

National Church Arson Task Force

United States Department of the Treasury
United States Department of Justice
Bureau of Alcohol, Tobacco and Firearms
Federal Bureau of Investigation

Second Year Report for the President



October 1998



NATIONAL CHURCH ARSON TASK FORCE



P.O. Box 65798
Washington, D.C. 20530

The President
The White House
Washington, DC 20500

Dear Mr. President:

Two years ago, you declared the investigation and prevention of church arsons a national priority. You called upon all Americans to come together in a spirit of respect and reconciliation to prosecute those who burned our houses of worship, to rebuild these houses of worship, and to prevent additional arsons from occurring. This three-part strategy has produced one of the largest series of arson investigations in history. It continues to produce tremendous results.

We are pleased to report that the number of church arsons is down. We believe this decrease is due to a number of factors, including increased vigilance, well publicized arrests, and proactive prevention efforts. Notwithstanding these results, we must remain vigilant. Reports of fires continue. We will continue aggressively to investigate these fires and to prosecute the individuals responsible for these crimes.

Since June 1996, the National Church Arson Task Force ("NCATF" or "Task Force") has successfully coordinated the efforts of Federal, state and local law enforcement officials in the battle against church arsons. The Task Force has investigated arsons dating back to January 1995, in order fully to assess and address the problem. With the assistance of Congress, which provided additional resources and enacted the Church Arson Prevention Act of 1996, the NCATF brought together the Bureau of Alcohol Tobacco and Firearms (ATF), the Federal Bureau of Investigation (FBI), Civil Rights Division and other Department of Justice prosecutors, United States Attorney's offices, local prosecutors, victim/witness coordinators, Community Relations Service (CRS) conciliators and other Federal, state and local law enforcement officials. This partnership continues to achieve considerable success.

Today we are pleased to present the Second Year Report of the NCATF. To date:

- The NCATF has opened investigations into 670 arsons, bombings or attempted bombings that have occurred at houses of worship between January 1, 1995, and September 8, 1998.
- Federal, state and local law enforcement officials have arrested 308 suspects in connection with 230 of these 670 arsons, bombings or attempted bombings between January 1, 1995, and September 8, 1998.
- The 34 percent rate of arrest in NCATF arson cases is more than double the 16 percent rate nationwide.
- Federal, state and local prosecutors have successfully obtained convictions of 235 defendants in connection with 173 arsons or bombings of houses of worship occurring between January 1, 1995, and September 8, 1998. Other defendants are awaiting trial.

Under your leadership, the Administration initiated a comprehensive response to arsons at America's houses of worship. This effort includes the coordination of law enforcement investigations and prosecutions and helping victimized communities rebuild burned churches and prevent additional arsons. The primary mission of the Departments of Justice and Treasury has been to investigate and prosecute responsible individuals. The Department of Housing and Urban Development continues to work in partnership with the National Council of Churches, the Congress of National Black Churches and others to help the congregations of burned churches rebuild. The Justice Department's Community Relations

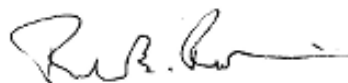
Service continues to help heal community tensions that have resulted in many of the communities where churches have burned. The Federal Emergency Management Agency has mounted an extensive prevention initiative.

The Task Force remains committed to expending the time, resources and effort necessary to solve these crimes by centralizing the responsibility for Federal prosecution in the Criminal Section of the Civil Rights Division, the existing structure within the Department of Justice that has jurisdiction over church arson and other Federal criminal civil rights cases. The United States Attorney's offices and state and local authorities will continue to conduct church arson investigations and bring prosecutions whenever appropriate, drawing upon the expertise and resources of the Task Force's partners. CRS's regional offices will assume responsibility for the work of the CRS Church Burning Response Team. Through these permanent mechanisms, the Federal Government will continue to investigate and prosecute the responsible individuals.

We wish to commend the Task Force co-chairs, Treasury Under Secretary James E. Johnson and Acting Assistant Attorney General Bill Lann Lee, for their continuing dedication to building on the progress we have achieved. The Task Force's success could not have been achieved without the demonstrated commitment of special agents from ATF and the FBI. Department of Justice and local prosecutors, state and local law enforcement officials, CRS conciliators, and countless other individuals have also contributed to this effort.

The attached report details the progress of the Task Force's efforts to date. We would be pleased to brief you in more detail.

Respectfully,



Robert E. Rubin
Secretary of the Treasury

Attachment



Janet Reno
Attorney General



NATIONAL CHURCH ARSON TASK FORCE



P.O. Box 65798
Washington, D.C. 20530

October 1998

SECOND YEAR REPORT FOR THE PRESIDENT

OVERVIEW

In early 1996, Federal officials detected a sharp rise in the number of reported attacks on our Nation's houses of worship, especially African American churches in the South. This trend troubled law enforcement agencies and stirred the Nation's conscience. In June 1996, President Clinton brought these deplorable acts to the forefront of our Nation's consciousness and formed the National Church Arson Task Force ("NCATF" or "Task Force"), making the investigation of these fires and the swift prosecution of the arsonists a top priority of Federal law enforcement. The President called on all Americans to come together in a spirit of respect and reconciliation to help victimized congregations rebuild and to heal tensions in affected communities.

The President directed his Administration to implement a three-pronged strategy: (1) identify and prosecute the arsonists; (2) help communities rebuild the burned houses of worship; and (3) offer assistance in preventing more fires. Federal officials have continued to achieve considerable success in carrying out the President's mission and strategy by working in partnership with state and local law enforcement and community and private groups.

We are pleased to report that the number of church arsons is down. We believe this decrease is due to a number of factors, including increased vigilance, well publicized arrests, and proactive prevention efforts. Notwithstanding these results, we must remain vigilant. There continue to be fires reported. We continue aggressively to investigate these fires and prosecute those arrested.

PROSECUTIONS

- 670 Incidents Investigated. The NCATF has opened investigations into 670 arsons, bombings or attempted bombings that have occurred at houses of worship between January 1, 1995 and September 8, 1998.
- 308 Arrested. Federal, state and local authorities have arrested 308 suspects in connection with 230 of the 670 incidents.
- 34% Arrest Rate. The 34% rate of arrest in NCATF arson cases is more than double the 16% rate of arson arrests nationwide.
- 235 Convicted. Between January 1, 1995 and September 8, 1998, Federal and state prosecutors successfully obtained convictions of 235 defendants in connection with 173 incidents. Most of the incidents involved arsons at houses of worship, but some involved the use of firearms, bombs or violent threats against houses of worship.

REBUILDING

- The Department of Housing and Urban Development (HUD) is working closely with the National Council of Churches, the Congress of National Black Churches, Habitat for Humanity and other organizations in the rebuilding effort. As a result of this cooperation, 45 houses of worship have been rebuilt and 67 are undergoing construction.
- HUD also continues to administer a \$10 million Federal Loan Guarantee Fund, which was established by Congress as part of the 1996 Church Arson Prevention Act to assist the rebuilding effort. A total of \$1,868,000 in loan guarantee commitments has been made as of May 26, 1998.
- The Community Relations Service (CRS), the Federal Government's peacemaker in conflicts arising from race, color or national origin, has worked with over 230 communities throughout the country to resolve racial tensions and disputes, to promote multiracial cooperation in rebuilding

and to prevent future incidents of church arsons.

PREVENTION

- The National Arson Prevention Initiative continues to create coalitions, leverage resources, and provide tools to help communities prevent arson. Since July 1996, the Department of Justice has awarded \$3 million in grants to counties in 13 states to intensify their enforcement and surveillance efforts regarding vulnerable houses of worship.
- Since Fiscal Year 1996, the Federal Emergency Management Agency (FEMA) has awarded more than \$1.5 million in grants to state and local governments to enhance the delivery of arson investigation and prevention training programs, to encourage the development of arson awareness campaigns, and to seed the formation of community- based coalitions for arson prevention. FEMA has partnered with over 300 organizations to prevent arson. It established the National Arson Prevention Clearinghouse to coordinate 1.5 million technical assistance requests and to provide public education materials for communities. Through its four-city pilot prevention program, FEMA continues to develop and strengthen coalitions of community and business leaders and representatives from the private and public sectors. FEMA also has provided arson prevention and detection training to thousands of fire and law enforcement personnel and community leaders.

LESSONS LEARNED

Several important factors underlie the success of the Task Force's coordinated investigation and prosecution effort:

- A clear statement of mission from President Clinton, Vice President Gore, Treasury Secretary Rubin, and Attorney General Reno on the importance of fighting arsons at houses of worship has guided the Task Force.
- Joint leadership, strong mission oversight and regular communication by the Departments of Justice and Treasury under the direct supervision of the Task Force co-chairs, Under Secretary of the Treasury James E. Johnson and Acting Assistant Attorney General Bill Lann Lee, have highlighted the need for accountability and set the tone for full cooperation among all participants in the effort.
- The development and use of protocols have enabled diverse governmental entities to work together successfully and to forge a unified and rapid response to arsons at houses of worship.
- Cross-training among all agencies of the Task Force has enabled all participants to better understand the expertise, capabilities, and resources offered by each member of the team. The Task Force particularly has benefitted from the combined expertise of the FBI in civil rights investigations and ATF in arson and bombing investigations.

THE FUTURE

- The Federal Government has reaffirmed its commitment to expending the time, resources and effort necessary to solve church arsons and prosecute those who are responsible by creating a more permanent institutional approach to the handling of these cases. This Fall, the Task Force lodged responsibility for Federal prosecution in the Criminal Section of the Civil Rights Division, the existing structure within the Justice Department that has jurisdiction over church arson and other Federal criminal civil rights cases.

- Key members of the Task Force Operations Team have joined the Criminal Section, which handles the investigation and prosecution of church arson cases. The United States Attorneys' offices and state and local authorities also continue to investigate and prosecute arsons at houses of worship. These investigations and prosecutions continue to be coordinated with and draw upon the expertise and resources of the Task Force's partners, including ATF and the FBI. ATF has created permanent staff positions for this effort, which complement the resources deployed by FBI civil rights squads. The new Hate Crimes Unit at the FBI continues to supervise its field church arson investigations. CRS's regional offices have assumed responsibility for the work of the CRS Church Burning Response Team. The Task Force continues to hold regular meetings with the co-chairs in order to coordinate the work of its constituent agencies. It is through these permanent mechanisms and institutions that church arsons continue to be investigated and prosecuted as a priority of the Federal Government.

I. PROSECUTING DEFENDANTS

A. Coordinating the Investigations

In June 1996, President Clinton established the NCATF to coordinate the efforts of Federal, state and local law enforcement in response to a sharp increase in reports of attacks on churches, particularly African American churches in the South. Shortly thereafter, Attorney General Janet Reno directed all 94 U.S. Attorneys either to establish local task forces focusing on arsons at houses of worship in their districts or to expand the scope of existing local task forces to include church arsons. These local task forces include state and local law enforcement and fire prevention officials, special agents of ATF and the FBI, mediators from the CRS, and victim/witness coordinators.

In addition to the local task forces, the NCATF established an Operations Team in Washington, D.C. staffed by special agents of ATF and the FBI, as well as seasoned prosecutors from the Justice Department's Civil Rights Division and U.S. Attorneys' offices around the country. The Operations Team forged an investigative and prosecutorial effort that effectively combats church arsons through an unprecedented coordinated and rapid response throughout the country. Since the formation of the Task Force, hundreds of ATF and FBI investigators have been deployed to work with Federal prosecutors and state and local task forces and law enforcement authorities.

B. Conducting the Investigations

For years, many arsons at houses of worship were handled by local authorities and were not reported to any Federal agency. As a result, local law enforcement often was not able to benefit from the expertise, capabilities and resources of the Federal Government in pursuing these incidents. But, over the past two years, the NCATF has transformed the nationwide law enforcement response to church arsons, in part through the creation of its Operations Team, which has consisted of Civil Rights Division prosecutors, Assistant United States Attorneys on detail from United States Attorneys' offices across the country, special agents of the FBI and ATF, paralegals, analysts and additional support staff.

Pursuant to directives of the Attorney General and NCATF protocols drafted specifically to facilitate the investigation and prosecution of church arson cases, the Operations Team has worked cooperatively with Federal, state, and local officials in the field to investigate every arson, bombing and attempted bombing

that is reported to have occurred since January 1, 1995 at a house of worship in the United States. The Operations Team prosecutors have served as co-counsel, when appropriate, with local United States Attorneys' offices in all Federal church arson prosecutions. The Operations Team has also monitored all church arson cases brought in state courts.

The protocols and guidelines for the joint investigation and prosecution of suspected arsons establish procedures for facilitating the exchange of information among Task Force agencies, for developing an investigative plan for each incident, and for ensuring that investigators pursue all leads and lines of inquiry, including whether the crime was motivated by race or religion and whether any one incident is connected to any other. These protocols will remain in force as the Task Force integrates its work into the existing structures of the Civil Rights Division, the United States Attorneys' offices, ATF and the FBI.

As described in our First Year Report, once an investigation is opened, the NCATF compiles statistical information about the case in a unified database. In addition, the databases and computer systems of ATF and the FBI are used to track and analyze evidence and to generate investigative leads. In pursuing these investigations, the FBI calls upon its experience in conducting civil rights investigations, and ATF relies on its expertise in conducting arson and explosives investigations. The NCATF also engages in training among its constituent agencies: ATF experts train FBI agents and Department of Justice prosecutors regarding arson investigations; Civil Rights Division prosecutors and FBI experts train ATF agents regarding civil rights investigations and prosecutions.

The work of the Operations Team has been central to the extraordinary success of the NCATF. As described more fully below, the Task Force has analyzed its two years of experience and has formulated "lessons learned" or "best practices" to guide its work. We will continue to rely on these lessons as we move forward in our efforts to investigate and prosecute those who are responsible for these reprehensible crimes.

C. Strengthening The Effort: Beyond New Laws and Additional Resources

Congress has supported the efforts of the Task Force throughout its existence. Particularly in the early days of the Task Force, Congress strengthened Federal laws as necessary and provided crucial resources for the Task Force's effort.

At the time of the formation of the Task Force, Federal prosecutors relied on several statutes to prosecute arson cases. Among others, they had authority under the Anti-Arson Act of 1982 to prosecute those who used fire to destroy property involved in interstate commerce (18 U.S.C. § 844(i)). Under criminal civil rights statutes, they also had the authority to prosecute those who conspired to deprive persons of their civil rights or desecrated religious property or a house of worship (18 U.S.C. §§ 241 and 247).

On July 3, 1996, President Clinton signed the Church Arson Prevention Act of 1996, which granted federal prosecutors greater power in pursuing burnings and desecrations at houses of worship. Sponsored by Senators Lauch Faircloth (R-NC), Edward M. Kennedy (D-MA), and by Congressmen Henry J. Hyde (R-IL) and John Conyers, Jr. (D-MI), the statute was passed unanimously by both Houses of Congress.

The new law, which amended 18 U.S.C. § 247, enables federal prosecutors to file charges in racially motivated arsons without having to demonstrate that the incident affected interstate commerce.

Prosecutors no longer are required to show that the resulting damage totaled \$10,000 or more. Also, prosecutors are able to seek sentences of up to 20 years' imprisonment for arson. In addition, in August 1996, Congress provided more than \$12 million to support ATF's role in the Task Force until the end of that fiscal year. The next month, Congress appropriated an additional \$12 million for ATF's role in the following fiscal year. Additional funds for Task Force activities by the Justice Department and the FBI also were appropriated or reprogrammed.

In addition to new laws and resources, the development of protocols to guide the investigations has significantly bolstered the work of the Task Force. The first task of the Operations Team was to bridge the diverse practices of the constituent agencies by creating a working document to guide efforts to coordinate and unify investigations. The protocols addressed the formation of command posts, exchange of information, conduct of witness interviews, prosecutorial staffing and responsibilities, and the sensitivities of investigations involving ministers and congregation members.

Investigators also have been aided significantly by several databases and technologies. The Operations Team has access to a nationwide investigative lead database maintained by ATF that can identify, sort and track information from selected church arsons. In addition, Geographic Information Systems (GIS) computer technology is used as an investigative tool to identify trends and patterns in tabular data through the use of maps. Initially, the precise locations of houses of worship are tracked in its database. Next, the system is manipulated to identify houses of worship that are in close geographic proximity to one another where crimes, both solved and unsolved, have occurred. Investigators look to see whether unsolved crimes against houses of worship are related to solved crimes that have been committed at a nearby religious institution that is located across a jurisdictional boundary, such as a county or state border.

D. Progress To Date

1. Investigations

We are pleased to report that the number of church arsons is down. We believe this decrease is due to a number of factors, including increased vigilance, well publicized arrests, and proactive prevention efforts. Notwithstanding these results, we must remain vigilant. Church fires continue to be reported. We continue aggressively to investigate these fires and prosecute those arrested.

As of September 8, 1998, the NCATF has opened investigations into 670 arsons, bombings or attempted bombings that have occurred at houses of worship since January 1, 1995. We are pleased to report that the number of church arsons is down. (See Appendix 1, Charts K and L reflecting the number of nationwide church arsons, bombings and attempted bombings; see Charts M and N reflecting the number of church arsons, bombings and attempted bombings in the South.) In addition to those investigations, Federal and state law enforcement and fire officials have responded to 315 fires which were determined to be caused accidentally and to 105 fires for which the cause remains undetermined.

Of the 670 incidents that we have investigated, 225 have involved African American churches, 163 of which are located in the southern United States. [See Appendix 1, Chart A; See Appendix 1, Charts B-J for a list of church fire investigations throughout the United States. Also see Appendix 1, Charts K-N.]

While the number of reported arsons at houses of worship appears to have declined since the peak in June

1996, Federal authorities continue to receive reports of fires. The NCATF continues to respond to all reports of new arsons and opens a new investigation for every suspicious fire. The Task Force remains committed to expending the necessary time, resources and effort to solving these crimes and prosecuting those who are responsible.

2. Arrests

The partnership among law enforcement agencies has produced a significant number of state and Federal arrests. Between January 1, 1995, and September 8, 1998, Federal, state and local authorities have arrested 308 defendants in connection with 230 of the 670 incidents that the Task Force has investigated. The 34% arrest rate is more than double the general arrest rate for arsons, which is approximately 16%, according to Justice Department statistics. [See Appendix 1, Chart O]

Of the 308 persons arrested, 254 are white, 46 are African American, and eight are Hispanic. One hundred and nineteen people arrested were juveniles. Of the 106 suspects arrested for arsons at African American churches, 68 are white, 37 are African American and one is Hispanic. Of the 197 suspects arrested for arsons at non-African American houses of worship, 181 are white, nine are African American, and seven are Hispanic. Five of the white suspects were arrested for arsons at both African American and non-African American churches. [See Appendix 1, Charts P-T.] As of September 8, 1998, there were 427 investigations in which arrests had not yet been made.

3. Convictions

Between January 1, 1995, and September 8, 1998, Federal, state and local prosecutors successfully obtained convictions of 235 defendants in connection with 173 arsons or bombings of houses of worship. [See Appendix 2 for a list of incidents in which a conviction has been obtained.] These successes include the first convictions under provisions of the Church Arson Prevention Act of 1996. Of the 61 defendants who have been convicted of Federal charges, 29 defendants were convicted of hate crimes arising from 24 incidents. Another four defendants were convicted of, or were allowed to plead guilty to, lesser Federal charges in cases in which hate-based motives were alleged. Of 171 defendants convicted of state criminal charges, 25 defendants were convicted for 13 incidents connected to hate crime motives.

In still other cases, state prosecutions have been initiated in consultation with Federal prosecutors or investigators. The NCATF actively monitors these prosecutions to ensure that any Federal interest is vindicated and to ensure that accurate information is compiled regarding law enforcement's response to attacks on houses of worship.

II. HELPING TO REBUILD

A. Coordinating the Rebuilding Effort

The Department of Housing and Urban Development continues to work in partnership with the National Council of Churches and the Congress of National Black Churches under its National Rebuilding Initiative (NRI) to provide financial and other support for the rebuilding of burned churches. Such work is being coordinated by and accomplished with Habitat for Humanity, local financial institutions and many other organizations. Together, these groups have worked diligently to assess the overall damage caused by church arsons and have targeted resources for affected houses of worship.

Resources available through this rebuilding coalition include grants, low interest guaranteed loans, materials and in-kind donations, pro bono legal services, architectural design services, assistance with insurance, and volunteers. As stated in our First Year Report, the resources have come from a wide array of participants who have responded to the arsons, including volunteer and religious organizations such as Habitat for Humanity, Christmas in April, Mennonite Disaster Services, United Methodist's Volunteers in Mission, Washington Quaker Work Camps, Promise Keepers, and organized construction volunteers.

Further, the American Institute of Architects provided volunteer architectural design services; the AFL-CIO and other unions organized union construction workers; the Lawyers Committee for Civil Rights Under Law organized private law firms to provide pro bono legal services; and the Enterprise Foundation worked with a coalition of foundations to contribute financial resources to the rebuilding effort.

Through the NRI collaborative efforts, 45 churches have been rebuilt and another 67 are under construction. The partners have fully assessed 233 churches, with another 36 affected churches scheduled to be fully reviewed. Another 16 rebuilt churches have been assisted in refinancing.

B. Strengthening Resources to Help Rebuild

Working with President Clinton, Congress enacted legislation that authorized a HUD loan guarantee program that can be used for rebuilding houses of worship. The Church Arson Prevention Act of 1996 made HUD responsible for administering a \$10 million Federal Loan Guarantee Fund to assist with the rebuilding of houses of worship and buildings of other non-profit organizations that have been damaged or destroyed by acts of arson or terrorism. Secretary Cuomo has worked throughout the country to encourage public-private partnerships in the rebuilding effort.

The combined efforts of the NRI have permitted numerous congregations to return to their places of worship, and again become the center of the social, spiritual, and inspirational life of their respective communities. For churches, the NRI grants, loan guarantees, technical assistance and other resources have helped to:

1. bridge the financial gap to make rebuilding possible;
2. serve, in some instances, as last resort financing to complete the rebuilding process;
3. assist a congregation in saving \$178,500 over the term of a 20-year bank loan guaranteed by HUD by reducing through refinancing the interest expense on the loan by 275 basis points (2.75%);
4. assist a recipient of an average guaranteed loan of \$266,000 to save from \$39,000 to \$59,000 over the life of a 20-year guaranteed loan where the interest rate on such a loan is 100 to 150 basis points below the *Wall Street Journal* prime rate, a rate below which many banks are hard pressed to make loans for rebuilding purposes.

As of May 26, 1998, a total of \$1,868,000 in loan guarantee commitments were made to seven different churches that requested help. These churches include: Emmanuel Church (Decatur, AL); Second New

Light OFW Baptist (Bridgeport, CT); New Birth Temple COGIC (Shreveport, LA); Greater Mt. Zion Tabernacle (Portsmouth, VA); New Harvest Baptist (Town of Cornwall, NY); Bethel AME (Monroeville, PA); and Southtowns Christian Center (Lakeview, NY).

C. Reaching Out to Communities

Throughout the past two years, church arson investigators and prosecutors have gone beyond their traditional enforcement roles and in many instances have joined with senior government officials to visit and talk with affected communities.

- Numerous conferences, panels, seminars, town hall meetings and workshops have been held around the country to explore the many issues surrounding incidents of church arson, and in many cases, related hate crimes. Open dialogues with religious and community organizations have resulted in greater understanding among the participants, more effective enforcement and progress on the road to healing. These discussions deepen the understanding between the church, community members and law enforcement.
- The Congress of National Black Churches, the Anti-Defamation League, the National Council of Churches, the National Coalition of Burned Churches, the National Association for the Advancement of Colored People, and the Southern Christian Leadership Conference are just some of the national groups that have assisted law enforcement in its overall response to attacks on houses of worship. The private-public partnership is continuing to identify other areas where help can be provided.
- Law enforcement personnel and CRS conciliators have helped congregations establish Church Watch Programs, which help bond the church and local community with law enforcement and fire personnel to prevent attacks and establish relationships in the event future attacks occur. An example of a successful Church Watch Program is the Louisiana Magnolia State Police Officers Association's program.
- Over one million copies of the Church Threat Assessment Guide and Bomb Threats and Physical Security Planning publications produced by ATF in partnership with FEMA, Treasury, the Justice Department and the FBI have been distributed to congregations. ATF and FBI Field Offices throughout the country are conducting outreach and training initiatives. Victim-witness coordinators for the agencies and for the United States Attorneys' offices also are assisting as needed to help victim congregations.
- The CRS plays a key role in the work of the Task Force. CRS continues to provide conflict prevention and resolution assistance to local officials, law enforcement authorities, clergy and other leaders in some 17 states. Law enforcement personnel worked with CRS in six statewide arson prevention conferences and with the Office of Victims of Crime for a conference in Columbia, South Carolina focusing on the youth who are members of the congregations whose churches were burned.

Through these efforts, racial distrust and polarization are reduced, new partnerships between police and minority groups are developed, and training for law enforcement and community organizations is put into place. These efforts help to ensure good communication and cooperation between the Task Force and

local ministers in troubled communities -- an important factor contributing to the Task Force's success.

Consistent connections to the community will be maintained through the Hate Crimes Working Groups and Church Arson Task Forces which have been formed in the United States Attorneys' offices at the direction of the Attorney General.

III. PREVENTING ARSONS

A. Coordinating Prevention Efforts

When President Clinton established the Task Force, he asked the Federal Emergency Management Agency to lead a National Arson Prevention Initiative (NAPI or the Initiative). Since its creation on June 19, 1996, the Initiative has focused on identifying and coordinating public and private sector resources to support community-based efforts to prevent arson.

The NAPI has emphasized creating coalitions, leveraging resources and providing communities with the tools they need to prevent church arsons. Over 300 organizations have partnered with FEMA as part of the NAPI. The NAPI now includes agencies and departments from across Federal, state and local governments, the private sector, national fire service and law enforcement associations, church and community groups and education and crime prevention organizations.

In June 1996, FEMA established a Clearinghouse to provide public education materials and to coordinate technical assistance requests from communities. The Clearinghouse is accessible by a toll-free number (1-888-603-3100) or through FEMA's web site (www.fema.gov). Materials distributed through the Clearinghouse include church and other structure threat assessment and fire safety documents, juvenile firesetter intervention brochures, public education materials and community organizing and coalition building guidance. The Clearinghouse also distributed more than 3,000 copies of the Aegis and Telly award-winning videotape "Fighting Church Arson," which outlines steps congregations can take to prevent a tragic fire in their own houses of worship. Local, regional and national television broadcasts of the videotape further disseminated the message.

The Clearinghouse has reached over 1.5 million individuals, organizations and communities with arson awareness and prevention materials. Working with the National Council of Churches, the Congress of National Black Churches and other members of the faith community, thousands of houses of worship have been reached with arson prevention pamphlets, brochures and other materials providing educational or technical support.

B. Strengthening Prevention Resources

1. Training, technical assistance and grants

In an effort to help communities prevent future arsons, the Federal Government provided additional resources. For instance, as reported in our First Year Report, with Congress' authorization the Justice Department's Bureau of Justice Assistance awarded \$3 million in grants to counties from 13 states to intensify their enforcement and surveillance efforts around vulnerable houses of worship. Grants were awarded in Alabama, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas and Virginia.

In Fiscal Year 1996, FEMA awarded \$774,000 in training grants to states to enhance the delivery of state and local arson investigations, prevention and training. Each state received a minimum award of \$12,000, with targeted high-risk states in the Southeast receiving a total award of \$25,000. In Fiscal Year 1997, FEMA again awarded \$12,000 to each state to support statewide arson prevention programs and priorities. Over two fiscal years, FEMA has provided over \$20,000 to each of its four pilot arson prevention communities. Further, in Fiscal Year 1998, FEMA is awarding \$15,000 to an additional 15 communities to expand the coalition building program.

2. Prevention education

Among its many prevention and education efforts, in May 1997 and May 1998, FEMA sponsored National Arson Awareness Week in cooperation with other partners in the NAPI. "Target Arson," the national public education campaign that has surrounded each week, encourages communities to become more involved in preventing arsons.

Events and activities were hosted in nearly every state. Some 150 cities participated in the 1998 National Arson Awareness Week. The model programs developed by the four arson pilot cities of 1997 (Nashville, Tennessee, Charlotte, North Carolina, Macon, Georgia, and Utica, New York) became the impetus for many other communities to participate in events during the National Arson Awareness Week.

President Clinton issued a National Arson Awareness Week Proclamation in 1998 stating that:

All arsons are not hate crimes, but all are hateful crimes. Whether destroying a life, a business, a home, a place of worship, or a national park, arson robs society of something that is precious and meaningful.

As part of National Arson Awareness Week, the national partners sponsored a national on-line "chat" session with fifth grade students to discuss arson and fire prevention. Mayors and governors issued proclamations and Federal officials participated with state and local leaders in events over the course of the week. Arson prevention activities that took place around the country included the following: unsolved arson cases were publicized in an effort to gain new leads; demonstration building board-ups and demolitions were conducted; facility arson risk assessments were conducted; and fire drills and other activities focusing on schools were held.

The NCATF continues to work closely with FEMA, the Bureau of Justice Assistance, the National Sheriffs' Association and Southern governors to address arson prevention at the grassroots level. The four pilot communities - - Nashville, Tennessee, Charlotte, North Carolina, Macon, Georgia, and Utica, New York - - have become a strong part of the successful national community partnership focused on arson prevention. Each of these communities, and many others that followed their lead, embarked upon building local arson prevention coalitions using varied leadership, resources, outreach approaches and a great deal of creativity. Each community received \$10,000 in seed money. This sum was leveraged and compounded many times over in the pilot cities.

These pilot programs have led to marked reductions in each community's arson rate and have become models for the nation in addressing a wide range of social and economic issues. While much remains to be accomplished, we are proud to report that our efforts in response to the President's charge to establish an effective and community-based arson prevention effort have been successful.

IV. RECONCILIATION

A. Reaching Out to the Affected Communities

As reported in our First Year Report, without the confidence and cooperation of the congregations whose houses of worship burned, many of these investigations, which were difficult at the outset, would have been destined to fail. Faced with criticism of law enforcement from some congregations, the NCATF took steps early on to ensure solid, working relationships between law enforcement and the affected communities.

President Clinton, Vice President Gore, Secretary of the Treasury Rubin and Attorney General Reno have helped reach out to the affected communities. They have spoken out forcefully on the commitment of the Federal Government to solve these arsons and have met with ministers from the burned churches.

In June 1996, President Clinton traveled to the site of a burned African American church in Greeleyville, South Carolina, to help dedicate a new church. Later that month, he organized an interfaith breakfast where he called on leaders of all faiths to open discussions to resolve our Nation's racial and religious divisions. In August 1996, the President and Vice President and their families traveled to Fruitland, Tennessee, to help rebuild a church that had been destroyed.

The President also convened a meeting of governors from affected states, who have worked hard to marshal resources in their states to help investigate arsons, prevent future arsons, and rebuild burned houses of worship. He also acknowledged the work of many groups which responded to these incidents, including the National Council of Churches, the Anti-Defamation League, the Southern Christian Leadership Conference, the National Association of Evangelicals, and the National Association for the Advancement of Colored People.

In addition to meeting with representatives from these groups and the Congressional Black Caucus, the leadership of the Task Force has visited churches in the South to reinforce the Task Force's commitment to these investigations, view the devastation these arsons have wrought, and help bridge the racial divide in communities that have been polarized by arsons.

B. Dispatching Conflict Resolution Experts

The Community Relations Service has been an important partner in Task Force outreach efforts. Conflict resolution experts from CRS have worked directly with many local communities to promote multiracial cooperation in the construction of houses of worship, and to provide technical assistance in ways that bring together law enforcement agencies and minority neighborhoods.

In 1997-1998 as part of its community building mission, CRS co-sponsored six state-wide conferences on arson prevention. The conferences raised awareness of racial and other factors which lead up to churches being burned. In addition, CRS has worked to develop local dialogue mechanisms to help ensure that racial disputes will be addressed by the community before they lead to a crisis.

The NCATF developed, with the help of CRS, a "Best Practices" guide for conducting community outreach activities. These "Best Practices" include four lessons for best developing an effective response

to church burnings and other incidents that may have racial origins:

- First, assembling a group of seasoned professionals knowledgeable in a variety of subject areas is key to CRS's ability to assist communities in the aftermath of church burnings.
- Second, extensive information-sharing and expeditious pooling of resources among various agencies involved has been essential to the Task Force's success.
- Third, developing local mechanisms to continue dialogue in the aftermath of a church burning helps ensure that problems will be addressed in the community before they lead to another crisis.
- Fourth, a well-designed conference format at the state-wide level can provide a constructive forum in which members of affected communities can discuss their points of frustration.

V. LESSONS LEARNED

Over the past two years, the Task Force has sought to determine the most effective ways to investigate and prosecute arsons at houses of worship. We have identified several factors which underlie the success of the Operations Team and the local task forces. They include:

1. Strong message from leadership

A strong and persistent message from President Clinton, Vice President Gore, Secretary Rubin, and Attorney General Reno highlighted the importance of fighting the battle against arsons at houses of worship. A clear statement of mission and guiding principles -- from the highest levels -- provided focus for the Task Force and field personnel.

2. Strong mission oversight

Exercise of mission oversight at the national level highlights the need for accountability. At the outset, FBI Director Freeh and ATF Director Magaw notified their respective agents of agency leadership's commitment to the investigation and arrest of those responsible for arsons, bombings, and attempted bombings at America's houses of worship. This high level of commitment promotes adherence to the Task Force's mission. Ongoing direction and troubleshooting take place through the Operations Working Group, which consists of one representative from each of the Operations Team's Federal components: Civil Rights Division, FBI, ATF and the United States Attorneys' offices.

3. Joint leadership

Co-chairing of the Task Force by the Treasury and Justice Departments signaled the importance of a joint investigative and prosecutorial effort. The demonstration of shared commitment and responsibility at the Task Force's top level sets the tone for cooperative relationships at the working level and ensures shared recognition for mission accomplishments.

4. Development and use of protocols

Early on, the Operations Working Group drafted the NCATF scope and protocols. These documents provide bright line guidance for converging the practices of four diverse entities into a unified and focused response. The Task Force protocols allow NCATF prosecutors and agents sufficient flexibility to pursue their assigned cases both creatively and responsibly, though under the common umbrella of national enforcement. The Task Force's protocols, moreover, are adaptable. For example, the

investigative protocol relied upon by ATF and the FBI provided a model for the conduct of the investigation of the Atlanta bombings.

5. Centralized, co-located Task Force

A centralized, co-located Task Force aided in the development of important working relationships. Task Force personnel were able to develop an appreciation for the work done by their colleagues from other agencies and organizational units. The centralized Task Force facilitated definition and analysis of the "bigger picture" on church arsons based upon information reported from the field.

6. Coordination between investigators and prosecutors

Cases handled by the Task Force benefit from early and continuous coordination between investigators and prosecutors. The Task Force's team approach facilitates the development of church arson cases. The liaison between prosecutors and investigators, for example, helps sensitize ATF agents to the need to look for evidence concerning the arsonists' racial motivation. This type of coordination and information-sharing has been a critical component of the success of the Task Force.

7. Reliance upon established chains of command

The Task Force did not establish its own chain of command. Rather, it uses established agency chains of command to carry forward its operational and policy recommendations. Interagency conflicts are reduced and directives are more effective because the Task Force relies on agency chains of command to communicate feedback and direction to FBI and ATF agents, civil rights prosecutors and U.S. Attorneys.

8. Consistent communication

Regular meetings, led by the Task Force co-chairs, of representatives of all Task Force partner agencies, encourage the timely sharing of important information across organizational boundaries and enable the Task Force to anticipate issues before they become serious. Meetings of the Task Force's Operations Group further enabled the Civil Rights Division, ATF, the FBI, and the Executive Office of United States Attorneys to identify and discuss problems, which are then communicated up the relevant chains of command and down the chains to the field agents and prosecutors.

9. The benefits of cross-training

Cross-training enables ATF and the FBI as well as the prosecutors to better understand the resources and capabilities offered by each. In addition, the cross-fertilization of ideas fostered by the Task Force's team approach to problem solving results in stronger working relationships between ATF, the FBI, the Community Relations Service, Civil Rights Division attorneys and United States Attorneys. As a consequence of the Task Force experience, in pursuing its other missions, ATF now more readily calls upon the resources offered by CRS. In addition, ATF provides prosecutors with improved insights into its investigative strategy, thus enabling the attorneys and ATF agents to work together even more effectively.

10. Community outreach

The Task Force co-chairs, prosecutors from the Civil Rights Division and United States Attorneys' offices and investigators from the agencies frequently participate in public meetings, panels and conferences concerning church arsons. First hand dialogue, and sometimes, debate, deepens the understanding between the church and the community members and law enforcement.

As noted above, the Justice Department's Community Relations Service plays a key role in the work of the Task Force. CRS provides conflict prevention and resolution assistance to local officials, law enforcement authorities, clergy, and other leaders in affected areas. The efforts of CRS help ensure good communication and cooperation between the Task Force and local ministers in troubled communities: an important factor contributing to the Task Force's success.

11. Community-based arson prevention efforts

As the direct result of the attention engendered by the church fires in the South, communities across the nation have embraced arson prevention efforts. Increased surveillance of vulnerable facilities, the formation of neighborhood watch groups, an emphasis on education programs for children, and safety and security assessments of houses of worship characterize the prevention activities that have occurred in states throughout the country. Communities have come together to reinforce and support their fire and law enforcement departments. They have recognized that the full community must be engaged in order to prevent the next fire. What has emerged from the tragedies of the church burnings is that prevention does work. We have learned a great lesson about partnership in that governments at all levels, the private sector and individual citizens must be involved. Efforts in communities have made and will continue to make an impact on arson rates and preventing the problem in the future.

VI. THE FUTURE: A PERMANENT MECHANISM FOR INVESTIGATING AND PROSECUTING CHURCH ARSONS

The lessons the Task Force has learned over the past two years will be applied as the investigative and prosecutorial work of the Task Force is integrated into the existing structures of the Justice Department, ATF, the FBI and United States Attorneys' offices throughout the country. Building upon these lessons learned, the Task Force will make permanent its priority commitment to investigation and prosecution of arsons at houses of worship.

The Federal Government has reaffirmed its ongoing commitment to expending the time, resources and effort necessary to solve these crimes and prosecute those who are responsible by creating a more permanent institutional approach to the handling of these cases. This Fall, the Task Force lodged responsibility for Federal prosecution in the Criminal Section of the Civil Rights Division, the existing structure within the Justice Department that has jurisdiction over church arson and other Federal criminal civil rights cases.

Key members of the current Operations Team joined the Criminal Section, which handles the investigation and prosecution of church arson cases. The United States Attorneys' offices and state and local authorities also continue to investigate and prosecute the arsons of houses of worship. State authorities continue to handle a significant number of the church arson cases.

These investigations and prosecutions continue to be coordinated with and draw upon the expertise and resources of the Task Force's partners, including ATF and the FBI. ATF has created permanent

supervisory staff positions devoted solely to supervising the field investigations of church arsons as well as statistical maintenance and analysis. The FBI has placed its supervisory agents for church arsons within its new Hate Crimes Unit. CRS's regional offices assumed responsibility for the work of the CRS Church Burning Response Team.

In addition, the Attorney General's guidelines and the NCATF-developed protocols for the joint handling of investigations and prosecutions continue to be utilized. The coordination among Federal, state and local agencies continues through the Hate Crimes Working Groups based in each of the United States Attorneys' offices, with assistance as needed from the Civil Rights Division.

Finally, the regular meetings of the Task Force co-chairs and high-level representatives from each of the Federal agencies, including the Department of Justice's Civil Rights Division and Community Relations Service, the Treasury Department, the FBI, ATF, FEMA and HUD, continue to be held as a means of sharing information about programs and progress. It is through these permanent mechanisms and institutions that church arsons continue to be investigated and prosecuted as a priority of the Federal Government.

VII. CONFIRMING OUR PRELIMINARY CONCLUSIONS

As noted above, 670 fires have been reported to the Task Force since it began its work in 1996. These are serious crimes with devastating consequences for the people and communities affected. In some instances, the history of the community was destroyed, including records of births, baptisms, marriages and deaths.

Federal authorities continue to investigate open cases and to prosecute the individuals who are indicted for these crimes. Although our work is ongoing, the evidence continues to support the preliminary conclusions set forth in our First Year Report. As we observed last year, these conclusions are based only on cases in which we have successfully brought and prosecuted criminal charges.

A. Motives

The arsons at African American churches raised significant fears about an increase in racially motivated crimes. The NCATF has recognized that, to the greatest extent possible, it is important to determine the motives underlying the attacks on houses of worship. However, it can be difficult to establish motives conclusively.

Among the racially motivated church arsons so far solved through convictions, two church arsons have been directly linked to Ku Klux Klan members. Evidence concerning a separate incident of two church arsons included information that some of the arsonists had attended a Ku Klux Klan rally two days before the arson. The remaining racially motivated church arsons for which there have been convictions do not appear to have direct connections to readily identified hate groups, but rather are the acts of small groups of individuals or of arsonists acting alone.

There have been convictions for racially or religiously motivated attacks on houses of worship in Alabama, Florida, Illinois, Louisiana, Mississippi, Nevada, North Carolina, South Carolina, Tennessee and Texas.

As reflected by the list of convictions attached as Appendix 2, the arsons -- at both African American and other houses of worship -- were motivated by multiple factors, including racism and religious hatred. Arsonists have burned churches for other reasons, including opportunistic and random vandalism, pyromania, mental health disturbances, feuding with ministers, retribution against religious authorities, parking or neighborhood disputes, covering up of burglaries, and financial profit. In some cases, the arsonists claimed they believed the church to be an abandoned building.

However, when actual or perceived racial hatred has sparked the arson of a church, the crime is even more egregious. In the African American community, the church historically has been a primary community institution. It was the only institution that was permitted during the years of slavery. It was the institution that enabled people to read. It has been the institution that formed the backbone for a tremendous amount of political activism. Critical events of the civil rights movement, such as the Montgomery bus boycott, had their genesis in the church. Many leaders within the African American community grew up in the church or remain ministers of the church. So, for the African American community, it was decidedly disturbing to see the number of churches being burned.

The arson of a house of worship always causes significant anguish in any community, whether large or small, black or white. Our government must never stop responding to these crimes; we must help ensure that people can live and worship in peace.

B. Conspiracy

As reported in the First Year Report to the President, the Task Force has brought conspiracy charges in a number of cases relating to fires linked by common defendants. The conspiracies alleged have tended to be confined to the small geographic areas where the specific arsons connected to the conspiracies have occurred. The cases closed and the charges that have been filed to date do not support the theory that these fires were the product of a broad or nationwide conspiracy. Nonetheless, investigators remain alert to evidence that broader conspiracies may have been responsible for some of these fires.

C. Hate Group Involvement

Although there have been some cases in which members and former members of hate groups, such as the Ku Klux Klan, have been convicted for arsons at houses of worship, most of the defendants were not found to be members of hate groups. However, prosecutors are not required to prove that a defendant belongs to a hate group in order to obtain a conviction in a civil rights prosecution. In such cases, prosecutors need only show that the defendant was motivated, at least in part, by race, religion, national origin or color.

CONCLUSION

We have seen how law enforcement can work together to produce tremendous successes. We have seen how government agencies and private groups can work together to help rebuild a house of worship and to prevent future arsons from occurring. And we have seen how Americans from all walks of life can come together as one. We are committed to building on the progress we have seen to date and to eliminating the divisions within our society. The Federal effort to prosecute the arsonists, rebuild the burned houses of worship, prevent more fires and heal racial divides continues. There is more work to be done. We are committed to seeing the task completed.


Acknowledgment

The co-chairs of the Task Force would like to thank all of the investigators, prosecutors, state and local officials and others who have worked tirelessly and so well over the course of the past two years as these investigations have proceeded. We would also like to thank our partners in these efforts at the Department of Housing and Urban Development, the Federal Emergency Management Agency and the Community Relations Service.

Respectfully submitted,



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