

PHOTOCOPY
PRESERVATION

In addition, she said, many of the estimated 15,000 to 25,000 residents of these sprawling, unregulated communities live in substandard housing, vulnerable to floods and the strong winds still swirling in the storm's wake.

Similar conditions, accompanying 1998's Tropical Storm Charley, wrought havoc in border communities further northwest in Del Rio, Texas, killing 18 people and pummeling their homes with 18 inches of rain.

In the former colonia of El Cenizo just south of Laredo, Webb County Deputy Sheriff Homero Rangel lifted his voice to be heard above the hubbub at the community center.

Rangel and other law enforcement officials were offering El Cenizo residents rides to shelter at a school in the neighboring community, Rio Bravo. About 30 residents had taken him up on the offer by Monday afternoon, he said.

"We take whoever shows up," Rangel said. "But some of them are afraid that somebody might go into their houses and steal what little they have."

In Laredo, a state of emergency was proclaimed by the mayor and scattered reports of flooding began to surface in the late afternoon. The storm's peak was scheduled to hit the city by midnight.

Hate Crime Laws Marked by Little Reporting, Few Prosecutions

By Mark Fritz

Los Angeles Times

A skinhead with dive-bombing Stukas and goose-stepping storm troopers tattooed on his torso ran into a West African immigrant at a downtown bus stop. He taunted, terrorized and finally shot the French-speaking newcomer because he couldn't stand his skin color.

Isn't this a hate crime? In the dictionary, perhaps, but not in Denver. Police chose not to submit a textbook attack on a man killed for being black to a federal program that has been trying, for nearly one frustrating decade, to measure bias-based crime in America.

What about a case in which yet another neo-Nazi slashes the throat of a computer operator, cracks open his skull with an ax handle and then burns the body because the victim made a pass at him weeks before? What about a trio of men who torch a black church after a KKK rally? Are these hate crimes?

Not in Alabama, which has a law against arson regardless of whether the flame thrower is wearing a hooded white robe or little black dress, a hate code that covers homicide but does not protect homosexuals, and zero tales of intolerance that police care to share with the rest of the country.

"They are trained on this and told about this, but I don't think they actually think about it," said Carol Roberts, an Alabama public information specialist who tallies the zeroes that local police agencies compile for the FBI's annual hate crime reports.

The failure of police and prosecutors to probe, report and punish a cross-burning or race rumble as hate crimes instead of, say, criminal mischief or assault not only has rendered many laws useless, it has confounded attempts by analysts to get a grip on the extent of bigotry-based mayhem.

A cluster of particularly heinous hate crimes from the dragging death of a black man in Texas to the bludgeoning of a gay student in Wyoming to the one-man riot of white racist Buford O. Furrow Jr. has triggered bursts of outrage and a bunch of bills, most of which flew uselessly out the window when the nation's legislatures shut down for the summer.

But the string of high-profile crimes overshadows how rarely authorities are willing to build a case on an intangible concept when a basic crime category may be safer, and how discriminating states can be when it comes to protecting people from a punch thrown with extreme prejudice.

If blind bigotry compels you to clobber a Teamster in Oregon, a kid in a wheelchair in New Jersey, an old woman in Indiana or any woman in Virginia, you theoretically face a harshly enhanced penalty because you're not just committing a crime against an individual, but against society.

If you march and chant in front of the house of a mixed-race married couple in Michigan, you could be committing a hate crime. Unless that couple is of the same gender.

Twenty-one states exclude sexual orientation from their laws. Others add age or gender, while some stick to race, creed and color. Eight have no hate crime laws at all. Oregon protects people from prejudice based on political party, purchasing power, union membership, social standing or marital status, to name a handful.

States generally use hate crime laws to enhance existing penalties either by adding years to a sentence, limiting parole or elevating a misdemeanor to a felony.

Yet while hate laws look good on paper after they've been passed by outraged lawmakers, experts in the field say it's not easy to find a cop when you need to enforce one.

Boston and New Orleans both have about a half million people and

a history of disharmony, but the former reported 150 hate crimes to the federal government in 1997 and the latter just one. The city of Miami and state of Hawaii are among the most notable jurisdictions that don't participate in hate crime monitoring.

While only six out of every 10 police agencies voluntarily report bias crimes to the FBI, four out of five of those say they don't have any. In the South, only 6 percent of the police agencies acknowledge having investigated a crime motivated by bias, compared with 20 percent for the rest of the country. Nothing puzzles and appalls crime analysts more than Alabama, Arkansas and Mississippi, where police agencies collected their hate crimes from 1997 and shipped them off to their state capitals, where all the numbers were tallied and sent on to the FBI. The total? Zero.

This strains the credulity of Jim Nolan, the FBI analyst who crunches hate crime statistics and trains officers on how to spot, investigate and track hate crime. Yet nine years after Congress passed the Hate Crime Reporting Act so that police agencies would have standard criteria to apply to suspected hate crime, solid statistics still don't exist.

"We don't know if hate crimes are up or down," Nolan said.

After staring at page after page of statistical goose eggs from places where hate crimes are in fact as real as a rock to the head, the Justice Department is awaiting the results of a mammoth study of 2,300 jurisdictions to find out why so many police hate crime reports look like drawings of doughnut holes.

Though conclusions won't be ready until December, some trends are emerging, said Jack McDevitt, director of the Center for Criminal Justice Policy Research at Northeastern University in Boston, which was commissioned to do the study.

Among his observations:

Many police departments are put off by the extra FBI paperwork and determining a motive as elusive as bias. And they feel the media will blow a crime out of proportion if hate is mentioned as a cause.

Hate crimes have a low conviction rate about 15 percent because spraying a swastika on a synagogue or assaulting a swarthy stranger are, by their nature, hard to solve. And victims often bail out of the investigation because they fear retribution.

Though crime in general is down nationwide, hate crime seems to have merely leveled off in the cities and is rising in some suburbs, especially those in the midst of demographic change.

Though some experts say police treat hate crime the way they did domestic abuse a decade ago not very seriously McDevitt said raising awareness about gay-bashing is even tougher. "You've got to get them over their bias that it's OK, which a lot of them believe."

Police and prosecutors pursue the charge most likely to secure a conviction, and most don't have the expertise to make a hate crime case. Yet hate crime charges are routinely used to threaten a suspect into pleading guilty to something else, since carrying a bias rap into prisons teaming with race-based gangs can be as risky as a nap on the train tracks.

Local Officials Grapple With Definition of Hate Crime

Los Angeles Times

Some communities make hate crimes a priority. Chicago's Cook County and Los Angeles County each have more than two dozen prosecutors devoted to it. Cook County State's Attorney Richard A. Devine, who wrote a textbook on how to prosecute it, testified before the House Judiciary Committee that tough laws and enforcement had reduced county hate crimes.

What constitutes a hate crime isn't always clear. Los Angeles County counts as hate offenses violence between rival gangs of different ethnicity. Some police disagree.

Combustible Compton, south of Los Angeles, reported no hate crimes last year, even though race plays a role in gang warfare. "If a Latino and a black gang have an incident, is that a hate crime?" said Compton Police Chief Hourie Taylor. "It's complex. They have rivalries with gangs of their own ethnicities as well as with other ethnicities so it's difficult to say."

California Justices Reject Law on Indian Gaming

st week, one official hailed the tests as "a watershed in the technological history of the United States," and the Pentagon announced it would skip further prototype testing and move quickly toward final development of the project.

Coyle, however, said the two flight tests, carried out at the Army's White Sands Missile Range in New Mexico differed from the conditions of a real attack in key respects.

Because of the relatively small size of the White Sands test area, the Army was required to use a target missile that flew a shorter path, and was thus easier for the missile defense system to locate.

In addition, the flight test was "shaped and scripted" so the collision would occur in a relatively small area of sky, so that debris would not fall in areas where it might do damage, he said. And he pointed out the THAAD missile was a prototype that would not ultimately be used in the system.

He said the system's performance could be examined in a more realistic setting if the next test were moved to the far larger Kwajalein Missile Range in the Marshall Islands. Such tests should be made before the Pentagon awards the contract for the final phase to Lockheed Martin Corp., Coyle urged.

At the same time, Coyle said the missile defense program has made clear progress in recent months.

His remarks were first reported in the current issue of Defense Week, a trade publication.

Coyle was not available for comment Monday, but a Pentagon spokeswoman confirmed the substance of his remarks.

Maj. Coennie Woods, a spokeswoman for the Pentagon's Ballistic Missile Defense Organization, said the organization "has no comment on his statements."

The THAAD system consists of high-powered sophisticated radar for tracking incoming missiles, and land-based mobile launchers equipped with interceptor missiles outfitted with the latest generation of sensors. These missiles must, in effect, "hit a bullet with a bullet" by successfully striking an incoming missile in mid-air, while both are traveling at hundreds of miles an hour.

The current schedule calls for the THAAD to be in operation in 2007, though Pentagon officials are considering ways to accelerate that.

If THAAD works, a similar technology could be used in the far more ambitious "national missile defense" program, which would aim to erect a protective shield over the entire United States.

Coyle's views echo the comments of critics of missile defense systems. They have argued that the prototype tests don't replicate the difficult conditions of an actual attack, and have urged more challenging tests.

"He's saying things we've been saying for a long time," said Luke Warren, of Council for a Livable World, an arms control advocacy group in Washington. If the tests "aren't exactly rigged, they are set up not to fail."

Guessing Game Is On as Fed Prepares to Meet

By Peter G. Gosselin

Los Angeles Times

WASHINGTON The U.S. economy has blown past so many gates in its long, upward arc that many people perhaps even some at the Federal Reserve have a hard time believing that it may now be slipping off course.

That, coupled with the absence of clear signs of economic wobble, will make it all the harder for the Fed to decide Tuesday whether to raise interest rates.

"We've had unexpectedly strong growth and unexpectedly low inflation, and the Fed has to decide which unexpected trend is going to give out first," said Jeffrey Frankel, a Harvard University economist and former member of President Clinton's Council of Economic Advisers.

The near-universal betting is that the Fed is more worried about inflation and that it will raise short-term interest rates another notch for the second time this year. That would lift the federal funds rate, at which banks make short-term loans to each other, from 5 percent to 5.25 percent, its second quarter-point increase of the year.

What effect that will have is anybody's guess, a point driven home Monday when the nation's stock and bond markets did exactly the opposite of what economic theory says they should do in the face of the rate hike.

Stocks, which should tumble on worries of slower growth, instead leaped ahead. Bond interest rates, which should rise with inflation concerns, fell.

"It's an Alice-in-Wonderland reaction," said David M. Jones, chief economist with Aubrey G. Lanston & Co. in New York. "It's

the kind of thing you'd expect from a speculative market when not even the prospect of a Fed rate hike gets in the way of the party."

In fact, analysts said, Monday's jump in stocks illustrates one of the defining characteristics of the current period and one of the key dilemmas facing Fed policymakers the heady and sometimes disorienting interplay between financial markets and the economy.

By all rights, according to these analysts, the Fed should be able to nudge interest rates up without much controversy or much risk of tipping the economy into trouble.

After all, Fed Chairman Alan Greenspan has made pre-emptive strikes against inflation by raising rates twice before in the last decade, in 1989 and 1994. And although the earlier increase contributed to a mild recession, the two actions are widely credited with having set the stage for, then extended, the near-record boom of the '90s.

In addition, the Fed slashed interest rates by three-quarters of a point over two months last fall to cope with a global financial freeze-up in the wake of Russia's debt default. But that crisis has since passed and, with it, the need for the rate reductions.

Finally, some of the economic factors of recent years have begun changing course, and the economy has begun showing some although by no means all of the signs of renewed inflation, the very thing that the central bank is in charge of controlling.

Oil prices, which tumbled in the wake of the Asian financial crisis, have doubled since January. The cost of imported goods, which Americans have been picking up at bargain basement rates because of the strength of the U.S. dollar, is on the rise again. So, finally, are working Americans' wages, which remained remarkably tame until recently despite generation-low unemployment.

Tropical Storm Bret Wreaks Havoc in South Texas Towns

By Claudia Kolker

Los Angeles Times

HOUSTON Transformed from a lashing hurricane to a sullen, roaming deluge, Tropical Storm Bret dumped more than 25 inches of rain in South Texas and kept thousands from their homes Monday as it made its way slowly west-northwest toward Mexico.

The biggest hurricane to strike the state in two decades, Bret spent much of its strength inundating a vast South Texas ranch. The storm also spawned a tornado that demolished a mobile home between Rockport and Aransas Pass.

And though Bret's sharpest violence had subsided, residents of Kenedy County, Laredo and the sprawling communities along the Rio Grande all continued bracing for more drawn-out effects: the threat of flooding water tables, a rising Rio Grande jeopardizing poor border communities or "colonias" and the possibility of mosquito-borne dengue fever in poorly serviced communities once the rain stopped.

By Monday morning, the storm's winds had reduced from 80 mph to 70 mph, qualifying Bret as a tropical storm and they kept diminishing through the day. It hit land Sunday night, spending most of its intensity on the plains and some huddled 50,000 cows in Kenedy County, home of the nation's second largest ranch.

One of the hardest-hit communities was Falfurrias, about 60 miles southwest of Corpus Christi. Roofs were ripped off several buildings, power went out, and a two story hotel partially collapsed under the wind, Mayor Michael Guerra said. Although about 40 people were inside, there were no injuries, he said.

President Clinton designated seven counties in the region disaster areas, freeing funds for local governments' cleanup and aid efforts, Federal Emergency Management Agency director James Lee Witt said. But despite the widespread power outages and scattered property damage yet to be totaled up by state officials, Bret dwindled to a storm without causing any deaths or injuries.

Instead, the storm powered through the broad spaces between Corpus Christi and the Rio Grande Valley, concentrating its downpour on three gigantic but sparsely peopled ranches, including part of the fabled 820,000-acre King Ranch.

About 58,000 customers were without power throughout the Corpus Christi and Rio Grande areas as a result of the storm, according to the Texas Division of Emergency Management.

Preparing for the storm to sweep through Laredo, officials Monday closed down the international bridges that provide conduits for the city's heavy truck traffic into Mexico.

"We're concerned about the outlying cities the colonias which are in low-lying areas," Maria Elena Montemayor of Laredo's Red Cross said Monday afternoon as a steady rain pelted the border city. "Some of the colonias are right by the Rio Grande, and if the river rises they're in jeopardy because they will not be able to get out."