



U.S. Department of Justice

Community Relations Service

Office of the Director

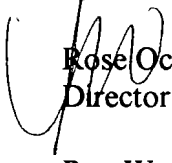
Washington, D.C. 20530

December 18, 1997

MEMORANDUM

TO: Thomas Freedman
Special Assistant to the President

Julie Fernandes
Special Assistant to the President

FROM:  Rose Ochi
Director

Ron Wong
Special Assistant to the Director

RE: Background Materials on CRS

It was a pleasure meeting with both of you the other day.

Enclosed please find various materials regarding CRS' mission, accomplishments and mandate. If you need any additional information please feel free to call us at (202) 305-2935.

As promised, you will receive our budget proposal regarding follow-up implementation on the President's Initiative on Race by the close of business on Thursday.

MAJOR ACTIVITIES AND ACCOMPLISHMENTS OF THE COMMUNITY RELATIONS SERVICE FY 1997

I. OVERVIEW

A. Community Relations Service (CRS) Mission: The mission of the Community Relations Service of the U.S. Department of Justice is to prevent conflicts and potential violence. It assists State and local units of government and private and public organizations restore community racial stability. When violence is imminent, CRS, at the request of local officials, moves swiftly to reduce tensions and restore peace.

From the social unrest of the 1960's to the Los Angeles riots of the 1990's and to the recent alleged police excessive use of force in New York, CRS has played a vital role in conflict resolution and restoration of peace. It has also provided valuable training and technical assistance to local law enforcement officials in their efforts to achieve greater stability and avert violence in their communities.

B. CRS: A Unique Arm of Federal Government: As the Federal government's "peacemaker" for community conflicts and tensions arising from differences of race, color and national origin, no other Federal agency is equipped or charged to handle the breadth and scope of CRS's services. As a component of the Department of Justice, CRS has the established relationships and credibility with law enforcement across around the country which allow it to serve as an impartial third party in resolving conflicts.

CRS' main focus is preventing and resolving conflicts before they escalate into violence. Further, while the local public and private sectors may use dispute resolution professionals for minor disputes, CRS conciliators are specifically trained to deal with issues involving community racial conflicts and violence. Further, because more than 50 percent of the cases involve State and local public agencies, mediation of conflicts can only be undertaken by an external conciliator.

CRS' small staff is made up of 34 professional conciliators who are specially trained to be impartial and objective. With 10 regional offices and four field offices, CRS is active across the country. Currently, there are only 7 professional staff to handle the management and administrative responsibilities of CRS in their Washington, DC headquarters. In previous years, CRS had more than 40 professionals to handle these administrative duties, and an additional 30 professional conciliators in the field.

C. CRS Has Earned The Support of Law Enforcement: CRS is nationally recognized for its unique role and vital work and has earned support and praise from law enforcement, Federal agencies, elected leaders, local officials and communities across the country.

Attorney General Reno states:

"For more than 30 years, Attorneys General of both parties have relied on CRS to help calm racial flare-ups, mediate disputes, and avert hostilities and riots... Peacemaking doesn't make headlines, but it doesn't happen by itself. It takes commitment and experience."

Former Attorney General Dick Thornburgh, General Jack Sheehan, Commander in Chief, United States Atlantic Command, U.S. Senator Connie Mack and Florida Governor Lawton Chiles are just a few of the officials who have first-hand knowledge of CRS' contributions.

Because of its work in violence prevention, CRS is recognized nationally by law enforcement officials for its effectiveness and cost-efficiency. In fact, the President of the International Association of Chiefs of Police Darrell Sanders stated recently:

"CRS has proven itself invaluable to our nation's law enforcement community by quickly providing expert technical assistance in resolving racial and ethnic conflicts before they turn into destructive violence and lawlessness."

D. CRS' Methodology: Simply stated, CRS helps local communities avoid violence and restore and maintain peace through the application of conciliation and conflict resolution techniques when conflicts arise due to race, color, or national origin. Providing this assistance empowers communities to take the initiative in identifying and addressing racial divisions before they escalate into litigation, civil disorder, or violence. Prevention and training resources are provided to local communities only upon their request for such assistance.

Because it cannot respond to the many requests for services, CRS provides its assistance only where there is significant community conflict, where there is interest in using CRS services, and where CRS impact will be greatest. In all CRS cases, the agency works cooperatively with local officials and undertakes activities only with their concurrence and at their request.

II. CASE STUDIES: CRS IN ACTION

Below are examples of cases CRS resolved during FY 1997.

A. Case Study I: Church Arson -- Bridging Racial Polarization

Origin of Case: In June, 1996, a National Church Arson Task Force was established under a bipartisan emergency authorization from Congress, to

investigate and prosecute the perpetrators of church arsons concentrated in seventeen Southern states. CRS joined in this Federal effort as a principal partner. Due to staff reductions, CRS mobilized a separate Church Burning Response Team (CBRT) comprised of former CRS employees, detailees from other Federal agencies, CRS staff from regional offices and contracted employees.

Situation Analysis: Beginning in 1995 and as recently as this month, church arsons have been a major problem facing our country. Since 1996, the CBRT worked in over 250 communities throughout the country that have experienced arson and related tensions.

Challenges & Obstacles: Often communities are shaken and alarmed after a church arson. Minority community members are sometimes apprehensive and wary of cooperating with local authorities. In Macon, Georgia and many other locations, minority community leaders expressed dissatisfaction with the method, pace and findings of investigations by agencies.

Work Performed: The CBRT arranged and convened a series of meetings between the Bureau of Alcohol Tobacco and Firearm (ATF), the FBI, local law enforcement and the clergy to address this problem. As a result of the meetings, all parties had gained knowledge about investigations and its process and have forged a new relationship that helped with the investigation and boosted community morale. Mark Logan, ATF Officer of the Year, stated at the Congressional hearing on church arsons:

“Without CRS we could not have done it. We needed CRS on the ground calming the community and making sure a violative situation did not get much worse. With CRS’ help we were able to conduct a thorough investigation which lead to indictments of suspected church arsonists.”

Moreover, CRS has worked in tandem with other Federal agencies to address concerns related to arson prevention and control. It has participated in FEMA efforts to disseminate information on arson prevention, assisted HUD as it developed information on insurance issues, developed a “Best Practices” Manual that ATF agents use as they work in the communities, conducted workshops with the U.S. Attorney’s offices to address communities in crisis and collaborated with the Bureau of Justice Assistance on state training symposiums and conferences.

Results & Benefits: CRS has reduced tensions by convening meetings between law enforcement and minority communities, affording all parties the opportunity to express concerns directly to each other, to understand another’s viewpoint and to appreciate the difficulties of the situation. Major work has been done in

strengthening ties between the minority community and law enforcement. Rev. Dr. Joan Brown Campbell, General Secretary of the National Council of Churches, stated:

"CRS is one of the best kept secrets in the Justice Department. The work that CRS does to reduce racial tension and to restore healing in communities that have experienced loss by church arson make them a valuable resource to our government and the American people."

B. Case Study II: Resolving Tough Disputes -- Averting Violence

Origin of Case: The Governor of Wisconsin Tommy Thompson contacted Attorney General Reno after all other avenues had been exhausted by the Sheriff of Ashland County, Wisconsin and the Tribal Council of the Bad River Band of the Lake Superior Tribe of Chippewa Indians in resolving a dispute that threatened to erupt into violence. CRS was called to mediate as an impartial Federal agency.

Situation Analysis: The dispute arose between the Chippewa Indians and the Wisconsin Central Railroad, which was shipping toxic sulfuric acids across its reservation on tracks they believed to be unsafe. When the railroad continued the shipments, the Chippewa Indians blocked the tracks. The railroad's threat to run the blockade intensified the tension between the tribe, the railroad, and State and local law enforcement officers. Violence appeared imminent.

Work Performed: All parties agreed that CRS should mediate the dispute. Through mediation sessions conducted by CRS, a Memorandum of Understanding was reached which averted violence and led to a resumption of shipments under new safeguards.

Results & Benefits: Tensions eased immediately after CRS' involvement. The Ogitchida Warriors, who had blocked train traffic through the reservation, agreed to vacate the protest site, in exchange for an agreement to pursue additional issues and concerns with the railroad. By October, an agreement was reached that included a significant reduction in shipments of toxic chemicals by the railroad company.

In a letter to the Attorney General, Tribal Chairman John Wilmer, Sr., tells about the mediation:

"Mr. Terronez (CRS mediator) met with all parties involved in the dispute and almost immediately instilled a shared sense of trust in his integrity and ability. He worked tirelessly to find common

ground among the parties and ease any existing tension. Because of his efforts, the parties have worked through most of their differences and are looking forward to a resolution of the matter...I am sincerely grateful that the Department of Justice has a program like CRS."

C. Case Study III: Maintaining in Restoring Peace in Our Schools

Origin of Cases: School authorities and parents requested assistance from CRS following a series of racially charged incidents.

Situation Analysis: In Orange Glen High School in Escondido, California a fight between students escalated into a racially charged standoff between at least 100 American Indian and Latino students. The potential for escalation was high as police and campus security were required to separate the students engaged in physical fighting.

In another high profile case, charges were filed in Chicago, Illinois against three White teenagers who allegedly beat a Black youth. National attention to the case grew as the Mayor of Chicago and the Rev. Jesse Jackson visited the youth in the hospital. Tensions were heightened as the alleged attackers were released on bond and the FBI classified the case as a hate crime.

Work Performed: In both cases, CRS assessed tensions at the schools and found them to be high. In the first case, CRS convened a meeting to address interracial conflict among students and plan steps to diffuse escalating tension. Following CRS training with students, school and local officials, the school initiated CRS' STARS (Students talking and Able to Resolve Situations) program, a peer mediation program. CRS convened and mediated meetings between students, community member, parents and school officials. Students were trained in peer mediation to avert future hostilities.

In Chicago, CRS met with the Director of the Chicago Catholic Archdiocese Office to help develop programs in high schools, including the one attended by the alleged perpetrators. CRS helped avoid violence at a community demonstration conducted by dozens of Chicago Guardian Angels. CRS established communications with neighborhood residents and business representatives.

Results & Benefits: Violence was averted and tensions subsided in both cases. Communications between parties improved. An infrastructure and mechanism was developed and implemented in the community to avert and resolve future tensions. The schools districts developed violence reduction policies and procedures as a result of the conflict. Students, community members and school officials received training to prevent future incidents.

III. 1997 ACCOMPLISHMENTS BY THE COMMUNITY RELATIONS SERVICE

A. **Highlights:** In 1997, CRS was called upon to resolve conflicts throughout the country. Typically, CRS is called into action when local law enforcement, businesses, elected officials and school administrators need the services of an impartial agency. Often, these agencies of the private and public sector need the independence and authority of the Federal government to help them resolve disputes in which they are one of the parties in conflict.

In FY 97 CRS had an active case load of more than **1309** cases and has closed approximately **468** of these cases.

Three recent incidents which received national attention within the last two weeks illustrate CRS' important role in resolving tensions and averting violence. A CRS mediator is currently working on-site to assess and help reduce the level of racial tension surrounding the alleged brutal torture and police's excessive use of force upon a Haitian immigrant in New York City, the decapitation and burning of an African American man in Elk Creek, Virginia, and the riots in Nashville following a police shooting. Each of these situations brought an immediate CRS response.

B. **Priorities:** Currently, CRS is carrying out Justice Department priorities. Specifically:

- that **every** child should live in a safe, secure community with equal opportunity to grow and thrive;
- that efforts should be made to **prevent** racial and ethnic tensions before they escalate into violence; and
- that communities must be **empowered** to resolve their own conflicts.

C. **Preventing Violence in Schools:** Schools, once a safe haven for our children and their teachers, have now become some of the fiercest battlegrounds in cities, suburbs and rural districts throughout our country. CRS services were requested in FY 1997 by more than **150** school districts and **100** colleges and universities. CRS was asked to help address racial conflicts and violence, reduce tensions, develop plans to avoid potential incidents, and conduct conflict resolution and peer mediation training programs for students, teachers, administrators and parents.

D. **Preventing Violence and Civil Disorders:** When local capacities are insufficient, law enforcement agencies seek CRS assistance to respond to civil disorders and racial violence. In FY1997 CRS, responded to civil disturbances in St. Petersburg, Florida, community unrest in Leland, Mississippi and Phoenix, Arizona. CRS mediators were on-site, helping police and local officials calm tension, end the violence and begin constructive dialogue. **CRS dedicates 40 percent of its resources to assisting police agencies.**

E. Restoring Calm After Church Burnings: The last two years has seen a rash of church arson primarily directed towards African-American congregations. In 1996 and 1997, more than **250** churches in **13** Southern states were burned or desecrated. CRS has played an integral role in the comprehensive response by Federal agencies. (First Year CBRT Report attached).

F. Ensuring Safe and Peaceful Demonstrations and Marches: CRS mediators, when requested by march organizers and local law enforcement officials, assist in event planning to help reduce potential conflicts and to minimize any prospects of confrontations. Key assistance was provided to the Republican National Convention. Gerald Sanders the Chief of Police in San Diego states:

“CRS provided invaluable service when San Diego hosted the Republican National Convention. They kept the protestors and demonstrators at safe distance so that the convention could proceed smoothly.”

Recently, officials in Philadelphia requested assistance when the Nation of Islam marched through the white neighborhood of Gary's Ferry. In New York this past week, CRS assisted when more than 4,000 Haitians demonstrated outside the 70th Police Precinct over allegations of police brutality. In San Francisco, local authorities are using CRS' assistance in preparation for Rev. Jesse Jackson's planned protest march across the Golden Gate Bridge scheduled for August 28, 1997.

Additionally, CRS was called upon to assist at the Summer Olympic Games in Atlanta, the Million Man March and the National Hispanic March in Washington, D.C. In these and other events, CRS facilitates and encourages advance coordination, cooperation and contingency planning, promotes and trains “self-marshals” to sustain violence-free events, and conducts conciliation activities when conflict occurs.

G. Responding to Hate Crimes: In 1997, CRS responded to **165 cases** involving community racial tensions associated with hate crimes or hate groups activities, approximately 15 percent of the agency's active caseload. CRS services include helping civic leaders and public officials maintain and restore stability when hate group activities heighten tensions; assisting local officials in the development of policies and practices for responding to hate crimes; conducting training sessions for police on recognition of and response to hate crimes; assisting businesses which experience property loss and damage; and delivering hate crime prevention and education programs in schools, colleges, and communities.

H. Resolving Disputes in Indian Country: In 1997, CRS responded to more than 25 cases involving disputes and conflicts between local, State and tribal governments; corporations and tribal government; and non-Indians and tribes. CRS provided conflict

resolution assistance, helping to resolve issues over the use of reservation lands for sanitary and hazardous waste landfills; tribal voting rights; leasing of tribal lands for housing and business ventures by non-Indians; cross-deputizations between Federal, State and local governments, and law enforcement in gaming, taxation, and business regulation, and return of ancient Native American remains and artifacts unearthed by land development.

I. Supporting Other Departments and Federal Local Partnerships: In addition, CRS supports interdepartmental cooperation and public and private sector partnerships. CRS has created many partnerships that help reduce racial and ethnic tensions in local communities. For example, CRS' services are regularly engaged by U. S. Attorneys seeking to improve communication with minority organizations, and CRS helps support other Federal initiatives, including community oriented policing, Operation Weed and Seed, and Pulling American Communities Together. Within the Department of Justice, CRS is partnering with the Office of Juvenile Justice and Delinquency Prevention on hate crimes; Office of Community Oriented Policing Services on its youth violence; Office for Victims of Crime on assistance to hate crime victims; Office of Tribal Justice on tribal conflict; Federal Bureau of Investigation on hate crime response; Civil Rights Division on excessive use of police force protocols; Environment and Natural Resources Division on resolution of environmental issues; and the Bureau of Justice Assistance on training for law enforcement on conflict prevention and community relations.

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Community Relations Service

U.S. Department of Justice



Rose M. Ochi, Director, Community Relations Service
Assistant Attorney General

The Community Relations Service (CRS), a unique agency of the U.S. Department of Justice, is the Federal government's "peacemaker" for community conflicts and tensions arising from differences of race, color, and national origin. Created by the Civil Rights Act of 1964, CRS is the only Federal agency dedicated to preventing and resolving racial and ethnic tensions, incidents, and civil disorders. It assists State and local units of government, private and public organizations, and community groups in bringing community racial stability and harmony.

Services Available

For more than 30 years, CRS has been asked to provide its experienced mediators to help local communities settle destructive conflicts and disturbances relating to race, color, or national origin. In 1996, CRS's 34 highly skilled conflict resolution professionals helped bring 827 cases of community-wide conflicts to peaceful closure in all 50 States.

CRS lends its services when requested or when it believes peaceful community relations may be threatened. It relies solely on impartial mediation practices and established conflict resolution procedures to help local leaders resolve problems and restore community stability. CRS has no law enforcement authority and does not impose solutions, investigate or prosecute cases, or assign blame or fault. CRS mediators are required by law to conduct their activities in confidence, without publicity, and prohibited from disclosing confidential information.

CRS is available to work onsite with State and local officials and community leaders. CRS can:

- Contribute expertise and guidance on methods and policies that calm racial tensions and conflicts.
- Build strategies with State and local governments and community groups to prevent and respond to civil disorders.

- Improve lines of communication among Federal, State, and local public officials and community leaders and residents.
- Help establish programs to eliminate racial misconceptions and build multiracial coalitions.
- Assess community relations involving racial and ethnic tensions.

Significant Accomplishments 1994-1997

During the past four years, a period of heightened racial tension and conflict in our Nation, CRS has helped hundreds of communities. Examples of CRS assistance:

- **Civil Disorders.** CRS race relations skills were called upon to help mayors, police chiefs, and community leaders restore stability and order. From the civil unrest in Los Angeles following the Rodney King case to the civil disturbances over police shootings in St. Petersburg, Florida, CRS was "in the streets" helping police, local officials, and leaders end the violence and begin constructive dialogue. Once stability was restored, CRS provided technical assistance and training to avert new violence and improve police-community relations.
- **Church Burnings.** In response to the President's call for a comprehensive response by Federal agencies to address church burnings, CRS staff have worked directly with more than 180 rural, suburban, and urban governments to help eliminate racial distrust and polarization, promote multiracial construction of new buildings, conduct race relations training for community leaders and law enforcement officers, and provide technical assistance in ways to bring together law enforcement agencies and minority neighborhoods. CRS serves as a principal partner on the President's Church Arson Task Force.

"Our rich texture of racial, religious, and political diversity will be a godsend in the 21st century. Great rewards will come to those who can live together, learn together, work together, forge new ties that bind together."

President Clinton

January 20, 1997

- **Schools.** In 1996, CRS services were requested by more than 150 school districts and 100 colleges. CRS was asked to help quell racial conflicts and violence, reduce tensions, develop plans to avoid potential incidents, and conduct training programs for students, teachers, administrators and parents. CRS offers six school-based programs:

Student Problem Identification and Resolution (SPIR).

This conflict resolution program is designed to identify and diffuse racial tensions involving students at the senior and junior high levels. *SPIR* assists school administrators in addressing racial and ethnic tensions through a carefully structured process that involves students, teachers, administrators, and parents. A further development of this program, called *SPIRIT*, involves local police agencies as key partners in the design of an action plan. CRS now trains police officers to conduct the *SPIR* program as a part of a process to strengthen cooperation among police and schools.

CRS also offers the following training sessions: *Conflict Dialogues, Conflict Mediation, Student Problem Solving Skill Building, Teacher Conflict Management Training, and Administration Conflict Prevention and Management.*

- **Demonstrations and Marches.** CRS mediators, at the request of march organizers and local officials, assisted in event planning to reduce racial misunderstandings and conflicts and to minimize the prospect of any confrontations. Key assistance was provided to the Million Man March and the National Hispanic March in Washington, D.C., the Atlanta Summer Olympic Games, the Republican National Convention in San Diego, and the Democratic National Convention in Chicago.
- **Hate Crimes.** In 1996, CRS was involved in more than 175 incidents of hate crimes. In Philadelphia, CRS joined with the U.S. Attorney, the Federal Bureau of Investigation, local law enforcement agencies, and the

Anti-Defamation League in presenting a Hate Crimes Symposium for police on response to hate crimes.

- **Housing.** CRS provided technical assistance to police departments and community agencies in Vidor, Texas, when the Ku Klux Klan held demonstrations against the integration of the public housing in Vidor and East Texas. In August 1995, CRS helped prevent and resolve racial conflicts over the integration of a public housing complex in Grand Saline, Texas. CRS worked with community leaders, housing complex security, and local law enforcement and school officials to coordinate a response to issues raised by the integration activities.
- **Environmental Justice.** CRS addressed conflicts over environmental issues in several States. In Hartford, Connecticut, CRS mediated an agreement between city officials and community leaders in 1995, which resolved health concerns stemming from the North Meadows Landfill. In Portsmouth, Virginia, CRS was instrumental in facilitating community involvement in the development of a joint cleanup plan. CRS assisted community leaders in Ferris, Texas, in addressing community concerns over environmental issues associated with the enlargement of the sanitary landfill.
- **Native Americans.** CRS has provided conflict resolution assistance on a wide variety of issues and disputes involving tribes, communities, and Federal, State, and local officials. CRS assistance resolved issues of reservation lands for sanitary and hazardous waste landfill, tribal voting rights, leasing of tribal lands to non-tribal members for housing and business, cross-deputization between tribal and non-tribal law enforcement agencies, jurisdictional disputes between State and local governments and tribes over gaming activities, and return of ancient Native American remains and artifacts unearthed by new land development.
- **Federal-Local Partnerships.** CRS' positive relationships with minority community organizations help support other Federal efforts, including community-oriented policing, Operation Weed and Seed, Pulling American Communities Together (PACT), and Americorps.

CRS Mission and Goals

In accordance with Title X of the Civil Rights Act of 1964, 42 USC §2000g, CRS seeks to prevent or resolve community conflicts and tensions arising from actions, policies, and practices perceived to be discriminatory on the basis of race, color, or national origin. CRS provides services, including conciliation, mediation, and technical assistance, directly to people and their communities to help them resolve conflicts that tear at the fabric of our increasingly diverse society.

"We must talk openly about race relations in this country. We must talk with respect, we must listen with a listening ear, we must get rid of the angry rhetoric that has so marked this issue in so many instances of late."

Attorney General Reno
January 15, 1997

CRS Program Goals:

- To create opportunities and mechanisms for constructive civic discourse on issues of race and ethnicity. CRS helps give national leadership and assistance to efforts to establish "places and spaces" for candid race relations discussions.
- To provide a high caliber of conflict resolution and prevention services to those communities most vulnerable to significant race relations tensions, conflicts, and violence.
- To build enhanced dispute resolution capabilities in local communities, including high schools, colleges and universities, so that local institutions will be able to resolve their own conflicts without external assistance.
- To establish bridges between minority groups and law enforcement organizations in order to improve relations and community safety, and to reduce the potential for community conflict.
- To improve the preparedness of communities to respond to civil unrest, including activities by hate groups, through the provision of training, contingency planning, and technical assistance.

CRS Customer Service Standards

Our goal is to provide sensitive and effective conflict prevention and resolution services. CRS will meet the following Standards:

- We will clearly explain the process that CRS uses to address racial and ethnic conflicts and our role in that process.
- We will provide opportunities for all parties involved to contribute to and work toward a solution to the racial or ethnic conflict.
- If you are a participant in a CRS training session or conference, you will receive timely and useful information and materials that will assist you in preventing or minimizing racial and ethnic tensions. If you would like more information, we will work with you to identify additional materials and resources to meet your needs within three weeks of learning your need.
- We will be prepared to provide on-site services in major racial or ethnic crisis situations within 24 hours from the time when your community notifies CRS or CRS becomes aware of the crisis.
- In non-crisis situations we will contact you to discuss our services within three days of when your community notifies CRS or when CRS becomes aware of the situation.

"We can never completely correct past racial injustices, but in our struggle to eliminate racial contempt and prejudice we will prevent the past from repeating itself and build stronger communities."

Rose Ochi
Director, CRS
Assistant Attorney General
March 21, 1997

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CRS BULLETIN

Rose Ochi, Director, Community Relations Service

Hate Crime: *The Violence of Intolerance*

The Community Relations Service (CRS), a unique agency of the U.S. Department of Justice, is the Federal government's "peace-maker" for community-wide conflicts and tensions arising from disputes based on race, color, and national origin. Created by the Civil Rights Act of 1964, CRS is the only Federal agency dedicated to preventing and resolving racial and ethnic tensions, incidents of violence, and civil disorders. For more than 30 years, CRS has assisted in settling destructive conflicts and disturbances. In 1996, CRS helped governors, mayors, tribal leaders, police chiefs, school superintendents, and community leaders bring more than 800 cases of conflict to peaceful closure in all 50 States.

In 1996, CRS was involved in 178 hate crime cases that caused or intensified community racial and ethnic tensions. As authorized by the Civil Rights Act of 1964, CRS became involved only in those cases in which the criminal offender was motivated by the victim's race, color, or national origin. Of all hate crime offenses reported to the U.S. Department of Justice's Federal Bureau of Investigation (FBI) in 1995, 71 percent were motivated by the victim's race, color, or national origin.

Hate Crime

Hate crime is the violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religious, sexual orientation, or disability. The purveyors of hate use explosives, arson, weapons, vandalism, physical violence, and verbal threats of violence to instill fear in their victims, leaving them vulnerable to more attacks and feeling alienated, helpless, suspicious and fearful. Others may become frustrated and angry if they believe the local government and other groups in the community will not protect them. When perpetrators of hate are not prosecuted as criminals and their acts not publicly condemned, their crimes can weaken even the community with the strongest race relations.

Of all crimes, hate crimes are most likely to create or exacerbate tensions, which can trigger larger community-wide racial conflict, civil disturbances, and even riots. Hate crimes put cities and towns at-risk of serious social and economic consequences. The immediate costs of racial conflicts and civil disturbances are police, fire,

and medical personnel overtime, injury or death, business and residential property loss, and damage to vehicles and equipment. Long-term recovery is hindered by a decline in property values, which results in lower tax revenues, scarcity of funds for rebuilding, and increased insurance rates. Businesses and residents abandon these neighborhoods, leaving empty buildings to attract crime, and the quality of schools declines due to the loss of tax revenue. A municipality may have no choice but to cut services or raise taxes to cover the loss of income or leave the area in its post-riot condition until market forces of supply and demand rebuild the area.

Victims and Perpetrators

From 1992 to 1995, the FBI received reports of more than 25,000 hate crimes from State and local law enforcement agencies. There were 7,947 separate hate crime incidents involving 9,895 total offenses, 10,469 victims, and 8,433 known perpetrators. Of the offenses, 1,710 were violent crimes, 8,159 misdemeanors, and 26 listed as other. The crimes included 2 murders, 12 forcible rapes, 1,268 aggravated assaults, 1,796 simple assaults, and 4,048 acts of intimidation.

Among the known perpetrators, 59 percent were white, and 27 percent were black. Of these, 65 percent were teenagers and young adults. Some young offenders commit hate crimes with their peers as a "thrill" or while under the influence of drugs or alcohol; some as a reaction against a perceived threat or to preserve their "turf," and some out of resentment over the growing economic power of a particular racial or ethnic group and engage in scapegoating.

Examples of CRS Hate Crime Casework

In **Augusta, Michigan**, two black families experienced a series of hate crimes, including a cross burning and a vandalized vehicle. When tensions increased across the community, CRS worked with representatives from more than 25 churches, law enforcement agencies, schools, and community organizations to develop both short- and long-term approaches to eliminate hate crimes.

In **Clarksville, Tennessee** the U.S. Attorney requested CRS assistance after a number of hate crimes and other incidents created community-wide tensions. CRS helped local officials establish a Human Relations Commission to mediate disputes and conflicts.

After a white youth from **Guthrie, Kentucky**, was killed by several black males in **Robertson County, Tennessee**, for displaying on his truck the confederate flag, the emblem of the youth's high school, regional tensions flared, marked by cross burnings and other incidents. CRS worked with Federal, State and local officials to restore racial order, including assistance to the mayor of Guthrie in establishing a Community Relations Commission to help maintain stability.

After three black youths were wounded in a Ku Klux Klan (KKK) drive-by shooting of a black nightclub in **Lexington County, South Carolina**, CRS conducted a series of conciliation meetings with the youths' families, State and county government and school officials, and black and white citizen groups to promote harmonious racial relations.

In **St. Louis, Missouri**, an Asian refugee sitting in his automobile in front of his house was killed by a black youth. The black youth was part of a gang preying upon the refugee community, which is located adjacent to a poor black neighborhood. Long-simmering ethnic-racial tensions were exacerbated by the murder, and civil disturbances appeared imminent. CRS helped Federal, State and local officials, and community and religious organizations develop a process to begin to address both the immediate and underlying social and economic causes of the tension.

CRS Assistance on School Issues:

CRS assistance was requested by school district officials and leaders of 17 community organizations to reduce racial tensions in a high school in **Fairbanks, Alaska**, after the KKK directed its recruitment activities toward the white students of the school and a series of hate crimes incidents occurred against black and native Alaskan residents.

CRS conciliators helped administrators of a high school in **Tucson, Arizona**, following two months of recurrent racial violence between white, black, and Hispanic students, with one incident requiring the response of more than 120 law enforcement officers. CRS helped restore stability in the schools and ease tensions in the community.

In **Suffolk County, New York**, administrators of school districts requested CRS assistance when hate crimes and racial conflicts increased tensions in the county's schools and communities. At a **Brookhaven** high school, CRS responded when racial tensions escalated into violence after white students distributed flyers promoting white supremacy. In **Deerpark**, CRS mediation and conciliation services helped students, parents and officials stop hate crimes and racial violence in middle and high schools.

CRS Assistance on Housing Issues:

In **Independence, Kansas**, CRS was contacted when the home of a black family was firebombed, one in a series of incidents and threats to force the families to move from an all-white neighborhood. By working with various government agencies and community groups, CRS helped reduce tension in the area.

In **Rome, Georgia**, CRS was asked by a Hispanic minister to help end racial conflicts arising from the movement of Hispanic families to a previously all-black apartment building. Hate crimes, including violent assaults, robberies, and vandalism, increased the tensions among all residents. CRS helped resolve the conflict by working with government officials and Hispanic and black community leadership.

In **Wilmington, Delaware**, the U.S. Attorney asked CRS to resolve tensions and conflicts involving Hispanic and black residents of a housing complex, which was marked by arson, violence, and intimidation. CRS mediated the tensions and, by working with local government agencies and residents of the complex, established a resident-operated mediation process to maintain stability in the event of future tensions.

In **Omaha, Nebraska**, CRS assistance was requested by Federal and State authorities after two black families were relocated from a primarily white housing complex after a series of firebombings, vandalism and verbal threats. CRS helped the police department develop an educational program to teach citizens about hate crime.

CRS Assistance on Business Issues:

In **Milwaukee, Wisconsin**, an Asian-owned store targeted for protests and boycott by black residents was firebombed. When existing community-wide tensions were heightened by comments on a local talk show by boycott leaders, CRS successfully mediated the long-running dispute at the request of the U.S. Attorney.

In **Philadelphia, Pennsylvania**, CRS mediated a dispute between Korean and black business owners and employees in a public market that had escalated tensions in the community and negatively affected the market's business.

In Bridgeport, Washington, the relatively rapid demographic shift in a multi-county area from primarily white to a majority of Hispanic agricultural workers contributed to a series of hate crimes and racial conflicts, including the murder of two Hispanic men by two white men, formation of armed vigilante groups, and a Hispanic boycott of white-owned businesses. CRS helped local government agencies and civic, business and community groups develop a process to end existing tensions and prevent future conflicts.

CRS Assistance on Church Burnings:

In response to the President's call for a comprehensive response by Federal agencies to address church burnings, CRS staff have worked directly with more than 180 rural, suburban, and urban governments in 17 states to help eliminate racial distrust and polarization, promote multiracial construction of new buildings, conduct race relations training for community leaders and law enforcement officers, and provide technical assistance in ways to bring together law enforcement agencies and minority neighborhoods. CRS serves as a principal partner on the President's Church Arson Task Force.

CRS Best Practices to Prevent Hate Crimes from Escalating Racial and Ethnic Tensions into Conflict or Civil Disturbances

From years of experience with hundreds of hate crime cases that have caused or intensified community-wide racial and ethnic tensions, CRS recommends certain "best practices" to prevent hate crimes and restore harmony in the community.

Hate Crime Ordinances are a Deterrent

A core responsibility of government is to protect the civil rights of its citizens and to advance its inherent obligation to ensure good race and ethnic relations. This tenet cannot be abrogated and such a commitment requires no special funding. A government can confirm its commitment to the safety and well-being of its citizens by establishing an ordinance against hate crime activity or enhancing the punishment for hate crime. It can also encourage compliance with existing equal opportunity statutes.

- ◆ *A local government may establish an ordinance against hate activity modeled on existing hate crime law in effect in that State. Punishment is enhanced by promulgating guidelines or amending existing guidelines to provide varying offense levels for use in sentencing. There should be reasonable consistency with other guidelines, avoidance of duplicative punishments for the same offense, and consideration of any mitigating circumstances. Compliance with existing statutes can be achieved by training law enforcement officers to enforce existing statutes,*

imposing fines or penalties when ordinances are violated, reviewing licenses or privileges, reviewing tax exempt status, and providing incentives or awards. A local government may also establish boards or commissions to review and analyze hate crime activity, create public service announcements, and recommend measures to counter hate activity. In September 1994, Congress also enacted a Federal hate crime penalty enhancement statute (Public Law 103-322 § 28003), which would increase the penalties for Federal crimes where the victim was selected "because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person."

Local Actions to Improve Communication

When left unresolved, simmering racial and ethnic friction can be triggered by a hate crime into a community-wide conflict or civil disturbance. Communication and interaction between majority and minority groups is often a key factor in preventing tensions or restoring harmony.

- ◆ *A Human Rights Commission (HRC) can facilitate and coordinate discussions, training, and events for the benefit of everyone. An HRC can create a forum for talking about racial and ethnic relations and encourage citizens to discuss their differences, commonalities, hopes and dreams. Forums could focus on the common features of community life, including economic development, education, transportation, environment, cultural and recreational opportunities, leadership, community attitudes, and racial and ethnic diversity. The Commission can use multicultural training and special events to promote harmony and stability. Also, see A Policymaker's Guide to Hate Crimes, published by the Bureau of Justice Assistance (BJA), U.S. Department of Justice. Telephone 800/688-4252, or visit their home page at www.ojp.usdoj.gov/BJA.*

Coalitions Create a Positive Climate

Racial and ethnic tensions increase during periods of economic downswings. Hate crimes may occur when unemployed or underemployed workers vent anger on available scapegoats from the minority groups.

- ◆ *Coalitions of representatives from political, business, civic, religious, and community organizations help create a positive climate in the community and encourage constructive dialogue. Coalitions can recommend initiatives to help racial and ethnic communities affected by the loss of jobs, including programs and plans* to help local government ensure an equitable disbursement of public and private funds, resources, and services.*

Inclusion Increases Confidence in Government

Hate crimes can often be prevented by policies designed to promote good racial and ethnic relations.

- ◆ *Local governments can assure that everyone has access to full participation in the municipality's decision-making processes, including equal opportunity for minorities to be represented on appointed boards and commissions. Local governments might institute a policy of inclusion for appointments on boards and commissions. The policy could require listing all appointive positions, and notifying all racial and ethnic groups of open seats through the minority media.*

Schools and Police Must Work Together

Racial and ethnic tensions increase in schools when there are rapid demographic or socio-economic changes. Tensions may result from the perception of unequal educational opportunities or disparate practices in hiring faculty and staff within the school district.

- ◆ *Preventing and dealing with hate crimes and hate-based gang activity in schools are the responsibility of school and police officials, who should work together to develop a plan to handle hate crimes and defuse racial tensions. Hate crimes can be school-related, community-related, or a combination of both. Officials should consider prevention and response roles, identify potential trouble sites, and plan for phased police intervention. Tension can be eased by regular communication with parents, students, media, and other community organizations. Mediation and conflict resolution classes develop the capacity of young people to peacefully settle disputes and conflicts. For more information on how to prevent and counter hate crime in schools, contact the Office for Juvenile Justice and Delinquency Prevention (OJJDP), U.S. Department of Justice. See also OJJDP's A National Hate Crime Prevention Curriculum for Middle Schools. Telephone 800/638-8736, or visit their home page at www.ncjrs.org/ojjhome.htm.*

Rumors Fuel Racial Tensions and Conflict

Law enforcement officers believe rumors aggravate more than two-thirds of all civil disturbances. When racial or ethnic tensions could be heightened or triggered by exaggerated rumors, a temporary rumor control and verification center is an effective mechanism to ensure accurate information.

- ◆ *A temporary rumor control and verification center typically is operated 24 hours a day during the crisis period by a local government agency. It is staffed by professionals and trained volunteers. The media and others should publicize the telephone number.*

The Media Can Be a Helpful Ally

The influence of the print and broadcast media on preventing and investigating hate crime cannot be overstated. The media is critical in shaping public attitudes about the crime, its perpetrators, and the law enforcement response.

- ◆ *The media can play an important role in preventing hate crimes from increasing community tensions. Local officials should designate an informed single-point-of-contact for hate crime information. Accurate, thorough, and responsible coverage and reporting significantly improve the likelihood that stability and harmony will be restored. The media can promote public understanding of mediation and conflict resolution processes, and help alleviate fear, suspicion, and anger.*

Community Policing Should Be Well Planned

During the transition by a local law enforcement agency from traditional policing to community-oriented policing, retention of the agency's Community Affairs/Relations Office should be carefully considered.

- ◆ *During the transition to community-oriented policing, some law enforcement agencies may choose to close their community relations office, encouraging their community policing officers on the beat to learn who the key community leaders are in their patrol sectors. If this is done, the department must make certain it does not lose institutional knowledge about community leaders and the mutual benefits of a working relationship as well as the means to learn about and work with up-and-coming leaders. The experience gained by officers permanently assigned to monitor and work on community relations matters should be used in this transition period as well. If the office is to be disbanded, community leaders who have worked with the officers in the past should be consulted on the proposed changes during the planning process.*

Hate Crimes Must Be Investigated and Reported

Findings on the exact number of hate crimes and trends are difficult to establish and interpretations about hate crimes vary among individuals, law enforcement agencies, public and private organizations, and community groups.

- ◆ *A municipality should assure that its law enforcement agencies adopt the model policy supported by the International Association of Chiefs of Police (tel. 703/836-6767) for investigating and reporting hate crimes. This model policy uses the standard reporting form and uniform definition of hate crime developed by the FBI after passage of The Hate Crime Statistics Act (HCSA), 28 U.S.C. 534, enacted April 1990, as amended by the Church Arson Prevention Act of June 1996 (The HCSA also requires the collection of data on crimes based on religion,*

sexual orientation, ethnicity, and disability). The FBI offers training for law enforcement officers and administrators on developing data collection procedures. For more information, call the FBI at 1-888-UCR-NIBR. CRS and the FBI recommend a two-tier procedure for accurately collecting and reporting hate crime case information. It includes: (1) the officer on the scene of an alleged bias crime making an initial determination that bias motivation is "suspected"; and (2) a second officer or unit with more expertise in bias matters making the final determination of whether a hate crime has actually occurred. For more information, see the FBI's Training Guide for Hate Crime Data Collection and Hate Crime Data Collection Guidelines. Telephone 304/625-4995. See also Hate/Bias Crimes Train-the-Trainer Program, conducted by the National Center for State, Local and International Law Enforcement Training. Federal Law Enforcement Training Center, U.S. Treasury Department. Telephone 912/267-3240.

Hate Crimes and Multi-jurisdictional Task Forces

Multi-jurisdictional or regional task forces are an effective means of sharing information and combining resources to counter hate crime activity.

- ◆ *Some local governments have institutionalized sharing of expertise and agency resources through memorandums of understanding. For example, creating a coalition of public and private agencies and community organizations will give cities in the county or region a complete and thorough range of resources and information to promote racial and ethnic relations and counter hate crimes. This network or consortium can also work with coalitions created especially to investigate and prosecute hate crimes. Such a coalition might include the district attorney, the city attorney, law enforcement agencies, and civil rights, community, and educational organizations. This partnership links prosecutory and law enforcement agencies and community-based response organizations. See also, Stopping Hate Crime: A Case History from the Sacramento Police Department, by BJA. Telephone 800/688-4252.*

Victims, Witnesses and Offenders Need Help

Nearly two-thirds of all known perpetrators of hate crimes are teenagers or young adults. When appropriate, a victim-offender restitution program or offender counseling program can be an effective sanction for juveniles.

- ◆ *Educational counseling programs for young perpetrators of hate crime can help dispel stereotypes, prejudice, fears, and other motivators of hate crime. Counseling may include sessions with members of minority groups and visits to local correctional facilities. In addition, "restorative justice," the concept of healing both the victim and the offender while*

regaining the trust of the community, may be appropriate. The offenders are held accountable and are required to repair both the physical and emotional damage caused by their actions.

To ensure a comprehensive response to hate crimes, the needs of the victims must be served.

- ◆ *For more information on how to meet the diverse needs of both the immediate and secondary victims of hate crimes, contact the Office for Victims of Crime (OVC), U.S. Department of Justice. OVC also provides funding for State offices to provide victim assistance and victim compensation services. See also OVC's National Bias Crimes Training: For Law Enforcement and Victim Assistance Professionals. Telephone 202/305-4548, or visit their home page at www.ojp.usdoj.gov/ovc/.*

CRS Services that Defuse Hate Crime Activity

When hate crimes threaten the stability of racial and ethnic relations or escalate community-wide tensions, CRS offers five types of services. To determine the best service(s), CRS conciliators meet with elected officials and community leaders, analyzing a variety of indicators, including causes, potential for violence or continued violence, extent of dialogue between the various racial and ethnic groups, and their interest in helping to restore harmony and stability. CRS proposes role(s) and potential service(s) and establishes goals and objectives by working with local government and community leaders. The five services are:

- ◆ **Mediation and Conciliation.** Mediation and conciliation are two techniques used by CRS to help resolve community-wide tensions and conflicts arising from hate crimes. CRS conciliators provide representatives of community groups and local government leaders with an impartial forum to attempt to restore stability and harmony through orderly dialogue and clarification of the issues that divide the community. CRS establishes with the parties the ground rules of the forum and facilitates the discussion.
- ◆ **Technical Assistance.** CRS can assist local officials and community leaders with developing and implementing policies, practices, and procedures to respond to hate crimes and garner the support of residents and public and private organizations to ease tensions and help end conflicts. CRS can also help local law enforcement agencies create hate crime units to prevent, investigate, and prosecute hate crimes. Creation of such units sends the message to everyone that these crimes will not be tolerated and improves police response.
- ◆ **Training.** CRS can conduct training sessions and workshops to teach patrol officers how to recognize a hate crime scene, gain support of the community early in the investigation, and begin the search for victims and witnesses to the crime. CRS

can teach community leaders and volunteers how to prevent the likelihood of more hate crimes, and how to assist and share information in the investigation by law enforcement agencies. Volunteers can serve in such valuable roles as rumor control, initiating community watch patrols, and raising public consciousness about types of hate crimes and those who perpetrate such offenses. Some examples of CRS training are:

In **Massachusetts**, CRS conducted workshops at the Hate Crime Prevention Training conference attended by teams comprising law enforcement and school officials from across New England. CRS focused on cross-cultural tensions and school mediation classes to prevent conflict.

In **New Jersey**, CRS sponsored a two-day training conference for more than 60 representatives from law enforcement agencies across **Pennsylvania** and **New Jersey**. Workshops included creating and staffing hate crime units, identifying hate crimes, mobilizing government and community organizations, and collecting, analyzing, and disseminating hate crime information.

In seven **Florida** cities identified as at-risk based on racial and ethnic tensions, CRS and the State law enforcement officers conducted training workshops on preventing unrest and contingency planning for civil disturbances.

- ♦ **Public Education and Awareness.** CRS can also conduct hate crime prevention and education programs in schools, colleges, and the community. These programs break down barriers, build bridges of trust across racial and ethnic lines, develop mutual respect, and reduce fear. Such programs build on shared values and interests. In 1996, CRS services were requested by more than 150 school districts and 100 colleges. CRS helped to address conflicts and violence, reduce tensions, develop plans to avoid potential incidents, and conduct training programs for students, teachers, administrators, and parents.

CRS offers six school-based programs. An example is *Student Problem Identification and Resolution (SPIR)*, a conflict resolution program designed to identify and defuse racial tensions involving students at the junior and senior levels. *SPIR* assists school administrators in addressing racial and ethnic tensions through a carefully structured process that involves students, teachers, administrators, and parents. A further development of this program, called *SPIRIT*, involves local law enforcement agencies as key partners in the design of an action plan. CRS now trains officers to conduct the *SPIRIT* program as a part of a process to strengthen cooperation among law enforcement and school officials. CRS also offers the following training sessions: *Conflict Dialogues*, *Conflict Mediation*, *Student Problem Solving Skill Building*, *Teacher Conflict Management Training*, and *Administration Conflict Prevention and Management*.

- ♦ **Event Contingency Planning.** CRS, at the request of either local officials or demonstration organizers, can assist in contingency planning to ensure that marches, demonstrations, and similar events occur without exacerbating racial and ethnic tensions and minimizing the prospect of any confrontations. CRS assisted Federal and State officials plan the 1996 International Olympic Summer Games in Atlanta, Georgia, and the national political conventions in San Diego, California, and Chicago, Illinois. CRS can also train community residents to plan and monitor local-level events.

CRS assistance is often requested when demonstrations and marches are scheduled. For example, CRS has helped the following municipalities with KKK rallies and counter-demonstrations: **Fort Payne, Alabama; Simi Valley, California; Denver, Pueblo and Colorado Springs, Colorado; Newark, Delaware; Fort Walton Beach, Miami, Miami Beach and Tallahassee, Florida; Forsyth County, Georgia; Rolling Meadows, Springfield, Wheaton, and McHenry County, Illinois; Fort Wayne and Indianapolis, Indiana; Salina and Topeka, Kansas; Annapolis and Thurmont, Maryland; Charlotte and Hillsdale, Michigan; Clarksdale, Mississippi; Kennett and Hillsboro, Missouri; Columbus, Ohio; Holidaysburg and New Hope, Pennsylvania; and Cheyenne, Wyoming.**□

Publications and Resources

American-Arab Anti-Discrimination Committee, *Anti-Arab Racism in the United States-1995* (\$4). 4201 Connecticut Ave. NW, Washington, DC 20008. 202/244-2990.

American Jewish Committee, *Skinheads: Who They Are And What to Do When They Come to Town* and *Bigotry on Campus: A Planned Response*. 165 East 56 St., New York, NY, 10022. 212/751-4000.

Anti-Defamation League, *1997 Hate Crimes Laws*. 823 United Nations Plaza, New York, NY 10017. 212/490-2525.

Center for Democratic Renewal. *When Hate Groups Come to Town*, (\$18.95). P.O. Box 50469, Atlanta, GA 30302. 404/221-0025.

Japanese American Citizens League. *Walk with Pride: Taking Steps to Address Anti-Asian Violence*. 1765 Sutter St., San Francisco, CA 94115. 415/921-5225.

Klanwatch, *The Intelligence Report*. Southern Poverty Law Center, 400 Washington Ave., Montgomery, AL 36104. 334/264-0286.

Los Angeles County Commission on Human Relations. *Hate Crime in Los Angeles County in 1996*. 320 West Temple St., Los Angeles, CA 90012. 213/974-7601.

Lambda Legal Defense and Education Fund, Inc. *Fighting for Sexual Orientation Fairness in the Courts*. 120 Wall St., New York, NY 10005. 212/809-8585.

National Asian Pacific American Legal Consortium, *Audit of Violence Against Asian Pacific Americans*. 1001 Connecticut Ave., NW, Washington, DC 20036. 202/296-2300.

National Conference. Provides training and technical assistance to end racism and religious bigotry. 71 Fifth Ave., New York, NY 10003. 212/807-8440.

National Council on Crime and Delinquency, *Hate Crime Prevention Resource Guide*. 685 Market St., Suite 620, San Francisco, CA 94105. 415/896-6223.

People for the American Way. *Democracy's Next Generation II: A Study of American Youth on Race*. 2000 M St. NW, Washington, DC 20036. 202/467-4999.

Customer Service Standards Community Relations Service

Our goal is to provide sensitive and effective conflict prevention and resolution services. CRS will meet the following Standards:

- ◆ We will clearly explain the process that CRS uses to address racial and ethnic conflicts and our role in that process.
- ◆ We will provide opportunities for all parties involved to contribute to and work toward a solution to the racial or ethnic conflict.
- ◆ If you are a participant in a CRS training session or conference, you will receive timely and useful information and materials that will assist you in preventing or minimizing racial and ethnic tensions.
- ◆ We will be prepared to provide on-site services in major racial or ethnic crisis situations within 24 hours from the time when your community notifies CRS or CRS becomes aware of the crisis.
- ◆ In non-crisis situations we will contact you to discuss our services within three days of when your community notifies CRS or when CRS becomes aware of the situation.

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Community Relations Service

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**Community Relations Service
U.S. Department of Justice**

Rose Ochi, Director



Church Burning Response Team

First Year Report

June 1997



Director

Washington, D.C. 20530

June 16, 1997

Dear Friends:

The First Year Report on the Community Relations Service Church Burning Response Team describes CRS conciliation activity in more than 180 communities in building reconciliation toward racial harmony.

In the past year, the work of the Community Relations Service (CRS), the Federal government's "peacemaker" for community racial conflict, took on special relevance. President Clinton established the National Church Arson Task Force as racial tensions escalated with every new burning or desecration of a Black church. As a principal partner, CRS has provided conflict prevention and resolution assistance to local officials, law enforcement authorities, clergy, and other leaders in 17 States. Through our efforts, racial distrust and polarization has been reduced, multiracial cooperation in construction of new church buildings is evident, new partnerships between police and minority groups have developed, and training for law enforcement and community organizations is underway.

While I take great pride in our contribution, I know that this progress comes primarily because of ordinary people who have come together to do extraordinary work. In countless towns and cities, they have joined hands across racial lines not merely to rebuild the physical structure of a church, but to weave a new community fabric with the threads of trust and faith.

Sadly, church burnings continue to be reported. Our work is not done.

Please feel free to contact the Community Relations Service at (202) 305-2935 if you have any questions or comments about this report or our activities.

Sincerely,

Rose Ochi
Director

**COMMUNITY RELATIONS SERVICE
U.S. DEPARTMENT OF JUSTICE
CHURCH BURNING RESPONSE PROGRAM
FIRST YEAR REPORT**

Introduction

During 1996 and 1997, more than 180 churches in 13 southern States were burned and desecrated.¹ Many of these churches were attended by African-American parishioners, raising accusations, fears, and suspicions that the burnings were racially motivated. Civil rights and church officials recalled the waves of terror during the 1960's when attacks upon African-American churches were calculated acts of violence to disrupt efforts toward achieving racial justice. The President responded by creating the National Church Arson Task Force (NCATF) in June 1996 to coordinate the Federal investigation and prosecution of cases and to work with State and local officials in communities affected by church burnings.

The National Church Arson Task Force and the Role of the Community Relations Service

The NCATF represents a coordinated and comprehensive Federal response to the burning of houses of worship. Appropriately, the Community Relations Service (CRS) was called upon to be a partner in the NCATF. CRS, a unique agency of the U.S. Department of Justice, is the Federal government's "peacemaker" for community conflicts and tensions arising from differences of race, color, and national origin. Created by the Civil Rights Act of 1964, CRS is the only Federal agency authorized to prevent and resolve racial and ethnic tensions, conflicts, and civil disorders. When called upon, CRS assists State and local units of government, schools, and community groups in restoring community racial stability and harmony.

In 1996, CRS responded to requests from Governors, Mayors, and other community leaders in more than 800 cases of community racial conflict, although its entire staff was reduced to just 34 experienced conciliators stationed across the country. Recently, CRS conciliation specialists responded to the deadly violence and costly disturbances in Los Angeles, California; Crown Heights, New York; and St. Petersburg and Miami, Florida. In these cities and many others, CRS was "in the streets" helping police, local officials, and community leaders to end the violence and begin constructive dialogue. Once stability was restored, CRS provided technical assistance and training to avert new violence and improve police-community relations.

¹The list of communities at the end of this report includes churches that were burned in 1995 -- before the passage of the "Church Arson Prevention Act of 1996" (Public L. 104-155).

The mission of CRS took on a special relevance as the number of church burnings increased, causing heightening fears and apprehensions of a new escalation in racial intolerance and violence. The CRS Regional Director in Atlanta, Ozell Sutton, put the church fires in perspective in a briefing of the Congressional Black Caucus in September of 1996, when he said "A black church to the African-American community is far more than a place of worship. It is an attack on the very soul of the African-American community. It is the source of their sense of humanity, their sense of self-worth, their fighter for dignity and equality, their leader and trainer in the struggle for freedom and justice." The assessment revealed that the fires created suspicions and that there was a perception that government officials were indifferent to the burnings and slow to investigate or prosecute and generated perceptions that investigating law enforcement officers were insensitive to or had unfairly targeted black suspects.

As a partner of the NCATF, CRS has performed three important roles:

- CRS has chaired the Community Outreach Working Group, ensuring communication and coordination among the various agencies, officials, groups, and individuals who are responding to the church burnings and those affected by them.
- CRS's skilled conflict resolution professionals have provided analysis and assessment of underlying racial tensions and conflicts, helped develop strategies to prevent further incidents, and contributed expertise and guidance on certain "best practices" to ameliorate community fears and concerns.
- CRS conciliators have served on and advised local church arson task forces established by the Attorney General. The local task forces, headed by U.S. Attorneys, are responsible for coordinating the investigations and prosecutions of cases in conjunction with State and local law enforcement agencies. The Attorney General urged U.S. Attorneys to include CRS conciliators to ensure good communication and cooperation between the task force and local ministers in troubled communities.

CRS Church Burning Response Team

As part of the efforts of the National Church Arson Task Force, CRS Director Rose Ochi mobilized a CRS Church Burning Response Team (CBRT). It is chaired by Ozell Sutton, CRS Atlanta Regional Director, coordinated in Washington by a National Coordinator, and staffed by conciliation specialists drawn from our Regional offices, detailees from other Justice components, former CRS mediators, and contracted conciliators. This interim report presents an overview of the work of CBRT and, by examples and vignettes, demonstrates the ways in which the CBRT helped communities restore racial harmony in the aftermath of church burnings.

The CBRT has focused its work on those communities where black churches have been burned or desecrated -- the sites where there is the greatest potential for racial conflict. CRS recognizes that not all church arsons are motivated by racism and that some may have been accidental or

motivated by other reasons. Generally, however, there are heightened racial tensions in black communities when houses of worship are burned. The CBRT staff are working directly with local rural, suburban, and urban communities to help eliminate racial distrust and polarization, promote multiracial cooperation in the construction of new buildings, conduct race relations training for community leaders and law enforcement officers, and provide technical assistance in ways to bring together law enforcement agencies and minority neighborhoods.

Federal, State, and local agencies have made substantial and visible commitments toward investigating and prosecuting these crimes. As a result, confidence in law enforcement has improved and racial tensions have eased in some communities. Many State and local leaders have credited the Department of Justice's deployment of conflict resolution specialists from CRS. The CBRT is perceived as a catalyst for building bridges of communication and reconciliation.

Mission of the CRS Church Burning Response Program

Director Ochi established four goals for the CBRT:

- (1) To resolve racial conflicts and reduce racial tensions in those communities in which the fires occurred;
- (2) To create healthy relationships between law enforcement agencies and minority communities affected by the burnings;
- (3) To reduce the likelihood of new church burnings in vulnerable communities through multi-racial cooperative efforts; and
- (4) To support the National Church Arson Task Force, as chair of the Community Outreach Working Group, by keeping lines of communication open among all the various agencies, groups, and individuals working on the church burnings.

Community Racial Tension Assessment

More than 150 local communities received conciliation services from the CBRT in the aftermath of a church burning. In addition, more than 50 other communities asked CRS to conduct proactive arson prevention activities.

CRS Methodology

For each CRS activity, the level and nature of CBRT intervention in a church burning case are based on the results of an *Assessment*² of racial tensions in a community. An *Assessment* provides CRS conciliation specialists with an overview of race relations in the community where the fires occurred and considers the impact of the church fire on community relations. CRS's *Assessment* focuses on three distinct areas: the history of the community's race relations, the relevance of the church fire to this history and future race relations, and the willingness and interest by local officials and community leaders to engage in joint activities to improve race relations. Based on the analysis, CRS may initiate a conciliation process of engaging interested and responsible parties in finding the ways and means for improving race relations.

For the CBRT, the findings of the *Assessments* varied from community to community, but generally fell into eight categories, as follows:

1. In some communities, the burning of a house of worship served to unite the residents, regardless of race, color, and national origin. Words and deeds of sympathy for a congregation's loss were received from throughout the community. Black and white residents joined together to raise rebuilding funds and then physically raised a new church building. Communities typical of this response were in Dillon, Effingham, and Greenville, **South Carolina**, in Greensboro, **Arkansas**, in Kossuth, Ruleville and Westpoint, **Mississippi**, in Charlotte, **North Carolina**, in Enid, **Oklahoma**, in Macon and Millen, **Georgia**, in Tigrett, **Tennessee**, and in Greenville, **Texas**.
2. In other communities, there was little reaction. Low levels of suspicion quickly subsided when the act of arson or vandalism was deemed minor by blacks and whites alike.
3. In some communities, racial tensions and suspicions quickly subsided when officials declared the fires accidental, caused by lightning, or electrical or mechanical failure.
4. In some communities, the citizens and agencies joined to reduce tensions or prevent conflicts from arising, and CRS services were not requested.
5. In some communities, racial tensions and suspicions increased when church burning victims and others accused law enforcement officials of indifference or bias in their investigation and prosecution.

²The *Assessment Phase* is the second of four Conflict Resolution Phases. An *Assessment* is conducted to determine whether CRS services are likely to be effective, the willingness of the parties to use CRS Conciliation services, and how likely are resources currently addressing the problem to be successful. Case objectives are identified and an implementation plan is developed during the *Assessment Phase*.

6. When several African-American and Caucasian church burnings occurred in the same community, tensions and suspicions escalated when accusations were made that the fires resulted from racial retaliation.
7. In a few communities, the building of a new church led to questions about the source and accountability of funds. A marked improvement in the size and quality of the new structure elicited criticism from some quarters and resulted in racial animosity.
8. In some communities, racial animosities were heightened by public statements that included emotionally-charged language. Fortunately, for some communities, such as Greene County, **Alabama**, and Greenville, **Texas**, there were other avenues of discourse on racial reconciliation.

CRS Services

There are five services which the CRS Church Burning Response Team has provided local communities, with selected case examples, as follows:

1. Mediation of Racial Conflicts

The first service is to mediate community racial conflicts. For example, in **Tennessee**, CRS helped two communities settle conflicts over the rebuilding of their churches. When the Tigrett Mount Pleasant Baptist Church's application for a building permit was denied due to unsuitable soil conditions, CRS worked with the church's minister, and county and State officials to reach a settlement which cleared the way for new construction. In Columbia, South Carolina, CRS mediated an agreement between the Friendship Baptist Church and city government over the location for the new church.

In the aftermath of two church burnings in Boligee, **Alabama**, CRS learned of jurisdictional conflicts between the Greene County Sheriff's Department and the Boligee Police Department. CRS invited the two agencies to sit down and discuss the disputed issues and a mediated mutual assistance agreement was reached by the Sheriff of Greene County and the Chief of Police of Boligee.

2. Race Relations Dialogues

The second service is to ease racial tensions by facilitating dialogue between concerned officials and citizens. In Boligee, **Alabama**, CRS facilitated a dialogue between the City Council and black residents. This effort eased tensions and opened discussions between black and white citizens and between black and white government officials in Greene County. As a result, a community group formed the "Rebuilding Community Relations Task Force," which will sponsor community projects exemplifying racial cooperation, including a "Fourth of July Homecoming Celebration" and renovation of the historic county court house as a cultural center and museum.

Following a series of violent acts and threats against an African-American cemetery and two churches in Macon, **Georgia**, on November 29 - 30, 1996, CRS, at the request of the Governor's Office, contacted the U.S. Attorney to arrange for convening the Arson Prevention Task Force. On December 2, 1996, the Task Force met to coordinate the law enforcement response to the incidents. A meeting with community and religious leaders was scheduled for the next week and CRS took the lead in inviting the community and religious representatives to the Task Force meeting. At this meeting, law enforcement officials heard the concerns and learned of other acts of vandalism. The success of this meeting led to a second meeting to plan additional activities. CRS has been successful in getting city-wide neighborhood watch groups to support the task force's efforts; and CRS has been involved with the Partnership for Arson Awareness and Prevention which has developed from the task force.

In a meeting with African-American ministers in rural northeast **Georgia**, CRS was advised of concerns that churches were vulnerable to violence. CRS arranged a meeting between the ministers and agents from the Bureau of Alcohol, Tobacco and Firearms (ATF) and Federal Bureau of Investigation (FBI), the State Fire Marshal, and State and local law enforcement agencies. Arson prevention strategies were planned, information was distributed, and the ministers were assured of a swift law enforcement response in the event churches were threatened or damaged by fire or vandalism. The success of this meeting resulted in plans for similar presentations in the Spring of 1997 at the statewide conference of Christian Methodist Episcopal church ministers.

In early July, 1996, CRS joined the efforts of the Chamber of Commerce and Common Cause in Rocky Mount, **North Carolina**, in bringing together religious, business, education, law enforcement and community leaders to discuss race relations strategies. The July 22-23, 1996, meeting, titled "Honest Conversation - Positive Change: A Strategy Session on Race Relations," included CRS presentations on law enforcement and race relations.

The Rocky Mount meeting set an example for community dialogue and led to plans for similar meetings throughout the State, including an on-going dialogue at North Carolina Wesleyan College, chaired by the College President. CRS is a facilitator of these discussions between black and white clergy. Discussions have centered around how the church community can serve as a vehicle to reduce racial tension using the study circles approach to facilitate race-related dialogues.

At the request of the Governor, CRS and the **South Carolina** Human Affairs Commission are working together to host a series of town meetings which will assemble a diverse group of citizens to talk about race relations. The national "study circle" is a small group of people who meet several times to discuss an issue and use a facilitator to keep the discussions focused. CRS and the Study Circle Resource Center are training facilitators in this approach. The most recent training was held in Aiken, South Carolina on May 12, 1997. Those participating included law enforcement, clergy, and other members of the community.

In **North Carolina** and **South Carolina**, CRS has also been involved in designing, developing, and conducting mediation training workshops for the human relations commissions. The focus of these workshops has been on providing these organizations with mediation techniques that can be used to resolve tensions in communities where church burnings have occurred.

3. Training

The third service is to design and present training programs for law enforcement and other public agencies. CBRT assessments revealed that State and local law enforcement agencies needed training programs to improve their management of community conflicts and to strengthen their relationships with local minority organizations and communities. CRS is working with the Federal Emergency Management Agency (FEMA) and the Department of Justice's Bureau of Justice Assistance (BJA) in a partnership to conduct training conferences and supporting material for State and local law enforcement agencies. CRS will offer training for law enforcement agencies on responding to bias-motivated crimes and sound community relations practices. In a six month period, the CBRT staff has been involved in several training initiatives, including design and presentation of training programs.

In **Alabama**, **Tennessee**, and **South Carolina**, CRS is working with the respective Governors' Offices, Sheriffs' Associations, State and local law enforcement agencies, and various State and local human relations organizations in designing a statewide law enforcement training program in arson prevention. On October 24, 1996, CRS, BJA, and the Alabama Sheriffs' Association convened a planning meeting in Birmingham, Alabama. Representatives of more than 30 Federal, State, county, and local law enforcement agencies met to discuss ways to work with communities to meet the needs of citizens and churches victimized by church burnings. CRS continues to assist these agencies in developing training programs to meet these needs.

CRS conducted a meeting in Nashville, **Tennessee** on November 13, 1996, focused primarily on issues of law enforcement and community relations. To counter the presence of cynicism and antagonism in the relationship of law enforcement agencies and African-American communities. CRS led discussions on improving police and community relations and offered information on ways to improve trust, communications, and cooperation. On April 4, 1997, CRS worked with the Tennessee Sheriff's Association, Tennessee Police Chief's Association, State Conference of the NAACP, Human Rights Commission and the State Department of Education on a standardized reporting system for hate crimes. Representatives from each group indicated a need for a system after the rash of church burnings and other hate activity within the state.

CRS meetings with sheriffs' departments in **South Carolina** covered the subject of training needs of deputies who are responding to emergency calls of church arson and vandalism. On December 5, 1996, CRS and the Lexington County Sheriffs Department invited sheriffs from South Carolina's 46 counties to a meeting to discuss training needs. This training was conducted by CRS, BJA, FEMA, and the National Sheriffs' Association, who are coordinating plans for church arson prevention training.

CRS recently conducted a four-hour training session for citizens and law enforcement officers in Greene County, **Alabama** on the subject of "Law Enforcement in a Diverse Community." Training focused on understanding the impact of bias motivated crimes, an overview of the Hate Crimes Statistics Act, and the use of problem solving policing by law enforcement officers.

In November 1996, CRS led a training workshop on responding to bias motivated crimes at a **Kentucky** NAACP Conference on the federal government's response to church fires. At a Kentucky sheriff's departments seminar, CRS conducted training on bias motivated crimes and victims' services. On February 21, 1997, CRS conducted training at the Arson Prevention Training Conference in Lexington, Kentucky, sponsored by the Lexington Police Department. CRS presented information on how to recognize and reduce community tension related to church burnings.

During the week of April 12, 1997, CRS was asked by the **New Jersey** Division on Criminal Justice to join the Arson Task Force in response to a rash of church burnings in southern New Jersey. CRS has been attending meetings and providing information on their efforts in responding to local needs.

On May 2, 1997, CRS provided technical assistance for a Church Arson Prevention Workshop with the U.S. Attorney for the Western District of Virginia, in Lexington, **Virginia**. The workshop was prompted by a request from a local Black minister.

CRS along with the U.S. Attorney for the Northern District of Alabama, the FBI Birmingham Field Office, the ATF Birmingham Field Office, and Study Circles has coordinated a two-day conference that will be held in Decatur, **Alabama** from June 17-18, 1997. The conference was designed to provide a model for community leaders, peace officers, and firefighters to join together to implement principles of good policing, to improve fire investigation and prevention, to build community ties, and to resolve problems through study circles.

At the national level, CRS is working with FEMA, BJA, ATF, and other members of the National Arson Prevention Initiative in a joint effort to identify arson prevention training programs offered by Federal agencies. These programs will be made available for law enforcement personnel, church members, and community leaders in a series of statewide training conferences designed by Governors' committees in 13 southern States. CRS will offer training programs on the subjects of community relations and bias motivated crimes.

4. Information Dissemination

The fourth service is to provide information about programs and services available to rebuild the churches. The CRS Church Burning Response Team has assembled information about church rebuilding programs available from charitable organizations and government agencies, including the Federal Loan Guarantee Recovery Fund, administered by the U.S. Department of Housing and Urban Development (HUD). Many of the affected churches are located in remote areas, have

small memberships, limited resources, and are unfamiliar with the loan application process. However, HUD, the National Council of Churches, and the Congress of National Black Churches will continue providing education and technical assistance that may be needed to secure guaranteed loans and other financial assistance for the rebuilding of places of worship. In **Mississippi, Tennessee, North Carolina, and Georgia**, CRS provided information on sources, processes, and contact points for rebuilding funds.

5. Technical Assistance in Arson Prevention

The fifth service is to provide technical assistance on the establishment of church arson prevention programs. For example, in Houston and San Antonio, **Texas**, CRS helped establish community education seminars on church arson prevention. Community and religious leaders, and representatives from the U.S. Attorney's Offices, FBI, ATF, police and fire departments, and insurance companies joined the programs. Local police departments in both cities have instituted church arson prevention patrols as a result of these seminars.

With CRS encouragement, the Magnolia Police Officers' Association, an organization of African-American law enforcement officers in **Louisiana**, began patrolling black and white churches in an effort to discourage further arson and vandalism, and they have developed and disseminated a manual on policy, practices, and procedures for patrolling and other prevention activities to other agencies.

On May 10-11, 1997, CRS participated in the FEMA Arson Prevention Program launched in Utica, **New York**, in response to over 200 arsons reported in the city during the previous year. CRS met with law enforcement, community residents, clergy, and elected officials to share CRS response and activities.

Best Practices

The potential for racial tension and conflict is present not merely during the immediate aftermath of a church fire, but throughout each step of the criminal justice process. The arrest, indictment, conviction, and sentencing of a church arsonist or vandal are all potential flashpoints for racial tension or conflict. Anger may be directed at the person arrested, law enforcement officer, prosecutor, grand jury, jury, or a judge. The source of conflict often can be over differences of perception between officials and citizens. Without good ways to bridge these differences, racial tensions can escalate and conflicts may occur. In anticipation of these possibilities, the National Church Arson Task Force issued guidance to law enforcement agencies on "Best Practices" to reduce the prospect of negative reactions.

Conclusion

The well-being of a community can be measured by how government and citizens come together during times of crisis. Crimes motivated by racial animosity require a special response. The Community Relations Service takes pride in the important work it has rendered over the past eight months to more than 150 communities affected by church burnings. As devastating as these attacks have been, they have proven to be challenges for these communities to discover their own strengths. They have shown us how people of good will can come together, joining hands in rebuilding not merely the physical structure of the church, but weaving a new community fabric with the threads of trust and faith.

CRS's work is not finished. Church burnings continue. In those communities where there is racial antagonism, CRS mediators will be available to provide conflict prevention and resolution services.

Communities* (*Cities without Church names were sites of Arson Prevention Programs.)

State	Date of Arson	Name of Church
ALABAMA		
Alabaster	7/23/96	First United Methodist
Birmingham*		
Boligee	12/22/95	Mt. Zion Baptist
Boligee	1/11/96	Little Mt. Zion
Boligee	1/12/96	Mt. Zoar Baptist
Browns	3/25/96	Central Missionary Baptist
Decatur	7/28/96	Emanuel Outreach
Dothan	9/10/96	First Assembly of God
Eastaboga	10/27/96	Sunlight Baptist
Gordo	8/96	First Baptist
Greensboro	6/3/96	Rising Star
Greene Cty	10/28/96	New Life Baptist (shooting)
Greene Cty	10/28/96	Pleasant Valley (shooting)
Heflin	11/14/96	Born Again Church of Christ
Nauvoo	5/6/96	Ashbank Freewill
Pennington	10/31/96	Faith Whole Truth
Tyler	2/28/96	Isabella Baptist

ARKANSAS

Arkadelphia	7/20/96	Clayborn Chapel African Methodist
Bearden	3/2/97	El Bethel Church of Goad of Christ
Benton	8/24/96	Kentucky Missionary Baptist
Helena	9/26/96	Freedonia Missionary Baptist
Camden	7/29/96	New Calvary Church of God
Little Rock*		
Marvell	8/20/96	Mt. Zion Missionary
Pollard	9/2/96	Harmony Baptist
Turner	8/21/96	St. Matthews Missionary Baptist

FLORIDA

Davie	10/27/96	Jehovah Witness Hall
Deland	9/8/96	New Life Tabernacle
Jacksonville	8/6/96	Hunterdale Pentecostal
Jacksonville	8/6/96	Mayfair Baptist Church
Jacksonville	8/7/96	Bethel Baptist Church

Jacksonville	8/7/96	Faith United Methodist
Jacksonville	10/21/96	Shiloh
Indiantown	9/15/96	Apostle Faith
Inverness	4/14/96	Old Faith Gospel Church
Lake City*		
Lee County	4/16/96	Gunnery Road Baptist Church
Marianna	6/12/96	Evangelist Temple
Miami	7/16/96	Palmetto Community Church
Miami*		
Sarasota	9/16/96	Church of the Trinity
St. Petersburg	10/24/96	Trinity United Methodist
Tallahassee	5/6/95	First Born Church

GEORGIA

Atlanta	4/1/97	New Covenant Church
Cartersville*	11/96	
Dublin	2/5/97	Mount Calvary Baptist
Effingham Cty	1/31/97	Egypt Baptist
Elko	2/22/97	Oak Grove CME
Ft. Valley	8/14/96	New Beginning Baptist
Houston Cty	2/22/97	Oak Grove CME
Jefferson	4/17/98	New Salem Baptist Church
Macon	8/2/96	Swift Creek Missionary
Marietta	5/16/97	Galilee Missionary Baptist Church
Macon	11/30/96	Greater Zion Missionary Baptist
Madison	7/20/96	Springfield Baptist
Madison	7/20/96	Elam Baptist
Millen	3/27/96	Gay's Hill Baptist
Pine Lake	6/17/96	Pine Lack Baptist
Savannah	2/19/97	Antioch Holiness
Warner Robins	8/8/96	Central Baptist

KANSAS

Wichita	12/2/96	Holy Temple Church God in Christ
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KENTUCKY

Georgetown	6/25/96	Wings of Delivery Faith Ministry
Henderson	4/19/96	Cash Creek Baptist
Henderson	4/19/96	Green Ride Baptist
Hi Hat	9/1/96	Emmanuel Full Gospel
Ivyton	10/26/96	Parkway Baptist Church

Livingston	7/29/96
Louisville	8/9/96
Louisville	8/6/96
Monticello	7/26/96
Mt. Vernon	7/27/96
Nicholasville	6/28/96
Paducah*	
Printer	1/10/97
Spottsville	10/3/95
Providence	7/23/96
Walton	7/18/96

Livingstone Pentecostal
Galilee Baptist
Arcade Baptist
Gospel Barn
Light House Assembly
Church of Christ

Salisbury Old Regular Baptist Church
Green Ridge Baptist
Church of God
Walton Church of God

LOUISIANA

Baker	2/1/96
Baker	2/1/96
Baker	2/1/96
Baton Rouge	2/6/97
New Orleans	6/29/96
Port Allen	11/25/96
Shreveport	6/23/96
Zachary	6/14/96

St. Paul Baptist
Sweet Home Baptist
Thomas Chapel Benevolent Society
Vision Baptist
New Greater Ebenezer Baptist
Baptist
New Birth Temple
Cypress Grove

MISSISSIPPI

Greenville	6/30 & 10/9/96
Gulfport	9/9/97
Hatley	4/5/96
Kossuth	6/17/96
Kossuth	6/17/96
Lauderdale	4/7/96
Meridian	12/11/96
Noxubee Cty	9/6/96
Ruleville	3/20/96
Satartia	3/30/96
West Point	3/10/96
Yazoo	8/4/96

House of Prayer
First Missionary Baptist
St. Paul CME
Mt. Pleasant Mission
Central Grove Mission
St. Paul's Primitive Baptist
Mallalieu Methodist
James Creek Baptist
Mt. Zion Baptist
El Bethal Baptist
Living Manna Baptist
Beacon Baptist

MISSOURI

Sikeston	1/6/97
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Prince of Peace Baptist

NORTH CAROLINA

Bolivia	12/15/97	Faith Baptist Church
Cerro Gordo	5/22/96	Mt. Tabor Baptist
Charlotte	1/3/97	Soul Saving Baptist Church
Charlotte	3/14/95	New Outreach Community Center
Charlotte	5/19/96	China Grove AME Zion
Charlotte	6/6/96	Matthews Murkland Presbyterian
Charlotte	11/15/96	Covenant Presbyterian Church
Durham*		
Gastonia	3/13/96	St. James
Globe	5/3/97	Johns River Baptist Church
Hillsborough	12/25/95	Mt. Moriah Baptist
Lincolntown*		Moore's Chapel Baptist
Lumberton	5/24/96	Pleasant Hill Baptist
Maysville	6/30/96	St. James AME Zion
Orrum	1/6/96	Ohovah AME
Rocky Mount*		
Rocky Point	6/96	Hills Chapel Missionary Baptist
Sparta	8/13/96	New River Baptist Church
Summerfield	6/26/96	Calvary Baptist
Vale	4/26/96	Hebron United Methodist

OKLAHOMA

Enid	6/14/96	First Missionary Baptist
Talequah	1/97	Antioch Baptist
Tulsa	6/26/96	South Lakewood Baptist
Tulsa	6/28/96	Bible and You

OREGON

Eugene *	12/5/96	
Portland	6/20/96	Immanuel Christian
Portland	9/25/96	Church of Scientology

SOUTH CAROLINA

Aiken	5/21/95	Summer Grove Baptist
Aiken	7/22/96	Mount Hill Missionary Baptist
Barnwell	4/13/96	Rosemary Baptist
Barnwell	4/13/96	Allen's Chapel
Barnwell	4/13/96	Mount Olive Baptist
Bennetsville	10/20/95	Sandy Grove Baptist

Beaufort	12/6/96	Allen Chapel AME Church
Columbia*		Bluff Road United Methodist
Dixiana	8/15/95	St. John the Baptist
Dillon	7/31/96	Spring Hill AME
Effingham	4/26/96	Effingham Baptist
Florence	6/11/96	New St. Paul Apostolic
Floyd Dale	8/1/96	Spring Hill AME
Greenville	11/20/96	Riverside Holiness
Greenville	10/20/96	Masjid of Greenville
Greeleyville	6/21/96	Riverside Holiness
Greeleyville	6/20/95	Mt. Zion AME
Handyville	12/12/96	Arm Oak Baptist Church
Harleyville	1/25/96	St. Paul AME Zion
Johns Island	7/16/96	Johns Island Baptist Church
Laurens	12/13/95	Jesus Christ Holy Gospel
Lexington Cty	6/9/96	Lexington Presbyterian
Manning	6/21/95	Macedonia Baptist
N. Augusta	3/95	Hammond Grove Baptist
N. Charleston	6/17/96	Life Christian Assembly
Orangeburg Cty	3/31/96	Butler Chapel AME
Ruffin	3/24/94	Sike Savannah Methodist
Shiloh	12/24/96	Trinity United Methodist
Sumpter County	12/26/96	Trinity United Methodist Church
Tillman	12/24/96	Arm Oak Baptist
Walhalla	3/95	La Luz Del Mundo
Williston	8/10/96	Williston Church of Gods
Windson	5/21/95	Summer Grove Baptist

TENNESSEE

Bales	1/13/95	Macedonia Missionary Baptist
Bolivar	1/31/95	Mt. Calvary Baptist
Columbia	1/29/95	Friendship Missionary Baptist
Denmark	1/13/96	Johnson Grove Baptist
Dyersburg	7/22/96	Church of God of Prophecy
Fruitland	12/30/95	Salem Baptist
Jackson*		
Knoxville	1/8/96	Inner City Church
Maury Cty	8/19/96	Spencer Hill Church
Maury Cty	8/11/96	Parry Hill Missionary Baptist
Memphis	10/29/96	Springhill Missionary Baptist
Mt. Pleasant	1/29/95	Canaan AME Church
Nashville	7/26/96	Scott's Chapel AME
Polaski*		

Pulaski 3/23/97
Tigrett 5/14/96

Pleasant Ridge Methodist Church
Mt. Pleasant Baptist

TEXAS

Atlanta 11/96
Dallas 4/6/96
Dallas 9/10/96
Dallas 6/24/96
Dallas 10/21/96
Dallas 11/14/95
Dallas 2/10/96
Dallas 9/26/96
Greenville 6/9/96
Greenville 6/10/96
Houston 4/19/96
Houston 2/16/95
Houston 1/29/95
Houston 5/2/96
Houston 6/18/96
Houston 2/21/97
Houston 4/12/96
Houston 2/12/96
Houston 3/20/97
San Antonio 7/4/96
Tyler*
Waskom 5/14/96
Wichita Falls 11/21/96

Faith Pentecostal
Church of God in Christ
Church of the Living God
East Spanish Congregation of Jehovah's Witnesses
Garza Street Church of Christ
Greater Gospel Temple
Kingdom of God in Christ
Soul Inspiration Outreach/Second Timothy Baptist
New Lighthouse
Church of Living God
Heights Christian
Love Fellowship Church of God in Christ
Miles Chapel Christian Methodist Episcopal
New Life Missionary Baptist
On Track Baptist
Good Hope Baptist
Southwest Community Baptist Church
Real Rock Church
Greater Gethsemane
Community Pentecostal

Long Ridge Methodist
Full Gospel Church of God in Christ

VIRGINIA

Chesterfield 7/2/96
Henrico Cty* 8/24/96
Middlesex Cty 7/19/96

First Baptist Centralia

Zoar Baptist

WASHINGTON

Puyallup 7/7/96
Seattle 12/19/94
Seattle 6/16/96

Pleasant Hill Baptist
Mosque
Eritrean Orthodox

APPENDIX

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Region VI - Southwest

Regional Director: Gilbert Chavez
1420 West Mockingbird Lane, Suite 250
Dallas, TX 75247
(214) 655-8175
(214) 655-8184 (fax)
Servicing: AR,LA,NM,OK,TX

Houston Field Office - Region VI

Field Office Director: Efrain Martinez
515 Rusk Avenue, Room 12605
Houston, TX 77002
(713) 718-4861
(713) 718-4862 (fax)

Region VII - Central

Regional Director: Atkins Warren
1100 Main Street, Suite 1320
Kansas City, MO 64106
(816) 426-7434
(816) 426-7441 (fax)
Servicing: IA,KS,MO,NE

Region VIII - Rocky Mountain

Acting Regional Director: Silke Hansen
1244 Speer Blvd., Room 650
Denver, CO 80204-3584
(303) 844-2973
(303) 844-2907 (fax)
Servicing: CO,MT,ND,SD,UT,WY

Region IX - Western

Field Office Director: Booker Neal
120 Howard Street, Suite 790
San Francisco, CA 94105
(415) 744-6565
(415) 744-6590 (fax)
Servicing: AZ,CA,GU,HI,NV

Los Angeles Field Office - Region IX

Acting Regional Director: Stephen Thom
888 South Figueroa Street, Suite 1880
Los Angeles, CA 90017
(213) 894-2941
(213) 894-2880 (fax)

Region X - Northwest

Regional Director: Robert Lamb
915 Second Avenue, Room 1808
Seattle, WA 98174
(206) 220-6700
(206) 220-6706 (fax)
Servicing: AK,ID,OR,WA

ONE AMERICA IN THE 21st CENTURY:
SUSTAINING THE PRESIDENT'S INITIATIVE ON RACE

A Proposal Submitted by
the Department of Justice, Community Relations Service

This proposal outlines a comprehensive strategy to help bring about racial reconciliation in America, building on the momentum, interest and community actions initiated by the President's Initiative on Race. It envisions an integrated approach which includes: identifying, testing and replicating promising practices in racial reconciliation, and conducting constructive race dialogues - a problem-solving approach to identify and resolve issues that cause racial divides.

**I. Identifying, Testing and Conducting Best and Promising Practices
in Racial Reconciliation** **\$3,000,000**

In Fiscal year 1998⁹⁹, CRS proposes to initiate a comprehensive program to test promising practices in jurisdictions across the country. An identification, screening and selection process will be designed and implemented to determine promising practices for replication at model sites.

Race relations experts agree that constructive dialogue is widely accepted as one of the most effective "promising practices" in addressing race relations. A "How to Dialogue Kit," supplemented by training and technical assistance to groups conducting dialogues, will be implemented as part of this proposal, including "train the trainer" sessions. By this program, an infrastructure to coordinate and sustain community race dialogues will be institutionalized.

**II. Promising Practices Replication:
Technical Assistance, Field Training and Technology Transfer** **\$2,150,000**

Independent of the model sites, CRS will survey and disseminate on-site training and technical materials to local officials and community representatives on promising practices. Whether from urban, suburban or rural communities, planning teams will be provided on-site training at field sites in communities where innovative programs in race relations have improved race relations and the quality of life. After visiting model communities, these teams will return to their own community and be provided hands-on training and technical assistance by selected trainers from the model communities. This program will address the diverse needs of different communities across the country, based on differences in demographics, size, and issues.

**III. Sharing and Promoting Promising Practices:
Information Dissemination** **\$1,000,000**

State-of-the-art information will be developed and made available through Internet, the print media, video tapes, and other media. There is presently no national archive available to collect and disseminate information and materials addressing race relations and different avenues of promoting racial harmony. Information would be sent distributed through Internet, print, and other media. As appropriate, satellite conferences would be offered as an economical and expedient manner of communications.

TOTAL COSTS: **\$6,150,000**

###

CRS

Mandate is to conciliate racial conflict

1/2 is enforcement related. (cops; INS)

④ Schools

(changing demographics)

Build

⊗ Admin of Justice

⊗ Immigration

⊗ Schools

14 offices around the country. All professional conciliators.

Trained in mediation techniques.

Budget?

Conflict resolution (?)

Do a lot of crisis response b/c of deactivating

Conflict resolution : for communities
packets (H. Relations offices)

⊗ Meetings to train trainers (who can train @
(core of citizens mediators) local level)
of communities ? ?

Use of other DOJ resources

resources available to all components
taking a promising and turn into a
best practice.

model development

(*) Mediation training(?)

Need to develop capability @ local level
to resolve conflicts.
or mediate disputes.

→ Reno: Community ADR re: racial conflicts

Few Human Relations
commissions outside
Chicago / NYC etc.

August 19, 1997

MEMORANDUM FOR SYLVIA MATHEWS

**FROM: Richard Hayes
Dawn Chirwa
Susan Liss
Emil Parker**

RE: Civil Rights Enforcement

As you requested, and as part of the ongoing work of the President's Race Initiative, we have begun discussing policy initiatives designed to enhance federal civil rights enforcement. As we proceed, we thought it would be useful to provide you with some background on the various civil rights enforcement offices which exist, their funding levels, current projects underway and previous Administration efforts to improve federal civil rights enforcement.

In addition, this memorandum seeks your approval to proceed with forming a working group composed of the Civil Rights chiefs in the major enforcement agencies to develop a comprehensive civil rights enforcement strategy. (Deval Patrick and Chris Edley chaired such a group in response to the President's directive to mend affirmative action programs in 1995.) We think the responsible federal agencies need to be part of our discussions to ensure their support of any changes or enhancements we recommend.

I. Federal Civil Rights Enforcement Agencies

Over the past five years, the Clinton Administration has worked diligently to enforce the laws which protect the rights of those who have been discriminated against based on age, disability, gender, race, religion, and sexual orientation by supporting civil rights enforcement programs that effectively aid each of those groups. This work is accomplished through the oversight responsibilities of the following agencies.

A. Department of Justice, Civil Rights Division

The Civil Rights Division at the Department of Justice is charged with enforcing the Civil Rights Act of 1957, 1960, 1964, and 1968, the Voting Rights Act of 1965, the Equal Credit Opportunity Act, and the Americans with Disabilities Act. These statutes deal with eliminating discrimination in education, employment, credit, housing, public accommodations and facilities, voting and some federally funded and conducted programs. The Civil Rights Division, along with the Associate Attorney General, the Office of Legal Counsel and the Solicitor General has primary responsibility among the federal agencies for enforcing federal civil rights laws in the

courts and for providing legal counsel to agencies with respect to statutory and constitutional civil rights issues.

B. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).

OFCCP is part of the Employment Standards Administration at the U.S. Department of Labor. OFCCP's jurisdiction covers approximately 26 million or nearly 22% of the total civilian workforce (92,500 non-construction establishments and 100,000 construction establishments). Its primary responsibility is to enforce Executive Order 11246 under which all federal contractors, as a condition of receiving government funds, are required to refrain from discrimination and take good faith efforts -- including affirmative action -- to expand employment opportunities for qualified women, minorities, and persons with disabilities. In addition, OFCCP is charged with enforcing Section 503 of the Rehabilitation Act of 1973, and the affirmative action provisions of Section 4212 of the Vietnam Era Veteran's Readjustment Assistance Act.

The OFCCP employs various enforcement procedures, such as compliance reviews and complaint investigations of federal contractors' personnel policies and procedures, to enforce these statutes. OFCCP's current high priority initiatives include its public education initiative, introduction of its Fair Enforcement Strategy, and launching its tester's initiative.

C. Equal Employment Opportunities Commission (EEOC)

The EEOC is an independent agency whose primary goal is to ensure fair labor practices for employees who belong to minority groups that have experienced historical and current discrimination on the basis of race, gender, disability, national origin, religion and age. In particular, the EEOC is responsible for enforcing Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act, Section 501 of the Rehabilitation Act, the Americans with Disabilities Act, and, pursuant to Executive Order 12067, providing coordination among the federal agencies involved in equal employment opportunity issues.

D. Department of Housing and Urban Development (HUD)

HUD's Office for Fair Housing and Equal Opportunity enforces the Fair Housing Act that prohibits discrimination in housing on the basis of race, color, national origin, religion, sex, familial status, and disability. One of the major enforcement mechanisms employed by HUD in this area is the use of "testers" to uncover acts of housing discrimination. HUD attorneys also litigate complaints on behalf of persons whose allegations of discrimination have been deemed valid by HUD. Current priority civil rights-related projects within HUD include: (1) wide use of volunteers in testing; (2) a national advertising campaign; (3) "Make 'em pay" - a civil counterpart to the Department of Justice's project directed at perpetrators of hate crimes; and (4) the Presidential Housing task force.

E. Department of Education, Office of Civil Rights

The Office of Civil Rights at the Department of Education (OCR) seeks to secure equal access to education regardless of race, color, national origin, sex, disability, or age under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. OCR's primary tasks include compliance reviews at educational institutions and providing technical assistance to institutions to promote voluntary compliance. Several high priority issues within OCR include: (1) English proficiency issues; (2) over representation of minorities in special education courses; (3) under representation of women and minorities in math; and (4) desegregation.

F. Department of Health and Human Services, Office of Civil Rights

The Office of Civil Rights at the Department of Health and Human Services is responsible for enforcing several statutes. These include Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; Section 407 of the Drug Abuse Offense and Treatment Act of 1972; Titles VII and VIII of the Public Health Service Act; Section 307 of the Family Violence Prevention and Service Act; EEO provisions of the Communication Finance Act of 1934; the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1972; and Title II of the Americans with Disabilities Act of 1990. The current emphasis within OCR at HHS is placed on: (1) enforcement of the inter-ethnic adoption provision of the Small Business Job Protection Act of 1996; (2) medical redlining; and (3) providing government-wide guidance on non-discrimination in temporary assistance for needy families.

II. Federal Resources for Civil Rights Enforcement

The President's FY '98 budget increased the total funding for civil rights enforcement programs from \$470.8 million to \$480.32 million. (See chart below.) You should note that the EEOC and OFCCP budgets were increased, while the budgets for other relevant agencies were either frozen at FY '97 enacted levels, with no adjustment for inflation, or decreased slightly. The President's budget requested \$246 million for the EEOC, an increase of \$6.3 million over the FY '97 enacted level of \$239.7 million. The OFCCP budget was increased from \$56 million to \$59 million. Unfortunately, neither the House nor the Senate Commerce, Justice, State Appropriations bills fully funds the President's FY 1998 request of \$246 million for the EEOC -- the House bill freezes funding at the FY 1997 level of \$239.7 million, while the Senate bill provides \$242 million.

<u>Major Civil Rights Enforcement Agencies</u>	<u>FY 1997 (millions)</u>	<u>FY 1998 (millions)</u>
■ EEOC	239.70	246.00
■ OFCCP	56.17	59.06
■ U.S. Commission on Civil Rights	8.75	8.74
■ Department of Housing and Urban Development	30.00	30.00
■ Department of Justice, Civil Rights Division	62.55	62.42
■ Department of Education	55.00	55.00
■ Department of Health and Human Services	19.71	19.53

III. Summary of Administration Efforts to Improve Civil Rights Enforcement

This Administration has undertaken two major projects to reinvent Civil Rights Enforcement. The Vice President's National Performance Review recommended improvements in civil rights enforcement at the EEOC and OFCCP. In addition, the President's affirmative action review made several recommendations about how to make OFCCP more effective.

A. National Performance Review

1. EEOC

With the appointment of new Commissioners in 1994, a primary focus of the EEOC has been on decreasing its historically large backlog. Their adoption of the Priority Charge Handling Procedures in July 1995, and the adoption of the National Enforcement Plan (NEP) in February 1996, have resulted in more timely and effective resolution of the agency's pending inventory of charges.

The Priority Charge Handling System establishes an "ABC" priority system, under which cases are ranked -- "A," "B" or "C" -- based upon the strength of a particular complaint. This enables the EEOC to weed out unmeritorious cases and devote more time and resources to meritorious ones. Adoption of this Priority Charge Handling system has reduced the backlog of cases at the EEOC by approximately 25,000 cases. None-the-less, the agency continues to have a large backlog.

The National Enforcement Plan (NEP) is a three-pronged program. The aim is to dedicate available funds to prevention of discrimination as one of the most efficient and effective means to aid in the achievement of equal employment opportunity goals. This is accomplished through educational outreach, voluntary resolution of disputes, with strong enforcement remaining as a measure to be used where the other two fail.

2. OFCCP

In order to improve its effectiveness while making contractors' compliance simpler and less burdensome, the OFCCP has enacted a Fair Enforcement Strategy. This expedited and more

flexible tiered review process will enable the agency to concentrate on the most substantive violations while spending less time on reviews of firms that are largely in compliance. They also hope to modernize their computer systems to streamline the agency's internal procedures and reduce unnecessary paperwork requirements, permitting the office, for example, to accept electronically submitted reports from contractors.

B. President's Affirmative Action Review

1. EEOC

In 1995, the President ordered a comprehensive review of affirmative action programs. This review found that the EEOC was severely under funded, and recommended that additional resources be provided to help it run effectively. It was also recommended that EEOC should work with the Office of Personnel Management to evaluate the performance of its managers and with the President's Management Council (PMC) to study and report on the proper use of flexible goals and timetables for hiring and promotions. The review also recommended that the PMC identify those agencies that are best able to promote diversity and equal opportunity and implement similar mechanisms throughout the government.

2. OFCCP

The review revealed that although generally effective, OFCCP programs needed reforming. Academic research showed that during periods of strong enforcement, OFCCP programs resulted in moderate increases in the employment of minorities and that OFCCP's efforts did not cause employers to hire less qualified workers. At the same time, the review found that there is a great need to reduce affirmative action program paperwork. Contractors also expressed discontent with inconsistent enforcement between regions.

Several recommendations were made to the President on how to change and improve the OFCCP. First, the Secretary of Labor should update administrative guidelines on enforcement of non-discrimination, illegality of quotas, and good faith efforts. Second, the Secretary of Labor should investigate methods that would encourage collaboration with the private sector. Lastly, the Department of Labor should implement its plan to reduce paperwork.

IV. Congressional Civil Rights Enforcement Initiatives

Currently, both the House and the Senate have proposed similar bills, H.R. 2023 and S.71 that are aimed at amending the Fair Labor Standards Act of 1938 and the Civil Rights Act of 1964 to "give more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for any other purpose." The proposed bills attempt to eliminate the disparity in wages between males and females. Moreover, the bills require the EEOC to compel certain employers to maintain payroll records and report the information to the EEOC which will then analyze the data in regards to race, sex and national origin of employees.

Additionally, these bills require the EEOC to train its employees, employers and others on discrimination in wage payment. The Secretary of Labor will be required to conduct studies and provide information to employers, labor organizations and the public on any progress in pay equity. Moreover, these bills reward those employers that make substantial efforts to eliminating disparities in wages by awarding to them the Robert Reich National Award for Pay Equity in the Workplace.

V. Recommendations on a Proposed Working Group on Civil Rights Enforcement

It is certain that additional resources need to be appropriated for civil rights enforcement at the EEOC and other agencies in future fiscal years to effectively serve the tens of thousands of Americans who annually seek their rights. OMB needs to be made aware that the Administration will seek additional funds in the FY 1999 budget to enforce anti-discrimination laws and that this needs to be built into the upcoming budget process. However, beyond just simply proposing additional expenditures, there are a number of other issues we need to examine in determining how federal civil rights enforcement can be enhanced. For example:

- (1) Should we prioritize enforcement efforts on particular areas, and if so on which areas: Employment? Housing? Education? Hate crimes? Old Age? Disabilities? Housing? etc.
- (2) Are there additional reinvention activities that we should pursue, even though this may result in resources being diverted from current projects?
- (3) Can the EEOC and OFCCP be made to work more effectively both individually and collectively?
- (4) Is there duplication in the current system that we should eliminate?
- (5) Do we need to strengthen the existing laws on the books?
- (6) How do we encourage more voluntary efforts by corporate America and others?

To address these and other issues, we propose forming a working group to come up with a proposal for a comprehensive strategy on civil rights enforcement. We would chair this group, which would consist of the major agency civil rights chiefs as listed below. Judith Winston or her representative would be invited to participate; it will be critical that the working group work collaboratively with her and her staff. We might also want to include EPA (responsible for Administration's environmental justice effort), and Treasury/Comptroller of the currency (responsible for regulating banking practices with respect to loans). Otherwise, the members of the group will include:

1. Gilbert Casellas, Chairman, EEOC
2. Isabele Pinzler, Acting Assistant Attorney General, DOJ
3. Bernie Anderson, Assistant Secretary for Employment Standards, DOL
4. Shirley Wilcher, Deputy Assistant Secretary, Office of Federal Contract Compliance Programs, DOL
5. Dennis Hayashi, Director, Office of Civil Rights, HHS
6. Norma Cantu, Assistant Secretary for Civil Rights, EDUC
7. George Robertson, Acting Director, Office of Civil Rights Enforcement, Agriculture
8. Susan Forward, Acting Assistant Secretary for Fair Housing & Equal Opportunity, HUD
9. April Marchese, Acting Director, Office of Civil Rights, DOT
10. Mary Francis Berry, Chairman, Commission on Civil Rights

As for process, we would convene the working group early in September. The group would review our progress to date with respect to civil rights enforcement and come up with a comprehensive set of proposals aimed at strengthening Federal efforts to eradicate racial discrimination. We would also propose to examine what kinds of cooperative efforts might be possible with employers and others in addressing this issue, and the need for additional federal legislation and funding and whether the current priorities of the agencies are the ones the Administration wants to focus on. We propose that the work of this group will either be completed or at an appropriate stage so that any requests for additional funding for civil rights enforcement can be incorporated into the FY 1999 budget before the President submits his budget to the Congress in January.

We look forward to hearing your thoughts concerning our recommendation.



U.S. Department of Justice

Community Relations Service

Office of the Director

Washington, D.C. 20530

December 11, 1997

MEMORANDUM

TO: Eileen Mayer
Associate Deputy Attorney General

Lisa Winston
Special Assistant to the Deputy Attorney General

FROM: Rose Ochi (by: Ron Wong)
Director

SUBJECT: Community Building Subcommittee

Introduction:

I have convened two meetings of the Community Building Subcommittee. Participating DOJ components include: FBI/Hate Crimes Unit, Marshals Service, Environment & Natural Resources, Office of Policy Development, Bureau of Prisons, Office of Justice Programs, Office of Victims of Crime, Executive Office of Weed & Seed, Intergovernmental Affairs, Immigration & Naturalization Service, and the COPS office.

Defining "Community Building":

The group began by developing a working definition of "community building" as efforts which help local communities build the capacities and infrastructures to resolve their own problems. Programs should be collaborative in nature, respect local community concerns, encourage a sense of community cohesion and strengthen local resources.

Objectives of the Community Building Subcommittee:

Utilizing the above definition of community building, the Subcommittee set out to develop concepts to recommend to the Attorney General which would help local communities address the issue of race. The initiatives could be department-wide, specific to individual components or could broaden existing component programs to other agencies. Below are our suggestions:

SUGGESTED INITIATIVES/ACTIVITIES:

DOJ Inventory/Index:

Currently, many DOJ components implement programs at the local level and can access local communities through existing infrastructures (i.e., churches, community groups, law enforcement, schools, government entities, non profit organizations, etc.) however, not all components are

aware of each others programs and relationships. Since the objective of our subcommittee is to recommend initiatives which can access the local community through existing infrastructures, we believe a first step would be to identify and index DOJ programs which are connected to local communities. Once identified, these programs can then be used as a delivery system to implement whatever initiatives the Attorney General deems appropriate.

Conflict Resolution Models Broadened to Include Race:

In June, 1997, the Office of Policy Development developed a memo proposing coordinated DOJ conflict resolution in communities. The memo described ongoing Department activities, proposed a broad range of activities that might be undertaken in the future, and offered several options for coordinating future efforts. None of these options or activities described in the memo were specific to race.

Thus, we suggest developing and broadening conflict resolution techniques and mechanisms to include preventing, resolving and mediating racial conflicts as part of the Department's broader effort to promote use of community conflict resolution skills and mechanisms in non-litigation contexts. In addition to developing race-related community conflict resolution models, the Subcommittee plans to develop necessary training and collateral materials, and an implementation plan for DOJ components to use the newly developed models.

Developing Tools, Models and Guidance to Promote Race Dialogues:

The President's leadership has spurred interest in discussing race in America. However, citizens, community groups, businesses and government must be given guidance and training to effectively conduct race dialogue. Because most Americans are not comfortable with discussing race, poorly constructed or haphazard discussions can leave participants feeling more alienated and frustrated.

CRS is developing a starter kit and necessary collateral materials to help community groups, businesses, government, and individuals host discussion around race. Ways to provide training and technical assistance to groups conducting dialogues should also be explored. The Community Building Subcommittee also proposes to develop a plan to implement race dialogues through DOJ components utilizing the materials and models developed by the Subcommittee. This plan could be used both internally for DOJ employees or externally in local communities.

Develop One-Day Lesson Plan Dealing With Race:

Many Department components, as part of their community outreach efforts, speak to community groups, law enforcement, schools and other government agencies. We propose developing a one-day lesson plan that discusses race which can be used as DOJ components conduct their on-going community outreach activities. For example, when DOJ officials are asked to speak or train local law enforcement they include in their discussion issues dealing with race. The lesson plan would be designed to be used in a variety of settings including schools, community groups, local government, etc.

Additionally, we suggest developing talk points on race which could be used department-wide when DOJ officials and employees speak to the public. DOJ officials are called upon to speak to many groups in a variety of settings, race must be included in the vernacular of the Department.



U.S. Department of Justice

Community Relations Service

Director

Washington, D.C. 20530

DEC 10 1997

TO: Julie Fernandez
Special Assistant to the President
White House Domestic Policy Council

FROM: Rose O'Neil
Director
Community Relations Service,
Department of Justice

SUBJECT: Community Mediation Proposal

I understand that the White House Domestic Policy Council has invited departments to submit creative ideas for improving the handling of civil rights complaints. Isabel Pinzler, Acting Assistant Attorney General for the Civil Rights Division, the DOJ point of contact, suggested to me that Community Relations Service, (CRS) the federal government's race relations mediation service should participate in this process.

CRS, created under the Civil Rights Act of 1964, is the only federal agency dedicated to preventing and resolving racial and ethnic tensions and conflicts, restoring stability and averting violence and civil disturbances. Our conciliators utilize mediation, conflict resolution and dialogue, and provide training and technical assistance to communities and government agencies.

From conversations with staff of the President's Initiative on Race, (PIR), we also understand that PIR seeks to institutionalize community actions initiated by the year long effort; namely, the Race Dialogues and other related activities. CRS, because of its unique role in improving race relations at the grassroots neighborhood level, is identified as one of the principal federal resources to which local communities and organizations will be directed for guidance and technical assistance on race reconciliation initiatives spurred by the President's Initiative.

By 1999, the PIR Advisory Group will have completed its term, and CRS will be looked to for follow-up and implementation of a variety of community actions: recognition of best practices, technology transfer support for replication of promising practices to improve race relations, and materials and training development to mount the One America Dialogue across the nation--a problem solving approach to racial reconciliation leading to constructive conversations and local action plans in the workplace, school yards, universities, civic organizations and neighborhood.

Presently, CRS' support of the White House Initiative on Race includes assessment and conciliation services for White House Town Hall Meetings, participation on the Civil Rights

Working Group, and development of "One America Dialogue How-To-Kit", a Resource Directory and implementation plan. Additionally, CRS is playing a major role in the Attorney General's Race Initiative serving on all Subcommittees: Youth, Law Enforcement, Internal Affairs and chairing the Community Building group.

The Community Building Subcommittee is making a top priority the enhancement of dispute resolution capacities to address racial and ethnic tensions and community conflicts, and the promotion of the One America Dialogue using the DOJ community-based programs. (This can be expanded to include other federal agencies including HUD, DOE, HHS, etc.)

At the Akron, Ohio Town Hall meeting, the President spoke of the significance of honest conversations about race to bridge racial divides. He stated that we need to find a way to continue and sustain these race dialogues beyond the life of the PIR Advisory Group. To realize the President's intentions, our proposal describing two Community Mediation Initiative strategies is provided for your consideration.

Community Concerns/Conflict Resolution. In addition to proposals for augmenting funding for increased civil rights enforcement and for non-litigation methods such as alternate dispute resolution for processing EEOC and civil rights complaints, consideration should be given to providing increased resources for resolving civil rights disputes and racial/ethnic conflicts through the use of conciliation and mediation services.

CRS' mission involves preventing and resolving community-wide conflicts arising out of racial and ethnic disputes. However, because of our drastically reduced staff, we are only able to intervene in situations where there is a potential for violence, social unrest and civil riots. Expanding conflict resolution capacities for community concerns is needed to prevent racial and ethnic disputes from erupting in to violence.

CRS, DOJ requires \$2 million for the development of the community conflict resolution capabilities and the institutionalization of the President's Initiative on Race One America Dialogue and other community activities. A budget breakout will be provided shortly. I will make myself available to talk to you. I can be reached at 202) 305-2935 and my beeper number is 1 (800) 769-7243 pin 378-8852.

cc. Judith Winston, Executive Director, President's Initiative on Race
Isabel Pinzler, Acting Assistant Attorney General for Civil Rights, DOJ
Eileen Mayer, Associate Deputy Attorney General, DOJ

I. COMMUNITY MEDIATION:

While alternative dispute resolution can, and should, be used to clear the backlog of cases which require the involvement of the Federal government, we believe strongly that this strategy should be broadened to include resolving--and even preventing--civil rights and racial disputes which arise at the community level.

Currently, CRS utilizes mediation and conflict resolution techniques to resolve a variety of disputes, tensions and avert potential violence. For example, CRS utilizes mediation techniques to resolve racial conflicts and violence at schools, in public housing, between law enforcement and community residents, after the occurrence of hate crimes and a number of other situations which arise in the community.

Using Community Conflict Resolution:

Litigation is typically the last resort in resolving disputes. Community conflict resolution techniques can be utilized to resolve disputes well in the advance of parties seeking legal remedies. Additionally, when community-wide conflicts occur oftentimes solutions can not be found through the legal process.

For example, a church burning or a hate crime requires easing of community tensions. Community mediation and conflict resolution techniques can be used to prevent future incidents and stop racial splintering from occurring.

Police excessive use of force cases--typically the spark for civil unrest and riots--can result in wholesale community conflicts. In these circumstances, mediation and community conflict resolution administered by the government, would seem to be the best course of action. Furthermore, if legal (litigation) remedies were pursued but denied and the community does not feel justice was served, mass protest and rioting may occur.

We envision the Federal government, through its many services and networks providing local governments, law enforcement, schools, community groups and other stakeholders with the tools necessary to solve their own problems. Training, mediation, dialogue, conflict resolution techniques, use of best practices are all strategies that CRS has used successfully.

The Need for Federal Investment:

Violence and tensions arise when communities lose faith in government, their elected representative and the criminal justice system. The Federal government needs to invest their resources in helping local communities resolve their own problems peacefully.

The President's Initiative is fundamentally about leadership--which the President is providing. What better way to lead than train local communities to identify, resolve, mediate and prevent problems, tensions and violence.

CRS is a natural agency to be involved in any Federal community mediation program. We can help train local community leaders, Federal employees, law enforcement, and others in techniques which can resolve and prevent community conflicts and violence.

Deliverables:

- ▶ Broaden alternative dispute resolution models to include community concerns mediation and conflict resolution.
- ▶ Modify and develop dispute resolution and community mediation models to include race and ethnicity.
- ▶ Provide community mediation and conflict resolution training to local governments, law enforcement, community groups and stakeholders.
- ▶ Develop training and other necessary collateral materials on community mediation and conflict resolution.
- ▶ Provide technical assistance to local government and entities in resolving racially motivated disputes and community conflicts.
- ▶ Assess community tensions to determine the necessity and feasibility of conducting community mediation and conflict resolution.

II. COMMUNITY PROBLEM SOLVING THROUGH DIALOGUE:

President Clinton has called upon the American people to have an honest and frank discussion about race. He is providing the leadership for the country to follow. The President knows that talking is the first step towards action. Last week the President talked about a ripple of change. CRS can help sustain this ripple until it gains enough momentum to become a wave of positive change.

CRS Can Help Institutionalize "One America Dialogue":

CRS is currently assisting the President's Initiative on Race in conducting dialogues and is developing a "how to" race dialogue manual for mounting dialogues. However, once the President's Initiative runs its course, for these race discussions to ultimately change behaviors, perception and actions, they must be institutionalized and sustained at the local level.

Assisting Local Governments Conduct Dialogue:

The President's leadership has spurred interest in discussing race in America. However, citizens, community groups, businesses and government must be given guidance and training to effectively conduct race dialogue. Because most Americans are not comfortable with discussing race, poorly constructed or haphazard discussions can leave participants feeling more alienated and frustrated. The Federal government can and should take it one step further by training local community leaders, government entities, and interested citizens in conducting race dialogues.

Deliverables:

- ▶ "How to Dialogue Kit" -- This is a starter kit to help community groups, businesses, government, individual host discussion around race.
- ▶ Training and technical assistance to groups conducting dialogues.
- ▶ Institutionalizing within the Federal bureaucracy the commitment toward race dialogues and provide the necessary training and materials to facilitate productive discussion.
- ▶ Develop required training and other collateral materials to conduct race dialogues.
- ▶ Train people to train others in conducting effective race dialogues.
- ▶ Develop an infrastructure to coordinate and sustain community race dialogues.



2nd Try

U.S. Department of Justice Community Relations Service Headquarters

**600 E Street, NW
Suite 2000
Washington, DC 20530
Telephone: (202) 305-2935
Fax: (202) 305-3009**

Date: 12/10/97

Time: 1:30

From: Rose Ochi
Director

Number of pages (Including Cover): 5

To: Julie Fernandez
Domestic Policy Council

Phone: _____

Fax: 456-2878

456-5581

SUBJECT:

Budget**Community Mediation and One America Dialogue****Deliverables**

Hold 4 regional community <i>mediation</i> training conferences	4 @ \$50,000
Four 3-day conferences. 50 trainees @ \$1000	Subtotal: \$200,000

Hold 4 regional community <i>dialogue</i> training conferences	4 @ \$50,000
Four 3-day conferences. 50 trainees @ \$1000	Subtotal: \$200,000

Each of the 200 trainees might attend both *mediation* and *dialogue* conferences to become cross-trained = 200 trained trainers.

One <i>mediation</i> training manual	\$12,500
One <i>dialogue</i> training manual	<u>\$12,500</u>
	Subtotal: \$25,000

Staff/Contractors

One Dialogue Coordinator	\$100,000
One Mediation Coordinator	\$100,000
One Materials Development Coordinator	\$100,000
One Training Coordinator	\$100,000
One Clerical	<u>\$100,000</u>
	Subtotal: \$500,000

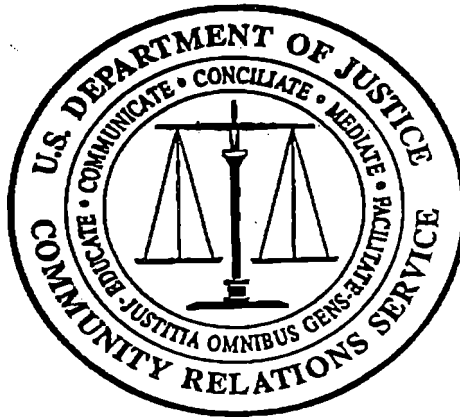
Travel

Staff travel and expenses	\$25,000
Trainer travel and expenses	
Regional trainers: 400 training sessions @ \$1000	\$400,000
Traveling trainers: 400 training sessions @ \$1500	\$600,000
Contingency expenses	\$50,000

Budget total	\$2,000,000
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Summary: This budget provides for 200 conciliators who can be cross-trained in *mediation* and *dialogue*, and available to conduct up to 800 training sessions in communities across the Nation.

④ *Pay Equity*



U.S. Department of Justice Community Relations Service Headquarters

600 E Street, NW
Suite 2000
Washington, DC 20530
Telephone: (202) 305-2935
Fax: (202) 305-3009

Date: 12/11/97

Time: 4:15

From: Rose Ochi
Director

Number of pages (Including Cover): 2 ~~3~~

To: Julie Fernandez
Domestic Policy Council

Phone: _____

Fax: 456-5581

SUBJECT:

This provides dollar amounts regarding
the items outlined in the materials
which I sent you yesterday.

Please call me at (305-2930) to discuss
further.

December 9, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
TOM FREEDMAN

SUBJECT: Civil Rights Enforcement Initiative

We have developed a civil rights enforcement initiative that places a new emphasis on prevention and non-litigation remedies for discrimination while also strengthening civil rights agencies' ability to bring enforcement actions for violations of anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternate dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed its processing of complaints and reduce its backlog, and provides for greater coordination across federal civil rights agencies and offices. The package of improvements totals approximately \$100 million, including a 16.5% increase above the enacted FY 1998 budget for EEOC and a roughly 50% increase for the relevant HUD office.

I. Strategies that Promote Prevention and Avoid Litigation

A. Resolving Problems Without Lengthy Court Fights

The plan calls for the dramatic expansion of Alternative Dispute Resolution (ADR) programs across all relevant agencies. The largest initial investment is a \$40 million expansion over three years of the EEOC's mediation program. The EEOC currently sends only a small number of cases to mediation. The increased funding will allow upwards of 70% of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. (The remainder will not have this option, either because their cases are seen as the most serious enforcement priorities or because their cases are wholly devoid of merit.) We expect about half of all complainants to choose the mediation option. In addition to the EEOC program, pilot mediation programs will be introduced at HHS and Labor.

B. Spotlighting the Problem and Encouraging Compliance

The initiative includes a fund to improve surveillance, technical outreach, and compliance efforts by civil rights offices. The focus on compliance is reflected in increased support for DOL's Office of Federal Contract Compliance, which ensures that businesses under contract to the federal government implement E.O. 11246 and comply with anti-discrimination law. This \$18 million reform will allow the office to increase tenfold the number of compliance reviews it

conducts through the introduction of a tiered review system. In addition, the initiative provides \$10 million to HUD to conduct a program using paired testers, which is designed to raise awareness of the extent of housing discrimination through the public release of audit results and some focused enforcement action. This initiative also will enable the EEOC to improve compliance through videos for employers and a public service campaign.

II. Making Enforcement Work

A. Resources to Eliminate Backlogs

One of the most common criticisms of federal civil rights enforcement relates to the length of time the EEOC takes to hear and decide cases. This plan uses improvements in technology, mediation, and the addition of over 100 investigators to lower the average time spent resolving private-sector complaints to under 6 months (from the current 9.4 months) and to reduce the inventory from 64,000 cases to 28,000 by the year 2000. The plan also includes two new initiatives at HHS to reduce backlogs by expanding the use of case management techniques and giving state and local civil rights agencies an additional role in enforcement activities.

B. Coordinating and Streamlining Federal Policies

Federal civil rights offices only rarely consult or coordinate with each other. This initiative will institute a standing inter-agency working group to address issues of common interest, including development of strategy, implementation of performance outcome measures, and sharing of training initiatives and data collection.

We also recommend that you begin the process of implementing EEOC's proposal to strengthen its authority to eradicate discrimination from federal agencies, provided White House and Department of Justice attorneys approve the measures. Currently, parties who complain of discriminatory treatment by an agency can request a hearing from an Administrative Judge (AJ) who is an impartial EEOC employee. Agencies, however, can then issue a final agency decision (FAD) rejecting the AJ's decision altogether. Statistics show that agencies modify decisions adverse to them nearly two-thirds of the time, while modifying decisions favorable to them only about 1% of the time. The EEOC proposal would eliminate the FAD process where there has been an AJ hearing, and permit both the complaining party and agencies to appeal the AJ's decision to the EEOC.

C. Modernizing Civil Rights Enforcement

Many civil rights agencies have not received sufficient increases in resources to make use of technology and improve their efficiency. For instance, unlike most of the federal government, EEOC offices lack the ability to communicate with each other using e-mail. The plan includes a \$15 million technology initiative for EEOC, HHS, Labor, and Education to provide for communication via electronic mail; eliminate redundant data entry procedures; permit the

sharing of information and enhanced research capabilities for investigators and attorneys; allow for the filing of forms and complaints over the Internet; and provide for the sharing of civil rights data bases.

III. Status of Proposals

DPC developed this plan after consultation with representatives of leading civil rights organizations, heads of federal civil rights offices, and other White House offices. OMB has recommended a package of \$57 million for this initiative, which will fund some of the measures described here. OMB is currently reviewing other agency proposals, including the \$40 million expansion of ADR at EEOC and the \$18 million proposal by DOL-OFCCP to expand its compliance program.