limited but pragmatic: to provide one way, one consistent yardstick, for public officials, Jewish community leaders and the media to measure certain specific manifestations of anti-Semitism in the United States.

Anti-Semitism on the Internet

While some bigots mail anti-Semitic letters to or shout hateful slurs at their victims, others transmit their hate electronically. Anti-Semitic propaganda or threats directed to a specific person and received by e-mail, in a chat room, or sent via an instant messaging program are considered anti-Semitic harassment by the *Audit*. These messages are deliberately directed to a particular person in an effort to intimidate.

E-mail messages are essentially electronic letters. Nearly anyone with access to the Internet can send and receive e-mail messages anonymously and free of charge. A mailing list can easily be compiled from public sources such as online

e-mail address directories.

Enterprising bigots have e-mailed hate materials to hundreds, if not thousands, of people. Targets of such messages open their e-mail mailboxes and find hate mail just as surprised recipients of anti-Semitic leaflets find printed hate material on their doorsteps. Bigots can easily create numerous e-mail accounts, so even if an e-mail account is deleted because of the hate messages sent using it, another can quickly be opened. As with mass mailings of printed hate literature, anti-Semitic electronic messages such as these are each classified by the *Audit* as one incident, regardless of the number of people they are sent to.

In a chat room, an Internet user can communicate in real time with one or many other users. The text that the user types into his computer almost immediately appears on the screens of the other users in the room. Haters enter chat rooms, sometimes those specifically devoted to Jewish interests, and aim anti-Semitic comments at other users. Their victims resemble friends conversing on a street corner who are hassled by bigots shouting hateful comments.

Instant messaging software enables Internet users to create a private chat room with another individual. Functionally, an instant messaging session is similar to a telephone call. Haters can use directories of instant messaging users to find targets

for their attacks, just as they might find Jews to target with harassing telephone calls by looking in the telephone book. An unsuspecting victim might receive a disturbing instant message just as he or she might pick up the telephone and hear a hateful voice on the other end of the line.

Hate-filled World Wide Web sites and online bulletin board messages are not included as anti-Semitic incidents in the *Audit*. While readers may be offended by such material, it generally does not target them specifically. In addition, Internet users are often not passive recipients of this material, unlike the unsuspecting addressees of e-mail messages.

Harassment, Threats and Assaults — 2001

Anti-Semitic acts of harassment, threats or assaults against Jewish individuals or institutions remained the same as in 2000 at 877. Acts of harassment accounted for 61% of the total of 1,432 incidents in 2001. As in previous years, incidents of this nature constitute the majority of all anti-Semitic activity included in the *Audit*.

Anti-Semitic harassment covers a wide range of hostile acts, ranging from anti-Jewish slurs and affronts to physical assault. Fliers containing anti-Semitic messages or leaflets from virulent anti-Semitic groups that are left on cars or in mailboxes are considered acts of harassment, as are anti-Jewish or Holocaust-denying letters to the editors or advertisements printed in newspapers. In addition, verbal or written threats directed against individuals or Jewish institutions (including death threats and bomb threats) account for a portion of the harassment incidents.

Over the last few years, as the Internet has moved into more and more homes, libraries and schools, the number of harassing acts associated with the world of computers has increased. In 2001, several anti-Semitic and threatening messages were sent through electronic mail to Internet users. While most of these incidents of harassment are not criminal in nature, they shed light on another important form of expression of anti-Semitism which is generally not included in hate crimes statistics.

Examples of Harassment, Threats and Assault

The following is a representative sampling of anti-Semitic incidents of harassment, threat and assault in the states reporting the highest totals of such acts in 2001.

ADL 2001 AUDIT OF ANTI-SEMITIC INCIDENTS

- **New York** (211 incidents) — 2/1/01 — A woman received a message on her answering machine which stated, “You fucking Jewish Kike. Drop dead you fucks. I’ll kill you all in the ovens.” (Queens)
- **Florida** (89 incidents) — 7/16/01 — Storeowner received a letter with a photograph that said “gas chamber for Jews.” Below the photograph was written, “Where your ancestors should have gone so you would never have been born. You are a stooly [sic] snitch. You will be there shortly though...too bad there is a son to follow in your footsteps pig!!!” (Lake Worth)
- **Massachusetts** (83 incidents) — 8/29/01 — Complainant received an anti-Semitic letter entitled “How to Identify a Jew.” (Concord)
- **California** (78 incidents) — 4/27/01 — Rabbi and congregant were confronted outside the synagogue by a white male who told them that they are “fucking Zionists” who are “killing Palestinians.” The perpetrator then spat, told them that he would “kill you fucking Jews” and assaulted them. The rabbi’s glasses were broken and the congregant suffered lacerations to the face and torso. (San Francisco)
- **New Jersey** (56 incidents) — 11/23/01 — Rabbi received a letter with powder substance inside. The letter also read: “You Jew assholes get out of our land.” (Lakewood)
- **Pennsylvania** (40 incidents) — 11/16/01 — Package of four different National Alliance fliers distributed on residential lawns during the night. (Hanover)
- **Connecticut** (37 incidents) — 8/21/01 — *Connecticut Jewish Ledger* received envelope with a photo of a rabbi in the cross hairs of a gun drawn on. (West Hartford)
- **Georgia** (29 incidents) — 4/1/01 — National Alliance flier left in men’s restroom at Turner Field. (Atlanta)

Vandalism Incidents — 2001

Acts of anti-Semitic vandalism decreased in 2001 to the lowest total in 20 years. ADL recorded a total of 555 incidents of vandalism in 2001, compared to 729 in 2000, a decrease of 24%. Acts of vandalism accounted for 39% of the total of 1,433 incidents in 2001.

Anti-Semitic incidents of vandalism include any destruction of property coupled with anti-Jewish messages or evidence of anti-Semitic intent. This encompasses any defacement of

synagogues or other Jewish institutions, whether it be with graffiti, smashing windows or, in more serious instances, arson. Vandals also acted against privately-owned Jewish property by marking swastikas and anti-Semitic messages on doors and lawns or by scratching them into cars. Many incidents in this category are public acts of anti-Semitic vandalism, including swastikas and anti-Jewish graffiti on sides of buildings, on street signs and in schools.

New York, the state with the largest Jewish population, once again recorded the highest number of anti-Semitic acts of vandalism of any state. There were 197 such incidents in 2001 (110 of which occurred in the five boroughs of New York City). This marks an 8% decrease from 2000, when there were 246 incidents of vandalism.

New Jersey registered the second highest number of anti-Semitic incidents of vandalism with 136, down from 141 such acts in 2000. Massachusetts recorded 43, down from 60; California had 34, down from 104; and Florida had 26, down from 30 in 2000.

Vandalism: A Look at Some Noteworthy Incidents

While most of the incidents of anti-Semitic vandalism consisted of graffiti and light property damage, there were instances of more dangerous and damaging acts of destruction. In 2001 there were at least three acts of arson and several bomb threats.

- **California** (34 incidents) — 4/8/01 — On first day of Passover, three cars were stolen from, and swastikas were painted on, a Jewish-owned auto dealership. (Reseda)
 - **Florida** (26 incidents) — 5/21/01 — Graffiti at Miami-Dade Public Library included swastikas and the phrase “kill the Jews.” (Miami)
- ### Cemeteries
- Jewish cemeteries continued to be a target of opportunity for anti-Semitic vandals, in part due to the fact that they cover large areas of land that are difficult to secure effectively. The number of Jewish cemeteries desecrated decreased to 7 in 2001, down from 9 in 2000. Incidents occurred in Pennsylvania, California, New York, New Jersey, Maine, Missouri and Massachusetts.
- **New York** (197 incidents) — 7/17/01 — The words “Hitler was right” were etched into the steps of a synagogue. (Brooklyn)
 - **New Jersey** (136 incidents) — 2/15/01 — Vandals smashed two glass doors and threw rocks and bottles through stained glass windows of synagogue. (Elizabeth)
 - **Massachusetts** (43 incidents) — 4/29/01 — A Holocaust survivor found “Jews suck” and an arrow pointing toward her house painted on the sidewalk in front of her house. (Fall River)

Campus Incidents — 2001

After a 15% increase in 2000, the number of anti-Semitic incidents on college campuses in 2001 rose to 85, an increase of 23%. Two thirds of these incidents involved acts of anti-Jewish harassment.

A persistently troubling phenomenon on campuses in 2001 was the Holocaust-denying advertisements, opinion pieces and a longer insert by Bradley Smith and the Committee for Open Debate on the Holocaust. A total of 24 college newspapers across the country ran such pieces in 2001. For over 10 years, Smith has attempted to place Holocaust-denial material in campus newspapers. It should be noted that in some instances, the editors of the newspapers may not have fully realized the anti-Semitic nature of Smith's propaganda.

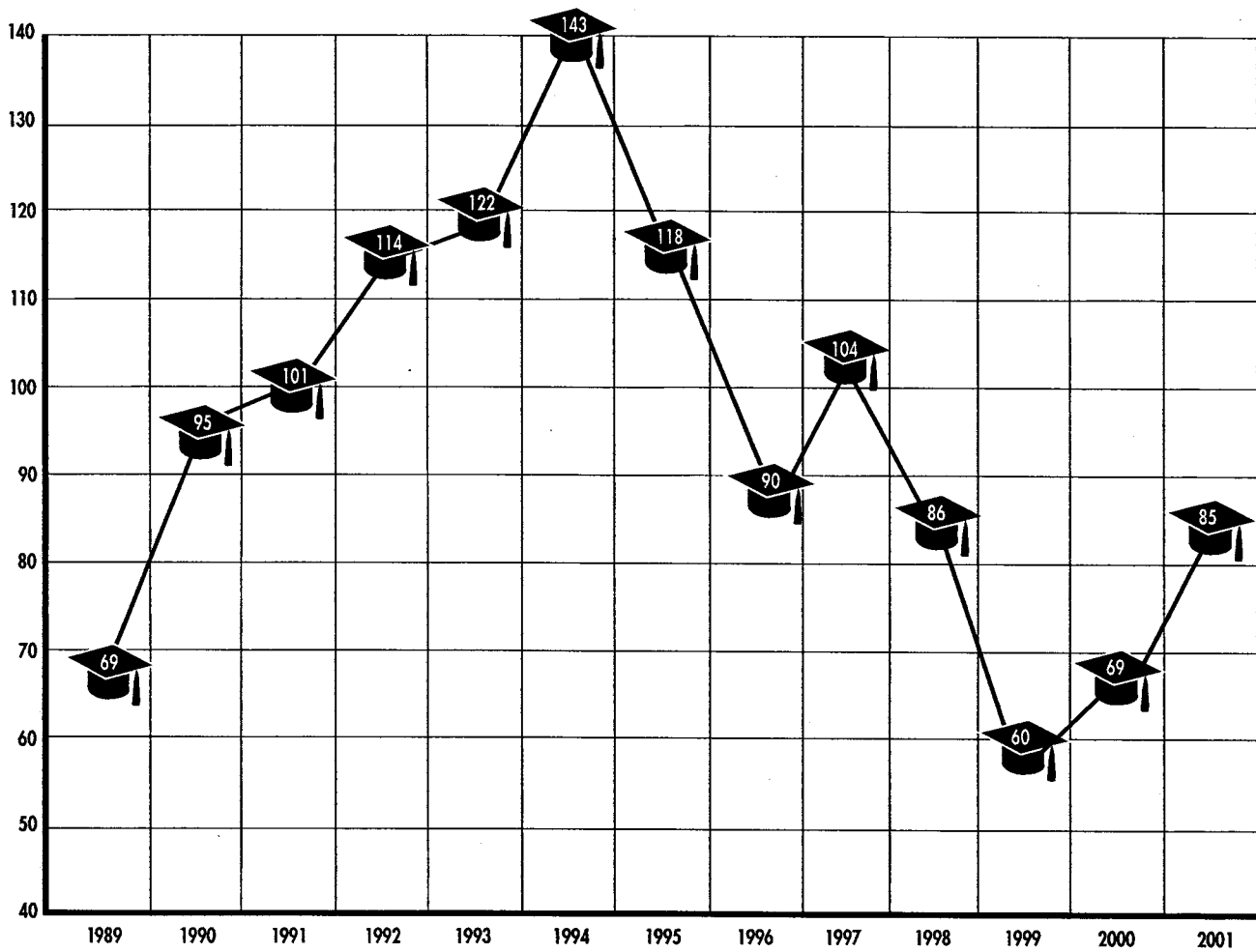
Yet another important point should be made regarding this problem. Some student editors have decided to publish these Holocaust-denial ads in the mistaken belief that the Constitutional guarantees of free speech and free press require them to do so. The fact is that determining a paper's editorial content and deciding what stories to print, and which advertisements to accept, is solely the province of editors.

The U.S. Supreme Court has stated, "A newspaper is more than a passive receptacle or conduit for news, comment, and advertising. The choice of material to go into a newspaper ... constitute[s] the exercise of editorial content and judgement."

For further detail on campus incidents, see Appendix II — ADL Confronts Anti-Semitism on Campus.

ADL 2001 AUDIT OF ANTI-SEMITIC INCIDENTS

CAMPUS ANTI-SEMITIC INCIDENTS
1989-2001



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The Regional Breakdown

Of the 1,432 anti-Semitic incidents reported to ADL in 2001, 873, or 61%, occurred in the *East*; 224, or 16%, occurred in the *South*; 177, or 12%, occurred in the *West*; and 122, or 9%, occurred in the *Midwest*.

I. The East

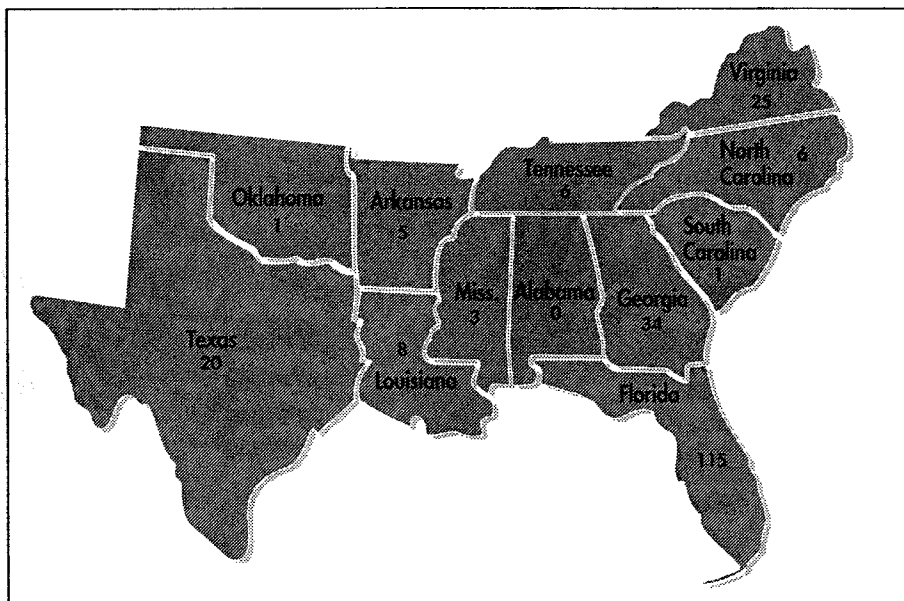
Among the 11 states and the District of Columbia reporting in the East, there were 873 incidents. New York had the most (408, down from 481 in 2000), which includes 238 incidents in New York City, followed by New Jersey (192, down from 213), Massachusetts (126, down from 128), Pennsylvania (61, down from 72), Connecticut (49, up from 32), Maryland (11, up from 6), New Hampshire (7, up from 5), Rhode Island (7, up from 3), the District of Columbia (6, same as last year), Vermont (3, down from 4), Maine (2, same as last year), and Delaware (1, up from 0).



II. The South

Among the 12 Southern states, 224 incidents were reported. Florida ranked first, with 115

(up from 81 in 2000), followed by Georgia (34, up from 14), Virginia (25, up from 15), Texas (20, down from 40), Louisiana (8, up from 6), North Carolina (6, down from 19), Tennessee (6, up from 2), Arkansas (5, up from 1), Mississippi (3, up from 1), Oklahoma (1, same as last year), South Carolina (1, same as last year), and Alabama (0, down from 1).

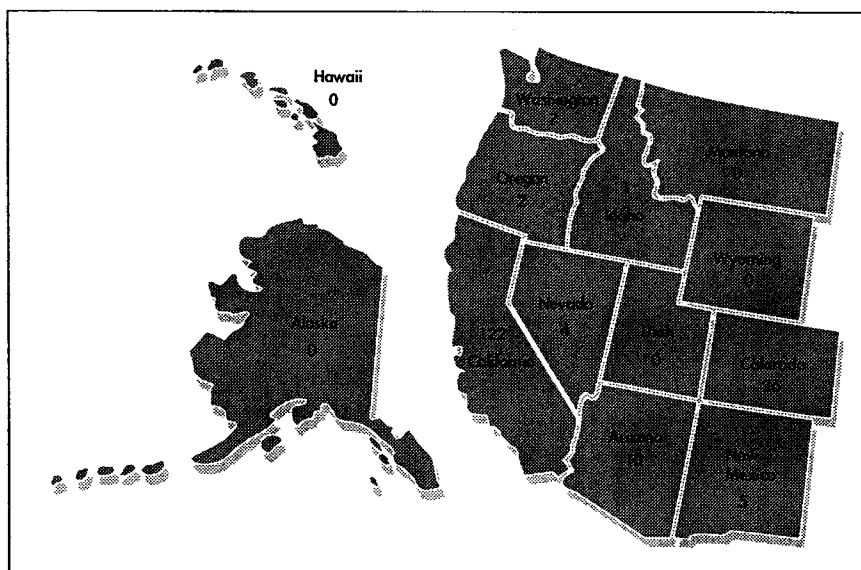


III. The West

Among the 13 Western states, 177 incidents were reported. California had the most, with 122 (down from 257 in 2000), followed by Colorado (26, up from 13), Arizona (10, up from 5), Washington (7, up from 3), New Mexico (5, down from 8), Nevada (4, up from 3), Oregon (2, up from 0), Idaho (1, up from 0),

Hawaii (0, down from 1), Montana (0, down from 1), Utah (0, down from 1), and Wyoming

(0, down from 1). No incidents were reported in Alaska in 2001 or 2000.

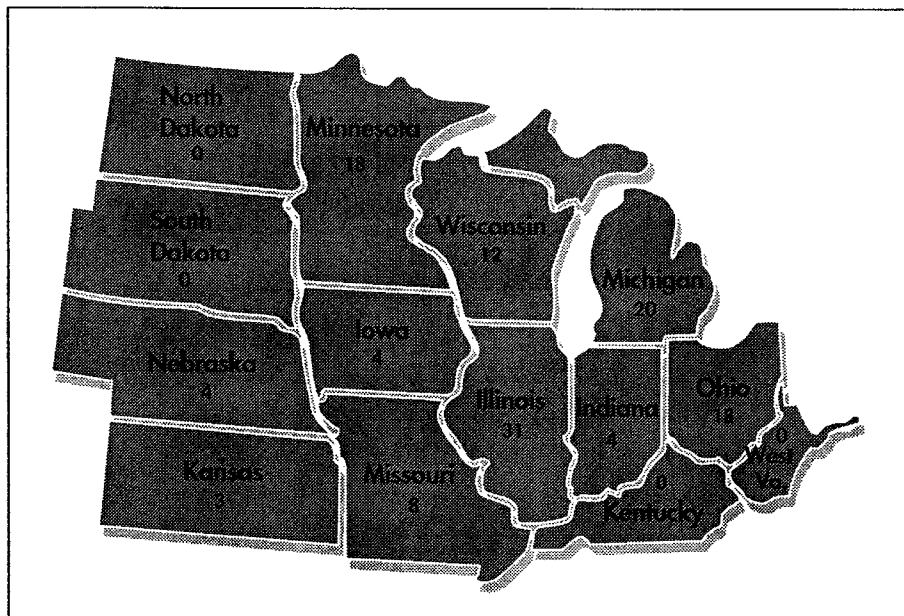


IV. The Midwest

Among the 14 states in the Midwest, 122 incidents were reported. Illinois reported the most, with 31 (down from 41 in 2000), followed by Michigan (20, down from 22), Minnesota (18, down from 32), Ohio (18, down from 44), Wisconsin (12, down from 16), Missouri (8,

down from 9), Iowa (4, up from 3), Indiana (4, up from 3), Nebraska (4, up from 3), Kansas (3, down from 4), Kentucky (0, down from 1), and

North Dakota (0, down from 1). No incidents were reported in West Virginia or South Dakota in 2001 or 2000.



Note: In addition to the geographical statistics, a total of 36 anti-Semitic e-mail messages sent directly to the ADL Webmaster are included in the 2001 totals in the harassment category.

Appendix I:

Anti-Semitism Worldwide

In order to provide a broader perspective and to place the findings of the 2001 Audit of Anti-Semitic Incidents in the context of other manifestations of anti-Jewish activity, it is important to consider the following information.

Among extremist groups of all stripes in the United States, the following are some of the most active and the greatest causes for concern:

The stridently white supremacist and anti-Semitic **World Church of the Creator** (WCOTC) promotes the creation of “an all-white nation and ultimately an all-white world,” rejecting Christianity outright in favor of its “race-based,” whites-only pseudoreligion, “Creativity.” After its founder and leader Ben Klassen committed suicide in 1993, the group suffered a decline, but was revived by Matt Hale in 1996. Hale calls himself “Pontifex Maximus,” or “supreme leader,” of the group and uses an Israeli flag as a household doormat on which he wipes his feet.

The reborn WCOTC is headquartered in East Peoria, Illinois, with a small but dedicated cadre of members who run upwards of 50 contact points across the U.S. and another 10 abroad, in Australia, Belgium, Canada, France, Norway and Sweden. These “Creators” mission is to disseminate WCOTC’s “Creativity” propaganda and recruit new members to the cause. The group makes a particular effort to engage college students, and spreads its propaganda via the Internet and e-mail, as well as by dropping booklets on lawns or inserting fliers in free newspapers. “Distribution blitzes” are commonly held on dates of significance to the group, such as Hale’s and Klassen’s birthdays. Hale has also taken to scheduling appearances at public

libraries, in an effort to draw attention to his cause both around Peoria and wherever else he travels. He has spoken at several libraries thus far, including Bloomington, Springfield, Decatur, Schaumburg and Mattoon, Illinois, as well as libraries in Utah, Connecticut and Pennsylvania.

In February 2001, Hale, who graduated from law school a few years ago, was denied a license to practice law in Montana, as he had been in Illinois the year before. In both cases, the Character and Fitness committee of the state bar decided Hale’s views made him unfit to practice law. Hale is now suing the Illinois bar and remains determined to acquire a law license and become a lawyer who can defend white supremacists.

Hale seemed to be tightening the reins in 2001, in an apparent effort to shore up his control over the organization — especially in light of the defections of Women’s Frontier head Lisa Turner, a prominent WCOTC leader, along with other key members. In July, he issued a directive that all WCOTC “ministers” send him monthly reports detailing their organizational activities, or risk having their credentials revoked. Hale also detailed in a long essay, in September, his case for consolidating all “Creators” in Illinois. He argued, “There is no doubt in my mind that

unless adherents of our Church consolidate geographically in one area — and sooner rather than later — we cannot win....In order for any movement to be successful on a large scale, it must first be successful on a small scale.”

Hale’s reaction to September 11 illustrated the energy with which white supremacists attempted to co-opt the tragedy for their own ends. After the attacks, Hale issued a press release with a headline that read “PRO-ISRAEL POLICY COSTS THOUSANDS OF LIVES TODAY.” The release, calling for an end to U.S. aid to Israel and the “liberation” of the U.S. from “the manipulations of the Jews that have had such terrible consequences,” set the tone for Hale’s subsequent actions. He urged followers to be as active as possible in spreading this message, calling for a “fervent and immediate response.” His followers did indeed respond; within a week of the attacks, for instance, WCOTC members had distributed fliers in Phoenix, Arizona, featuring the slogan, “Let’s stop being human shields for Israel,” and urging Americans to “find a nationalistic government that will look after their interests and not the interests of the Jews.” Members in Spokane, Washington, distributed the same fliers.

Among organized right-wing hate groups active in the United States today, the **National Alliance** is also a top cause for concern. This neo-Nazi organization, led since 1974 by veteran anti-Semite and white supremacist William Pierce, has grown increasingly active in the past few years, with climbing numbers of members and contacts. Pierce has continually fashioned and expanded a multimedia approach to recruitment, specifically targeting young people through

the extensive, vicious pseudo-intellectual propaganda available on his Web site and through the purchase of companies that produce and distribute hate-rock music. Pierce acquired Resistance Records, the largest distributor of hate-rock music in the U.S., in 1999, and in 2000 purchased the neo-Nazi black metal music company Cymophane Records.

Pierce took advantage of the September 11 tragedies by repeatedly blaming Jews and Israel. The terrorist acts, he claimed, were “a direct consequence of the American people permitting the Jews to control their government and to use American strength to advance the Jews’ interest at the expense of everyone else’s interests.” Many more people, he warned, will be killed because of U.S. government actions “at the behest of the Jews.” Within weeks, the National Alliance propaganda machine had developed fliers for members to distribute. In Pennsylvania, fliers contained an image of the collapsing Tower Two with the accompanying caption, “Is Our Involvement in the Security of the Jewish State Worth This?”

On November 10, 2001, National Alliance held what it described as “one of its most successful demonstrations ever” in front of the Israeli Embassy in Washington, D.C. to “express the opposition of American patriots to the policies of the U.S. government that expose Americans to terrorist attacks.” Also in attendance were members of other extremist groups, including the World Church of the Creator, the Council of Conservative Citizens, the American Friends of the British National Party, and EURO (the organization of David Duke’s followers). NA’s deputy membership coordinator, Billy Roper, led the

demonstration; marchers carried signs with slogans such as “No Blood for Israel” and shouted chants such as “No more terror, no more war, no more being Israel’s whore.” About 70 people participated in the march.

This convergence of right-wing hate groups is a noteworthy trend. On January 12, 2002, a similar collection of groups gathered in York, Pennsylvania, the scene of deadly race riots in 1969. What began as a scheduled appearance by WCOTC leader Matt Hale at the local public library became a confrontation that pitted members of the National Alliance, WCOTC, Aryan Nations, National Socialist Movement and Hammerskin skinheads — who waved swastika flags, gave Nazi salutes and chanted racial slurs — against anti-racist and anarchist protesters. Both sides, separated by police, traded insults and taunts for a few hours; 25 were reportedly arrested by day’s end.

The **Christian “Identity”** movement promotes its racist, anti-Semitic agenda by manipulating religious themes. It holds that people of white European ancestry are descended from the Lost Tribes of Israel, making them the “chosen people” of the Bible. Identity’s “two seedline” theory asserts that only whites descend from Adam and Eve and that Jews derive from a sexual union between Eve and Satan.

Among the notable “Identity” groups in the U.S. today are America’s Promise Ministries of Sandpoint, Idaho; Dan Gayman’s Schell City, Missouri, Church of Israel; Pete Peters’ Laporte, Colorado-based Scriptures for America Worldwide; Elohim City of Oklahoma; Carl Story and Vincent Bertollini’s 11th Hour

Remnant Messenger of Sandpoint, Idaho and Kingdom Identity Ministries in Harrison, Arkansas.

Aryan Nations, a paramilitary neo-Nazi group formed in the mid-1970s, also subscribes to Identity ideology. Aryan Nations was based in Hayden Lake, Idaho and led by its founder, Richard Butler, until recently. The group began undergoing a period of significant change in September 2000, when a jury ordered Butler and his organization to pay \$6.3 million to a mother and son who had been assaulted by Aryan Nations guards outside the group’s compound. The judgment forced Butler and Aryan Nations to declare bankruptcy and, in May 2001, the compound was seized.

In August 2001, “Pastor” Neuman Britton, a longtime member whom the elderly Butler had in 1998 designated his successor, passed away. The following month, Butler named “Pastor” Harold Ray Redfeairn of Dayton, Ohio, as the new national director. Redfeairn had served as the Aryan Nations state leader in Ohio four years earlier. August Kreis, named director of information, also announced the creation of an Aryan Nations outpost in Ulysses, Pennsylvania, while a presence would remain in Idaho as long as Butler was still alive. In November 2001, Redfeairn summed up Aryan Nations’ reaction to the events of September 11, saying, “Our main goal is to use the tragedy to awaken our Aryan People to the vile actions of the satanic Jew.”

Once a brand name among American extremist groups, it appears that Aryan Nations membership has dwindled significantly, to possibly as low as 100. To that end, Redfeairn has

instituted stricter membership rules, requiring more frequent contact with headquarters and a more detailed application process, while youth corps director Shawn Winkler has stepped up recruiting efforts. However, there is a serious split in progress: Butler, under the influence of Winkler, denounced Redfeairn and Kreis, who in turn announced that Butler was no longer head of Aryan Nations. Redfeairn and Kreis have been trying to solidify control, while Winkler has been using his close relationship with Butler to try to halt that.

Formed in Dallas in the late 1980s, the white supremacist **Hammerskin Nation**, the most violent and best-organized neo-Nazi skinhead group in the United States, is comprised almost exclusively of young white males, whom the group actively recruits. As is often characteristic of racist skinheads, a number of its members have been convicted of violent crimes, including harassing, beating or murdering minorities. The most recent incident involved six Hammerskins who severely beat a 23-year-old African-American man in an open field near Temecula, California, in March 1999.

Many popular racist rock music bands are affiliated with the Hammerskin Nation, and the group regularly sponsors hate-rock concerts. The Hammerskins have an estimated 19 chapters in the U.S. and their Web site lists chapters in several other countries, including Canada, England, France, the Netherlands and Germany. This is in keeping with a recent trend that finds American white supremacist and neo-Nazi groups forging alliances, both with each other and with their European counterparts. However, in 2001 the group also ceased publication of its newsletter

and had problems maintaining its Web site, so its level of organization is debatable at this point.

In late September 2001, the Hammerskins' online bulletin board added a pop-up window that read "BLAME ISRAEL" over a picture of the burning twin towers of the World Trade Center. "The United States has looked the other way while the Jews have murdered hundreds of Palestinians, and stolen land from them," the Hammerskins wrote. "We've bombed Arab country's [sic] like Baghdad [sic] because Hussein invaded its neighbor, yet our country looks away from atrocities done by the Jews." According to the Hammerskins, "Our ties with the state of Israel are what brought on this act, this is mere retribution on [the] part of the Arabs because of these strong ties with Israel." The message concluded by urging the bombing of Israel.

The Minnesota-based neo-Nazi National Socialist Movement has contact points throughout the U.S. and believes in racial separation and minimal intervention of government into the lives of its citizens. NSM grew rapidly in 2001, adding a number of chapters. In addition, members of the group have begun to engage in armed paramilitary training in Ohio.

Shortly after September 11, NSM stated on its Web site that "the attack in New York, although tragic, was forth coming. The U.S. has continued to aid Israel in its genocidal war against Palestine and now innocent U.S. citizens have paid, in blood, for their Government's stupidity." Subscribers to the National Socialist Movement mailing list express sentiment such as the following: "the jews are our misfortune altho shocking the events of today should come as no

surprise, the eternal disease ridden international jew is the enemy of all the pure races of mankind and freedom loving peoples the world over, we do not want to be a part of some jew - white race traitor lead coffee colored raceless mongrell society."

Liberty Lobby, founded by Willis Carto in 1955, was long the most influential anti-Semitic propaganda organization in the United States. Liberty Lobby has had considerable impact on right-wing extremism, through three media vehicles: *The Spotlight*, a weekly newspaper which published anti-Semitic, anti-Israel and anti-government conspiracy theories, with a circulation of about 100,000; Liberty Lobby's national radio programs, "Radio Free America" and "Editor's Roundtable," which broadcast interviews with hate group leaders and conspiracy theorists; and *The Barnes Review* (after Harry Elmer Barnes, one of the first Holocaust deniers), a monthly magazine focusing on historical revisionism and Holocaust denial, with a claimed circulation of 11,000. Carto launched this publication after he broke with the Institute for Historical Review, which publishes the *Journal of Historical Review*, also a Holocaust denial publication.

In December 2000, *The Spotlight* reported that a legal settlement in which Liberty Lobby had filed for bankruptcy protection was overturned. Bankruptcy protection would have enabled Liberty Lobby to continue avoiding payment of damages owed to IHR from a longstanding legal and financial dispute rooted in Carto's break with IHR. In July 2001, Liberty Lobby was denied protection and forced to liquidate its assets, which meant ceasing publication of *The Spotlight*. However, a month later, a new and

almost identical newspaper called *American Free Press* was launched by the *Spotlight* staff.

Continuing in the same anti-Israel vein as *The Spotlight*, recent *American Free Press* articles have included themes such as Israel being behind the World Trade Center attacks.

David Duke, the former Ku Klux Klan leader, now defines Russia as the "key to white survival." He has been targeting this country as a means of broadening his popularity internationally and finds a receptive audience for his anti-Semitic message there. Duke's organization, formerly called **NOFEAR** (National Organization for European American Rights), based in Mandeville, Louisiana, lists 26 chapters in 17 U.S. states on its Web site and stands to gain publicity from his visits and discussions there. Duke has also used leaflets to try to recruit more members, sporadically distributing pamphlets in many communities across the United States. In June 2001, NOFEAR lost a lawsuit brought by a sportswear company with a similar name, and was forced to change its name. It is now called the European-American Unity and Rights Organization, or **EURO**. EURO joined other right-wing extremists with a spate of its own anti-Semitic pronouncements following the events of Sept. 11. Duke stated that the primary reason for the terrorist attack "is because our foreign policy is completely subordinated to a foreign power: Israel and the efforts of worldwide Jewish supremacism."

The **Church of the American Knights of the Ku Klux Klan**, led by Jeff Berry of Butler, Indiana, is one of the most active Klan (KKK) organizations in America. Berry established the American Knights of the KKK in 1995. (Its cur-

rent name was adopted in 1999.) While most other Klans across the country have declined, the American Knights have been active, spreading propaganda and attempting to hold rallies across the country. Prior to his arrest (see below), Berry was one of the most active Klan figures in America. His group held frequent rallies in cities including New York and others throughout the Midwest and the South. They also distributed propaganda by illegally stuffing fliers in free local newspapers. The American Knights of the KKK used this "night riding" technique as recently as December 2001 in Northern California.

Other active Klan groups include the **Imperial Klans of America (IKA)** and the **Knights of the Ku Klux Klan**. The IKA holds an annual "Nordic Fest" event featuring White Power concerts, which attracts neo-Nazis and racist skinheads. Most Klan groups are virulently anti-Semitic.

Militia groups in the United States have decreased in number in the past few years, but still pose a criminal threat, as they encourage turning anti-government sentiment into action. Although most militia groups claim to be non-racist, some militia members have expressed racism or anti-Semitism, such as Mark Koernke's frequent references to the "Kosher Mafia." Militias are most active at the moment in Texas, Ohio, Michigan, Kentucky and California. Leaders of the movement include Koernke of Michigan, Charlie Puckett of Kentucky and John Trochmann of Montana.

Following the events of September 11, militia groups initially offered assistance to the government in its efforts to defend the homeland

and establish order. Shortly thereafter, however, militia rhetoric turned to talk of the potential curtailment of our civil liberties and how to mobilize against it. On the Web and in print, a number of militia members and other anti-government groups have begun to buy into conspiracy theories surrounding the terrorist attacks, believing that the U.S. government had some role in the attacks so as to justify repressive measures in the interest of "security." The Militia of Montana has put forth in its print newsletter, *Taking Aim*, elaborate theories explaining how and why the U.S. was responsible for the attacks, but has let the public pin the blame on Muslim extremists. Other groups have touted familiar extremist conspiracy theories, such as the idea that the U.S. government's repressive measures could facilitate the establishment of an internationalist "New World Order."

Western Illinois Militia leader Dan Shoemaker was convicted on eight of the 13 counts brought against him on November 3, 2000. William Cooper, a patriot leader and author of the anti-government "exposé" *Behold a Pale Horse*, was fatally shot after firing on sheriff's deputies on November 5, 2001 in Eager, Arizona.

Christian Identity is not uncommon among militia groups. For example, Steve Anderson, a radical Kentucky militia member, set up a pirate short-wave radio station in 2001 to broadcast anti-government and racist programs. Anderson became a fugitive after allegedly firing an AK-47 at a deputy sheriff during a routine traffic stop on October 23, 2001.

Despite substantially toning down his

rhetoric during Saviours' Day and at the Million Family March in 2000, Minister **Louis Farrakhan**, leader of the Black separatist **Nation of Islam** (NOI), has continued to preach that Jews control the lives of African-Americans. In June 2001, Farrakhan addressed a "Hip-Hop Summit" organized by recording industry mogul Russell Simmons. Simmons had called on music and entertainment industry types to support Farrakhan's Million Family March, saying in October 2000 that he believed it could have a dramatic effect on race relations. NOI national assistant Benjamin Muhammad (Chavis) served as a summit moderator while the Fruit of Islam, NOI's security force, provided security. It seems that this type of appearance can help Farrakhan gain legitimacy — particularly among the impressionable young people who make up much of the hip-hop music audience — without changing his message of hate.

Although Farrakhan was quick to condemn the September 11 attacks as "vicious and atrocious," he was later critical of the Bush administration in his Holy Day of Atonement speech marking the sixth anniversary of the Million Man March in October 2001. Farrakhan argued that America had brought hatred upon itself by virtue of its foreign policy, especially with regard to the oil-producing countries of the Middle East.

At the Saviours' Day convention held in Los Angeles on February 13–17, 2002, approximately 14,000 men, women and children attended Farrakhan's keynote address. Farrakhan chose his words carefully, couching anything potentially controversial between neutral comments. For example, sharply criticizing American foreign

policy, he made particular reference to the conflict in the Middle East: "You know every time one of the Palestinians come strapped with a bomb, the response from the Israeli government is the use of F-16 planes which are American, tanks from America, helicopter gunships from America, rockets from America," he said. "The Palestinians have nothing to defend themselves with...and then [the] world [gets] upset because Iran or somebody is trying to send them some weapons....If you were Jewish and you saw unarmed Jews being persecuted, wouldn't you come to your brother's aid? Do you expect Muslims to see their brothers suffering like that and not come to their aid?" Yet, Farrakhan attempted to neutralize these remarks immediately, by going on to comment, "That situation there [in Israel] is horrible and as a Muslim I feel the pain of the Palestinians, but as a human being I feel the pain of the Jews, as well. And until you can feel pain on both sides and understand where justice is and move on that principle, you cannot bring peace."

The main NOI Web site continues to maintain links to several of Farrakhan's past speeches, including some in which he makes racist and anti-Semitic remarks. The site is also linked to Ahmed Rami's Radio Islam Web site. (Rami is an Arab Holocaust denier and Radio Islam promotes many anti-Semitic works in addition to those of Holocaust deniers.) Other NOI links lead to a range of additional articles hostile to Jews, including the NOI's infamous publication *The Secret Relationship Between Blacks and Jews*, which charges that Jews bear major responsibility for the colonial slave trade. The NOI has posted many anti-Israel articles in connection with the Middle East conflict.

After Khallid Abdul Muhammad, national chairman of the **New Black Panther Party** (NBPP), also a racist, black nationalist movement, died on February 17, 2001, Malik Zulu Shabazz became the group's new leader. Shabazz has a long record of anti-Semitism and anti-Semitic remarks. In November 2001, the NBPP joined members of the American Muslim community for a televised conference in which they labeled the U.S. and Israel as "The number one and number two terrorists right now on the planet." Shabazz added, "Zionism is racism, Zionism is terrorism, Zionism is colonialism, Zionism is imperialism, and support for Zionism is the root of why so many were killed on September 11."

The **Nation of Aztlan**, a small California-based Latino group that has emerged as virulently anti-Semitic, responded similarly. After the September 11 attacks, Hector Carreon, editor of its publication *La Voz de Aztlan*, claimed that the attacks had occurred because the U.S. supported

an "Israeli apartheid policy" that "has made all of Islam our mortal enemy." Carreon later blamed the Florida anthrax outbreak as "the work of Jews," claiming that "Jews had an illustrious history in biological research. Everyone assumes that the dangers we face come from Islamic terrorists," Carreon wrote, "but our experience has been different. We fear Zionist terrorists more. They have been trying to take away our constitutional right of freedom of political expression through acts of terrorism." In late October, the Nation of Aztlan similarly claimed that the anthrax-laced letters sent to Tom Brokaw and Tom Daschle "were possibly sent by Zionists." According to its statement, "Zionists have been worried because they perceive that the American public is wavering in their support of Zionist racist policies against the Palestinians. They are desperate and will do anything to manipulate U.S. public opinion. This is one of their favorite tactics."

*Appendix II:***ADL Confronts Anti-Semitism on Campus
2001****Jeffrey Ross***Director, Campus/Higher Education Affairs*

While there were a “normal” number of traditional interpersonal anti-Semitic incidents among students on American colleges and universities in 2001, there was a marked increase in the frequency and intensity of incidents resulting from the “campus Intifada,” the organized and increasingly widespread anti-Israel campaign tied to the ongoing violence in the Middle East. This campaign did much to generate a negative atmosphere on campus during the year, creating a sense of disquiet and some real fear among Jewish members of the campus community.

Many of the reported cases of anti-Semitic vandalism and harassment, seemingly independent of events in the Middle East, were generated, at least in part, out of this environment. This may have been the case at Binghamton University, when in the aftermath of increasing anti-Israel agitation on campus, a total of 27 swastikas were drawn on campus buildings during a single night in March.

While most anti-Israel and pro-Palestinian campus events were entirely legal and peaceful, if often uncivil in tone, a substantial number crossed the line into bigotry and a few degenerated into bias crimes. For instance, the Hillel building at the University of California, Davis campus was set on fire in the early morning hours near the end of the spring semester. While considerable damage was done, the building was

saved due to the diligence and quick response of neighbors who immediately called the Fire Department. An “anti-Zionist week” at the University of California, San Diego featured fliers promoting the notorious tract/forgery *The Protocols of the Elders of Zion*. A December column in the campus newspaper at the University of Massachusetts alerted readers to the dangers of “Jewish supremacy” and Israel as a “Jewish supremacist state.”

Anti-Israel activity on campus created de facto alliances among domestic extremist groups of the left and the right, often interacting with extremist Palestinian/Arab/Muslim groups. For instance, Arab Students United at New York University sent out an e-mail bulletin on campus in October, featuring long articles on the Middle East by David Duke and Noam Chomsky. The Chomsky and Duke pieces were remarkably similar in tone and analytical perspective. At the University at Albany (SUNY), a History Department-sponsored web site providing linkages to on-line Middle East materials included a connection to a site run by the Palestinian Authority, which in turn is linked to domestic U.S. hate sites promoting Holocaust denial and *The Protocols*.

Campus anti-Semitism quickly adapted to the events of September 11. Voices were heard on campus arguing that U.S. support for Israel

created an antagonistic atmosphere in the Muslim world supportive of a backlash against the United States. A student columnist in *The Daily Targum* at Rutgers University argued that following "President Bush's statement that any state harboring terrorists is an enemy of freedom" it follows that Israel, which he sees as a terrorist state, "needs to be dismantled, either politically or physically." A writer in the campus newspaper at San Diego State University repeated the canard that the September 11 attacks had been carried out by the Mossad, and that Jewish employees of the World Trade Center had been pre-warned to stay away.

Holocaust deniers, including Bradley Smith, sent out paid ads and Op-Ed pieces to campus newspapers developing the theme of Jewish/Israeli culpability. A stealth ad from Smith along these lines was published in over 25 campus newspapers during the fall semester.

ADL staff, including those from regional offices, the Campus/Higher Education Affairs and Programs Department and the Civil Rights Division have responded and continue to respond to anti-Semitic incidents on campuses as they occur. The League serves as a central 911 location for the Jewish campus community. Campus Affairs and Programs Department staff, funded by ADL's Samuel and Mildred Levine Institute to Combat Bigotry on Campus, have

appeared on, spoken at and conducted programs on dozens of college/university campuses and at many academic/campus affairs conferences during the past year.

ADL and Hillel have jointly prepared a guide on "Fighting Holocaust Denial on Campus" that has been distributed nationwide. The League's "Advocating for Israel: An Activist's Guide" (which includes a segment on "Advocating for Israel on Campus") has been widely distributed to the Jewish community on campus. A new publication, "Responding to Bigotry and Intergroup Strife on Campus: A Guide for College and University Presidents and Senior Administrators," has been nationally distributed among campus administrators, and has received wide acclaim. In August 2001, the League's annual Albert Finkelstein Memorial Campus Editors Study Mission brought 18 student journalists to Poland, Bulgaria and Israel. The League's Bess Myerson Campus Journalism Awards recognizes and promotes excellence in human relations writing in campus publications. ADL continues to provide anti-bias education training through it's a CAMPUS OF DIFFERENCE program and through its partnership with the Association of College Unions International (ACUI) Stop the Hate program. ADL continues to be a primary resource in the struggle against all forms of bigotry and anti-Semitism on our campuses.

*Appendix III:***Federal Action to Confront Hate Violence**

The urgent national need for both a tough law enforcement response as well as education and programming to confront violent bigotry has only increased since the September 11 terrorist attacks. Since then, the nation has witnessed a disturbing increase in attacks against American citizens and others who appear to be of Muslim, Middle Eastern and South Asian descent. Perhaps acting out of anger at the terrorists involved in the September 11 attacks, the perpetrators of these crimes are irrationally lashing out at innocent people because of their personal characteristics — their race, religion or ethnicity.

Law enforcement officials are now investigating hundreds of incidents reported from coast to coast — at places of worship, neighborhood centers, grocery stores, gas stations, restaurants and homes — including vandalism, intimidation, assaults and several murders.

In response to this disturbing series of attacks, many key **Administration figures** — including President George W. Bush, First Lady Laura Bush, Secretary of Education Rod Paige, Attorney General John Ashcroft, FBI Director Robert Mueller, and Assistant Attorney General for Civil Rights Ralph Boyd, Jr. — have spoken out against hate crimes and reached out to affected communities. The Justice Department has launched more than 300 federal civil rights investigations — and is now on pace to bring a record number of federal hate crime indictments emanating from these incidents. On September 26, at a meeting with Sikh leaders at the White House, President Bush pledged that “our government will do everything we can not only to bring those people to justice,

but also to treat every human life as dear, and to respect the values that made our country so different and so unique. We’re all Americans, bound together by common ideals and common values.”

Before September 11, the first session of the **107th Congress** had been characterized by partisan wrangling over budget and tax issues. After the terrorist incidents, Members of Congress have tried to downplay party politics in an effort to focus on needed counterterrorism and aviation security measures. At the end of the session, Congress succeeded in reauthorizing the **Elementary and Secondary Education Act (ESEA)**, the most important federal funding measure for public schools. Despite significant, sustained opposition by some national conservative groups, Congress retained the important anti-bias programming authority in ESEA. This measure, along with the pending **Local Law Enforcement Enhancement Act (LLEEA)**, are the top legislative priorities for the Anti-Defamation League and the coalition of civil rights, religious, law enforcement and education groups that advocate in Washington on behalf of strong federal action to confront hate violence. Another top priority is securing congressional and administrative support for **Partners Against Hate**, a unique collaborative public education and training initiative to prevent juvenile hate violence, funded jointly by the Department of Justice and the Department of Education.

1) Reauthorization of the Elementary and Secondary Education Act (ESEA)

In 1994, with broad bipartisan support,

Congress approved several important new initiatives as part of the Elementary and Secondary Education Act (ESEA) to provide training and technical assistance for communities to address violence associated with prejudice and intolerance. Under these provisions in ESEA, a number of innovative and successful prejudice-reduction programs have been developed and piloted in local communities across the country. Title IV of the Act, Safe and Drug-Free Schools and Communities, also included a specific hate crimes prevention initiative — promoting curriculum development and training and development for teachers and administrators on the cause, effects and resolutions of hate crimes or hate-based conflicts. The enactment of these Federal initiatives represented an essential advance in efforts to institutionalize anti-bias initiatives as a component of violence prevention programming.

Yet, these important provisions have also attracted persistent, vehement opposition from some conservative and right-wing organizations. In part because of this vocal (if wrongheaded and erroneous) opposition, the leadership of the House Committee on Education and the Workforce removed every existing reference to bias, prejudice and hate crime as they crafted their version of the ESEA rewrite early in the last session of Congress. The House approved this version in May — without the hate crime provisions. The Senate passed its version of the bill, which retained each of the hate crime provisions, in June. Efforts to reconcile the two versions on a wide range of issues continued until early December. On several occasions over that period of time, a broad coalition of over 100 civil rights, religious, law enforcement, civic and education groups sent letters of strong support for the hate crime provisions. In the end, over-

coming considerable opposition, the version signed into law by President Bush in January, 2002 retained existing hate crime prevention authority.¹

2) The Local Law Enforcement Enhancement Act (LLEEA): Closing Gaps in Federal Law

First proposed in the aftermath of the 1997 White House Conference on Hate Crimes, the LLEEA would permit federal investigations and prosecutions of certain hate crimes. This new authority would complement Section 245 of Title 18 U.S.C. — one of the primary statutes now used to combat racial and religious bias-motivated violence. That statute prohibits intentional interference, by force or threat of force, with enjoyment of a federal right or benefit (such as voting, going to school or working) on the basis of the victim's race, color, religion or national origin. Under the current law, enacted in 1968, the government must prove that the crime occurred because of a person's membership in a protected group — *and because* (not while) he/she was engaging in a federally protected activity. Justice Department officials have identified a number of significant racial violence cases in which federal prosecutions have been stymied by these unwieldy dual jurisdictional requirements.

The LLEEA would remove these overly restrictive obstacles to federal involvement by permitting prosecutions without having to prove that the victim was attacked because he/she was engaged in a federally protected activity. Second, it would provide expanded authority for federal officials to investigate and prosecute cases in which the bias violence occurs because of the victim's actual or perceived sexual orientation, gender or disability.

The vast majority of bias crimes are effectively addressed at the state and local level. However, in states without hate crime statutes, and in others with limited coverage, local prosecutors are simply not able to pursue bias crime convictions. In a limited number of these cases, and others in which the local prosecutor is unable or unwilling to investigate and prosecute, federal assistance or involvement is warranted.

As drafted, the LLEEA contains a number of significant limitations on prosecutorial discretion. First, the bill's requirement of actual injury, or, in the case of crimes involving "the use of fire, a firearm, or an explosive or incendiary device," an attempt to cause bodily injury, limits the federal government's jurisdiction to the most serious crimes of violence against individuals — not property crimes.

Second, for the proposed new categories — gender, sexual orientation and disability — federal prosecutors would have to prove an interstate commerce connection with the crime — similar to the constitutional basis relied upon for the Church Arson Prevention Act, which was passed unanimously by Congress in 1996.

Third, the LLEEA includes a certification requirement comparable to the limitations under 18 U.S.C. 245. Justice Department officials have historically been extremely selective in choosing which cases to prosecute under the federal criminal civil rights statutes. For example, in 2000, a year in which the FBI's HCSA report documented 8,063 hate crimes reported by 11,690 police agencies, the Justice Department brought only 25 racial violence cases under all federal criminal civil rights statutes combined. In fact, since its enact-

ment in 1968, there have never been more than 10 indictments in any year under 18 U.S.C. 245. Yet, while the number of federal prosecutions for racial violence is small, these efforts provide an essential supplement to state and local criminal prosecutions. The importance of these few cases cannot be overstated. For example, a number of the racial violence cases involve prosecutions of members of the Ku Klux Klan and other organized hate groups. These cases — 7 in 2000, involving 7 defendants, and 8 more cases in the last two years, involving 16 defendants — help to demonstrate the federal government's resolve to combat organized bigotry.²

Supporters of the LLEEA know well that new federal criminal civil rights jurisdiction to address crimes directed at individuals because of their gender, sexual orientation or disability will not result in the elimination of these crimes. But the possibility of federal prosecutions in select cases, the impact of FBI investigations in others and expanded partnership arrangements with state and local investigators in still other cases should prompt more effective state and local prosecutions of these crimes. Especially at this time of enhanced counterterrorism coordination between law enforcement authorities, facilitating federal, state and local cooperative working arrangements to combat hate violence and other forms of domestic terrorism has great merit.

In the 106th Congress, bipartisan majorities in both the Senate and the House voted to approve the measure. On June 20, 2000, the Senate voted 57 to 42 to include the language of the Local Law Enforcement Enhancement Act as an amendment to the Department of Defense Authorization bill. On September 13, the House

instructed its participants in a House-Senate conference meeting to reconcile differences in that bill to retain that hate crimes language by a margin of 232 to 192. Unfortunately, at the urging of Republican leadership in the House and Senate, the LLEEA was stripped from the final version of this legislation. In this Congress, the measure has attracted over 205 cosponsors in the House and 51 in the Senate. The Senate Judiciary Committee approved the bill in July, 2001 and the measure is expected to be taken up in the Senate early in the second session.

3) **Partners Against Hate: Confronting Youth-Initiative Bias Crime**

In 1992, Congress approved several new hate crime and anti-bias initiatives as part of the Juvenile Justice and Delinquency Prevention Act reauthorization.³ Since then, the Justice Department's Office of Juvenile Justice Delinquency Prevention (OJJDP) has achieved distinction for the development of fine educational resources and training curricula addressing hate violence. In September, 2000, OJJDP awarded a three-year \$3 million grant to the **Partners Against Hate** project created by the Anti-Defamation League, the Leadership Conference Education Fund and the Center for the Prevention of Hate Violence.

Partners Against Hate has designed and begun to implement an ambitious three-year program of outreach, public education and training to help address the cycle of bias, hatred, distrust and violence by: (1) increasing public awareness — especially among youth and juvenile justice professionals — about promising practices to reduce and prevent youth-initiated hate violence; (2) providing effective hate crime prevention and intervention strategies and training and technical

assistance for law enforcement agencies, educators, religious and community leaders, parents and youth; and (3) helping individuals working with youth embrace the potential of advanced communications technologies — particularly the Internet — to break down barriers, address biases and provide communities with the services and support they need.

The Partners Web site, www.partnersagainsthate.org, serves as a comprehensive clearinghouse of hate crime-related information, including resources developed through the grant, as well as other promising programs from across the country. In addition, the Web site includes access to the finest database of hate crime laws that form the basis of criminal enforcement in the states, and counteraction tools.

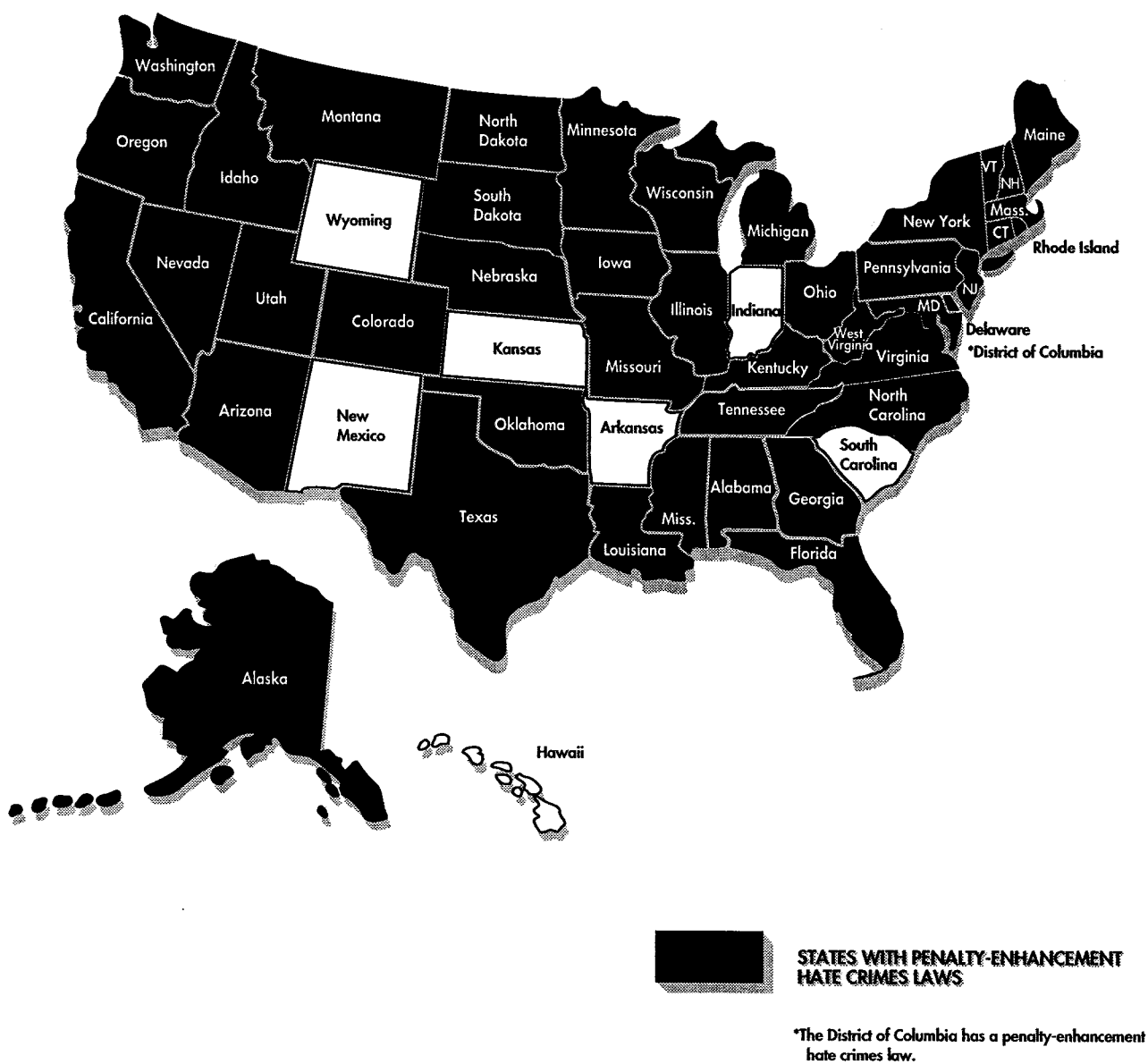
¹ Public Law 107-110.

² Data provided by the Department of Justice as of August 31, 2001.

³ Public Law 102-586.

Appendix IV:

State Hate Crime Statutes



STATE HATE CRIMES STATUTORY PROVISIONS

	AL	AK	AZ	AR	CA	CO	CT	DC	DE	FL	GA	HI	ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO
Bias-Motivated Violence and Intimidation — Criminal Penalty	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓ ⁵	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Civil Action				✓	✓	✓	✓	✓		✓	✓		✓	✓		✓			✓	✓		✓	✓	✓		✓
Race, Religion ¹ , Ethnicity	✓	✓	✓		✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Sexual Orientation			✓		✓		✓	✓	✓	✓		✓		✓		✓	✓	✓	✓	✓		✓		✓		✓
Gender		✓	✓		✓		✓	✓				✓		✓		✓			✓	✓			✓	✓	✓	✓
Disability	✓	✓	✓		✓		✓	✓	✓	✓		✓		✓		✓	✓		✓	✓		✓		✓		✓
Other ²					✓			✓		✓		✓				✓	✓		✓	✓				✓		
Institutional Vandalism	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Data Collection ³			✓		✓		✓	✓		✓			✓	✓		✓		✓	✓	✓	✓	✓	✓	✓		
Training for Law Enforcement Personnel ⁴			✓		✓									✓		✓		✓	✓			✓		✓		

1. The following states also have statutes criminalizing interference with religious worship: AR, CA, DC, FL, ID, MD, MA, MI, MN, MS, MO, NV, NM, NY, NC, OK, RI, SC, SD, TN, VA, WV.

2. "Other" includes political affiliation (CA, DC, IA, LA, WV) and age (CA, DC, FL, IA, HI, KS, LA, ME, MN, NE, NY, VT).

3. States with data collection statutes which include sexual orientation are AZ, CA, CT, DC, FL, IL, IA, MD, MI, MN, NV, OR, TX and WA; those which include gender are AZ, DC, IL, IA, MI, MN, TX, WA.

4. Some other states have regulations mandating such training.

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	MT	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	RI	SC	SD	TN	TX	UT	VT	VA	WA	WV	WI	WY
Bias-Motivated Violence and Intimidation — Criminal Penalty	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓ ⁶	✓	✓	✓	✓	✓	
Civil Action		✓			✓					✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓		✓	
Race, Religion ¹ , Ethnicity	✓	✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	
Sexual Orientation		✓	✓	✓	✓		✓					✓		✓				✓	✓		✓		✓		✓
Gender		✓		✓	✓		✓	✓	✓					✓				✓		✓		✓	✓		
Disability		✓	✓	✓	✓		✓				✓			✓				✓		✓		✓		✓	
Other ²		✓					✓				✓									✓			✓		
Institutional Vandalism	✓	✓	✓		✓	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓		✓	
Data Collection ³		✓			✓						✓	✓	✓	✓				✓			✓	✓			
Training for Law Enforcement Personnel ⁴												✓		✓								✓			

5. The Georgia statute enhances criminal penalties for crimes in which the defendant "intentionally selected" the victim or property "because of bias or prejudice."

6. The Utah statute ties penalties for hate crimes to violations of the victim's constitutional or civil rights.

Anti-Defamation League of B'nai B'rith

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