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Extremism Targets the Prisons

An ADL Special Report



Anti-Defamation League of B'nai B'rith/Civil Rights Division
New York, N.Y.

ADL Special Report

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Extremism Targets the Prisons

June, 1986

Introduction

Organized extremism in the United States has declined in numbers and influence in recent years, a number of groups on both the right and left ends of the political spectrum having lost members and others having disappeared entirely. The trend has been uneven but the contrast with the turbulent sixties and seventies is evident.

The reason for the decline most frequently cited by the extremists themselves is that Americans have been bought off by the system. The "six-pack" and the "boob-tube," they complain, have lulled ordinary people to sleep. Cynicism aside, the explanation is basically correct; the United States has been relatively prosperous and at peace in recent years and the overwhelming majority of Americans have felt no need to embrace radical doctrines.

There are, however, other factors. One in particular—lawless conduct by extremists—will be found especially relevant here. In recent years, Ku Klux Klansmen, neo-Nazis, members of The Order, the Black Liberation Army, the Weather Underground and similar groups have been convicted and sent to prison for crimes such as armed robbery, murder and bombings, and consequently many of their most zealous leaders and members are today behind bars. For this reason, our investigations show a growing danger arising from increased extremist activity regarding the prisons. They have become an important arena—perhaps the ideal one—for agitation and recruitment. Inmates are thought to have nothing to lose; their stake in the established order is minimal. Many bear grudges against the legal system and the society it reflects. Prisoners are seen by some extremists as the ultimate victims of racial or class oppression, and therefore likely to be receptive to revolutionary ideas. Consequently, radical groups are turning more and more of their attention to prisoners, both their own comrades and other inmates. The record of certain far-right and far-left factions also shows that those of their members who originally were recruited in the prisons are among their most violent activists.

There exists a ready constituency for the extremists in many prisons in the form of violence-prone gangs—white, black and Hispanic. A study published in 1985 by the Department of Justice, "Prison Gangs, Their Extent, Nature and Impact on Prisons," reported a total of 114 gangs in state and federal prisons in the U.S. A state-by-state breakdown showed that gang membership ranged from a high of 5,300 members in the Illinois prisons to a low of 3 in Massachusetts. Membership in the gangs, the study reported, "is based first on race, and is usually connected with racial superiority beliefs." Examples are the Black Guerrilla Family, which "is both political and racial," and the Aryan Brotherhood, which is "both motorcycle oriented and White Supremacist."

Extremist groups have targeted the gangs, with varying degrees of success, for propaganda and recruitment purposes. For example, the Aryan Nations, an Idaho-based far-right, anti-Semitic group, has had a measure of success in linking up with the Aryan Brotherhood prison gang. The Brotherhood, according to the Justice Department's study, exists in federal prisons and the state

prisons of Arizona, Arkansas, California, Kentucky, Missouri, Ohio and Oklahoma. A similar gang in the Nevada prisons calls itself Aryan Warriors.

A powerful incentive for gang members to agree to such outside affiliations is provided by "churches" which some extremist groups have created; these enable prisoner-members to claim privileges enjoyed by inmates who belong to other religious denominations. Thus, prisoners have joined the Aryan Nations' "church," the "Church of Jesus Christ Christian," which espouses the Identity doctrine, a pseudo-theological system of beliefs in which "Aryans" are the true Israel, Jews are the "seed of Satan" and colored peoples are sub-human. Prisoner members of this "church" have demanded the right to receive Identity literature, conduct Identity "services" and receive visits from Identity "Pastors"—all in the name of practicing their religion. Correction department authorities in several states have refused to accede to these demands, citing, among other things, the possible danger of violence and disorder as a result of the fostering of racism in prisons. There have been a number of court cases in which prisoners have appealed such refusals. Appended to this report is a summary of these cases.

The Anti-Defamation League has prepared the present report to provide information on a potential danger which, because it thrives in an insulated sector of society, has not been highly visible. The aims of the political extremists reaching into the prisons vary, as do their doctrines, but the similarity is that these groups tend to be the more hard-core component of extremism, be it right or left. Many have proven records of criminal behavior and terrorism. An even more disturbing aspect is the fact that the United States is a declared target for terrorism from those forces around the world who see the U.S. as the source of all their woes, and some of the extremist organizations engaging in prison recruitment have overseas links with states and groups that actively promote terrorism—Libya, Cuba, and the Palestine Liberation Organization among them. These relationships may be portentous.

Many of those to whom the extremist organizing efforts are directed are among the most dangerous members of society—men and women who have already engaged in lawlessness. With radical groups and revolutionary strategies as their guides, they could easily become a new source of further violence and disorder in the prisons and, after release, on the outside.

Government officials, legislators and others in the public trust must be knowledgeable and mindful of the possible consequences of the activities detailed in this report, and must be ready to give the law enforcement and corrections community the support needed to cope with these activities effectively.

I. Right-Wing Activity

A number of right-wing extremist groups have initiated an outreach to prisoners—*white* prisoners, to whom (with racial tensions running high in our prisons) they feel their appeals to bigotry may have a certain appeal, and among whom they hope to develop post-incarceration members.

To the leaders of the two most active "prison ministries" of the far-right—Robert Miles of the "Mountain Church" in Michigan and Richard Butler of the Aryan Nations organization—prisoners who share their views are "POWs" in a continuing "war" between their movements and all levels of American government, which they label "ZOG" (in their lexicon, meaning "Zionist Occupation Government"). The prison-directed literature of these groups reflects a deep contempt for all authority, and so it is hardly surprising that—even if on this aspect alone—corrections officials have often been wary of allowing it to reach the targeted audience.

The Robert Miles 'Ministry'

The most active "prison ministry" of the extreme right is conducted by Robert Miles, "Pastor" of the Mountain Church, which is headquartered at his farm in Cohoctah, Michigan. Miles, the former Michigan Grand Dragon and national "Chaplain" of the United Klans of America, has been described as the "spiritual leader" of the hate movement in America.

Several times each year Miles hosts weekend gatherings at his farm where hate group leaders of various stripes—Klansmen, neo-Nazis, adherents of the "Identity" movement—gather to discuss organizational strategies and to hear diatribes against Jews, other minorities and the federal government. Miles has also been a featured speaker at gatherings sponsored by the Aryan Nations; The Covenant, Sword, and Arm of the Lord; Christian Patriots Defense League and other such groups. He publishes a bi-monthly newsletter entitled "From the Mountain," a potpourri of announcements of upcoming events in the hate movement, accounts of his various travels to meet with other leaders in the movement, and musings (most of them pseudo-theological in nature) about political developments and world events.

Most of Miles' speeches and writings are devoted to bitter and often violent denunciations of the federal government (labeled variously "ZOG," "Le Cesspool Grande," etc.). Miles was convicted in the early 1970s for conspiracy to bomb school buses in Michigan and to tar and feather a school principal, and served six years in the federal penitentiary in Marion, Illinois. Since that time he has devoted many of the resources of his "church" to corresponding and meeting with prisoners, particularly those with white supremacist views. Miles makes it clear that he regards those "members of the folk and faith" as victims of a conspiratorial government which persecutes them for their "religious" views. (Miles describes his religion as "Dualism," based on a good deity who strives against one who is evil. He distinguishes this from "Identity" and instructs prisoners who would like more information about the latter movement to correspond with Pastor Richard Butler, leader of the Aryan Nations.) Miles characterizes prison as "but one hazard of any war," observing that "our forces are at war with the society."

Miles has described his prison ministry as consisting of three parts: a periodic newsletter sent directly to prisoners, racist literature which he arranges for them to receive, and efforts to help prisoners with "family problems" primarily through telephone consultations. Miles' newsletter for prisoners, entitled "Beyond the Bars . . . The Stars!" also makes references to prison visits which he makes from time to time. Testifying last year at a trial challenging the authority of officials to withhold materials (including his) from inmates at a Missouri prison, Miles also noted that he is involved in helping the Identity Church "handle its correspondence with prisoners." This was a reference to the Aryan Nations' prison program, much of whose responsibility he has assumed.

Miles reported last summer that he corresponds with some 1,300 prisoners in state and federal institutions. During a recent conference at his Michigan farm, he raised the figure to 1,800. He has also established a network of prisoner pen pals enabling his followers to communicate with one another. Miles says he started these mailings in 1971 but began really concentrating on his "prison ministry" in 1979 when he was released from the penitentiary in Marion.

In the July/September, 1985 issue of the "NSU Report," the newsletter of a tiny neo-Nazi sect located in Washington state, its leader described a visit to Miles' farm in July when he was in the process of recomputerizing his prisoner mailing list. According to this account, the new system would allow the Mountain Church "to alert our people within the institution when one of ours is being imprisoned by the system so the new inmate will receive the proper friendly reception." He continues,

“On the other hand, whenever one of our enemies is imprisoned, our people inside will likewise be appraised [sic] of the enemy’s arrival so the enemy can receive the type of welcome and treatment he deserves during his stay. . . White survival activists are encouraged to support Movement prisoners either directly or through the Mountain Church in whatever way they choose as these prisoners will one day be out of prison and will be part of the Movement’s ‘irregular forces.’”

Several years ago, Miles explained his own reasons for maintaining contact with white racists in prison:

“Part of the work of our Racial Theological Mission has been to ensure that our comrades and kinsmen in prison are not abandoned. The left-wing has taken great delight in taunting the right-wing about its abandonment of its wounded and its failure to even retrieve its dead from the battle fields of this modern political war. The Mountain Kirk will not abandon any who are fighting for our Race or who, having strayed, are interested in fighting for the Race in the future.”

Clearly, Miles regards prisons as fertile ground for identifying and nurturing those who will be prepared, upon release, to take up the cause to which he is so devoted. He recently stated:

“Nowadays, it is getting to be that a new political minority is being created at both state and federal levels. The new political force may all be ex-cons! Almost 6,240,000 citizens of this land are now counted as having been convicted of state or federal felonies at one time or another in their lifetimes. How does that grab you as a political lobbying group?”

Miles is not unmindful of the difficulties he faces getting his materials into the prisons, particularly those institutions which employ “inquisitorial censors” such as those in Moberly, Missouri and Walla Walla, Washington. In one of his general newsletters, he advised followers who correspond with prisoners not to send “materials of a propaganda nature, no matter how true or educational,” unless requested, since it may create problems for them with authorities. He advised his followers behind bars to register their religious affiliation with their prison records office “to reflect their adherence to the disciplines of the Mountain Kirk.” Recently, Miles wrote that prisoners would have to rely more and more on direct letters as opposed to “mass communications” since these are “a more acceptable means of keeping faith and folk in touch.” This is clearly a reference to recent court decisions which have upheld the right of correctional authorities to withhold materials that have the potential for inciting violence among inmates.

‘Unlock the Prisons’

One particular Miles prison mailing was a tract he authored entitled “The Secret Army,” a thinly disguised account of The Order, the underground terrorist organization which declared war on the U.S. Government and committed a series of criminal acts during 1984. Miles is donating the proceeds of the publication to the widow of the slain founder of The Order, Robert Mathews, and the wife of one of its leaders, Bruce Carroll Pierce, who is currently serving a 100-year prison term. Miles, who has been alleged by members of The Order to have received some of its stolen money, has been effusive in his praise for the actions of the gang, most of whose members are now in prison. He has taken upon himself the responsibility of serving as a clearinghouse for correspondence going to them. Miles has “saluted” those wardens who understood that his book about The Order “was only a fable” and has been critical of those “very few,” mostly in federal institutions, who have withheld it from inmates.

In addition to spreading hate propaganda among his prison followers and keeping them in touch with activities of "the movement," Miles is clearly interested in addressing their more immediate concerns. As he expresses it:

"Our greatest task now is to find the correct keys to unlock the prisons of this land. We can only serve our faith and our folk when we can assure each who stand for it, that there is justice beyond the courts and the palaces of privilege in America. There will be those whose legal talents will be called upon. Those, I might add, obviously, who are inside as well as those on the streets. The walls will come tumbling down. Whether by a cacaphony of sheep horns of a legal nature or those of the powers of our God!"

Both Miles and the Aryan Nations' Richard Butler promote a project based in Suring, Wisconsin known as the "National Legal Research Program for White Prisoners." "W.E. Wolfings," the so-called "National Coordinator" of the program, is a pseudonym for Mrs. Laurel Beatty, whose husband is serving a life sentence for kidnapping and murder. Miles refers to this operation as "the para-legal arm of the Movement." Among its advice to "White POWs": make every complaint pertaining to "White Rights" in writing; file formal administrative complaints (e.g. lack of access to "White Pride" news) with the warden and demand equal rights with minority prisoners; appeal to the highest administrative level, and if necessary, file civil rights complaints in the nearest federal court. As Miles puts it: "We do not want to enter Courts of ZOG any more than we have to but in the matter of White Rights we will do so where we have to."

An August, 1985 "Update" issued by the "Research Program" echoed Miles' sentiments and took them one step further:

"Once our Folk become POWs, they have no weapons, no rallies, no fund-raising publications or powerful ACLU-type organizations with which to fight. Their only weapon is the law. . . but we must fight with whatever we have, and hope that the persistant [sic] nipping at the heels will sooner or later bring one of them to their knees, AND THEN WE CAN GO FOR THE THROAT." (emphasis added)

The newsletter expresses its gratitude "to the dedicated Aryans who have worked with the NLRP for WP over these past 15 months, and have given us the weapon." It credits "our Racial Organizations" for promoting the program, thus allowing it to recruit two staff attorneys. The organization claims to be compiling evidence and affidavits in preparation for a class action lawsuit on behalf of the First Amendment rights of federal "POWs."

In a letter "to all racial kindred" dated November 15, 1985, the National Legal Research Program for White Prisoners announced that it was restricting its activities to servicing only members of The Order, whom it termed "the most active POWs."

The Aryan Nations 'Ministry'

The Aryan Nations, headquartered in Hayden Lake, Idaho, militantly promotes anti-Semitism, white supremacy and the establishment of a white racist state. It sponsors conferences for leaders of hate groups around the country, annual events that have offered courses on urban terrorism and guerrilla warfare. The organization, whose "theological" arm is known as the Church of Jesus Christ Christian, has been engaged in prison work since 1979.

The Aryan Nations leader, "Pastor" Richard Butler, is a 68-year-old former Lockheed engineer whose fiery preachings and writings regularly extol the virtues of Adolf Hitler and Nazi Germany. Butler is a disciple of the late Wesley Swift, founder of the Church of Jesus Christ Chris-

tian, and like his mentor adheres to the pseudo-theological doctrine of "Identity."

The Aryan Nations corresponds on an ongoing basis with prison inmates to whom it regularly mails its periodical "Calling Our Nation" and other hate material. The periodical frequently prints letters from prisoners and the addresses of inmates "who would very much appreciate correspondence from their White brothers and sisters."

Janet Hounsell, the Aryan Nations' secretary, has been responsible for administering the organization's Prison Ministry. Hounsell, in her late sixties, told a reporter in 1983 that she was corresponding with hundreds of inmates, spreading the gospel of her "church." She also has done fundraising for the organization. In 1985, Hounsell was reported to be in semi-retirement, and during that same year Richard Butler testified at a trial resulting from a suit brought by prison inmates in Missouri that much of his prison ministry work had been taken over by Robert Miles' Mountain Church.

In a letter to inmates dated March 30, 1983, Louis Beam, the former Texas Grand Dragon of the Knights of the Ku Klux Klan and, at the time, assistant to Butler, asserted that

"The ever increasing Prison Ministry of the Church of Jesus Christ Christian has begun to be felt throughout the state prison systems as a major force. . .

"Not hundreds but thousands of prisoners are being led to the irrefutable truth of (God's) Word. From cell to cell, tier to tier, block to block and prison to prison, the Word is spreading. Kinsmen long denied the truth are now joining together in common cause."

Beam's letter went on to note that the prison ministry was finding its resources "dangerously" low as a result of "the tremendous increase in the number of prisoners that the church sponsors." Included in the mailing was an envelope and donation form to be sent by the prisoner to a prospective sponsor who was being asked to donate \$15 per year for each inmate. Enclosed also was a sample of Aryan Nations literature and a response form to maintain one's name on the Prison Ministry list. Beam went "underground" later that year and is widely thought to have been involved with The Order, a number of whose members were also active members of the Aryan Nations.

In 1984, the Religious Advisory Council of the Idaho Department of Corrections considered the question of whether the Church of Jesus Christ Christian should be granted entrance to the state's prisons and access to its inmates. The Council took the position that any group promoting religious concepts and not preaching violence, hatred, illegal acts or the overthrow of the United States Government should be afforded that opportunity. After considering various pieces of literature distributed by the "church," the Council recommended that it be denied access to the state's prisons because of its "open advocacy of violence, mayhem and murder." In the Council's view, Butler's "teachings" rationalizing violence against those not of the "Aryan race" pose potential danger if allowed to reach prison inmates. As the Council argued:

"Mr. Butler would have us believe that Aryans have the right *and* the obligation to kill anyone who is not white, whether or not they have robbed anyone and whether or not they present a danger to the 'preservation' of anyone. In short, Mr. Butler is calling for all peoples of the white race to rise up and kill all non-whites!

"No great amount of imagination is required to see why the Department of Corrections cannot permit this kind of radical, potentially explosive dogma, a vehicle from which this cancer of hatred can spread through its correctional institutions."

The Aryan Brotherhood

In 1984, an inmate at the Missouri Training Center for Men in Moberly, on behalf of himself and other prisoners, challenged the institution's policy, adopted earlier that year, to withhold inflammatory literature sent by the Aryan Nations and other groups. It was argued by corrections officials at the 1985 trial (*Murphy v. Missouri Department of Corrections*) that the literature would be used as a recruiting tool by an illegal prison gang known as the Aryan Brotherhood.

At the Missouri trial, corrections officials testified to a connection between the extremist group on the outside (Aryan Nations) and the prison gang on the inside (Aryan Brotherhood). Terry Morris, Superintendent of the Missouri Training Center for Men, testified that some of the witnesses for the prisoners seeking to allow Aryan Nations literature into the Missouri prisons "are active members in the Aryan Brotherhood." Morris testified that he changed the mail policy because of two murders in 1984 which were racial in nature and were committed by members of the Aryan Brotherhood.

Morris added that Aryan Nations literature was used by Aryan Brotherhood members to promote the gang and to recruit members. One witness involved with the Aryan Brotherhood serving a life sentence testified that when the gang was formed, "we were going to try and get the Aryan Nations Church in there so we could have legal meetings." Without a church relationship, the gang could not meet legally, and there was never any intent to use the church for religious purposes.

When questioned about the recruitment policies of the Aryan Nations at the Moberly prison, Raymond Newberry, an investigator for the Missouri Department of Corrections, answered that several inmates had come forward to tell his staff that they had been pressured to join. He added that they did not want to sign their statements or have their names revealed "due to the fact that they were afraid of reprisals from these people."

According to Superintendent Morris, he met with his staff to consider whether or not to allow materials which they felt were related to gang activities.

"We specifically discussed the Aryan Nations Church of Jesus Christ Christian literature that was brought to me for discussion because it had been let in previously. We talked about the white supremacy statements, the action verbs that filled the literature of fighting and taking action. We felt like it would be interpreted by inmates as license to pick up and bear arms against other inmates. We felt like it would be posted on bulletin boards and waved in front of potential members' noses as license to join this organization, to give the organization legitimacy, to show that it wasn't just a Moberly gang that was being talked about, but it had a community base and following and possible financial support and the possibility of really being more of a legitimate organization and that could be a cover for their gang activities."

Another state witnessing an Aryan Nations/Aryan Brotherhood connection is Arizona, and there is substantial evidence that the link there has been strong. According to the 1982 sworn testimony of Jonas Bowen, an informant at the state prison in Florence who served as the Aryan Brotherhood's "Minister of Finance" (treasurer) in late 1979 and early 1980, the gang had more money gained from various illegal operations than it could handle, and turned to the Aryan Nations for help. The leader of the Brotherhood received a visit from Janet Hounsell and the two agreed that money would be transferred to the Aryan Nations and then some of it sent back to members of the Brotherhood. Eventually, the Aryan Nations became a repository for Brotherhood funds and made payments not only "for lock-up Brothers," but also for attorney fees "and other larger sums the Brothers designated."

During the 1981 calendar year, a total of over \$8,000, much of it raised from extortion payments and the proceeds of illegal drug sales, went to the Aryan Nations directly from inmate trust accounts. Of this total, \$3,225 was sent back to members. According to Bowen, "money also went directly to the church from outside sources." Although the payments from trust accounts declined in early 1982, money from the Aryan Nations was still being sent to Arizona prisoners at the time of Bowen's deposition in April, 1982. Bowen was convinced that Janet Hounsell knew that the money being sent back was being used to purchase drugs and weapons. According to Bowen, the cash difference between the total the Aryan Nations collected from the Aryan Brotherhood and the lesser amount it sent back to individual prisoners enabled the former to finance its prison program.

Despite all this, Richard Butler testified under oath in 1985 that his Aryan Nations never had a connection with the Aryan Brotherhood. In Butler's words, "I really don't know anything about them. I've heard of the term, but I really don't know what it is or what it consists of."

The Case of Gary Yarbrough

Gary Yarbrough, now serving a 60-year sentence for his involvement in crimes committed by The Order, of which he was a leading member, provides a "case study" of where prison recruitment by extremist groups can lead.

Yarbrough was recruited into the hate movement during an earlier period of incarceration. In 1978, while serving time in the Arizona State Prison in Florence on a theft conviction, Yarbrough, then 22, wrote a letter to *The Klansman*, the publication of the Invisible Order, Knights of the KKK. He wrote:

"I am pretty sure I received some literature from you, but the warden here wouldn't let me have it.

"However, the reason I am writing to you is that I was hoping that you could find some right-wing people to correspond with me, or some Klansmen. I don't get much mail and it sure would help pass the time and I could keep up with the news on the work of our great race. I would like also to know a little more about the Klan. I'll leave my address at the closing of this and hope that you can find me a pen pal."

The Invisible Empire's Imperial Wizard and editor of *The Klansman*, Bill Wilkinson, urged his readers to write the warden of the Arizona State Prison "and demand [he] let our literature go through."

In 1978 Yarbrough was reprimanded for having "White Power" literature in his cell. During his three years in prison, Yarbrough was also reprimanded for threatening or assaulting other inmates and guards, and for possessing a variety of homemade knives. According to an Associated Press account in 1984, Yarbrough had been associated while in prison with the Aryan Brotherhood.

After his conviction in the racketeering trial in Seattle of members of The Order, Yarbrough told a reporter that he first learned of the Aryan Nations from an advertisement in a magazine he had read in prison. He said that after six months studying Aryan Nations literature he was able to prove their ideas were "correct." He claimed that while praying in an isolation cell he asked for a sign from God to show him what to do, and that immediately he was handed a letter from Janet Hounsell asking him to join the organization when he left prison.

Following his release in 1979, Yarbrough went to Idaho, where he settled in at the Aryan Nations compound. At first he used the training he had received on the prison printing press to

set up the Aryan Nations print shop. Later, he became responsible for handling "security" arrangements for the group's leaders, both at their public appearances and at the compound.

In October, 1984, while federal agents were searching for his fugitive brother Steve near Gary Yarbrough's home in Sandpoint, Idaho, Gary opened fire on them and escaped into the woods. Found in his cabin were an arsenal of explosives and machine guns, one of which was the murder weapon used to kill Denver radio talk-show host Alan Berg. Yarbrough was captured a month later while hiding out in Portland, Oregon with Order founder Robert Mathews. Recovered from their room were two automatic weapons, a grenade, \$30,000 in cash and a hand-written document declaring The Order's intention of waging "war" against "ZOG" (Zionist Occupation Government) and warning of "daily firefights" with law enforcement officials. Yarbrough was convicted of assaulting federal agents and was given a 20-year sentence.

Following his subsequent racketeering conviction in December, 1985 for his part in The Order's armed robberies and counterfeiting operations, Yarbrough made a defiant statement to the court in which he vowed that the work of The Order would continue, and "the blood will flow."

Other Organizations

Other far-right organizations that have engaged in outreach to prisoners through their publications include the Ku Klux Klan, the Euro-American Alliance, several neo-Nazi and "Identity" groups, and George Dietz's Liberty Bell, a neo-Nazi periodical not associated with a membership organization.

These groups publish letters from inmates and encourage readers to correspond with other prisoners, often referred to as "comrades" and "heroes of their race." Some of the hate groups provide prisoners with free subscriptions to their publications.

Among the neo-Nazi publications which have shown a particular interest in the prison population are:

— *Michigan Briefing*, publication of the Detroit-based SS Action Group, which announced in its July, 1984 issue: "We of the SS are 'at war' with the Jew-controlled system. Our White brothers and sisters who are prisoners in this war and are currently incarcerated in our nation's prisons will receive the *Michigan Briefing* at no charge, courtesy of our prison program. However, all donations are appreciated, as we are a non-profit organization."

— *The Talon*, publication of the Euro-American Alliance in Milwaukee, which noted in its July, 1983 issue: "We wish to thank all those who read *The Talon* for corresponding with [neo-Nazi prisoner] Red Warthan . . . and for contributing to the Greensboro Eight Defense Fund. One of the main purposes of the Euro-American Alliance is to promote the overall health and well-being of those who are persecuted by the ZOG. That is why we send our publications to the Aryan prisoners who request them."

— *Defiance*, publication of the National Socialist Liberation Front (NSLF), a small but noisy neo-Nazi group led by Karl Hand, which in January, 1984 ran a "Political Prisoner's Page" listing as "POWs" a number of hate group activists incarcerated at that time. On its application form, the NSLF lists as an option a \$15 membership in a "prison reform group." Recently, the NSLF has begun publishing *Sinn Fein* ("ourselves alone"), described as "the only national publication written by and for imprisoned Aryan Partisans." *Sinn Fein* is edited by Mary Sue Hand, wife of Karl Hand, who calls herself the "First Lady of the Sword."

— *Liberty Bell*, George Dietz's hate publication, which has letters in almost every monthly issue from prisoners across the country. Some are well-known extremists such as J.B.

Stoner—longtime leader of the racist National States Rights Party who is in prison following conviction for the 1958 bombing of a black church—and others are prisoners anxious to hear from people who share their convictions on race.

In addition to engaging in similar correspondence, there is evidence that the Ku Klux Klan has organized groups of prisoners in several states. The 1985 Department of Justice report, "Prison Gangs: Their Extent, Nature and Impact on Prisons," indicated that there were Ku Klux Klan groups in prisons in Arkansas, Georgia and Texas. The report cited a Ku Klux Klan organization of about 150 members in Arkansas prisons, some of whom were Klan members before being sent to prison. The report further described the prison Klans as disorganized and unsophisticated and stated they take their direction from "KKK literature and from outside prison information."

Reliable sources in Georgia indicate the Ku Klux Klans in the prisons there are known as the Georgia White Knights, also referred to as the Georgia Realm. The organization has officers, and is reported to be neo-Nazi in character. It is not known how many Klansmen and sympathizers are in the Georgia prisons.

In Pennsylvania, Department of Corrections officials indicate that literature comes in from numerous hate groups on an irregular basis. There have been a few individuals associated with the Aryan Nations and Ku Klux Klan at Lewisburg, a federal penitentiary. There are about 20 Nazis at Holmsberg, a Philadelphia correctional facility.

The North Carolina prison system has withheld *The White Man's Bible*, the publication of the Church of the Creator, an Identity group headed by veteran extremist Ben Klassen. This measure was taken on the grounds that the publication's content might incite racial turmoil, and a federal court ruling has upheld prison authorities.

Ralph Forbes' Sword of Christ Ministries, another Identity group, has attempted to attract and organize prisoners into "religious" units in Arkansas. A denial of permission for Forbes, a longtime neo-Nazi activist, to enter the prisons for the purpose of conducting "religious" services has resulted in litigation still in progress. (See Appendix)

II. Left-Wing Activity

A variety of left-wing groups are attempting to exert ideological influence upon and to recruit prisoners. These groups range from Marxist political parties to interrelated pro-terrorist organizations that function partly as support networks for their own members and supporters who are incarcerated.

All of these groups share the view that anyone who is imprisoned is by definition "innocent"—i.e., a victim of what they perceive as the "oppressor" government of the United States. They regard those who oppose the "system"—by arms, by any means necessary—as liberators and "anti-fascists."

In their terms, jailed members of the combat units of the Black Liberation Army, the Puerto Rican FALN, and other groups which see themselves as "national armies" fighting against the U.S. are "prisoners of war." Whites jailed for support activities, grand jury resistance or terrorism are "political prisoners." A third category, "political victims," are non-political criminals.

Some of the organizations and publications involved are surveyed here.

New Afrikan People's Organization

The New Afrikan People's Organization (NAPO), an organization of black revolutionary separatists, grew out of support activities for the Republic of New Afrika (RNA) and the Black Liberation Army (BLA) terrorists who were apprehended in connection with the October, 1981 Brinks robbery and murders. NAPO works with a variety of other groups such as the John Brown Anti-Klan Committee. Its statement of principles maintains that "NAPO is fully committed to the building of a sovereign socialist Black nation—the Republic of New Afrika . . . and seeks to free the land by any means necessary."

NAPO recently published a leaflet in behalf of Mutulu Shakur, the 36-year-old acupuncture "doctor" who was a leader of the Brinks robbery. Shakur was a founder of the Republic of New Afrika, and the "Black Acupuncture Advisory Association of North America" (BAAANA). He was arrested in February, 1986 in Los Angeles.

The Principles of Action of NAPO include the following points:

"We call for support of our captured Freedom Fighters. We must struggle for their recognition as Prisoners of War and fight for their release.

"We believe that all New Afrikan men and women engaged in armed struggle against the American Empire and for the establishment of our nation are our Freedom Fighters and must be supported. We believe any captured combatant of our Nation is entitled to Prisoner of War status under International Law."

A recent issue of *By Any Means Necessary*, the NAPO publication, contained a statement to the United Nations by Jose Luis Rodriguez of the Puerto Rican terrorism group FALN. Introducing the speech, the publication indicated that NAPO had participated in a demonstration in East Harlem for the Puerto Rican "Prisoners of War and political prisoners."

In his speech, Rodriguez said, with reference to imprisoned FALN members, "Prisoners of War and Political Prisoners. . . have carried themselves with the highest level of revolutionary stoicism and dignity. They have continued the struggle for the independence of Puerto Rico within the prison as they did outside of it. Their only change was from one front of the battle to another."

NAPO Chairman Chokwe Lumumba, an attorney who represented defendants in the Nyack Brinks terrorist action, has spoken of the role of the "pro-revolutionary, patriotic New Afrikan (Black) attorney." What makes "our legal work important," he said, "is the necessity of exposing the true white supremacist and imperialist character of the American legal system. It is important to press this system at its vulnerable points, winning small and sometimes large victories, and thereby forcing the system to bare itself." He concluded "our ultimate victory will come not in verdicts or court decisions, but in the triumph of our national liberation struggle. It will come as We strip the American Empire naked of all appearances of legality and legitimacy, and expose it to the revolutionary wrath of the people."

Committee to Fight Repression

The Committee to Fight Repression (CFR) is a New York-based organization which promotes the views of a range of violent leftist organizations and publishes news of their members who have been indicted for criminal acts or are currently serving prison terms. Although CFR's published materials are unsigned, it is evident from their content that the organization is composed of white revolutionaries who identify with groups designated as "anti-imperialist armed clandestine

organizations." The four organizations cited as belonging to this category are the Revolutionary Fighting Group, the Armed Resistance Unit, the United Freedom Front and the Red Guerrilla Resistance. Solidarity is also expressed with "the armed forces of the Puerto Rican Independence Movement and the New Afrikan Independence Movement."

CFR recently published a pamphlet in behalf of Susan Rosenberg and Tim Blunk, terrorists who were arrested on November 29, 1984—780 pounds of explosives were found in their possession by the arresting federal agents. Some of these explosives were traced to a 1982 New Year's Eve bombing that maimed three police officers. Rosenberg was sentenced to 58 years in prison for the illegal possession of guns, explosives and thousands of false identifications. Blunk also received a 58-year sentence. Both are members of the May 19th Communist organization. Rosenberg and Blunk were quoted as writing from prison that they "look to the Puerto Rican nationalists and the Puerto Rican prisoners of War, the New Afrikan prisoners of war, Comrade Nelson Mandela, as our examples." They wrote they were struggling to "build clandestine political and military organizations and open up campaigns of armed propaganda against the U.S. military." Blunk added, "Our lives as communist combatants did not end upon coming to jail. . . . We go to the prisons committed to building the anti-imperialist front on the inside. . . ." and stated that there are "100 revolutionaries politically interned in prisons. . . ."

The Committee to Fight Repression's newsletter, *The Insurgent*, published in its fall, 1985 issue a list of "Prisoners of War and Political Prisoners" and an article on thirteen men arrested in Puerto Rico who are members of "Macheteros," a Puerto Rican terrorist organization. The thirteen are charged with conspiracy in the holdup of a Wells Fargo depot in West Hartford, Connecticut. Also included in *The Insurgent* was an article on prison "Maxi-Maxi units," which are meant to "isolate most militant political prisoners." Such units are allegedly being built at the Federal prison in Lexington, Kentucky, and the New York State prison at Walkill.

The article stated:

"Third world revolutionaries in prison have been a source of inspiration and ideological leadership for their movements; now, a number of white North American revolutionary combatants and activists have joined them in fighting for the rights of political prisoners. A campaign has been begun by the NAPO (New Afrikan Peoples Organization) and the Movimiento de Liberacion Nacional-Puertoriqueno to target the Bureau of Prisons and protest the jailing of POWs and political prisoners in special high security conditions. CFR fully supports and will participate in this campaign. It will include coordinated demonstrations targeting the Bureau of Prisons in Washington, D.C., Marion prison and the Lexington unit."

The spring, 1986 issue of *The Insurgent* contains an article about the "denial system" which it sees as an aspect of counterinsurgency strategy that denies prisoners access to contacts on the outside and therefore "the leadership and direction about how to fight, and against whom." The article states there are "over 200 political prisoners and prisoners of war in U.S. jails. They include prisoners from the New Afrikan (Black) Independence Movement, the Puerto Rican, Native American and Mexican Movements. . . . revolutionaries and activists jailed for refusing to collaborate with grand jury investigations of their movements. . . . sanctuary workers. . . . anti-nuclear Plowshares activists and draft resisters. . . . white anti-imperialists who have been jailed for building a clandestine movement. . . ."

Another article dealt with imprisoned European terrorists, particularly those belonging to the West German Baader-Meinhof gang (Red Army Faction). Describing their prison conditions as exceedingly harsh, *The Insurgent* wrote, "Despite this level of torture, the revolutionary commitment of the RAF prisoners continues to blaze. . . . Their daily resistance is an inspiration

and a call to action for the entire resistance movement." The article concluded, "The Northamerican anti-imperialist movement has a great deal to learn from the German struggle . . . and from the unbreakable spirit of the prisoners."

Other articles dealt favorably with the Irish Republican Army and the Basque terrorist movement in Spain (ETA).

Black Guerrilla Family

The U.S. Department of Justice report, "Prison Gangs, Their Extent, Nature and Impact on Prisons," cites the following passage from an unpublished 1984 California Department of Corrections report entitled "California Prison Gangs":

"The Black Guerilla [sic] Family is involved in a major effort to strengthen its organization within California prisons and affiliate itself with non-prison based revolutionary organizations. They promote and support terrorist and other aligned criminal groups which in turn support them by focusing on the issues of the black 'political' prisoners and encourage violence. In 1975 a special agent with the California Department of Corrections testified before a California Senate Subcommittee's Executive Session that a Black Guerilla [sic] Family leader intended to establish the prison gang as 'one of the most effective and deadly revolutionary forces in society.'

"The Black Guerilla [sic] Family has many members who previously belonged to the Black Liberation Army, a black revolutionary group responsible for killing a number of police officers in San Francisco and New York in the 1970's. A former leader of the Black Guerilla [sic] Family had strong ties to the Symbionese Liberation Army terrorist group and was a member of the Symbionese Liberation Army Central Committee while in prison. Another Black Guerilla [sic] family member met earlier this year in New York with members of the Black Liberation Army and the Weather Underground Organization terrorist groups. Associates of the Weather Underground Organization, along with members of the Black Liberation Army, were responsible for the October 1981 attempted robbery of a Brinks armored truck in New York in which two police officers and one Brinks guard were killed.

"In 1982 a 50-page document which describes ambushes, armored car robberies, kidnappings and snipings, was confiscated from a California imprisoned Black Guerilla [sic] Family gang member. The document appears to be a national operations manual for the Black Liberation Army."

African People's Socialist Party

The African People's Socialist Party (APSP) is actively involved in attempting to recruit black prisoners to its cause. Based in Oakland, California, the APSP is a far-left, pro-Soviet black nationalist organization. Its leader is Joseph Waller, a.k.a. Omali Yeshitela. In June, 1984 the APSP newspaper, *Burning Spear*, published "The Working Platform of the African People's Socialist Party." Section 6 of the platform states: "We want the immediate and unconditional release of all black people who are presently locked down in U.S. prisons. We believe that all the African men and

women who are locked down in the U.S. concentration camps commonly known as prisons are there due to decisions, laws, and circumstances which were created by aliens and foreigners for their own benefit and as a means of genocidal colonialist control.”

Section 7 of the APSP platform states:

“WE WANT COMPLETE AMNESTY FOR ALL AFRICAN POLITICAL PRISONERS AND PRISONERS OF WAR FROM U.S. PRISONS OR THEIR IMMEDIATE RELEASE TO ANY FRIENDLY COUNTRY WHICH WILL ACCEPT THEM AND GIVE THEM POLITICAL ASYLUM. We believe that U.S. prisons are also used as the illegitimate tool for torturing, murdering and holding captive those courageous daughters and sons of Africa who through their patriotic deeds or spoken or written words in support of the cause of our liberation have become political prisoners and prisoners of war.”

The July, 1985 issue of *Burning Spear* contains a statement of support for the APSP from Achebe H. Lateef on behalf of the Indiana Black Prisoner's Organization-News Service. Lateef writes: “We are a product of politicization primarily from the prison movement, the ‘revolutionary prison movement’ having reached the level of political maturity from the ever burning flames of THE SPEAR. Since prison offers us one front of struggle, the streets another more demanding one; our persons as ‘soldiers of the people’ have yet to be consolidated on the outside front. But lessons learned from the ‘prison movement’ allow us to attempt to exert our revolutionary understanding beyond prison walls.”

Burning Spear's lead article of January, 1986 announces the grand opening of the “Joseph Waller Uhuru House” in St. Petersburg, Florida, which will serve as the office for the St. Petersburg chapter of the APSP. The same issue pictures four men with rifles kidnapping the judge and district attorney in the Marin County, California courthouse in August 1970. The caption states: “Although this heroic attempt did not secure the release of captured comrades, it did pave the way for the liberation of Assata Shakur.”

Prison Repression Conference

A “prison repression conference” was held at City College in New York City on March 20, 1986. It was primarily a political rally for such groups as the Black Liberation Army, New Afrikan Peoples Organization (NAPO), and the Puerto Rican FALN. Speakers included Jose Lopez, a leader of the Movimiento de Liberacion Nacional-Puertoriqueno (MLN-PR), William Suarez, a Mexican-American leftist from “Occupied Mexico” (the American Southwest), and a spokesman for the Republic of New Afrika.

The meeting's moderator, Ahmed Obafemi of the New Afrikan Peoples Organization, announced that demonstrations would be held on April 19th simultaneously at various federal prisons to protest mistreatment of NAPO members and to demand an end to the “lockdown” system.

Jose Lopez of the MLN-PR said that prisons are centers of “genocide” and that the U.S. plans to turn its prisons into concentration camps. He also claimed that minorities in the U.S. were being moved out of the inner cities into dispersed pockets in the suburbs so that they could be more easily controlled, like the South African blacks in the townships. Lopez called for a prisoners' organization to build a movement extending “outside” to the “international community.”

On April 19, 1986, coordinated demonstrations against “prison repression” were held outside various prisons across the country. A leaflet published by the National Committee to Defend New

Afrikan Freedom Fighters and the National Committee to Free Puerto Rican Prisoners of War announced the April 19th demonstrations for federal prisons at Lexington, Kentucky, and Marion, Illinois; state prisons in California (San Quentin) and Puerto Rico (Rio Piedras); city facilities in Manhattan and Brooklyn and in Tucson, Arizona. The leaflet asserted that prisons are internment camps "for the most politically conscious elements of the society" and that "The imprisonment of huge numbers of New Afrikans, Puerto Ricans, Mexicanos and Native Americans has been just another form of genocidal warfare by the U.S. government."

On the day of the demonstrations, placards and banners waved outside the two New York corrections facilities read: "Arm the Masses: Defeat Government Terrorism"; "Stop Killer Cops"; "Clandestine Action Is the Key: Puerto Rico Will Be Free"; and—irrelevantly but significantly—"Defeat Zionism and U.S. Imperialism" and "Victory to the P.L.O."

The rally at the fence outside the federal prison at Lexington drew 300 demonstrators protesting the addition of a high-security unit for women prisoners; they claimed that the unit would be used for "political prisoners." One of the leaders of the demonstration was Chokwe Lumumba, chairman of the New Afrikan People's Organization.

El-Rukn

El-Rukn is one of the biggest and most violent black organized-crime syndicates in the country, and is involved in drug trafficking and murder. El-Rukn controls 4,000 South Side Chicago gang members. In an editorial the *Chicago Tribune* (November 22, 1985) stated that El-Rukn "has terrorized Chicago and neighborhoods for more than a generation."

Louis Farrakhan has established close working relations with the El-Rukn organization. Predicting that urban street gangs will play "a very important role" in a future race war in the United States, Farrakhan has said that they "were born to settle the 'score'" and are "born warriors for true liberation who are waiting for the voice of the messiah."

Members of the El-Rukn gang have been featured at Farrakhan's Nation of Islam rallies. Two of their leaders, Abd-El Wadud and D.M. Hasmadeen-El, were speakers at Farrakhan's annual Saviour's Day celebration in Chicago in February, 1985. Two hundred El-Rukn members sat in a special section reserved for dignitaries during the program, which featured a live address via satellite by Libyan leader Moammar Qaddafi, who urged black U.S. servicemen to desert the military and create a separate army because the United States "must be destroyed."

The El-Rukn gang was formerly known as the Black P. Stone Nation, and before that the Blackstone Rangers. It was founded by Jeff Fort in 1968 while he was incarcerated for stealing \$1 million in federal community grant money to buy drugs. Fort is currently in a Texas prison on a drug trafficking charge and is thought to control El-Rukn's activities from his cell.

Police sources state that El-Rukn, under a holding company called El Pyramid Maintenance and Management Corporation, owns about \$2.5 million in real estate property on the South Side of Chicago.

In 1979 El-Rukn filed a lawsuit against the Illinois Department of Corrections, seeking recognition as a religious organization so that they could hold their own "worship services" in state prisons. Prison officials had denied requests for separate services, contending that El-Rukns were using religion as a front and that allowing special religious privileges would give the group new means to recruit inmates and intimidate other prisoners. A recent U.S. District Court decision upheld the prison authorities.

The National Alliance Against Racist and Political Repression

A Communist Party USA front group, the National Alliance Against Racist and Political Repression (NAARPR), concentrates some of its energies on "political prisoners" and prison conditions. Among the prisoners it champions are:

- *Leonard Peltier*, sentenced in 1977 to two consecutive life terms for the murders of two FBI agents in 1975 on the Pine Ridge Indian Reservation in South Dakota. Peltier has been the subject of a major Soviet propaganda effort.
- *Dennis Banks*, another Indian activist, convicted in 1975 on a charge of rioting and assault. He fled before sentencing and surrendered in 1984 at which time he was sentenced to a term of three years.
- *David Truong*, convicted in May, 1978 on espionage and conspiracy charges.

The chairman of the NAARPR, Frank Chapman, was convicted of first degree murder and armed robbery in 1961 and was sentenced to a term of life plus 50 years in prison. He was paroled in 1976. In 1982 Chapman received a commutation of his sentence.

The NAARPR stems from the National Committee to Free Angela Davis and All Political Prisoners. Davis had been charged with a prison-related murder and kidnapping by inmate George Jackson in 1971, but was found not guilty. The Communist Party built a major campaign around her case and transformed her defense committee into the National Alliance Against Racist and Political Oppression in 1973. Davis is presently a co-chairman of NAARPR. The NAARPR was conceived to offer "organized systematized resistance to counter-organized, systematized repression." Charlene Mitchell, a leader of both the NAARPR and the Communist Party, traveled to the Pine Ridge Indian Reservation to meet with Clyde Bellecourt of the American Indian Movement during the confrontation with the government that occurred there. Bellecourt subsequently became a vice-chairman of the National Alliance.

The NAARPR views America as an almost fully realized police state. Speaking at a NAARPR-sponsored meeting of 200 at Howard University in 1978, Angela Davis said "this country is in the process of becoming another South Africa." In a jointly written article NAARPR executive director Frank Chapman and Michael Myerson, executive director of the U.S. Peace Council, denounced various plans for fighting crime and charged that under the guise of doing so the government was "laying the basis for a potential police state."

The Revolutionary Communist Party

The Revolutionary Communist Party (RCP), based in Chicago, is a Marxist-Leninist group under the leadership of Robert Avakian. The RCP and its newspaper, *Revolutionary Worker*, make a conscious effort to recruit prisoners, maintaining a "Prisoners Revolutionary Literature Fund." The April 21, 1986 issue of the RCP paper, under the headline, "Shine the Light of Revolution Behind the Prison Walls," stated:

"The RCP receives many letters and requests for literature from prisoners in the hell-hole torture chambers from Attica to Quentin. There are thousands more brothers and sisters behind bars who have refused to be beaten down and corrupted in the dungeons of the capitalist class and who thirst for and need the RW and other revolutionary work."

Letters from prisoners are featured in every issue of the newspaper. The January 20, 1986 issue, for example, published letters from "A brother doing time" in Iowa and a prisoner in Eastham (Texas) prison. The Texas prisoner wrote:

"The Oppressor has dominated our peoples (Black) for well over 400 years, and it's time for all us nationalities who are being OPPRESSED to stand up to make these Capitalist Pigs reach our expectation and change their corrupted Governmental Policies . . ."

Appendix:

Recent Court Cases

Wiggins v. Sargent, 753 F.2d 663 (8th Cir. 1985).

In Arkansas, Johnny Clark Wiggins and several other state prison inmates brought suit under a federal civil rights law, 42 U.S.C. 1983, charging that they had been denied access to their religious leaders and literature and prohibited from congregating for religious services in violation of the First Amendment. The inmates are followers of the Church of Jesus Christ Christian and the Sword of Christ Good News Ministries. Both groups advocate racial purity, believing the white race is God's "chosen" people.

At a hearing before a U.S. Magistrate, Wiggins and the other inmates appeared *pro se*, without the assistance of legal counsel. The U.S. District Court for the Eastern District of Arkansas adopted the recommendations of the Magistrate, ruling against the inmates.

The district court in *Wiggins* directly addressed the inmate's religious beliefs. The court stated that in order to merit First Amendment protection, their beliefs must be sincerely held and religious in nature. The district court found that the inmates sincerely believed in the philosophy of the Aryan Nations, but that these beliefs were "more a rejection of the traditional secular viewpoint of western civilization than a deeply rooted religious belief." Specifically, the court found the notion of white supremacy secular and stated that "it does not warrant the protection of the free exercise clause of the First Amendment."

On appeal, the district court was reversed. The Eighth Circuit Court of Appeals found that the lower court had correctly stated the standard for evaluating the inmate's free exercise claims, but had erred in concluding the beliefs were not religious. While such philosophies as white supremacy are usually political in nature, in this case, the Eighth Circuit found they are also religious, based on literal interpretation of the Bible. Ideas and beliefs which are both religious and secular are entitled to First Amendment protection.

The Eighth Circuit also found that the district court had erred in rejecting the inmate's free speech claim for access to religious literature. While the prison officials had claimed that censorship of the materials was justified by their need to prevent violence within the institution, the lower court made no findings as to whether release of the material would create a clear and present danger to prison security or as to the prison's standard for censoring the material. The appellate court noted, "[c]learly a total ban on all literature concerning the churches would be overbroad."

Finally, the Eighth Circuit reproved the district court for denying the inmate's request for appointed legal assistance. While all plaintiffs in 1983 cases are not entitled to court-appointed lawyers, Wiggins and the other inmates were clearly indigent, and their presentation suffered without the assistance of competent counsel. The appellate court also found that the inmates should have been granted an opportunity to invoke the discovery process in order to effectively challenge the prison's procedural guidelines for censoring literature.

On remand to the district court, a two-day trial was conducted, when Wiggins and the other inmates were represented by court-appointed legal counsel.

Murphy v. Missouri Department of Corrections, No. N84-38-C (E.D. Mo. Dec. 19, 1985), appeal filed, no. 86-1155-EM (8th Cir.).

In 1984, several members and followers of the Aryan Nations filed suit in federal court charging that Missouri state prison officials had infringed their First Amendment rights of free speech and free exercise of religion. The inmates are members and adherents of the Church of Jesus Christ Christian and the Mountain Church of Jesus Christ the Savior, who were denied access to literature from these and similar groups which advocated racial violence and white supremacy, and called for action against non-Aryans.

At the trial, the State asserted that its censorship policy was prompted by information the prison superintendent received about the Aryan Brotherhood (a prison gang), reports of inmates' fear of this group, and two prison murders, both racial in nature, which involved members of the Aryan Brotherhood. Prison officials asserted that the literature ban was based on security needs and was necessary to preserve order and safety in the institution.

The federal court heard testimony from Richard Butler of the Church of Jesus Christ Christian and Robert Miles of the Mountain Church of Jesus Christ the Savior regarding the various doctrines of the two sects. Peter Lake, a journalist who lived undercover as a member of Butler's Hayden Lake compound, also testified.

The U.S. District Court for the Eastern District of Missouri ruled against the inmates on the free speech claim, holding that the prison's literature ban was justified by a substantial government interest: safeguarding prison security. Judge Robert D. Kingsland held that much of the literature, "when read in context, if released within the institution, would create a clear and present danger to security. . . ." The court found, however, that the ban was too broad, holding that the prison could only censor "material which is found to advocate violence or which would tend to inflame the prisoners to violence due to racist and derogatory content."

The court avoided a ruling on the inmates' religious freedom because they failed to formally request recognition of their group by prison officials, a prerequisite to enjoying the same privileges of other religious groups within the institution.

The Murphy case is now on appeal to the Eighth Circuit Court of Appeals.

McCabe v. Arave, 626 F.Supp. 1199 (D. Idaho 1986)

In January, 1986, the U.S. District Court in Idaho dismissed a complaint filed by Melvin McCabe and Mark Madsen, members of the Church of Jesus Christ Christian (CJCC), incarcerated in a state prison in Boise, Idaho. The inmates alleged that prison officials violated their free exercise rights by denying them permission to conduct worship services, hold religious study classes, distribute church literature, meet with church officials on an individual and group basis, hold banquets on religious holidays, grow beards, observe special dietary restrictions, and receive and retain church books and pamphlets.

After hearing trial testimony on the church, its structure and beliefs, the district court made a factual finding that the Church of Jesus Christ Christian and Aryan Nations, both founded by Richard Butler and operated out of Butler's Hayden Lake compound in Idaho, are "alter-egos," and "two halves of one theo-political organization." For the purpose of analyzing the inmates' claims, the court assumed that their beliefs were sincerely held and religious in nature. Nevertheless, the court found that the inmates' free exercise rights are subject to appropriate restrictions by the prison which are reasonable and necessary to preserve order and security.

Evaluating each of the inmates' claims, the court upheld first the prison's denial of church worship services. While medium custody inmates are allowed to hold specific denominational services and study classes in the prison chapel facility, close custody inmates are only permitted to attend interdenominational services and classes in the close custody housing unit. Both McCabe and Madsen are held in close custody and are not treated differently from other close custody inmates. They presented no evidence that prison rules governing close custody inmates are unreasonable or discriminatory, thus the prison was justified in denying them access to the prison chapel.

The court found, further, that the prison could also prohibit members of the Church of Jesus Christ Christian from holding group study meetings because of the potential for escalating racial tensions within the prison: "the [prison officials] have a legitimate penological interest in seeing that groups such as the CJCC/Aryan Nations are not allowed to congregate in the [prison]."

Trial testimony indicated that McCabe and Madsen have been allowed individual visits from CJCC ministers. No evidence was presented of discrimination against them in these visitation privileges.

Examining the plaintiff's claim regarding church literature, the court held that McCabe and Madsen had failed to prove that any material was restricted. The evidence showed that they and other inmates have received CJCC literature and have shared it with other inmates. Prison rules restrict each inmate to six cubic feet of space for personal property and to ten books or magazines, in order to allow for easy and rapid cell searches. Neither McCabe nor Madsen have requested an exception to these rules, which the court found reasonable.

The court also upheld prison rules which specify the procedures inmates must follow for permission to grow beards and follow special dietary restrictions. Both plaintiffs have complied with these procedures and have been treated no differently from other religious groups. The prison does not allow banquets for any religious denominations, and the plaintiffs failed to present any evidence on this issue.

District Judge Marion J. Callister concluded that the inmates' claims were "completely without merit." McCabe and Madsen have filed a notice of appeal to the Ninth Circuit Court of Appeals.

Roybal v. Styles, No. A-C-83-271 (W.D.N.C. July 12, 1984).

Gerald Milton Roybal, a North Carolina state prison inmate, was a member of the Church of the Creator, a white supremacist denomination located in Troy, North Carolina. Roybal initially listed his religious affiliation as Protestant, rather than "Creativity," when he entered prison because he feared retaliation by black inmates. Roybal brought suit against prison officials alleging that they violated his free exercise rights when he was denied access to a book he had ordered, "The White Man's Bible," by Ben Klassen, founder of the Church of the Creator.

At trial, Styles, the prison superintendent, testified that Roybal was informed that the book was being withheld because Styles "had determined that it contained matter likely to disrupt the unit population." The prison's Inmate Publications Committee affirmed Styles' decision on the grounds that distribution of "The White Man's Bible" would "constitute a threat to security and order as well as prison rehabilitation programs."

District Judge Woodrow W. Jones upheld the prison's action, finding specifically that the book's recommendation of racially derogatory epithets, approval of violence and proselytization of white supremacist beliefs "could reasonably be expected to create further racial discord" within the prison. The court's finding was strengthened by evidence that Roybal's racist beliefs had resulted in an altercation with a black inmate on at least one occasion.

The court declined to address the issue of whether Roybal's beliefs amounted to a religion or merely a social or political philosophy. "Assuming 'Creativity' to be a legitimate religion," the court concluded, paramount state interests of security and rehabilitation justified withholding "The White Man's Bible."

Elrukn Kareem Faheem El v. Illinois Department of Corrections, No. 79-C-2034 (C.D. Ill., May 30, 1986)

In 1979, Kareem Faheem El, an inmate in Illinois state prison, filed suit on behalf of himself and about 100 other Illinois prisoners against the State Department of Corrections and several individual prison officials charging that his free exercise rights were violated because he was denied the right to possess a religious medallion, literature, a copy of the Koran, and the opportunity to congregate with other members of his religion.

Faheem also alleged that prison officials violated his equal protection right under the Fourteenth Amendment by treating his religious practices differently from those of other inmates, and that he has been subject to racial discrimination.

Kareem Faheem El and the other plaintiffs stated that they were members of the Moorish Science Temple, El-Rukn tribe. The Moorish Science Temple disclaimed their affiliation, and the plaintiffs now describe themselves as Sunni Muslims. El-Rukn is a Chicago street gang previously known as the Blackstone Rangers and, later, the Black P. Stone Nation.

Prison officials argued that the El-Rukn Moorish Science Temple "is nothing more than a front organization" for the violent Black P. Stone Nation gang within the prison. While members have been allowed access to their Koran and religious literature where security is not at risk, permitting El-Rukn meetings and medallions "would greatly disserve the efforts of the administration to break the measure of control presently exercised by inmate gangs. . . ." The state prison defendants denied singling out El-Rukns for special treatment because of their alleged religious affiliation, stating that similar action is taken with regard to other known inmate gang members "to eliminate the possible subversive effect of their activity upon institutional discipline."

A trial was held in April, 1986 before Chief District Judge Harold A. Baker, of the U.S. District Court for the Central District of Illinois. On May 30, 1986, the Court ruled against the inmates holding that the prison authorities were "justified in restricting the association of the El-Rukns and in refusing to permit them to identify themselves in the prison setting as El-Rukns."

Jensen v. Lane, No. 83-3200 (S.D. Ill.)

John M. Jensen and Robert K. Carmack, ministers of the Church of Jesus Christ Christian (CJCC) incarcerated in Illinois state prison, brought suit in federal court charging that prison officials violated their First Amendment rights by declaring that the CJCC is not a religion and by denying them permission to practice their religion. Jensen and Carmack, on behalf of other CJCC adherents, requested permission to meet for religious services and Bible classes. They are charging that they are being treated differently from other inmate religious groups in violation of the Fourteenth Amendment's equal protection clause. The prison officials argue that because of the CJCC's segregationist doctrine, allowing them to practice as a religion is likely to cause "extreme racial tension" and threaten prison security.

The case is pending before Chief Judge James L. Foreman of the U.S. District Court for the Southern District of Illinois, and is now in discovery.

ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

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GREATER CHICAGO/WISCONSIN REGIONAL OFFICE

222 West Adams Street, Chicago, IL 60606 (312) 782-5080

JEWISH COMMUNITY RELATIONS COUNCIL

ANTI-DEFAMATION LEAGUE OF MINNESOTA & THE DAKOTAS

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LONG ISLAND REGIONAL OFFICE

98 Cutter Mill Road, Great Neck, NY 11021 (516) 829-3820

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MOUNTAIN STATES REGIONAL OFFICE

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NEW YORK STATE REGIONAL OFFICE

65 South Broadway, Tarrytown, NY 10591 (914) 332-1166

NORTH CAROLINA/VIRGINIA REGIONAL OFFICE

1703 Parham Road, Suite 204, Richmond, VA 23229 (804) 288-0366

NORTHWEST TEXAS/OKLAHOMA REGIONAL OFFICE

12800 Hillcrest Rd., Suite 219, Dallas, TX 75230 (214) 960-0342

OHIO/KENTUCKY/INDIANA REGIONAL OFFICE

1175 College Avenue, Columbus, OH 43209 (614) 239-8414

ORANGE COUNTY REGIONAL OFFICE

2700 North Main St., Suite 500, Santa Ana, CA 92701 (714) 973-4733

PACIFIC NORTHWEST REGIONAL OFFICE

1809 7th Ave., Suite 1609, Seattle, WA 98101 (206) 624-5750

PACIFIC SOUTHWEST REGIONAL OFFICE

6505 Wilshire Boulevard, Suite 814, Los Angeles, CA 90048 (213) 655-8205

PALM BEACH COUNTY REGIONAL OFFICE

324 Datura Street, Suite 223, West Palm Beach, FL 33401 (305) 832-7144

PLAINS STATES REGIONAL OFFICE

333 So. 132 Street, Omaha, NB 68154 (402) 333-1303

SAN DIEGO REGIONAL OFFICE

7850 Mission Center Court, #207, San Diego, CA 92108 (619) 293-3770

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SOUTHEAST REGIONAL OFFICE

3384 Peachtree Road, NE, Suite 660, Atlanta, GA 30326 (404) 262-3470

SOUTHWEST REGIONAL OFFICE

4211 Southwest Freeway, Suite 101, Houston, TX 77027 (713) 627-3490

WESTERN PENNSYLVANIA/WEST VIRGINIA REGIONAL OFFICE

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CANADA

Cooperative Association with the League for Human Rights of Canadian B'nai B'rith

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