

ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672
6980 HOUSE JUDICIARY

H B

5 3 1

(7)
Date Referred: March 9, 1992

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date of Committee Action: 3-18-92

The JUDICIARY Committee considered:

HB 531

HOUSE BILL NO. 531

COURT APPEARANCE: NONPROFIT HOUSING CORP

"An Act relating to appearances in civil actions and making an exception from the requirement of representation by an attorney for appearances on behalf of nonprofit housing corporations in certain civil actions."

- RECOMMENDATIONS: [] the same title
 be replaced with _____ [] a new title
 have attached amendments(s)
 do pass
 do not pass
 no recommendations
 individual recommendations
 additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

- ATTACHES NEW FISCAL NOTE(s): (Dept) _____ APPROVES PREVIOUS: (Dept/Date) _____
 fiscal impact _____ fiscal note(s) _____
 zero fiscal note _____ zero fiscal note(s) (burts 3-9-92)

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Daniel Donley</i>	X				
<i>J. Ellis</i>	X				
<i>Kevin P. ...</i>	✓				
<i>Mark ...</i>	X				
<i>[Signature]</i>	—				
<i>[Signature]</i>	X				

Daniel Donley
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

Bill No. HB 531

Revision Date: _____ Department Affected: Alaska Court System
 Title: An Act relating to appearances in BRU: Trial Courts
civil actions... Components: _____
 Sponsor: House Judiciary
 Requestor: _____ COMPONENT SERIAL NO.

000	000	000	768
-----	-----	-----	-----

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS & CLAIMS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUNDS	0.0	0.0	0.0	0.0	0.0	0.0
FEDERAL FUNDS						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: C. S. Christensen III, Staff Counsel *[Signature]* Phone: 264-8228
 Division: Alaska Court System Date: 03/05/92

Approved by: Arthur H. Snowden, II, Administrative Director *[Signature]*
 Agency: Alaska Court System Date: 03/05/92

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

Anchorage
Neighborhood
Housing
Services, Inc.
3700 Woodland Drive
Suite 500
Anchorage, AK 99517
(907) 243-1858
FAX (907) 243-3214



DATE: March 4, 1992
TO: House Labor and Commerce Committee
RE: House Bill 531

BILL PURPOSE

Concerning Nonprofit Representation In Court In Certain Civil Procedures

The purpose of this bill would be to allow nonprofit housing providers the ability to represent themselves in court for Forcible Entry and Detainer (FED) action. Presently, under Alaska Statute, private property owners and property managers may represent themselves in civil action taken for the purposes of forcible entry and detainer under the Alaska Landlord Tenant Law. Corporations are specifically required by statute to be represented by an attorney at all times, regardless of the size of the civil action.

A number of housing providers in the state are nonprofit agencies whose purposes are to provide affordable housing for renters and consequently provide attendant property management services.

Although the task of requiring civil action for eviction purposes is oftentimes unpleasant, it is a necessary fact of property management. Oftentimes, the individual with the most background and knowledge concerning this process is the on-site resident manager. Under Alaska Landlord Tenant Law, an FED action is primarily a proforma matter and the requirement for attorney representation in this action is costly and redundant. This measure will provide a more effective means for civil proceedings in this type of action and provide cost savings to consumers.

H B

5 3 2

(7)

HOUSE COMMITTEE REPORT
FURTHER REFERRALS:

Date Referred: March 6, 1992

Date of Committee Action: 4/6/92

The JUDICIARY Committee considered:

HB 532

HOUSE BILL NO. 532

LABELING OF ALASKA ARTS/HANDICRAFTS

"An Act relating to the labeling of reproductions of art and handicrafts made by state residents."

RECOMMENDATIONS:

be replaced with CS HB 532 (JUDICIARY) the same title
 a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact _____

fiscal note(s) _____

zero fiscal note _____

zero fiscal note(s) Commerce & Econ. Dev. 3-6-92

SIGNING <u>DO</u> PASS	DP	<u>OTHER</u> RECOMMENDATIONS	DNP	NR	AM
<i>Kevin P. Farrell</i>	<input checked="" type="checkbox"/>				
<i>Larry Martin</i>	<input checked="" type="checkbox"/>				
<i>John G. Ellis</i>	<input checked="" type="checkbox"/>				
<i>John H. Gresham</i>	<input checked="" type="checkbox"/>				
<i>Mark Hedley</i>	<input checked="" type="checkbox"/>				

David D. Onley
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: 3/3/92 Department Affected: Commerce & Econ. Dev.
 Title: An Act relating to the labeling of reproduc- BRU: Economic Development
tions of arts and handicrafts made by state residents Component: _____

Sponsor: Representative Hanley
 Requestor: Representative Hanley

COMPONENT SERIAL NO.

--	--	--	--

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE FUND RESOURCE:	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current year Impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Tina L. D. Long, Rural Development Coordinator Phone: 465-2017
 Division: Economic Development Date: 3/3/92
 Approved by Commissioner: Glenn A. Olds
 Agency: Department of Commerce & Economic Development Date: 3/3/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 532

Revision Date: 3/3/92

Department Affected: Commerce & Econ. Dev.

Title: An Act relating to the labeling of reproductions of arts and handicrafts made by state residents

BRU: Economic Development

Sponsor: Representative Hanley

Requestor: Representative Hanley

Component: _____

COMPONENT SERIAL NO.

--	--	--	--

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND RESOURCE:	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current year impact: _____

ANALYSIS (Attach a separate page if necessary.)

Prepared By: Tina L. D. Long, Rural Development Coordinator Phone: 465-2017

Division: Economic Development Date: 3/3/92

Approved by Commissioner: Glenn A. Olds

Agency: Department of Commerce & Economic Development Date: 3/3/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., and Impacted Agency(ies).



Representative Mark Hanley
Alaska State Legislature

MEMORANDUM

TO: Rep. Dave Donley, Chair
House Judiciary Committee

FROM: Rep. Mark Hanley *MH*

RE: Hearing request for CS House Bill 532 (L & C), "An Act relating to the labeling of reproductions of art and handicrafts made by state residents."

DATE: March 4, 1992

This memo is to respectfully request a hearing in the House Judiciary Committee on CS HB 532 (L&C) at your earliest possible convenience. The bill passed out of the Labor and Commerce Committee today and should be read across on Friday, March 6th. (The committee report has been included in the folder for your convenience.)

CS HB 532 (L&C) is intended to protect the integrity of Alaska made arts and crafts. It simply requires that reproductions of Alaskan arts and crafts be labeled as such.

Currently reproductions of Alaskan arts and crafts are often produced outside the state by non-Alaskans and sold as original Alaska art. The reproductions compete unfairly with true original Alaskan arts and crafts and are sold at lower prices.

I would appreciate your consideration on scheduling this bill for a hearing as promptly as possible.

Thank you



Representative Mark Hanley

Alaska State Legislature

SPONSOR STATEMENT

CS HB 532 (L&C)

by Representative Mark Hanley

CS HB 532 (L&C) "Relating to the labeling of reproductions of art and handicrafts made by state residents; and providing for an effective date.

Mr. Chairman, members of the committee, thank you for giving me the opportunity to testify on CS HB 532 (L&C).

House Bill 532 is a straight forward bill which will help protect the value and integrity of Alaska made arts and crafts. The bill simply requires that reproductions of Alaskan arts be labeled as such and defines the word "reproduction". Section 2 of the bill provides for an effective date.

It's estimated the native art market brings in as much as \$800 million a year. In Alaska, our growing tourism industry has lead to a strong market for native art.

The problem is that not all of this art is the authentic work of Alaskan artists. Currently, reproductions of Alaskan arts and crafts are often produced outside the state by non-Alaskans and sold as original Alaska art. The reproductions de-value and compete unfairly with true original Alaskan arts and crafts.

I would appreciate your support of HB 532. I'll be happy to answer any questions you have.

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 18, 1992

FURTHER REFERRALS:

Judiciary

Date of Committee Action: 2-4-92

The LABOR AND COMMERCE Committee considered:

HB 532

HOUSE BILL NO. 532

LABELING OF ALASKA ARTS/HANDICRAFTS

"An Act relating to the labeling of reproductions of art and handicrafts made by state residents."

RECOMMENDATIONS:

be replaced with CSHB 532 (L+C) the same title a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact _____

fiscal note(s) _____

zero fiscal note Commerce

zero fiscal note(s) _____

SIGNING <u>DO PASS</u>	DP	<u>OTHER RECOMMENDATIONS</u>	DNP	NR	AM
<i>Henry J. Pender</i>	✓				
<i>Ken Nelson</i>	✓				
<i>E. Buckner</i>	✓				
<i>James D. ...</i>	✓				
<i>Albin Taylor</i>	✓				
<i>Carl ...</i>	✓				

Paul ...
CHAIRMAN'S SIGNATURE

CSHB 532: "An Act relating to the labeling and reproductions of arts and handicrafts made by state residents."

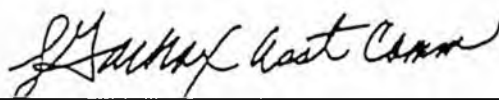
An article dated June 24, 1991, in the Tundra Times entitled "Native Artists Want Fair Dealings" expressed the views of artists and carvers as believing "the counterfeit market is a sizable one." The article's subheading stated: "Native artists want counterfeiting stopped." There have been other informal reports of authentic pieces of arts and handicrafts being reproduced without the artist's permission.

CSHB 532 addresses the problem by requiring reproductions to be clearly labeled by the manufacturers, wholesalers, and/or retailers.

The intent of this legislation is to reduce unauthorized reproductions of pieces of art or handicrafts made by Alaska residents and to ensure consumers know when they are purchasing reproductions rather than authentic originals.

All reproductions, other than those reproduced by the original artist, will have to be clearly labeled prior to wholesale, or retail trade. A penalty of up to one year in jail or \$1,000 fine may be imposed for violations. The legislation is passive in that no active monitoring of compliance is provided. The bill provides a basis for legal action by the original artists or those who believe they have been harmed by the unauthorized duplication of the commercially traded art or handicraft object. Costs of labeling will be borne by the industry.

The Department of Commerce and Economic Development supports CSHB 532.



Glenn A. Olds, Commissioner
Date: 3.2.92



March 2, 1992

Representative Mark Hanley
State Capitol
Juneau, Alaska 99801-1182

Re: House Bill No. 532

Dear Representative Hanley:

Currently you are sponsoring legislation regarding the reproduction of art and/or handicrafts by residents of Alaska. This act would provide protection for many Native and non-Native artists who sell their work at a very low price to a company that then reproduces the work for huge profits - none of course going to the artist(s) involved.

I whole heartedly support your legislation - House Bill No. 532. I believe this would offer a certain amount of protection, but it also raises the level of awareness of the situation. Your concern over Alaskan artists is to be applauded; thank you for your recognition of this great Alaskan resource and your willingness to protect it.

Sincerely,

A handwritten signature in cursive script that reads "Maria Williams". The signature is written in black ink and is positioned below the word "Sincerely,".

Maria Williams
Native Arts Director

Alaska State Council on the Arts

411 West 4th Avenue, Suite 1E, Anchorage, Alaska 99501-2343 (907) 279-1558 Fax: (907) 279-4330



2 March 1992

Representative Mark Hanley
Alaska State House of Representatives

Dear Rep. Hanley:

I am so pleased to see that Angie Larson's concern has made such progress. The introduction of your House Bill No. 532 to label reproductions and handicrafts has been a shady area for too long. As the manager of the Anchorage Museum Shop I work everyday with Alaska Native artists and it's time to protect the wonderful work they are creating.

Last week I sent to Michelle Toohy literature from the Canadian government which protects their Inuit artists. This method also serves as an educational tool which gives further credibility to the work. A viewer or collector now has authenticity of a work they admired.

What is happening is that people are reproducing an artist's work and marking it as the real thing. Often putting back on the work the name of the artist who originated the idea. Most reputable businesses gladly mark reproductions, but there seems to be an influx into Alaska of work that appears to be Alaska Native, but is carved often outside by nonNative folks.

Again, I thank you for moving ahead with this legislation and offer any support you need. Travellers to Alaska come to our Shop knowing that we have integrity and I would like to know that wherever they shop they return with the real spirit of Alaska.

Sincerely,

Georgia Blue
Georgia Blue
Shop Manager

Anchorage Museum Shop

121 West Seventh Avenue • Anchorage, AK 99501

(907) ~~264-4326~~

343-6195 FAX 343-6149

St.Lawrence Island Original Ivory
Co-op,Ltd.
P.O.Box 189
Gambell,Alaska 99742-0189
(907)985-5112

Feb.28,1992

The Honorable Mark Hanley
State Capital
Juneau,Alaska 99801-1182

MAR - 2 1992

Dear Mark:

This letter is in regards to HB#532 which you
Have already introduced in the legislation on 2/18/92.

As a manager of the Ivory Co-op in Gambell,I
am in support of your bill HB#532 in order to protect
the art works of the individual native artist and other
artists here in the State of Alaska.

I have with me on hand a reproduction of an
art work that was reproduced in Kenai,Alaska in a form
of Porcelain material. This piece of art work was reproduced
without permission from the original artist and is now
in mass production. This piece was made by local carver.

I Will look forward for your respond in matter
and again thank for introducing this bill, Good-luck.

Sencereely,

Clement Ungott
Clement Ungott (Manager)

St.Lawrence Island Original Ivory
Co-op,Ltd.

cc; Senator Frank Murkowski
Senator Ted Stevens
Senator Al Adams
Rep. Richard Foster

465-2294

Village Crafts
P. O. Box 141191
Anchorage, Alaska 99514-1191
March 2, 1992

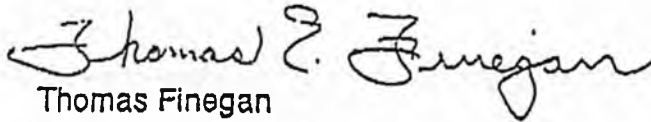
Representative Hanley
Juneau, Alaska

Representative Hanley:

Re: C S H. B. 532

I strongly support C S H B 532. I am in the business of selling Alaska Native made arts and crafts and have been doing so about sixteen years. I am presently concerned with arts and craft items coming into Alaska from Seattle and other areas that duplicate original art work that is produced by Alaskan artists.

Sincerely,



Thomas Finegan
Owner, Village Crafts

Alaskan Treasures

1018 E. Dimond, Ste. 514
Anchorage, AK 99515

(907) 248-2923
March 2, 1992

Representative Mark Hanley
The State Capitol
Juneau, AK. 99801-1182

Dear Sir:

The purpose of this letter is to let you know we support HB532. We have been Alaskan Native Art Brokers for 13 years and during that time we have witnessed many reproductions being made for resale. In many cases the imitations even carried the name of the original artist. Materials used for these reproductions were the same as the originals or something that looked very similar. Unless the customer was specially trained, it would be easily mistaken for the authentic.

Thousands of dollars are made each year from these reproductions and many are imported from other states and even foreign countries. The business for illegitimate works of art are so lucrative that there is now small factories to meet the demands.

Alaskans need to preserve their integrity, show we appreciate and value our true artisans and certainly not deceive our tourists (From Oct. 90 - Sept. 91, we had 907,000 visitors.).

Plagiarism in other forms is illegal, this kind of piracy is no different! Please let Alaskan Artisans know you care by protecting their rights.

Sincerely,



Fred and Angie Larson
Alaskan Treasures

Alaskan Treasures

1013 E. Dimond, Ste. 514

Anchorage, AK 99515

(907) 248-2323

March 1, 1992

Ms. Michele Toohey
c/o Rep. Mark Hanley
The State Capitol
Juneau, AK 99801-1182
(907) 465-4939

Dear Michele:

Enclosed is an original and a copy. Note the copy even has the original artist's name (copy is the small owl, original is the large owl).

When purchasing this copy I pretended it was a gift and I needed to know a little about the artist. The sales clerk said it was done by an Eskimo from Alaska that had visited Seattle and carved for her gallery. Note that she didn't spell his name correctly on the paper.

I spoke to Mr. Tom Antaghame, Gambell AK, telephone 985-5612, and he verified that he did not carve for these people and hadn't been in Seattle since about 1971. He will testify if you need him.

I would appreciate if you could return these items and documents when you are through with them. Again I thank you for all your help.

Sincerely,

Angie

Angie Larson
Alaskan Treasures

3/1/92

Rep. Mark Hanley
Juneau, AK. 99801

Dear Mr. Hanley,

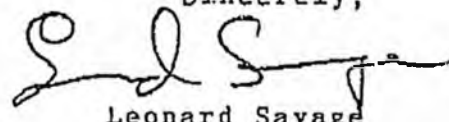
My name is Leonard Savage, I am an artist born and raised in Alaska. I have been in the ivory carving business for seventeen years. My work is sold throughout the U.S. and Alaska.

For many years I have been aware of ivory carvings and other artworks that were manufactured out of our state and being sold in Alaska as "presumed" Alaskan made items. There have been duplications of my artwork and I believe of other persons work also. Some do not have signatures or have fictitious names of non-existent persons.

While I believe in the free enterprize system this type of business practice is very wrong and it should be stopped. The people that visit our state each year need our protection, we must also protect the craftspeople that live and work in Alaska.

I believe that every imported piece of artwork coming into the state should be labeled somehow to show its place of origin. The tourists come to Alaska and look for souvineers that are made by Alaskan artists and they should be able to make an honest choice.

Thank you,
Sincerely,



Leonard Savage

415 2 St.
Anchorage AK 99501

NATIVE VILLAGE OF GAMBELL
P.O. BOX 99
GAMBELL, ALASKA 99742-0099
(907) 985-5346 FAX: 985-5014

March 2, 1992

Representative Mark Hanley
State Legislature
Juneau, Alaska 99801

Dear Representative Hanley;

The Native Village of Gambell, IRA Council is in support of the House Bill No. 532 - Sale of Reproductions, which you introduced in February of this year.

Many of the residents of Gambell are solely dependent on handicrafts, and the mass reproduction that is occurring is hurting mostly our ivory and bone carvers.

Therefore, we support House Bill 532, and have all reproduction of handicrafts made by state residents labeled as such. Thank you

Sincerely,

Gerard Koonooka, President



cc: Representative Richard Foster
Senator Al Adams

Transcription of Alaska Public Radio Story on the problem of reproductions of Alaska Native Art: Thursday, October 17, 1991

Native Art Fraud... How wide-spread is it and what can be done to stop it?

Coming up next on Alaska News Nightly, Native Art Fraud, Counterfeit Native Alaska Art, it's a problem sometimes hard to detect and often hard to combat.

It's estimated that the arts and crafts of Native Americans bring in as much as \$800 million dollars a year in this country. Here in Alaska a growing tourism industry has lead to a strong market for native art, but how much of it is really native? And how can consumers be sure what they're buying isn't a counterfeit knock-off? Doreen Ransom reports on the problems involved with spotting and fighting native art fraud.

There's a story that's been circulating among dealers of Alaska Native Carvings for the past few years. They say an Asian man and his associate came to the Anchorage area and bought a number of pieces of native carvings. That was taken to Seattle where it's reproduced in a factory. No one knew quite where this so-called factory was, but the work of ivory carver Eddie Stingoff (?) pointed the way.

Anchorage trader Tom Finnegan saw what appeared to be a copy of the work of Inupiat ivory carver, Eugene Tialana, in the display window of the Denali National Park Hotel. He also saw a piece like Tialana's in the Alaska Ivory Exchange in Anchorage. The artist has signed the named Eddie Stingoff, the shop owner acknowledged the piece was by a non-native.

Finnegan didn't know the piece was the work of the Seattle shop where he'd also seen a soapstone carving by a so-called Junior Snooklow of St. Lawrence Island (?). Finnegan says on two occasions at that shop named, Northwest Tribal Art, he was handed a sheet of paper describing the artist. "And I just said you know this is fraudulent, I said I know everybody on St. Lawrence Island, there's no such person there, and it was almost like he would have taken back the sheet, except I withdrew it and put it into my pocket." Finnegan's experiences represent just a few of the wide-spread abuses that are siphoning off the potential earnings of legitimate native artists and duping art collectors. The Snooklow work made its way as far as a well-respected East Coast Gallery where the manager found out to her chagrin that there is no soapstone and there are no soapstone carvers on St. Lawrence Island. With fewer than a thousand people on the island, it seemed obvious to several of those interviewed including Yupik Ivory Carver, Jr. Slokow, that is was Slokow's name that was being exploited.

The Vietnamese owner of the Seattle shop, Knock Lee, declined to take interviews. He did admit, however that the works of Eddie

Singah are created by himself and a team of non-native artists. Lee says he sees nothing wrong with what he's doing, "Does it have to be tribal people to be tribal art, he asks." As for the works of the so-called Jr. Snooklow, Lee says he doesn't know who did them and he doesn't carry the works any more. Jr. Slowkow says he regrets that someone's been treading on his name, particularly because it hurts customers and Eugene Tialana is willing to describe how his work might be distinguished from copies, but nobody is eager to take any action.

Athabascan artist, Leonard Savage might have taken action, but he said his proof slipped away. Savage said he saw a small ivory wolf, which he initially took to be his own work last winter in the Alaska Fur Exchange in Anchorage. "I saw one of my ivory wolves made out of fossil ivory, and I don't carve fossil ivory, I took a closer look at it and it was exactly the same as the one I make, but it wasn't mine, I questioned the people about it and they said they had bought it from some people out of Seattle and they wouldn't tell me who it was.

Today the Anchorage shop still carries Savage's work, but about a 10th of what they did before he saw the apparent copy. Savage said local dealers have told him and other dealers that they can buy soapstone pieces cheaper outside.

When those works are designed by non-natives and sold as such they aren't breaking any law, but what about counterfeiting and fraud. Savage said to take any action, the artist would have to have concrete evidence, and he said the apparent copy of his work wasn't there when he went back.

He says too that many artists have become apathetic about the wide-spread abuses. " People don't really seem to be interested to be interested in it. I guess it's been going on for such a long time that they don't see that there's anything wrong with it. More importantly many artists feel that making a shop-owner made is more of an economic risk than competing with copiers. "Well a lot of people are afraid, because we deal with the shops and if the shops get angry with us than they won't buy anymore and so it's better not to say anything." There are laws and other controls intended to stop native art fraud, and on occasion they work, federal fish and wildlife agent, Wally Saroka in Anchorage, says Seattle shop owner Knock Lee was convicted of violating the marine mammals protection act, with possession of raw ivory by a non-native, and paid a substantial fine while on probation. Saroka says federal agents also busted an in-state gang of counterfeiters in recent years. There was a trail off of Muldoon and there were a number of, it was basically a mobile carving shop that they were carving raw walrus ivory, there were no native carvers in there, but they had rolls of the Alaska Native-made stickers and they were slapping them on the finished products even though they were made by non-natives.

It's against state law for non-natives to use the silver hand

emblem, the sticker Saroka mentioned on their art work. Tina Long with the state Division of Economic Development coordinates the silver hand program. She says the Department of Commerce has access to investigators and attorneys to prosecute if people would only report abuses.

"I don't think that many people have turned in other people." Saroka says fish and wildlife is also eager to investigate fraud cases and ask people to contact them if they know of any violations.

A 1990 Amendment beefing up the Federal Indian Arts and Crafts Act would enable all American Indian Tribes to register their trade-marks. Under that law, any misrepresentation is subject to stiff civil and criminal penalties. But officials say it may be 18 months or more before the machinery is set up to enforce the law. Whether it's the silver hand or a tribal trade-mark, these protections for the artist and the consumers are unlikely to work unless both groups insist upon their use and report any fraud. That calls for more public education and state and federal officials say that's also in their plans. For APRN in Anchorage, I'm Doreen Ransom.

Genuine Alaska Native Arts and Crafts can be seen at the AFN Convention in Anchorage this week, it's the largest congregation of native artists of the year and we asked Phillip Matrecardy to ask some of them what their reaction is to counterfeit native art. He reports that some of them are calling for tougher enforcement of existing federal laws and a real effort by the state to get involved.

Tahita Arts and Cultural group has one of the widest selections of goods for sale at the AFN Convention this year. Chuck Palmer says Tahita sells only authentic native handicrafts. Palmer points out the Silver Hand symbol has had some limited success in helping shoppers identify authentic Alaska Native hand work and in deterring counterfeiters. "They try to copy it and steal different ideas from other people...?" When he heard some counterfeiters had been using the silver hand to defraud customers, Palmer concluded more law enforcement is needed. The problem is enforcing it, you can have all the laws you want, but unless you have someone there to enforce the law, it doesn't do no good. So, we just have to get more investigators there checking out and try to arrest these people that are counterfeiting Alaskan native handicrafts. Palmer thinks the Federal Governments efforts to regulate the ivory trade may be sufficient. The state could be more to stop counterfeiting in his opinion, but he doubts it will. "The Federal Government has some control over, but the state of Alaska, there's a lot more people up here and they could do a lot better job of enforcing it if they'd put forth the effort, I can't see the state of Alaska putting forth the effort right now, not with Wally

Hickel in there. Charlotte Doffett originally from Fort Yukon, who now lives in Wasilla does bead work, combined with seal fur and moose skin, linx and bear claws, and walrus teeth. She says Asian imitation tourist goods have hurt Alaska Native Artists in recent past. "They did a lot of damage, from Hong Kong and all this stuff, they already did a lot of damage to native people and Eskimo people here in Alaska from importing all these different fake stuff and now days you can't even buy ivory because you don't know whether you're buying plastic.

Another bead worker, Salina Alexander from Fort Yukon thinks most counterfeit work could be detected by discerning buyers. To me it's offensive when I see it because they copy, but if you look at it close, you can tell the quality isn't the same, a lot of it is machine-made and you could easily see the thread or something like that. A lot of people do get fooled and that's too bad ya know, I think it, maybe it does cut into our business, but I don't see it personally right now.

Most other artists at the AFN Convention either had not heard about counterfeiting or did not think it affected them personally. Those who had an opinion felt like the people of Tahita that existing laws could handle the problem if there was more law enforcement.

I'm Phillip Matricardi.

Transcription from National Native News, Gary Fife (?)

This is National Native News, I'm Gary Fife, Native Art means big bucks these days, it's estimated that the native art market brings in as much as 800-million dollars a year, but studies indicate that as much as 1/5 of that is being siphoned off by imported imitations.

There's no shortage of domestic counterfeiters either. As Doreen Manson reports from Anchorage, Alaska some dealers find the profit margin is fatter when they cut the natives out of native arts.

There's more money than ever before to be made from the arts and crafts of native Americans Ann Millalowmakema of the Hopi arts and crafts coop in Second Mesa, Arizona says that means temptation. "It's really popular and everybody wants to get a bit of that pie, so people are really making a lot of fake stuff to get into this market. That counterfeiting can involve the illegal use of materials restricted to natives. It can also involve mass-producing someone else's artistic idea. The deception cheats both native artists and art buyers. It also infuriates those in the business of marketing the art. Dealers often note who the major counterfeiters are but they're reluctant to talk for fear of legal action and damage to their reputations. One dealer who didn't want to be identified was willing to tell how she found out some fakes had made their way into her old and well respected east coast

gallery. She says a trader came in who was familiar with the work of native carvers on St. Lawrence Island in the Bering Sea off the Coast of Alaska. The man was puzzled by the name he saw on a sculpture alleged to be from the island, "and he said the spelling of Jr. Slooknow's name was incorrect, and also he'd never seen Jr. working in soap-stone before, he'd only worked in ivory. A little research convinced them both that Jr. Snooklow was an invention patterned after Jr. Sloko, the St. Lawrence ivory carver. The dealer who had brought the work in subsequently denied any fraud but offered no proof of authenticity.

The gallery manager returned all his pieces to him and refuses to do business with him again. It's hard to believe the similarity in these artists names is coincidental, there are fewer than a thousand people on the island. The artists there are well known to visiting traders and to each other. Besides says Yupik carver Jr. Sloko, there's no soapstone and no soapstone carver on St. Lawrence Island. Sloko says he thinks it's a shame that art buyers are being deceived. "I'm sorry for the customers mostly that they're getting ripped off." Alaska ivory trader Tom Finnegan was also angered by the work of so-called Jr. Snooklow. He spotted it last year in a Seattle shop, Northwest tribal art owned by a Vietnamese named Knock Lee, in that shop and in two other shops in Alaska, Finnegan says he also saw a small ivory mask he took to be the work of Inupiat carver Eugene Tialana of Anchorage, but Finnegan says even before he saw the name on the mask, he realized they weren't authentic.

"When you get up close there's two things that separate it. For one thing the work is not as good, another thing instead of using little ivory rods to attach these masks to the baleen post, they use what appears to be brass. The carvers name was Eddie Singhok, and it's no wonder that he didn't use ivory as Tialana does, Singhok is really the shop owner Knock Lee. U.S. Fish and Wildlife officials say he was convicted in 1987 for possession of raw ivory by a non-native. Lee wouldn't agree to a taped interview, but when asked how the large amount of Eddie Singhok work seen in his shop could possibly be produced by one artist, he admitted it was the work of a team. That team rarely includes natives says Lee because they don't stay long. Lee says he can't get enough native art to feel his shop. He says he understands tribal art and sees nothing wrong with what he's doing. Does it have to be tribal people to be tribal art he asks? The misrepresentation of work as being Indian produced is against federal law, but regulations to implement the 1990 law have yet to be published. In the meantime, legitimate dealers recommend that buyers ask the seller to write the name of the artist and the tribe on the sales slip. Some who love native art may also develop the kind of instinct that serves Alaska trader Tom Finnegan. In his opinion the fakes all have one thing in common. Every piece that I've seen, they are not as good as the originals. I think probably because it lacks what you would call the spirit.

For National Native News in Anchorage, Alaska, I'm Doreen Ransom.

H B

5 3 4

(7)

HOUSE COMMITTEE REPORT

Date Referred: March 25, 1992

FURTHER REFERRALS:

Finance

Date of Committee Action: 4-28-92

The JUDICIARY Committee considered:

HB 534

HOUSE BILL NO. 534

CIVIL AND HUMAN RIGHTS

"An Act relating to civil and human rights."

RECOMMENDATIONS:

be replaced with _____

CS HB 534 (JUD)

the same title

a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

fiscal impact _____

zero fiscal note _____

APPROVES PREVIOUS: (Dept/Date)

^{indefinite} fiscal note(s) Admn. (3-25)

zero fiscal note(s) Admn (3-25); DPS (3-25)

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
<i>[Signature]</i>	<input checked="" type="checkbox"/>	<i>[Signature]</i>		<input checked="" type="checkbox"/>	
		<i>[Signature]</i>		<input checked="" type="checkbox"/>	

[Signature]
CHAIRMAN'S SIGNATURE

Alaska State Legislature



House of Representatives House Judiciary Committee

State Capitol
Juneau, Alaska 99801-1182
(907) 465-4990

LETTER OF REQUEST TO ACCOMPANY HB 534

The House Judiciary Committee requests that upon enactment of HB 534, the Revisor of Statutes move AS 11.76.130, "Interference with the right of the disabled", to the new chapter created by this bill AS 11.77, "Interference with the rights of others".

Representative Dave Donley
Chair, House Judiciary Committee

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. HB 534

Revision Date: _____ Department Affected: Public Safety

Title: "An Act relating to civil and BRU: Alaska State Troopers

human rights." Component: Detachments

Sponsor: Representative Gruenberg

Requestor: House State Affairs COMPONENT SERIAL NO.

	7	9	9
--	---	---	---

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

REVENUE						
FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)
 No fiscal impact is anticipated.

Prepared By: Francis C. Allan Phone: 269-5691
 Division: Alaska State Troopers Date: 2/27/92
 Approved by Commissioner: *Richard L. Burton* Richard L. Burton
 Agency: Department of Date: 3/02/92
 Distribution (by preparer): Leg. Fin., I _____ racted Agency(ies). Page 1 of 1
 Rev 10/7/91

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 534 (STA)

Revision Date: _____

Title: "An Act relating to civil and human rights."

Sponsor: Gruenberg

Requestor: House Judiciary

Department Affected: Administration

BRU: Personnel

Component: Personnel

COMPONENT SERIAL NO.

1	6	3	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: R. H. King, Director

Division: Personnel

Phone: 465-4430

Date: April 1, 1992

Approved by Commissioner: Nancy Bear Usura *NBU*

Agency: Administration

Date: 4/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 534 (SA)

Revision Date: _____

Department Affected: Administration

Title: "An Act relating to civil and human rights."

BRU: Office of Public Advocacy

Component: Office of Public Advocacy

Sponsor: Gruenberg

COMPONENT SERIAL NO.

		4	3
--	--	---	---

Requestor: House Judiciary

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE:	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

Prepared by: Brant McGee, Public Advocate
Division: Office of Public Advocacy

Phone: 274-1684
Date: April 2, 1992

Approved by Commissioner: Nancy Bear Usura
Agency: Administration

Date: 4/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 534 (SA)

Revision Date: _____
 Title: "An Act relating to civil and human rights."

 Sponsor: Gruenberg
 Requestor: House Judiciary

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency

COMPONENT SERIAL NO.

1	6	3	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	*	*	*	*	*	*
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	*	*	*	*	*	*

CAPITAL	*	*	*	*	*	*
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	*	*	*	*	*	*
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND	*	*	*	*	*	*
FEDERAL FUNDS						
OTHER FUND SOURCE:						
TOTAL	*	*	*	*	*	*

POSITIONS:

FULL-TIME	*	*	*	*	*	*
PART-TIME						
TEMPORARY	*	*	*	*	*	*

Estimate of current year impact: _____

ANALYSIS: (Attach a separate page if necessary.)

(See attached)

Prepared by: John Salemi, Director
 Division: Public Defender Agency

Phone: 274-7541
 Date: April 2, 1992

Approved by Commissioner: Nancy Bear Usura
 Agency: Administration

Date: 4/2/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

BILL NO. CSHB 534 (SA)

ANALYSIS: (continued)

Title: "An Act relating to civil and human rights."

Section 1 increases the seriousness of the crime of interference with constitutional rights from a class A misdemeanor to a class C felony.

Section 2 makes it unlawful for the State to engage in State-related business in establishments or facilities that discriminate on the basis of sex, race, creed, color, religion, ancestry, national origin or physical or mental disability. Money of the State can not be expended in connection with meetings or other activities held in such establishments nor can officials, employees or agents be reimbursed for memberships in such a facility.

Section 3 raises the level of seriousness of willfully engaging in unlawful discriminatory conduct to a class A misdemeanor.

Section 4 provides that in a civil action based upon a violation of civil rights the court can award treble punitive damages.

This proposed legislation may have no fiscal impact upon the Public Defender Agency. While these crimes are already currently on the books in reduced severity, a quick poll of the agency could not find a single prosecution of this crime. Without further information with regard to anticipated cases from the Department of Law, fiscal impact is speculative.

State of Alaska

House Majority Leader

COMMITTEES

HOUSE JUDICIARY

HOUSE RULES

HOUSE STATE AFFAIRS

SPECIAL COMMITTEE

MILITARY AND VET. AFFAIRS

LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.

District 11

Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Representative Dave Donley
Chair, House Judiciary Committee

FROM: Rep. Max Gruenberg *Max*

RE: Scheduling of HB 534

DATE: March 20, 1992

I would very much appreciate it if you would schedule HB534 "An Act Relating to civil and human rights", for a hearing as soon as soon as possible.

HB 534; (1) makes interference with constitutional rights a class C felony. (2) makes it unlawful for the state or an official, employee, or agency of the state or a political subdivision of the state to sponsor or organize a meeting or other activity in an establishment that does not afford full membership to a person because of sex, race, creed, color, religion, ancestry, national origin or physical or mental disability. State money may not be expended in connection with a meeting or other activity held at such an establishment. An official, employee or agent or a political subdivision of the state may not be reimbursed for dues or other expenses incurred at such an establishment. These provisions do not apply to expenditures incurred in the course of law enforcement or other required investigations or inspections. (3) Changes the criminal and civil penalties in AS 18.20.270 to a class A misdemeanor. (4) Adds a new subsection to AS 18.80.270 in a civil action to include a court may award treble punitive damage in addition to general damages, special damages, court costs, attorney fees and amounts otherwise allowed by law.

If you have any questions about this bill, please contact Stan Robbins in my office (4968) .

Thank you.

Hate Crimes

Copies of "hate crime" statutes from Florida, Illinois, Oklahoma, Oregon, Pennsylvania and Vermont are attached as a representative sample of state laws which address the issues of harassment, institutional vandalism, and statistical record keeping (Attachments B through G). Following is an overview of those statutes.

"Hate crimes," or ethnic intimidation, are crimes committed against a person or his property which are motivated by the victim's race, color, creed or religion, national origin or ancestry, sexual orientation, physical or mental disability and, in Vermont, service in the armed forces of the United States. If they are determined to be hate motivated, crimes such as harassment, arson, assault, criminal mischief, theft, mob action, criminal trespass (to residences, vehicles and real property) can be prosecuted under "hate crime" laws. Florida has a specific law against disturbing or interrupting religious assemblies (F.S. 871.01) and one which prohibits public places from advertising admission restrictions based on religious beliefs (F.S. 871.04).

First offense "hate crimes" are usually classified as misdemeanors, and second or subsequent offenses are generally classified as felonies. Reclassification of the underlying crime's penalty is allowed in Florida and Vermont when there is evidence that it is hate motivated.³ A 1984 Oregon court decision (*State v. Beebe*, 67 OR App 738) says it is "constitutionally permissible to punish otherwise criminal conduct more severely when it is motivated by racial, ethnic, or religious hatred..." Punishment can be in the form of imprisonment, a fine, or both.

There is a significant difference between provisions of Illinois and Pennsylvania laws for incidents of vandalism against churches, synagogues, or other places used for religious worship.⁴ In Pennsylvania "institutional vandalism" is considered a second degree misdemeanor unless the act "is one of desecration" or the loss exceeds \$5,000, in which case it becomes a third degree felony. Illinois law states that when the damage inflicted to an institution is at least \$300, it constitutes a class 3 felony.

In the sampled states, victims of hate crimes can bring civil action for damages independent of any criminal prosecution. Illinois has a Parental Responsibility law which provides that the parent or legal guardian of an

³A misdemeanor of the second degree is punishable as a misdemeanor of the first degree; a misdemeanor of the first degree is punishable as if it were a felony of the third degree, etc.

⁴People commit institutional vandalism when they knowingly desecrate, vandalize, deface or otherwise damage a church, synagogue or other place used for religious worship. [Pennsylvania, Title 18, Sec. 3307(a)(1)]

Representative Gruenberg
November 19, 1990
Page 3

unemancipated minor is liable for payment of any judgment for damages in a civil action.

The Florida "Hate Crimes Reporting Act" (F.S. 877.19) delegates responsibility for collection and dissemination of hate crime statistics to the Florida Department of Law Enforcement. An annual summary of data is published by the Attorney General. The information is considered confidential and is only made available for research or statistical purposes. Hate crimes in Oklahoma must be reported to the State Bureau of Investigation within seventy-two hours of the time the crime was reported to a state law enforcement agency.

I hope this information will prove helpful to you. Please let us know if we can be of further assistance in this or any other matter.

Attachments

State of Alaska

House Majority Leader
COMMITTEES
HOUSE JUDICIARY
HOUSE RULES
HOUSE STATE AFFAIRS
SPECIAL COMMITTEE
MILITARY AND VET. AFFAIRS
LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Representative Max Gruenberg

FROM: Stan Robbins *SMB*

DATE: April 25, 1992

SUBJECT: Sectional Analysis of HB 534

Section 1 Amends AS 11.76.110 to read "Interference With Constitutional or Human Rights"

This section designates four crimes: (1) interference with constitutional or human rights, (2) engaging in conduct that interferes with constitutional or human rights, (3) depriving another of constitutional or human rights, (4) intentionally engaging in conduct prohibited under AS 18.80.

Also section 1 includes a provision clarifying that it would be a legal question to be resolved by a judge whether the injury, oppression, threat, intimidation or deprivation referred to above concerned a right, privilege, or immunity arising under the constitution or laws of the state of Alaska. It would also be a legal question to be resolved by a judge whether discriminatory conduct was in fact prohibited by the human right statutes contained in AS 18.80. Finally, the existence of a duty of the State Commission for Human Rights or its representatives would be a legal question.

Section 2 is simply a conforming section. Since AS 22.10.020(i) would be repealed in section 9 and partially restored as AS 18.80.270, appropriate change would be made to a statutory cross reference appearing in AS 18.80.145(a).

Section 3 is another conforming section. Since AS 18.80.280 would be repealed in section 9, a cross-reference to that statute in AS 18.80.145(d) would be eliminated.

Section 4 is another conforming section. that would eliminate a statutory cross reference to AS 18.80.280 appearing in AS 18.80.220 (a)(4).

Section 5 would add four human rights prohibitions to AS 18.80.255 . First various arms of state government could not sponsor or organize events relating to state business in as establishment or facility that withheld full membership right on the basis of sex, race, creed, color, religion, ancestry, national origin, or disability. this prohibition would not include, however, law enforcement activity occurring on such premises.

Second, funds of various arms of state government could not be expended in connection with activities occurring in the establishments and facilities described in the preceding paragraph. Once again, this prohibition would not include law enforcement activity.

Third officials, employees, and agents of arms of state government could not be reimbursed for dues or other expenses incurred at the facilities described above. Again, the prohibition would not include law enforcement activity.

There would be an exception to each of the prohibitions of AS 18.80.255. Events could be sponsored or organized, public funds expended, and officials, employees, and agents reimbursed, when the activity occurred on the premises of a religious organization the limited membership rights and privileges to members of the religion or creed so long as the organization's primary purpose was to serve members of that particular religion or creed. This exception is designated to permit, for example, precinct polling in church basements, performances by high school chorus in church sanctuaries, and athletic competitions between public schools and church schools that occur on the premises of the church schools.

Section 6 would prohibit a person, the state or an arm of the state from interfering with the State commission for Human Rights in the performance of its duties and from violating a lawful order of the commission.

Section 7 would repeal AS 18.80.270's criminal penalties for for violating AS 18.80 (since criminal penalties for such violations would be removed to AS 11.76.010 in section 1). AS 18.80.270 would be reenacted to provide a civil cause of action to persons injured or aggrieved by violations of AS 18.80. Courts could issue injunctions and award compensatory and punitive damages.

Section 8 is another conforming section that would correct a cross-reference to AS 11.76.110 found in AS 47.30.835(a).

Section 9 would repeal two sections discussed above AS
18.80.280 and AS 22.10.020(i).

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

April 21, 1992

SUBJECT: Sectional Analysis of CSHB 534 (State Affairs) (Work Order No. 7-LS2097S)

TO: Representative Max Gruenberg
Attention: Stan Robbins

FROM: Robert Glennon Casey *RGC 4-21-92*
Legislative Counsel

I. INTRODUCTION

You have requested a sectional analysis of the above-referenced bill draft. Although the draft is the authoritative statement of its contents, the following discussion may provide some guidance.

II. DISCUSSION

Section 1 would create a new chapter, AS 11.77 ("Interference With Rights of Others"). This new chapter would be designed for three crimes: (1) intentional interference with constitutional or human rights, (2) knowing interference with constitutional or human rights, and (3) interference with rights of disabled person.

The first crime ("Intentional Interference With Constitutional or Human Rights") would replace existing AS 11.76.110, which is repealed in bill section 9. The crime would become a class C felony (punishable by imprisonment for up to 5 years and a fine of up to \$50,000) instead of a class A misdemeanor (up to 1 year and \$5,000).

The new statute would criminalize all of the conduct described in AS 11.76.110, plus intentional discriminatory conduct prohibited in the human rights statutes of AS 18.80, intentional interference with the State Commission for Human Rights or its representatives in the performance of their duties under AS 18.80, and intentional violation of a lawful order of the State Commission for Human Rights.

Section 1 would also add AS 11.77.020 ("Knowing Interference With Constitutional or Human Rights"). The elements would be essentially the same as those specified

above, except committed knowingly rather than intentionally. This crime would be a class A misdemeanor.

This new chapter - AS 11.77 - might be a logical location for existing AS 11.76.130 ("Interference With Rights of Disabled Person"), and the revisor of statutes could be requested to renumber that criminal statute accordingly.

Finally, section 1 would include a provision similar to existing AS 11.76.110(b), clarifying that it would be a legal question to be resolved by a judge whether the injury, oppression, threat, intimidation, or deprivation referred to above concerned a right, privilege, or immunity arising under the constitution or laws of the state of Alaska. It would also be a legal question - to be resolved by a judge - whether discriminatory conduct was in fact prohibited by the human rights statutes contained in AS 18.80. Finally, the existence of a duty of the State Commission for Human Rights or its representatives would be a legal question.

Section 2 is simply a conforming section. Since AS 22.10.020(i) would be repealed in section 9 and partially restored as AS 18.80.270, appropriate change would be made to a statutory cross reference appearing in AS 18.80.145(a).

Section 3 is another conforming section. Since AS 18.80.280 would be repealed in section 9, a cross-reference to that statute in AS 18.80.145(d) would be eliminated.

Section 4 is another conforming section that would eliminate a statutory cross reference to AS 18.80.280 appearing in AS 18.80.220(a)(4).

Section 5 would add four human rights prohibitions to AS 18.80.255. First, various arms of state government could not sponsor or organize events relating to state business in an establishment or facility that withheld full membership rights on the basis of sex, race, creed, color, religion, ancestry, national origin, or disability. This prohibition would not include, however, law enforcement activity occurring on such premises.

Second, funds of various arms of state government could not be expended in connection with activities occurring in the establishments and facilities described in the preceding paragraph. Once again, this prohibition would not include law enforcement activity.

Third, officials, employees, and agents of arms of state government could not be reimbursed for dues or other expenses incurred at the facilities described above. Again, the prohibition would not include law enforcement activity.

There would be an exception to each of the prohibitions of AS 18.80.255. Events could be sponsored or organized, public funds expended, and officials, employees,

and agents reimbursed, when the activity occurred on the premises of a religious organization that limited membership rights and privileges to members of the religion or creed, so long as the organization's primary purpose was to serve members of that particular religion or creed. This exception is designed to permit, for example, precinct polling in church basements, performances by high school choirs in church sanctuaries, and athletic competitions between public schools and church schools that occur on the premises of the church schools.

Section 6 would prohibit a person, the state, or an arm of the state from interfering with the State Commission for Human Rights in the performance of its duties and from violating a lawful order of the commission.

Section 7 would repeal AS 18.80.270's criminal penalties for violating AS 18.80 (since criminal penalties for such violations would be removed to AS 11.77.010 and 11.77.020 in section 1). AS 18.80.270 would be reenacted to provide a civil cause of action to persons injured or aggrieved by violations of AS 18.80. Courts could issue injunctions and award compensatory and punitive damages.

Section 8 is another conforming section that would correct a cross-reference to repealed AS 11.76.110 found in AS 47.30.835(a).

Section 9 would repeal three sections discussed above - AS 11.76.110, AS 18.80.280, and AS 22.10.020(i).

RGC:gc
92-305.glc

(7) Date Referred: February 18, 1992

FURTHER REFERRA.

Judiciary
Finance

Date of Committee Action: 3/20/92

The STATE AFFAIRS Committee considered:

HB 534

HOUSE BILL NO. 534

CIVIL AND HUMAN RIGHTS

"An Act relating to civil and human rights."

RECOMMENDATIONS: CS HB 534 (STA) the same title
be replaced with _____ a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

^{Indeterminate} fiscal impact Admin

fiscal note(s) _____

² zero fiscal note Pub. Safety Admin

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Eugene H. Kubera</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				
<i>[Signature]</i>	<input checked="" type="checkbox"/>				
<i>Mike Miller</i>	<input checked="" type="checkbox"/>				
<i>[Signature]</i>	<input type="checkbox"/>				

Eugene H. Kubera
CHAIRMAN'S SIGNATURE

State of Alaska

House Majority Leader
COMMITTEES
HOUSE JUDICIARY
HOUSE RULES
HOUSE STATE AFFAIRS
SPECIAL COMMITTEE
MILITARY AND VET. AFFAIRS
LEGISLATIVE COUNCIL



Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

P.O. Box V
JUNEAU, AK 99811
(907) 465-3718
465-4968/4986
(SESSION)

3111 C STREET, SUITE 440
ANCHORAGE, AK 99503
(907) 561-7621

MEMORANDUM

TO: Representative Gene I. *MAX*
Chair, House State Affairs Committee

FROM: Rep. Max Gruenberg *MAX*

RE: Scheduling of HB 534

DATE: February 19 1992

I would very much appreciate it if you would schedule HB534 "An Act Relating to civil and human rights", for a hearing as soon as soon as possible.

HB 534; (1) makes interference with constitutional rights a class C felony. (2) makes it unlawful for the state or an official, employee, or agency of the state or a political subdivision of the state to sponsor or organize a meeting or other activity in an establishment that does not afford full membership to a person because of sex, race, creed, color, religion, ancestry, national origin or physical or mental disability. State money may not be expended in connection with a meeting or other activity held at such an establishment. An official, employee or agent or a political subdivision of the state may not be reimbursed for dues or other expenses incurred at such an establishment. These provisions do not apply to expenditures incurred in the course of law enforcement or other required investigations or inspections. (3) Changes the criminal and civil penalties in AS 18.20.270 to a class A misdemeanor. (4) Adds a new subsection to AS 18.80.270 in a civil action to include a court may award treble punitive damage in addition to general damages, special damages, court costs, attorney fees and amounts otherwise allowed by law.

If you have any questions about this bill, please contact Stan Robbins in my office (4968) .

Thank you.

**1992 LEGISLATION
POSITION PAPER
DEPARTMENT OF ADMINISTRATION**

Division Personnel/OEEO Bill Number CSHB 534 (SA)

Bill Title An Act relating to civil and human rights.

Position Statement: Explain briefly what bill does, its impacts and Department's position, i.e., a) support, b) do not support, c) neutral or d) oppose.

Position

The Department of Administration supports the first three sections of the bill and opposes Section 4.

What the Bill Does

The bill amends AS 11.76.110(c) and AS 18.80 (the State Human Rights Act) by

- (a) Changing interference with constitutional rights from a Class A misdemeanor to a Class C felony;
- (b) Prohibiting the State, or a political subdivision of the State, or a public official or public employee to use or expend money in connection with a meeting held at an establishment or facility that does not afford full membership rights and privileges to a person because of sex, race, creed, color, religion, ancestry, national origin, or physical or mental disability;
- (c) Prohibiting an official, employee, or agent of the State or a political subdivision from being reimbursed for dues or other expenses incurred at an establishment or facility that limits membership on the basis listed in (b) above;

APPROVED:

Director R. H. King Division Personnel/OEEO

Signature *Richard P. Tom Mueller* Date 4/1/92

Commissioner Nancy Bear Usara

Signature *N. Bear Usara* Date 4-2-92

(For more information, call Barbara Pritchett 465-2200)

Rev. 01/31/92

**POSITION PAPER
CSHB 534 (SA)**

Position Statement Continued:

- (d) Specifying the misdemeanor class (Class A) for wilfully engaging in an unlawful discriminatory conduct prohibited by AS 18.80; and,
- (e) Increasing the damages that a court may award for violations of AS 18.80 to include treble punitive damages.

Program Impacts

The first three sections elaborate on the State's historic policy against discriminatory treatment of individuals. Section 2, in particular, expands upon the types of activities in which State and local governments are proscribed from engaging.

The primary problem with this bill is Section 4. The proposed amendments to AS 18.80.270 provides for awards of treble punitive damages in addition to other damages, court costs, and attorney fees by courts for civil actions based on conduct that violates AS 18.80. While there is some precedent for awarding compensatory and punitive damages under this chapter (*Loomis Electronic Protection, Inc. v. Schaefer*, 549 P.2d 1341 [Alaska, 1976]), we would not support making this amendment to the law because of the following reasons:

- (1) The amendment would increase the liability of the State and other employers in employment discrimination and other claims. With the passage of the federal Civil Rights Act of 1991, employers are already faced with substantial liabilities under various State and federal anti-discrimination laws.
- (2) Penalties against public agencies, officials, and employees should be limited to compensatory damages, court costs, and attorney fees. Punitive damages are excessive. Public officials and employees--in contrast to private sector employees--are subject to discipline and discharge for violations of federal and State law.
- (3) Since State courts have already indicated a willingness to consider these kinds of awards, there seems to be little reason to add this to the law.
- (4) There is a question whether or not "treble punitive damages" is even an appropriate award under AS 18.80. The Department of Law has indicated that this award is more commonly used in addressing cases of liquidated damages and should not be in AS 18.80. It raises ambiguities in the law that no doubt will be subject to litigation.

These problems with Section 4 can be cured by:

Deleting Section 4 from the bill or, if the section remains, make the following changes:

- (1) Remove "treble punitive damages" from the bill and replace it with "punitive damages";
- (2) Add a clause for public organizations for the award of compensatory damages, court costs, attorney fees, and amounts otherwise allowed by law; and,

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

HUMAN RIGHTS COMMISSION

HEADQUARTERS
800 A STREET, SUITE 202
ANCHORAGE, ALASKA 99501-3628
PHONE: (907) 276-7474

March 13, 1992

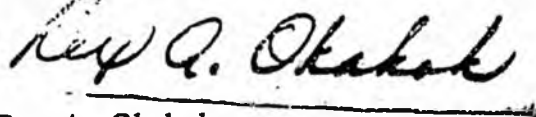
Representative Max Gruenberg
Room 216, Capitol
P. O. Box V
Juneau, AK 99811

Re: **House Bill No. 534**

Dear Representative Gruenberg,

The Alaska State Commission for Human Rights held its Annual Meeting February 27th and 28th in Juneau, during which the Commissioners considered HB534 "**An Act relating to civil and human rights.**" The Commission wishes to convey its full support of this legislation, as originally drawn.

Sincerely,



Rex A. Okakok
Chairperson

RAO/PMH/mt



ALASKA CONFERENCE OF SEVENTH-DAY ADVENTISTS

April 12, 1992

RECEIVED
APR 16 1992

Rep. Max Gruenberg
Room 216
State Capitol
Juneau, AK 99801-1182

Dear Representative Gruenberg,

After conversations with President Dr. James Stevens of the Alaska conference of Seventh-day Adventists, and other leaders of the conference, we have decided to back House Bill 534 for these reasons:

The first Amendment of the Constitution of the United States defines religious liberty as the first freedom.

House Bill 534 by the Hon. Max Gruenberg, Majority Leader of the House of Representatives, is a strong proposal for the preservation of civil and human rights including religious liberty.

I have the honor of expressing the thanks of the Alaska Conference of Seventh-day Adventists and expressing our appreciation to you for your strong stand in support of these freedoms given to us in the Bill of Rights.

Sincerely,

Chris Larson

G. Chris Larson
Government Relations Representative,
Alaska Conference of Seventh-day Adventists

c:c Dr. James Stevens, Richard Lee Fenn

Representative Max Gruenberg
Pouch V
Juneau, AK

~~fax: 465-7789~~

Dear Max,

I have reviewed House Bill 534 and want to commend you on a fine piece of legislation. As we have discussed, the incidence of "hate" related crimes continues to increase both in Alaska and "Outside". By making it a felony to interfere with a person's constitutional rights, we are sending the message that Alaska will not tolerate such behavior. By going further and prohibiting the conduct of state business in facilities sponsored by exclusionary groups, makes the message even clearer.

I believe I told you of a call I received from Senator Sturgelewski in which she told me that various "skinhead" groups were setting up recruiting centers near our run away shelters in Alaska. In addition, there have been several incidents of violence in Anchorage which had racial or religious overtones. In each case, these overtones were ignored or played down by both law enforcement and governmental officials who refuse to admit that such acts of hate occur here in Alaska. The elevation of these crimes to a felony will make these officials recognize that unfortunately we are no different that so many other communities in America.

Finally, I want to let you know that I recently took part in a forum on hate literature and its effect on society sponsored by an organization of Catholic lawyers. The amount and availability of this literature, both newsletters and books is growing. It is circulating in our schools and government offices. It will influence those who receive it. This combined with a slow economy makes it clear that crimes involving hate will most likely increase, not decrease.

Again I want to thank you for introducing House Bill 534. I hope it will pass both houses and be signed into law by the Governor. If I can be of further assistance, please let me know.

Sincerely,

Rabbi Harry L. Rosenfeld

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: JILL DEARMOUN-KILLPATRICK
TITLE:
ADDRESS: 14400 SNOWSHOE LANE
CITY: ANCHORAGE ZIP: 99516
PHONE: 345-4750
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: I STRONGLY SUPPORT THE PASSING OF HB 534. /BN

POMID: 03080046
DATE: 92/03/19
TIME: 08:00:46
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES

BAKER
BRUCKMAN
CHOQUETTE
KUBINA
M.W.MILLER
MOYER

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

STANDARD
LTR?

NAME: ROBERT KLEIN
TITLE:
ADDRESS: 10381 TREE TOP LANE
CITY: ANCHORAGE
PHONE: 346-2614

ZIP: 99516

BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: THE BOARD OF TRUSTEES OF CONGREGATION BETH SHOLOM UNANIMOUSLY SUPPORT THE PASSAGE OF THIS BILL. INCREASING PENALTIES FOR VIOLATIONS OF CIVIL RIGHTS, AND MAKING IT UNLAWFUL FOR THE STATE OR IT'S AGENTS TO PATRONIZE ESTABLISHMENTS THAT PRACTICE DISCRIMINATION ARE MUCH NEEDED ADDITIONS TO OUR CIVIL RIGHTS LAWS. PLEASE VOTE YES. /CMR

POMID: 03151814
DATE: 92/03/11
TIME: 15:18:14
LIONAME: ANCHORAGE LIO

Dear Bob

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	CRAFT
B.DAVIS	C.DAVIS	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUSSENDORF	FRANK
HANLEY	HUDSON	HALFORD
IVAN	JACKO	HOFFMAN
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KERTTULA
LINCOLN	MACKIE	MENARD
MACLEAN	MARTIN	PEARCE
M.A.MILLER	M.W.MILLER	POURCHOT
MOYER	NAVARRE	RODEY
PARNELL	G.PHILLIPS	SHULTZ
R.PHILLIPS	SHARP	STURGULEWSKI
TAYLOR	ULMER	UEHLING
ZAWACKI		ZHAROFF

permanence [unclear]

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: RUSSEL A. NOGG
TITLE:
ADDRESS: 515 FREDRICKS
CITY: ANCHORAGE ZIP: 99504
PHONE: 276-6040
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: PLEASE SUPPORT AND PASS HB 534 AN ACT RELATING TO CIVIL AND HUMAN
RIGHTS. PLEASE VOTE YES. /JSM

POMID: 03103846
DATE: 92/03/19
TIME: 10:38:46
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES

BAKER	BARNES
BOYER	BROWN
BRUCKMAN	CARNEY
CHOQUETTE	DAVIDSON
B.DAVIS	C.DAVIS
DONLEY	ELLIS
FINKELSTEIN	FOSTER
GONZALES	GRUSSENDORF
HANLEY	HUDSON
IVAN	JACKO
KOPONEN	KUBINA
LARSON	LEMAN
LINCOLN	MACKIE
MACLEAN	MARTIN
M.A.MILLER	M.W.MILLER
MOYER	NAVARRE
PARNELL	G.PHILLIPS
R.PHILLIPS	SHAPP
TAYLOR	ULMER
ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: REV. JIM PETERSON
TITLE:
ADDRESS: 10821 TOTEM ROAD
CITY: ANCHORAGE
PHONE: 346-2824
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: I ASK FOR YOUR SUPPORT OF HB 534 THAT IT MAY PASS AND BECOME LAW.
/JSM

ZIP: 99516

POMID: 03145407
DATE: 92/03/18
TIME: 14:54:07
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES

BAKER	BARNES
BOYER	BROWN
BRUCKMAN	CARNEY
CHOQUETTE	DAVIDSON
B.DAVIS	C.DAVIS
DONLEY	ELLIS
FINKELSTEIN	FOSTER
GONZALES	GRUSSENDORF
HANLEY	HUDSON
IVAN	JACKO
KOPONEN	KUBINA
LARSON	LEMAN
LINCOLN	MACKIE
MACLEAN	MARTIN
M.A.MILLER	M.W.MILLER
MOYER	NAVARRE
PARNELL	G.PHILLIPS
R.PHILLIPS	SHARP
TAYLOR	ULMER
ZAWACKI	

*Unity Christian Church
of Anch.*

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: DR. STUART REDER
TITLE:
ADDRESS: 7081 CHAD ST
CITY: ANCHORAGE ZIP: 99518
PHONE: 344-0928
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: DEAR SIR/MADAM I WISH TO EXPRESS MY SUPPORT FOR HB534 WHICH INCREASES
THE PENALTIES FOR CIVIL RIGHTS ABUSE. PLEASE STRONGLY SUPPORT THIS BILL AND LET
US WORK TOGETHER TO KEEP ALASKA THE GREAT LAND. SINCERELY, DR. STUART REDER

POMID: 03134339
DATE: 92/03/18
TIME: 13:43:39
LIONAME: ANCHORAGE LIO

<u>COPIES:</u>	<u>REPRESENTATIVES</u>	<u>REPRESENTATIVES</u>	<u>SENATORS</u>
	BAKER	BARNES	ADAMS
	BOYER	BROWN	COLLINS
	BRUCKMAN	CARNEY	COTTEN
	CHOQUETTE	DAVIDSON	CRAFT
	B.DAVIS	C.DAVIS	DUNCAN
	DONLEY	ELLIS	ELIASON
	FINKELSTEIN	FOSTER	FISCHER
	GONZALES	GRUSSENDORF	FRANK
	HANLEY	HUDSON	HALFORD
	IVAN	JACKO	HOFFMAN
	KOPOHEN	KUBINA	JONES
	LARSON	LEMAN	KERTTULA
	LINCOLN	MACKIE	MENARD
	MACLEAN	MARTIN	PEARCE
	M.A.MILLER	M.W.MILLER	POURCHOT
	MOYER	NAVARRA	ROEY
	PARNELL	G.PHILLIPS	SHULTZ
	R.PHILLIPS	SHARP	STURGULEWSKI
	TAYLOR	ULMER	UEHLING
	ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: JIM TAYLOR
TITLE:
ADDRESS: HC85 BOX 9811
CITY: EAGLE RIVER ZIP: 99577
PHONE: 337-1585
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: I STRONGLY SUPPORT HB 534 AND URGE THAT THEY PASS THAT BILL RELATING
TO CIVIL AND HUMAN RIGHTS. PLEASE VOTE YES. /LD

POMID: 03081520
DATE: 92/03/19
TIME: 08:15:20
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	DAVIDSON	CRAFT
B.DAVIS	C.DAVIS	DUNCAN
DONLEY	ELLIS	ELIASON
FINKELSTEIN	FOSTER	FISCHER
GONZALES	GRUSSENDORF	FRANK
HANLEY	HUDSON	HALFORD
IVAN	JACKO	HOFFMAN
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KERTTULA
LINCOLN	MACKIE	MENARD
MACLEAN	MARTIN	PEARCE
M.A.MILLER	M.W.MILLER	POURCHOT
MOYER	NAVARRE	RODEY
PARNELL	G.PHILLIPS	SHULTZ
R.PHILLIPS	SHARP	STURGULEWSKI
TAYLOR	ULMER	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

NAACP

DEAR: REPRESENTATIVE GRUENBERG

NAME: TAMMY TOWNSEND
TITLE: OFFICE MANAGER
ADDRESS: 325 E. 3RD AVE
CITY: ANCHORAGE
PHONE: 272-8717
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: THE ANCHORAGE BRANCH OF NAACP WOULD LIKE TO GO ON RECORD IN SUPPORT OF
HB53 IN ITS PRESENT FORM. AN ACT RELATING TO CIVIL AND HUMAN RIGHTS. SIGNED
TAMMY TOWNSEND/RD

ZIP: 99501

POMID: 03131628
DATE: 92/03/18
TIME: 13:16:28
LIONAME: ANCHORAGE LIO

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE GRUENBERG

NAME: GARY A. ZIPKIN
TITLE:
ADDRESS: 3515 COTTONWOOD ST.
CITY: ANCHORAGE ZIP: 99508
PHONE: 276-0043
BILL NO: HB 534
SUBJECT: CIVIL AND HUMAN RIGHTS
MESSAGE: PLEASE SUPPORT AND PASS HB534 AN ACT RELATING TO CIVIL AND HUMAN RIGHTS. PLEASE VOTE YES./RD

POMID: 03155227
DATE: 92/03/18
TIME: 15:52:27
LIONAME: ANCHORAGE LID

<u>COPIES:</u>	<u>REPRESENTATIVES</u>	<u>REPRESENTATIVES</u>	<u>SENATORS</u>
	BAKER	BARNES	ADAMS
	BOYER	BROWN	COLLINS
	BRUCKMAN	CARNEY	COTTEN
	CHOQUETTE	DAVIDSON	CRAFT
	B.DAVIS	C.DAVIS	DUNCAN
	DONLEY	ELLIS	ELIASON
	FINKELSTEIN	FOSTER	FISCHER
	GONZALES	GRUSSENDORF	FRANK
	HANLEY	HUDSON	HALFORD
	IVAN	JACKO	HOFFMAN
	KOPONEN	KUBINA	JONES
	LARSON	LEMAN	KERTTULA
	LINCOLN	MACKIE	MENARD
	MACLEAN	MARTIN	PEARCE
	M.A.MILLER	M.W.MILLER	POURCHOT
	MOYER	NAVARRE	RODEY
	PARNELL	G.PHILLIPS	SHULTZ
	R.PHILLIPS	SHARP	STURGULEWSKI
	TAYLOR	ULMER	UEHLING
	ZAWACKI		ZHAROFF

NSV REPORT



VOL. 7 — NO. 4

A QUARTERLY OVERVIEW OF THE NATIONAL SOCIALIST VANGUARD
P.O. Box 328, The Dalles, Oregon 97058

OCT/DEC 1989

ST DIRECTOR R.E. COOPER — MANAGEMENT
ST DIRECTOR D.H. STEWART — OPERATIONS

NAZIISM & APPLE PIE (Editorial by Dan Stewart)

That's right, folks! Naziism is as American as apple pie. Naziism was actually started here in the USA by a very creative American. I will explain. Early in this century, a bunch of Marxist Jews went to Henry Ford, Sr., to beg money for their communist revolution in Russia. Mr. Ford was flabbergasted by the Jews' request. Mr. Ford threw the Jew-communist parasites out of his office. Henry Ford was a real man! The commie Jews were so angry at Ford for snubbing them that they tried to take the Ford Motor Company away from Mr. Ford through the courts. Mr. Ford had to fight like Hell to keep the company that he had created.

Through their own devilment, the Jews had created another capable enemy. Mr. Ford proved that he was as good a researcher and writer on the subject of Jews as he was an innovator. Ford wrote weekly in his *Dearborn Independent* about Jewish machinations. Ford's most famous book is *The International Jew, The World's Foremost Problem* (the complete 4-Volume set, unabridged, approx 1000 pages, is available from Liberty Bell Publications, P.O. Box 21, Reedy, WV 25270, for \$29.90, postage paid). Years ago, when you bought a new Ford car, you got a set of these books with the car. It is strange to some people when they go to a large library, looking for *The International Jew*, and they find that it is not even listed. Your Jewish "brothers" have been censoring books long before you were ever born. In the history section of the smallest libraries, you can find all manner of books written by Jewish liars.

Henry Ford exposed the whole secret underworld of the Jews. At this same time, there was a little man living in Austria who loved to learn and read everything he could get his hands on. He read everything Henry Ford wrote. This man's name was Adolf Hitler. Much of what Hitler knew about Jews came from Henry Ford. That is why I say Naziism is as American as apple pie and the Ford automobile. Propaganda says Naziism is

German. Naziism is actually pan-Aryan. Propaganda says communism is Russian. Sorry, folks! Communism is Jewish!

I have always said it takes a great man to recognize another great man. Hitler and Ford were the best of friends. Each kept a picture of the other on his desk. Hitler was already a millionaire from the sales of *Mein Kampf* (also available from Liberty Bell Publications for \$13.80, postage paid) but Ford still wanted to do his part to help fight the Jewish underworld. Henry Ford gave Hitler a million dollars in cash. The Jews eventually won the battle but the war is still in progress.

MANAGEMENT

ABOUT NATIONAL SOCIALISM (NAZIISM): Most of you know the basic meaning of National Socialism, or "Naziism" as it is more commonly called, but this particular report will be reaching a lot of new people. The following is partly based on the talk that Director Cooper gave at the Skinhead Solution Seminar at Hayden Lake, Idaho, on April 20, 1989, titled "National Socialism in America." When the German NSDAP used the term "National Socialist", it was meant to describe a person who was both a nationalist (one who loves his country) and a socialist (one who loves his race). The original National Socialists never referred to themselves as "Nazis"—that term first appeared in the Jewish-controlled German newspapers and was a slang term used to deride National Socialists. Adolf Hitler realized that the highest purpose of anything in nature is for the preservation of its own kind whether that kind be animal, insect, vegetable or any of the World's many races—not simply for the maintenance of a state, government or country. In this vein, National Socialism serves as a political vehicle for our White race towards its self-preservation and thus is a means to an end—not an end in itself. National Socialism centers on the race issue with all other issues such as taxes, economics and social structure being secondary. When George Lincoln Rockwell founded the American Nazi Party in 1959, his beliefs were essentially the same as Adolf Hitler's but Rockwell showed originality in expressing himself to people and getting the message across.

Rockwell viewed National Socialism as the White Aryan man's defense against communism, Bolshevism, Judaism, and democracy. Rockwell simultaneously defined Marxism as the organized mutiny of biologically inferior peoples, led by the Jews, against those peoples who create civilization. Some people think that all socialisms are the same. This is not true. Comparing National Socialism to Marxist Socialism, one can readily see major differences. The two largest differences are in the areas of race and personality. National Socialism recognizes that the various races differ in their abilities to create and invent, and recognizes the individual personality that articulates within the racial community to not only benefit the individual himself but to benefit his community as a whole. Marxist Socialism does not recognize any difference between races other than physical appearance and does not recognize the uniqueness of the individual personality. The Jews Karl Marx and Sigmund Freud negate the value of race and exclude personality from all fields by insisting that the differences among races and individuals stem from social, environmental and economic factors. Another difference is that National Socialism allows private ownership of property whereas Marxist Socialism believes the state should own all property. In regards to income taxes, National Socialism believes that the more a person works, the more he should receive and that the worker should not be penalized or relegated to serf status by an oppressive graduated income tax whereas Marxist Socialism believes "from each according to ability to each according to need", meaning a hard worker who needs little gets little regardless how hard he works while the lazy worker with a great need receives far more in return for the relatively little work that he does. National Socialism allows for gun ownership for all citizens whereas Marxist Socialism is against private gun ownership. Most of the other openly recognized socialisms such as Leninism, Stalinism, Maoism etc. are bastard offshoots of Marxism but are generically still communist and anti-White.

There is no official National Socialist religion. Hitler, who was never excommunicated from the Catholic church, was not concerned what religion the German people wanted but he did recognize that the vast majority were Christian and he criticized the various Christian denominations for fighting among themselves while the mortal enemy of all Christendom, the Jews, laughed. Rockwell, a professed agnostic, likewise was not concerned what religion the White Americans wanted. While religion is a matter of personal conscience, the welfare of our race is every White person's business. National Socialists and other White Nationalists differ in their religions, personal views and opinions but the one concern that they put ahead of all others is their concern for the White race. Those of us who profess to be Christians are usually Identity Christians—the other self-professed Christians are approaching Identity Christianity since the Judeo-Christians are either rarities or agents. Some of us are Odinists, some Dualists, some agnostics and some atheists. Looking back through some 6,000 years of history, the White race has always had some type of religion in which there was a god or gods and an afterlife in which an individual was either

rewarded or punished depending upon his actions during his tour in the physical world. Of course, there have always been the atheists because of the lack of solid evidence on either side to convince the other—divine creation versus evolution. The theists have the largest following but none of them can explain who got the god(s) started. The evolutionists insist that their explanation is scientifically possible but the actual probability of all the world's upright bipeds originating from that time when Godzilla pooped in a swamp 40 billion years ago is virtually nil. And so the debate goes on and on for some people but not for us. We can see that it is the nature of our race to believe in at least one god and an afterlife regardless of logic, right or wrong. For this reason, any religion that does not include these two characteristics will never be accepted as a religion by the White masses. Judaism recognizes no afterlife although some individual Jews may believe in one. For the most part, Judaism is a practical and profitable way for Jews to survive in the physical world, and is a belief system that would be rejected by the White masses. For the same reason, the White masses will reject even pro-White religions such as Matt Koehl's New Order (NO) and Ben Klassen's Church of the Creator (COTC)—neither offer a god or afterlife. The most the NO or COTC can do is engage in an effective project or help in a general White racial awareness but neither will become a major religion of the future although they could reach cult status if that much. On a final note, we are not discouraging people from supporting anything they feel deserves their support but we feel obligated to educate people where we believe they need education.

NATIONAL YOUTH ACTIVIST DIRECTORY (NYAD): From time to time, we have distributed a national Skinhead directory which was a list that originally included just a listing of public mailing addresses for Skinhead groups to help the Skins increase their networking. However, because there are now so many youth activist groups whose basic beliefs, attitudes and sometimes even lifestyles are similar to those of the Skinheads, this list now includes all public mailing addresses for Skinhead groups and similar groups to the best of our ability as of the indicated date. Additionally, there are Skinheads now who have changed their clothing style and hair length but whose attitudes and beliefs are the same. We dare state this list is the most current and inclusive in the country. Since this list contains public mailing addresses only (not personal residences), we make it available upon request to anyone who asks for it. There is no way that this type of list will ever be totally current because of affiliation name changes, defunct addresses and new addresses. For this reason, we ask to be informed of any changes to the NYAD to help us keep the list as current as possible.

OPERATIONS

AUSTRALIA: In the first half of June 1986, one of our Australian contacts, a member of the Australian Nationalists Movement (ANM), received his first copy of *The Turner Diaries*. Since then, he writes us, the ANM has purchased several hundred copies and a wealthy supporter reprinted a

couple thousand more for distribution to Australian White Nationalists. By the beginning of 1987, ANM activities moved into high gear. Activities included anti-Asian postering, publishing a bimonthly newsletter and, according to Australia's ZOG, certain other activities. By August 1989, the ANM was a household word in Western Australia and partly known in the rest of Australia.

On August 14th, under the code name of "Jackhammer", 10 members of the ANM were arrested (6 of which were later released with 4 of those on bail) by about 60 police during dawn raids throughout Australia on a number of charges in an attempt to stop what appeared to be an Australian version of The Order (aka Brüder Schweigen). Specific charges included burglarizing Jew- and Asian-owned warehouses and then fencing the goods to finance ANM activities which were primarily anti-Asian and anti-Jew, receiving stolen property, arson and/or bombing five Chinese restaurants (one of which reopened so it was done again), a car bombing, wilful damage, breaking and entering, unlawful use of motor vehicle, assault occasioning bodily harm, forging checks made out on banks and insurance companies, putting up posters, and conspiracy. Another newspaper, probably an Eastern States paper, reported the police operation being code named "Fireball" (presumably for symbolic reasons). Alleged offenses total about 50 and the charges total 323 for the defendants.

In comparing the Australian government to the American government, there is a big difference in regards to human rights. In America we still have some vestiges of Constitutional rights that ZOG has not removed. In Australia, there never have been any effective human rights—ZOG simply eased up a bit on the oppression and allowed a fair degree of affluence when revolution threatened. So far, this has worked for the Australian ZOG. Basically, Australia is and always has been a police state. Western Australia is the worst state in Australia for outright police brutality and general violation of human rights. This is one of the tactical reasons why the ANM has made Perth the storm center of the ANM campaign. The police have virtually a free hand to steal, destroy, harass, brutalize and torture just as in Soviet-type nations. It is just that up until now the police have been pretty cunning about how they do it and how they cover up their vile actions. Now they have simply brutalized too many people too much and all their dirty linen is about to become public knowledge in Western Australia, including their harsh treatment of the ANM members and their women and children.

ANM Leader Peter Joseph "Jack" van Tongeren, ANM Deputy Leader John van Blitterswyk and David Locke were all tortured. Other ANM members were tortured as well. David Locke broke under torture and became a snitch. Two weeks later, Locke was bludgeoned to death and two more ANM members were subsequently arrested. A second snitch, Russell Willey, is the Australian counterpart of the American traitor Thomas Martinez (see OREGON section), still lives in hiding and is under police protection after receiving \$20,000-\$50,000 from Australia's

ZOG for his dirty work plus whatever Willey managed to steal from the ANM. In Jack van Tongeren's case, ZOG stole and destroyed his house and everything he owned but neither Jack, John van Blitterswyk nor Chris Bartle talked when tortured.

ANM Leader Jack van Tongeren's requests for release on bail have been denied. In his second application for bail, he wrote, "We nationalists will have the opportunity to tell the world what we stand for...We have been victimized—singled out for our beliefs...Being denied bail is the same as being jailed without a trial." Comrade van Tongeren also proclaimed, "I will show up for the trial if not for the simple reason that it will be the trial of the decade." Jack wrote to us that no hard-working Aussie was victimized by the ANM—only Jews, Asians and traitors were. In Jack's most recent letter to us, he wrote, "...and, yes, just about every stage of the campaign was 'illegal', but morally correct...As the great Napoleon observed, 'He who saves his nation breaks no laws'." Jack admits that the ANM members arrested will pay a high price, but the future of his race and nation is worth it. He himself pleaded not guilty to about 100 charges against him. Another prisoner of war (POW) is Chris Bartle, 30, who writes to us that ANM operations are about to move into top gear after a temporary shake-up in ANM leadership and organization. Chris writes that literally tens of thousands of posters have been placed on the back sides of traffic signs, traffic control boxes and telephone boxes. These posters are similar if not the same types used in this country (i.e.; "White Revolution—the Only Solution", "Is Your Street still White", "Holocaust is a Lie", "No Jews", "No Coloureds" and other familiar slogans) which goes to show that the problems in Australia are not unlike the problems in the USA.

Comrades Bartle and van Tongeren both state that the ANM's anti-Asian campaign continues. Indeed, according to *The West Australian* of December 19th, there has been a new poster campaign. The poster campaign has been so successful and there is so much support among the White public that the Australian Government has sent a special envoy to Hong Kong, Japan, Singapore and other Asian countries to convince these Asians that all is under control in Australia, however, potential Asian businessmen are sceptical and the envoy returned empty handed. After all, these Asians control millions of dollars in Western Australia's economy. As in our country, there is a lot of sympathy and support for White Nationalism among the rank and file White citizens, however, the sympathetic White Australian is more optimistic in regards to working within the system towards White Nationalism in Australia because the racial situation has not deteriorated as badly as over here; thus, a smaller percentage of Whites in Australia view Armageddon as the final solution to their problems.

As with The Order in the USA, the ANM in Australia is becoming legendary. Eventually, ZOG will fall in both countries as well as the rest of the world. When this happens, all the White Nationalist revolutionaries will be given hero status, and those who have fallen in the struggle will be given martyr status. One such martyr in Australia is Andrew Moschella, 20, the son of a Sorrento

doctor. Andrew's fanaticism for the ANM was so great that he threatened suicide if Jack van Tongeren was not released on bail and gave the police a 2-week deadline. On August 29th, exactly 2 weeks later, Andrew committed suicide.

Australian Nationalists Movement prisoners of war (POWs) can be reached at: Jack van Tongeren, Canningvale Remand Centre, P.O. Box 346, Cannington, W.A. 6107, AUSTRALIA; Wayne van Blitterswyk, same address as Jack; Chris J. Bartle, P.O. Box 50, Fremantle Prison, Fremantle, W.A. 6160, AUSTRALIA; John van Blitterswyk, same address as Chris. We have been informed that mail addressed to these POWs will be shared with the other POWs.

TENNESSEE: On October 7th, the Sam Davis Memorial march in Pulaski was a success despite the efforts of the anti-Whites and White hypocrites on the town council, led by Mayor Stacey Garner, to stop the party. The town council and the Chamber of Commerce made a considerable effort to discourage Aryan Nations people, Klansmen, NS people, Skinheads and other White Nationalists from exercising their Constitutional right to freedom of assembly and free speech. The bronze plaque on the law office where the Ku Klux Klan was founded in 1865 was reversed by the hostile property owner so the inscription could not be read. The town council asked that all local businesses shut down for an unofficial holiday and it pushed a drive to decorate the entire town with orange ribbons, supposedly symbolizing brotherhood. Additionally, about 100 state trooper cars, helicopters, at least one airplane, hundreds of state troopers, sheriff's department people and police were on hand to keep order. Pastor Pete Peters of Colorado claimed in one of his tape cassette sermons that it looked as though the main purpose for the presence of all the law enforcement people was to intimidate 500 or so local citizens from watching the 300 or so marchers rather than maintain law and order. Locals and marchers alike were threatened with arrest if they crossed the police line. There was question whether the bankers were pressuring the businesses to close that day or intimidate the businesses to close. It seemed that the town council wanted as few of the locals to hear the speakers as possible. Pastor Peters summed up the situation, stating that it appeared that the town council was applying the Golden Rule — he who has the gold, makes the rule.

As things turned out, many of the marchers appropriated the orange ribbons and tied them onto their arms, heads and vehicles for the parade; some of the town businesses were open, including one hamburger stand that made big bucks; the locals could not resist watching the parade in spite of the intimidation by the town council and law enforcement people. In addition to the huge city expenses involved in everything from orange ribbons, letters, long-distance telephone calls, overtime for police and other expenses and time used to try to prevent the march, the closure of many of the businesses meant reduced tax revenue for the city. And all this was just as unnecessary as the big hullabaloo that occurred the previous April in Hayden Lake (ID) for the Skinhead Solution Seminar which proved to be peaceful and without incident except for the one vehicle mal-

function as explained in the Apr/Jun '89 *NSV Report*.

The only unfortunate incident that occurred was on October 6th when a van containing Joe Grego, John Clary, John Green and Daniel Roush from Oklahoma was stopped by Tennessee Troopers for the false reason of weaving and littering. According to Attorney Kirk Lyons, the four stopped previously at a convenience store. A trooper approached John Clary, asking about buying a Klan T-shirt which Clary was wearing. Clary said the T-shirts were buried in his van and suggested that the trooper go to the parade in Pulaski and buy one when they had their table set up. When the group asked the trooper for directions to Pulaski, the troopers gave bum directions and later ambushed them under the false pretense mentioned. John Clary's van was strip-searched and the four were subsequently arrested — Clary for littering and carrying a weapon and the other three for just carrying weapons. The troopers left the van in a mess. The four were allowed to make one call from the jail in Lewisburg. Clary called Bobby Norton, the Southern Aryan Nations leader who sponsored the march, at Norton's home in Murfreesboro. Norton called Pulaski Police Chief Stanley Newton and told him of a potentially volatile situation to enlist his cooperation in getting our four out of jail. Chief Newton agreed as did the sheriff of a neighboring county who was observing the day's activities. Then Chief Newton called Marshall County Sheriff Carlton Bless to encourage Bless to release the prisoners. Additionally, Kirk Lyons promised Bless a protest march the following day in Lewisburg, the Marshall County seat, unless our four were allowed bail so they could attend the march in Pulaski. Sheriff Bless caved in. Bobby Norton along with Kirk Lyons and another man arrived at the jail, put up \$1,000 bail for all four, the four inmates were released just before noon on the 7th and they participated in that day's events. After Kirk made a similar promise to the rude and uncooperative state troopers, the troopers likewise caved in and released the van with no further ado. Kirk reported to us that our four had an excellent civil rights case. Apparently, the prosecution realized that too so the charges against all four were later dismissed.

Although this incident reflects an attitude that some law enforcement people have towards us, there are also law enforcement people who have not fallen victim to media stereotypes about us and may, in fact, be sympathetic. Had it not been for respect that Bobby Norton had from the Pulaski Chief of Police, the four who were arrested would have had more problems than they did.

In retrospect, it looks as though there were some omens connected with this activity, if one believes in omens. First of all, Pulaski's party-pooing mayor, Stacey Garner, has since been found guilty of theft and has been removed from office. Secondly, a local homosexual banker who tried to stop the march followed a truck too closely when a piece of lumber flew off the back of the truck, smashed through the windshield of the banker's car and essentially decapitated the banker. We don't like to profess belief in anything unscientific but there were some incidents that occurred in Pulaski since October 7th that maybe some of you who believe in omens

can explain to us.

TEXAS: Five Confederate Hammer Skins in Dallas have been charged with conspiracy to violate civil rights—"racially motivated hate crimes against Jews, Blacks and Hispanics", including vandalizing a synagogue. The defendants are Jon Lance Jordan, Sean Christian Tarrant, Daniel Alvis Wood, Michael Lewis Lawrence and Christopher Barry Greer. Lawrence, Jordan and Wood are also charged with a firearms violation. Additionally, Mike Lawrence has an Oklahoma charge against him for shooting with intent to murder in connection with a Black girl getting shot in Tulsa where Mike was living before being jailed. Mike is not sure why the Oklahoma State charges were not filed against him until after he was arrested in Dallas but we did, in fact, receive word well over a year ago that the police in Tulsa suspected the Skins there of engaging in violence with firearms, however, did not make a major effort to investigate because the Skins' presence and reputation helped suppress the Black gang activities. Incidentally, Mike Lawrence was cleared of the firearms charge. The trial began February 20, 1990, and all five were convicted of two counts of conspiracy.

After the Skins were arrested in Dallas, there was concern that ZOG was out to round up as many Skinhead groups as it could under various conspiracy charges. Actually, ZOG will round up any White Nationalist group under the same charges if it had reason to believe there was conspiracy involved. We must all remember that before conspiracy charges can be made, there must be specific illegal acts done or plotted. We still have freedom to express our personal opinions and think our sacred thoughts. A group of people who share thoughts or express the same opinion do not commit conspiracy and have broken no laws. In the case of the Skins in Dallas, ZOG believed it had enough evidence to charge the defendants. Although the prosecution will no doubt be hostile, guilt or innocence is determined by what the jury believes, preferably a jury of peers.

ILLINOIS: On November 10th-12th, a closed Holocaust forum was held at the Northwestern University campus. Conference organizers proclaim that the timing of the conference was meant to coincide with the 50th anniversary of the start of World War II. Other sources say that the timing of the conference was to lay groundwork after a quietly passed law that mandates all public schools in Illinois have a unit of Holocaust studies effective January 1st. The conference was titled "Lessons and Legacies: The Meaning of the Holocaust in a Changing World." About 250 influential Jews from the U.S., Canada and Israel were in attendance, including scholars, presidential advisors, millionaires and billionaires. The Jews met behind closed doors and allowed interested public to attend just one session on Sunday afternoon to hear the program moderator and keynote speaker, Saul Friedlander, after which Friedlander answered questions from the floor. During the session that was supposed to be open to the interested public, Arthur Jones of the America First Committee (no longer affiliated with the ANP in Chicago) and Ed Novak of the Knights of the Ku Klux Klan, entered the meeting

hall. Art's wife, Pat, remained outside the hall, waiting for two more of their group to arrive. After the speech, the moderator allowed the public to ask questions and asked that any asker first identify himself and where he was from. The first person to be recognized by Friedlander was Professor Arthur R. Butz. Mr. Jones quoted Butz as saying, "I'm Arthur Butz. I'm a member of the faculty here at Northwestern and author of the book *The Hoax of the Twentieth Century*. My question is..." Mr. Jones could barely hear what Butz had asked but it was something on the order of, "Do you really believe it was the policy of the German government in WWII to deliberately attempt to exterminate the Jews?" Jew Friedlander replied, "Professor Butz, I am familiar with your book which I find highly unscientific and consider it to be a literary malignancy and of no value to this conference." To that, Butz had nothing more to say. The next question came from Mr. Jones who asked, "Professor Friedlander, if you can't answer Professor Butz, I would like to know what is your response to 'The Leuchter Report'." Art then attempted to give a brief history on the document in question which he held aloft in his hand but, before he could finish the background briefing, he was rushed and shoved by a Jew who Ed said looked exactly like Elie Wiesel and who began screaming, "Get out! Get out!" Art's past experience as boxer and NS stormtrooper would have easily allowed him to flatten his attacker but he really did not want to spend money to bail himself out of jail, even if he would have been legitimately defending himself for merely asking a question. When asked to leave, Art did so because there was no point in remaining. During the fiasco, Ed Novak rose from his seat, faced Art's attacker and warned him. The Jewish attacker considered Ed's warning a threat on his life and wanted to press charges but, after a few words of advice from another Jew in the group, the Jewish attacker did not press that charge; however, Ed was asked to leave also. On the way out of the conference, Ed tossed up some Revisionist literature from the Institute of Historical Review into the air over part of the crowd and Art shouted, "The Holocaust is a Jewish lie!" Outside the building the Jews made criminal trespassing charges against Art and Ed who were arrested. This incident made good press coverage in *The Daily Northwestern* (the school paper) but was totally blacked out by all other newsmedia. You would think that a conference such as this one would be really newsworthy to help perpetuate the Holocaust myth. The only sensible reason for the mass media blackout was that the media, for some reason, did not think they could give coverage to the public part of the conference without giving Art and Ed exposure for their opposing views—something that the media controllers would prefer hushed. Art has since located an Arab attorney who took the case for him and Ed for \$600. The court date of December 19th was postponed until January 19th, at which time the prosecution dropped charges for lack of evidence. For those of you wishing more detailed information on what transpired on November 12th or desiring to help with attorney fees, write to Arthur Jones, P.O. Box 29316, Chicago, IL 60629, or Ed Novak, P.O. Box 32105, Chicago, IL 60632.

Elsewhere in Illinois, Ed DiSilvio of Ashburn, was fired in May 1989 from his job as a school teacher at the Howe Developmental Center in Tinley Park because he was observed reading a "racist 'white power' magazine" during his lunch hour. The publication Mr. DiSilvio was reading was the "National Vanguard", a publication of Dr. William Pierce's National Alliance. It is interesting to note that Mr. DiSilvio was fired for reading a publication on his own time without broadcasting what he was reading to his co-workers or discussing issues in the publication with his co-workers. In comparison, Dir. Cooper not only speaks to high school and college classes at the request of the instructors, but he also distributes the current issue of the *NSV Report* to every student in the class. (See the report for November 14th in the OREGON section following.) Mr. DiSilvio is in the process of filing a civil rights lawsuit over the matter because his First Amendment rights were violated, in addition to filing a complaint with the state's Department of Human Resources. Prior to working at Howe Development Center, Mr. DiSilvio was a full-time instructor at Malcolm X College, a predominantly Black school. Since being fired from Howe, he has accepted a part-time position at Malcolm X College, teaching English as a second language. The *Southwest News-Herald* has supported Ed DiSilvio in his law suit with an article or editorial titled "This Case May Involve Vital Civil Liberties." Ed DiSilvio has an excellent case, has established a defense fund and received his first donation from his associate and friend, Art Jones of the America First Committee.

OREGON: Anti-White attorney Morris Dees of the Southern Poverty Law Center (SPLC) which publishes "Klanwatch" has filed a civil rights suit in the U.S. District Court in Portland on October 20th on behalf of the family of the late Ethiopian Mulugeta Seraw against two Skinheads (Kyle Brewster & Ken Mieske) that pleaded guilty in a plea bargain regarding the death of the Ethiopian on November 13, 1988. Joining in this law suit is the Anti-Defamation League of B'nai B'rith (ADL) whose attorney is Elden Rosenthal (9315 S.W. 37th, Portland, OR 97219). As most of you recall from previous *NSV Report* coverage in this matter, the State of Oregon offered the plea deal to the two Skins because it did not want a trial out of fear of the publicity which would put the Skins in a more positive light and put the Blacks, Portland police, politicians and bureaucrats in a negative light. For the same reason, the Federal Government threatened Kyle and Ken with federal civil rights charges, in addition to Oregon's charges, should the Skins decide to take the case to trial. This is not all. Named also in this suit are Tom Metzger of the White Aryan Resistance and his son, John, who are being charged with sending Skinhead agents to Portland to instigate the Portland Skins into attacks and other acts of violence against identifiable non-Whites, homosexuals, etc. The plaintiff asks to be awarded the maximum monetary rate allowable by law.

As most of you know, the SPLC, ADL and ZOG exchange information and help each other for mutual benefit. After the ADL filed the federal suit in Portland on behalf of the plaintiff,

one wonders what ZOG has up its sleeve. One speculation is that since ZOG made the commitment not to prosecute Ken and Kyle if the Skins took the plea bargain, perhaps ZOG still intends to proceed with the persecution in a sneaky, underhanded and hypocritical manner via the SPLC and ADL. However, it is our contention that ZOG does not want this trial in Portland at all regardless who runs the show because of the long-term ramifications already mentioned.

Now comes Morris Seligman Dees whose greed and ego are so great that he is not interested in the long-term ramifications of this type of trial in Portland. Dees had his eye on becoming the new U.S. Attorney General back when he was the fundraiser for George McGovern's unsuccessful presidential campaign. Dees promised his supporters that he would wipe out the Right Wing once he became U.S. Attorney General. Also, donations to the SPLC from frightened wealthy Jews and scared negroes were very good after Dees legally prosecuted White Nationalists, the most notable of which was the United Klans of America (UKA) which was headed by Robert Shelton. In this case, the Klan defense was feeble so Dees won a \$7,000,000 judgment against the Klan. According to law, the corporate officers of the UKA, their possessions and paychecks were also subject to the judgment so the defendants signed over the Klan's headquarters building to Beulah Mae Donald, the mother of the Black youth who was kidnapped off a street in Mobile (AL) and hung by 2-3 White teenagers who were members of the UKA. After the suit, donations from negroes and Jews poured into the SPLC, eventually building up Morris Dees' war chest to \$23,000,000. Beulah Mae Donald has since died and Robert Shelton is retired after suffering a heart attack.

For reasons unknown to us, Morris Dees, the SPLC and the ADL subsequently dropped the federal suit in Portland against Tom Metzger, John Metzger, Kyle Brewster and Ken Mieske. Tom told us over the telephone, "There were too many loopholes in the suit and they would lose." Usually in a case such as this, the plaintiffs are very willing to talk with the media to get the publicity and generate support, however, neither *Willamette Week* reporter Jim Redden nor a *Los Angeles Times* reporter (just to specify two) have been able to reach Dees for statements. Dees and his associates are not talking to anybody about the case which our people and neutral reporters find strange. Since the Portland federal suit had been dropped, Dees and company served Tom and John Metzger papers for a State of Oregon case regarding the same matter on December 12th. On January 24th, a deposition was held in San Diego. Morris Dees arrived with about five associate attorneys to take statements from Tom and John Metzger. On the day prior to the deposition, John Metzger filed for bankruptcy so Dees and company will not get a cent out of him. Tom Metzger took the Fifth Amendment for 2 hours. (Note: The taking of the Fifth Amendment does not indicate guilt but any statements made could later be used in a criminal case.) Thus, in conclusion, Dees and company got no information from this deposition and will get no money

from either Metzger which essentially leaves Dees, the SPLC, the ADL and Engedaw Berhanu (the late Mulugeta Seraw's uncle), two near-penniless Skinheads (Kenneth Mieske, #14798, 3405 Deer Park Dr., S.E., Salem, OR 97310, and Kyle Brewster, #18710, same address) to sue for the maximum monetary amount allowable by law.

While Dees et al. were stewing in their juices in frustration, a very large Wyatt Kaldenberg approached Dees as Dees was sitting at a courtroom table. Standing in front of Dees and hovering over him, Wyatt bellowed, "Mr. Dees...." Immediately upon looking up at Wyatt, Dees startled and his eyes got "big as 50-cent pieces" (according to Tom). It is not known whether Dees was just jumpy because of an environment potentially harmful to his health or because he recognized Wyatt as the person who threw the punch that broke Geraldo Rivera's nose (see *NSV Report* for Oct/Dec '88) and who may have similar plans for his (Dees') nose. Then Wyatt continued, "You have been served", and handed Dees papers, suing him and the SPLC for \$10 million in civil rights damages for harassment and abuse of the judicial process. As Wyatt departed, Dees was seen to be visibly shaken and trembling as he and his five associate attorneys in their three-piece suits thumbed through the paperwork and hustled about the courtroom. Since that day in San Diego, Tom made a trip to Portland to pursue legal charges against Dees, the SPLC, ADL and Engedaw Berhanu, thereby continuing the panacea among the Portland Bureaucrats and agitating the racial situation in Portland, the saga of which will be continued in the Jan/Mar '90 *NSV Report*.

On October 27th-29th, the Northwest Coalition Against Malicious Harassment held its third annual convention "devoted to combatting bigotry and hate crimes" at the Greenwood Inn in Beaverton. One of the keynote speakers was U.S. Rep. Ron Wyden, co-sponsor of the 1989 Hate Crimes Statistics Act. Attendance was controlled by reservation only and special security measures were used for this meeting because of the presence of Thomas Martinez, the person who was most responsible for betraying The Order in exchange for ZOG's money and an agreement not to prosecute him for his involvement with The Order. In future times to come, Martinez will go down in history as another Benedict Arnold. Some of our associates approached the meeting to gain entrance and thus monitor the meeting but the security guards refused them entry. Later it was learned that police with dogs checked the meeting area prior to the meeting for hidden assassins and bombs. Our information indicates that the 3-day affair was pretty ho-hum except the Sunday afternoon session when Deborah Luppold, the Manager of Portland Cable Access Television, was speaking about the role that public access cable television plays in connection with free speech and expression. During her talk, a bespectacled man from Coeur d'Alene, Idaho, (not Bill Wassmuth, although he was present) angrily chastised Ms. Luppold for allowing "Race & Reason" to be shown on public cable access television and claiming that by doing so she was promoting racism and

"pedastry." (Yes, that's the word this guy used!) As this man spoke, he shook his pencil at her in an authoritative manner, all of which provoked an attitude of resentment from Ms. Luppold who responded something to the effect: "If you want to have public access stop airing programs, change the law! In using our facilities, Rick Cooper treats those of us with whom he deals with more respect than you have exhibited in asking your question. It is people such as yourself, who would choose to silence certain speakers, who had public access shut down in Kansas City. As a result, the American Civil Liberties Union defended the Klan's right to speak. Rather than silencing speakers, I suggest you produce programs that represent your point of view." The man did not have much to say after that.

On November 14th, Director Cooper was a guest lecturer at Professor Joe Gallegos' sociology class (Cultural Diversity in America) at the University of Portland. Dir. Cooper had met Prof. Gallegos previously in October at the Portland Cable Access Television station during a videotaping session at which time Prof. Gallegos was interviewing Dir. Cooper for a subsequent showing of the tape at a social workers conference in San Francisco later that month. After both the professor and cable station manager thanked Dir. Cooper for his time, Dir. Cooper told Prof. Gallegos that he was glad to have been of assistance and feels obligated to speak the truth as he sees it and is a public spokesman for the Movement. He also mentioned that he gladly speaks to high school and college classes when he gets invitations. It was then that Prof. Gallegos said he would consider inviting Dir. Cooper to talk at his class. On November 14th, there were 13 students. Dir. Cooper used the blackboard to outline his brief talk—the nature of the White Nationalist Movement; the more widely known major factions of the Movement such as the National Socialists, the Ku Klux Klansmen, the Posse Comitatus, Identity Christianity, Skinheads and The Order; and the type of people involved. Since the students are primarily going into social work at some level, Dir. Cooper concluded the 10-minute introduction by stating that the two things he felt the students should remember whenever they deal with White Nationalists in the future are: (1) They all believe in the survival of the White race; and (2) They cannot be stereotyped. The remainder of the class period was spent answering questions from the students and talking just about whatever was on their minds. The students were very attentive as they copied the outline that Dir. Cooper had written on the blackboard and took notes as he spoke. The class was about half White, everything went smoothly and the instructor said he would like to have Dir. Cooper back next year. In a followup letter from Prof. Gallegos to Dir. Cooper dated December 15th, Prof. Gallegos writes: "The semester is over, and I am able to get to my correspondence duties and to express my belated appreciation. Thank you for your services as guest speaker to my class last semester. The students in Cultural Diversity in America appreciated your presentation which was competently delivered and which helped them to appreciate and understand the issues of 'the White Supremacy Movement'.

-Enclosed you will find an honorarium check for \$50."

The "Race & Reason" cable TV series continues to be shown on Channel 33 in Portland every Friday evening at 6:00 p.m. and in Vancouver (WA) on Channel 38 at 10:00 p.m. every other Wednesday. More detailed program information for the Vancouver cable subscribers can be obtained from the *Vancouver Columbian* which gives a brief description of the particular program.

ANNOUNCEMENTS

April 20th & 21st (Friday & Saturday): The Church of Jesus Christ Christian will sponsor the Aryan Youth Resurrection Seminar. This gathering will also serve as a Hitlerfest and is expected to occur yearly henceforth. The church may be contacted at P.O. Box 362, Hayden Lake, ID 83835; (208) 772-2408, for registration information.

July 7th (Saturday): The White Camelia Knights of the Ku Klux Klan, with assistance of the Texas White Knights, are holding a rally and demonstration against the anti-White World Economic Summit conference that will be held on the 9th through 11th in the Houston (TX) area. Movement speakers will be Pastor Richard Butler of Aryan Nations, Pastor Thom Robb of the Knights of the Ku Klux Klan, Dr. Ed Fields (editor of *The Truth At Last*, formerly *The Thunderbolt*), Charles Lee of the White Camelia Knights of the Ku Klux Klan, Kim Badynski of the Northwest Knights of the Ku Klux Klan, Attorney Kirk D. Lyons and many more. An estimated 8,000 news people and leaders from all over the world are expected. The rally will be held at the Humble (TX) Civic Center at 9:00 a.m. sharp, speeches heard until noon, leave for parade site, parade from 1:30-3:30 p.m., back to Humble Civic Center for Texas style Bar-B-Q and hear more speakers, and then head for cross lighting site later that night. For more information, write to White Camelia Knights of the KKK, P.O. Box 694, Cleveland, TX 77328, or call (713) 593-1831 or (713) 593-1666.

July 13th, 14th & 15th (Friday through Sunday): The annual Aryan Nations Congress will be sponsored by the Church of Jesus Christ Christian. At this time, no hassles are anticipated for the delegates by the Kootenai County Sheriff's Department and no law enforcement group is expected to have photographers at the church property entrance, however, there is always the possibility of some private group doing such things. Contact information is given above.

October 13th & 14th (Saturday & Sunday): Oktoberfest sponsored by The Church of Jesus Christ Christian. Contact information is given above.

BUSINESS

Because of our increasing Movement successes and accompanying workload, we regret that we are no longer able to add just any prisoner to our regular mailing list for complimen-

tary mailings. Bonafide prisoners of war (POWs) will continue to receive complimentary mailings. All other prisoners will be able to receive the *NSV Report* if they send \$1.40 yearly which will cover the postage and printing for the reports they receive, otherwise they will receive the current report along with our answers to any of their letters. In regards to the letters, business mail gets answered first. We realize that many prisoners do mean well and we are flattered that they appreciate the reports but we have reached a breaking point at this end. Our experience with the vast majority of prisoners, unless the prisoners were active in the Movement prior to imprisonment, is that the prisoners will not be active after their release nor will they send in a few bucks to help out.

We are getting letters from Movement activists and supporters who want to know why the reports are late. Other supporters write to ask if they have been taken off the list. The truth of the matter is that we have been so busy trying to keep up on things (helping students with their projects, answering letters of supporters, conducting routine political business, putting together reports, contacting people, working at our jobs etc.) that we have not had the time to ask the dead weight on the mailing list to give us a hand. For sure, anybody who has been on the NSV mailing list for at least a year will not be removed without first receiving a letter from us asking them to cover the postage and printing expenses for the reports they receive. Any amount submitted above that helps us with all the other expenses incurred. Anybody on the mailing list was placed there initially either because of his activism, because he sent in a donation or because he contributed in some meaningful way (to us) to advance the Movement. It makes us feel good to know that the support is there if we ask, even if we don't have time to ask.

In short, Movement business is good because it is increasing. Our main problem is time but we are trying to make the best of the situation. The reports could come out more timely but the quality and accuracy would be sacrificed. The response we have been getting from the last three or four reports indicates that the reports are more objective, more analytical and more professional. I guess that is because the writers are maturing with age.

Source documents for this report are available for those who submit a donation to cover the cost of postage and reproduction. There are about 14 pages involved.

A complete set of every issue of the *NSV Report* published to date is available for \$15. The set will be sent in a three-ring binder. We pay the postage.

Hail Victory!

The Directors
National Socialist Vanguard

STATE OF IDAHO CIVIL RIGHTS' LEGISLATION FROM
1983 SESSION

149

MALICIOUS HARASSMENT

18-7903

CHAPTER 79

MALICIOUS HARASSMENT

SECTION.

18-7901. Purpose.

18-7902 Malicious harassment defined —
Prohibited.

SECTION.

18-7903. Penalties — Criminal

18-7904. Effect of invalidity of part of this
act.

18-7901. Purpose. — The legislature finds and declares that it is the right of every person regardless of race, color, ancestry, religion or national origin, to be secure and protected from fear, intimidation, harassment, and physical harm caused by the activities of groups and individuals. It is not the intent of this act to interfere with the exercise of rights protected by the constitution of the United States. The legislature recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs. The legislature further finds that the advocacy of unlawful acts by groups or individuals against other persons or groups for the purpose of inciting and provoking damage to property and bodily injury or death to persons is not constitutionally protected, poses a threat to public order and safety, and should be subject to criminal sanctions. [I.C., § 18-7901, as added by 1983, ch. 110, § 2, p. 236.]

Compiler's notes. Section 1 of S.L. 1983, ch. 110 read: "It is not the intent of the legislature that this chapter be construed or used to support ratification by the United States Senate of the United Nations Convention on

the Prevention and Punishment of the Crime of Genocide of 1948."

The words "this act" refer to S.L. 1983, ch. 110, which is compiled as §§ 18-7901 — 18-7904.

18-7902. Malicious harassment defined — Prohibited. — It shall be unlawful for any person, maliciously and with the specific intent to intimidate or harass another person because of that person's race, color, religion, ancestry, or national origin, to:

- (a) Cause physical injury to another person; or
- (b) Damage, destroy, or deface any real or personal property of another person; or
- (c) Threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur.

For purposes of this section, "deface" shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious or ethnic terrorism on the property of another person without his or her permission. [I.C., § 18-7902, as added by 1983, ch. 110, § 2, p. 236.]

18-7903. Penalties — Criminal. — (a) Malicious harassment is punishable by imprisonment in the state prison for a period not to exceed five (5) years or by fine not exceeding five thousand dollars (\$5,000) or by both.

"Continued on back:"

(b) The penalties provided in this section for malicious harassment do not preclude victims from seeking any other remedies, criminal or civil, otherwise available under law. [I.C., § 18-7903, as added by 1983, ch. 110, § 2, p. 236.]

18-7904. *Effect of invalidity of part of this act.* — If a court of competent jurisdiction shall adjudge to be invalid or unconstitutional any clause, sentence, paragraph, section, or part of this act, such judgment or decree shall not affect, impair, invalidate or nullify the remainder of this act, but the effect thereof shall be confined to the clause, sentence, paragraph, section or part of this act so adjudged to be invalid or unconstitutional. [I.C., § 18-7904, as added by 1983, ch. 110, § 2, p. 236.]

Compiler's notes. For words "this act" see
Compiler's notes, § 18-7901.

Aryans still see homeland in Northwest

White supremacists believe slow influx will accomplish takeover

By Bill Morlin
Staff writer

By ones, by twos, by scores and then by legions.

That's how Aryan leaders want to take over the Pacific Northwest as their homeland.

The theme of starting small and growing to multitudes was trumpeted by members of The Order, a band of white revolutionaries whose campaign of violence fizzled last year after a series of confrontations with law enforcement authorities and criminal convictions.

In the ranks of the radical right, the imprisoned members of The Order have become modern-day heroes. Their slogan for a separate, white homeland has not been forgotten by sympathizers in the United States and Canada.

"During the days ahead, we want out of a nation that has already committed moral suicide and is about to plunge its own people into the fire of nuclear suicide," white separatist leader Bob Miles of Cohoctah, Mich., said last month in Hayden Lake at the World Aryan Congress.

"As the motto of The Order went, 'By ones, by twos, by scores and then by legions,'" he said. "Not a flood, but a flow. A steady stream — not to isolated communes or single areas, but to every part of the five states which we seek."

White separatist leaders, Miles said, are making-specific plans to establish that homeland in the states of Washington, Idaho, Montana, Oregon and Wyoming.

There is talk of getting group rates with moving companies to move whites from crime-ridden inner cities to the Northwest.

There is talk of land trades to get people to this region.

There is talk of establishing self-employment advisory centers to make those who move here self-sufficient.

And there is talk of polygamy to help flood the area with white babies.

"We are working on a variety of things to help you move to the Northwest," Miles told about 200 white supremacy activists gathered at the Aryan Nations compound in Idaho. "But it can't be done overnight."

Those worried about human rights infringements say the white separatists' desire to lay claim to five states will never be met, but the mere talk is troubling.

"The Northwest is a cultural mix, and it will remain so," said the Rev. Bill Wassmuth, who heads a human rights task force in North Idaho.

Racists desiring their own homeland will not change the region's ethnic makeup, the Roman Catholic priest said.

"But the problem facing us in the future is, when they try and fail and are frustrated, what then?" he said.

In the months ahead, civil rights groups must "say loudly and clearly that we want a racially

mixed area and are willing to work for that," Wassmuth said.

Before the Aryan Nations' gathering, the Kootenai County Task Force on Human Relations collected resolutions from cities and counties throughout the Northwest reaffirming the principles of freedom.

"I think that it's extremely significant that the leadership of over 200 communities across the Northwest have, in effect, aligned themselves against the proposal to establish a white sanctuary in this region," said Bob Hughes, who is assigned to the Justice Department's Community Relations Service regional office in Seattle.

Those communities "have taken a stand, not just on behalf of racial and religious tolerance.

'Not a flood, but a flow. A steady stream — not to isolated communes or single areas, but to every part of the five states which we seek.'

but in support of the positive value of cultural diversity," said Hughes, who has monitored activities of various white supremacy groups.

The theme of a white homeland was repeated over and over by various leaders at the meeting in Hayden Lake.

Some adherents go so far as to believe that the white race represents the true children of God. Others approach it from a non-religious, neo-fascist viewpoint — saying Hitler was correct in denouncing Jews, blacks, minorities.

The movement of whites to the Northwest is nothing new, Miles and other Aryan leaders say. It began in the 1800s when white settlers laid claim to the region, they say.

"The Northwest is a glorious history of free men — totally free; not just Bigfoot, although he's one of our allies," said Miles, who dots his racial rhetoric with frequent humor.

White separatists "didn't sit around a burning cross with their robes on, with marshmallows and hotdogs and say, 'What da'ya say we invent a movement somewhere?'"

"One said, 'How about Coney Island?' Naw. 'How about Atlanta?' There are going to be problems there," Miles said, continuing his monologue.

"What about taking over Miami? I don't speak Spanish."

"One other said, 'I've got an old girlfriend up in Portland, Ore.' Hey, that sounds good!"

The Aryan Nations Church near Hayden Lake has become the focal point of the movement. Its founder, the Rev. Richard Butler, says the

Northwest migration has been going on for the last two decades.

His theory, Butler explained, is that whites and blacks have a "genetic predisposition" to live with others of their own race. The white race's "territorial imperative" is a migration to this region, he said.

Just as mackerel and tuna swim with their own species in the seas, so must blacks and whites live separately, with their own kind, under the "laws of nature," Butler said.

Miles, referring to a report on racism by former Illinois Gov. Otto Kerner, claimed there are 31 million hard-core racists in the United States who would inhabit the white nation.

"By the time we get through with the federal government, they'll be happy to see the five states, 10 percent of their wealth and our 31 million people leaving them forever more," Miles said.

He and other white separatists, meanwhile, are continuing to foster an unusual alliance.

The separatist views are shared by Black Muslim Louis Farrakhan, whose Nation of Islam also is calling for separate homelands in the United States for blacks and whites.

In addition to the five states the Aryans talk about, the black separatists are willing to throw in California, Nevada, Utah and Arizona if they are given the Midwest, South and East Coast.

Jews and what racists call the Zionist Occupational Government, would be confined to New York City, Delaware and New Jersey.

Tom Metzger, a white separatist from San Diego and one-time Ku Klux Klan leader, referred to Black Muslim Farrakhan as "my friend" during the Aryan gathering.

Metzger said he hopes he and other white separatists, probably including Butler, will meet later this year with Farrakhan to further develop plans for separate homelands.

Though they may agree on the idea of a homeland, the various leaders disagree about violence.

Metzger talked tough at the Aryan gathering. "Smash the system!" he told participants.

Miles urged patience, caution, non-violence and polygamy.

"Any way we can," Miles said. "That's how we're going to conquer the Northwest."

"Not with guns, not with violence, but with love for each other (and) by outbreeding our enemy and flooding the Northwest with white babies and white children."

In seeking a homeland in the Northwest Miles preached at the Hayden Lake compound.

"We desire no domination over anyone else."

"Each to his own, his own alone. None under strangers."

That, Miles said, "is the essence of the racial state."

'Memory Train' helps Jews recall Auschwitz

By MARILYN AUGUST

THE ASSOCIATED PRESS

AUSCHWITZ, Poland — Sharing tears and pent-up memories, 1,000 Jews retraced the grim rail journey from France to Auschwitz, arriving at the Nazi death camp where their relatives perished half a century ago.

"For 50 years, I have thought about my mother's death," said Henri Benchoan, 58, whose mother was deported from France in 1942 and died at the camp. "But here today, I have faced the horrible conditions in which it happened. It's much worse than I ever expected. But now I am at peace."

Organized by Nazi hunter Serge Klarsfeld, the 14-car chartered train bearing Jews of French origin left Paris on Sunday morning, arriving Monday in a cold, driving rain after a 25-hour journey through Germany and Poland.

The train stopped at the regular station in the Polish town of Oswiecim, and the group went by bus to the camp, about a mile away. During the war, a special rail spur took trains directly to the camp.

Those who had come from as far away as New York and Tel Aviv to make the journey struggled with emotion as they saw the ramp where Nazi doctors sent their parents and brothers, aunts and sisters to their deaths.

Along the route, onlookers stared as the train passed by, every car marked with a large plaque that said, "Drancy-Auschwitz, 1942-1992. The Memory Train." Drancy was the French internment camp where the Jews were taken before being deported.

There was no dining car, and passengers slept six to a compartment, sharing food and personal tragedies.

"This train is a library of suffering," said Leo Epsteinas, 60, who lost several aunts and uncles at Auschwitz. "You walk into any compartment and you'll hear tragic stories."

Nearly 80,000 French Jews were deported during the war. Only about 2,500 survived.

"Most of the people here want to make the deaths of their parents concrete," Klarsfeld said. "They do not want to be left in limbo."

Although Jews have made countless pilgrimages to Auschwitz, Klarsfeld said there had been nothing resembling the Memory Train.

"This is the first and last train of its kind," he said. "We will not live forever. When we're gone, history will have to tell our tale."

Benchoan was eight when French police dragged him from bed, along with his mother and 5-year-old brother.

"We were at the police station all morning. There was lots of confusion," he said. "Suddenly my mother, sensing the danger, said to me, 'Take your brother and get out fast.'"

The boys slipped away and hid in a nearby doorway. They watched as their mother boarded a bus that would take her to Drancy, and from there the train to Auschwitz, where she was gassed upon arrival.

"She saw us and waved. I will never forget the look on her face," Benchoan said, weeping.

Claudine Comanester, 48, said Nazi doctors conducted medical experiments that killed her father, Henri. She was born after his death.

"The train trip was very symbolic," she said. "It was very difficult. But I feel as though I'm here for the first time, and I'm finally meeting my father."

The youngest visitor was Jacob Hellman, 9, of New York City, whose father, Peter Hellman, has written several books on the Holocaust. He was named for Jacob Stolak, who at 11 was the youngest deportee of Convoy 39, which left Drancy for Auschwitz on Sept. 30, 1942.

Jacob Hellman was born on the same day 40 years later.

Stinson Express 1/7/92

Sacramento Bee wins top service Pulitzer

By RICK HAMPSON

THE ASSOCIATED PRESS

NEW YORK - The Sacramento Bee, The New York Times and Newsday each won two Pulitzer Prizes on Tuesday for reporting on subjects ranging from California's mountain environment to the desert war in the Persian Gulf.

The 1992 prize for spot news photography was awarded to the staff of The Associated Press for photos of the attempted coup in Russia and the collapse of the Communist regime.

"I didn't even know that a citizen of the former Soviet Union could win the prize," said photographer Boris Yurchenko, who celebrated his 65th birthday Tuesday.

"It's an honor to win this for the AP, but it's also a fitting tribute to a staff that has had to endure untold difficulties and hardships month after month," said Vin Alabiso, the AP's executive photo editor.

The Sacramento (Calif.) Bee won Pulitzers for public service journalism and for beat reporting. They were the newspaper's first Pulitzers since 1935, said Peter Bhatia, managing editor.

Bee reporter Tom Knudson was honored for "The Sierra in Peril," an examination of environmental threats and damage to the Sierra Nevada. Knudson won the national reporting Pulitzer Prize in 1985 while The Des Moines Register.

Knudson called the experience "fantastic," but calmly circled the newsroom thanking librarians, photographers and editors for their help.

Deborah Blum won the beat reporting prize for "The Monkey Wars," a series exploring the complex ethical and moral questions surrounding primate research.

The Pulitzer for spot news reporting was awarded to the staff of New York Newsday for coverage of the subway derailment that left five passengers dead and more than 200 injured.

The international reporting prize went to Patrick J. Sloyan of Newsday on Long Island for reporting after the Persian Gulf War that revealed new details of "friendly fire" incidents.

Howell Raines of The New York Times won in feature writing for "Grady's Girl, an account of the childhood friendship between the writer, who is white, and his family's black housekeeper in Birmingham, Ala. The story appeared in The New York Times Magazine.

"It is very exciting and very gratifying, especially gratifying because it has meant so much to Grady Hutchinson, the subject, and brought her and my family together in a meaningful way, a reunion," said Raines, the Times' Washington bureau chief.

"The article is really a homage to

Grady as my teacher and to my parents for running a home that did not teach racism even though we lived in the most segregated city in America," Raines 49 said.

Anna Quindlen of the Times won the commentary prize for columns on personal and political topics.

"I'm just thunderstruck," Quindlen said. "It was totally unexpected but, I don't know, they keep saying in electoral politics this is a good year for women and I suppose in ways that count, it was a good year for writing about so-called women's issues."

"I hope we won't call them women's issues any more. I hope we will call them Pulitzer issues," she said.

"We're delighted," said Max Frankel, executive editor of the Times.

Jeff Taylor and Mike McGraw of The Kansas City Star won the Pulitzer for national reporting for their critical examination of the U.S. Department of Agriculture.

"As far as I can tell, it feels wonderful," McGraw said.

Editor Joe McGuff, who announced recently he will retire May 1, said, "It's a great way to go out."

Lorraine Adams and Dan Malone of The Dallas Morning News won the investigative reporting prize for reports that charged Texas police with extensive misconduct and abuses of power.

Anchorage Times
2/17/92

Hate groups on the rise, leaders warn

By JEFF HOUCK
TIMES WRITER

In some ways, Alaska probably is as full of racial hatred as is the Deep South, says Rabbi Harry Rosenfeld.

"When I was an assistant rabbi in Memphis, I would walk into a store, they would call me a kike to my face and I could go about my business," he said. "In Alaska, it's all under the surface, and you don't know who you're talking to."



Rosenfeld, attorney Peter Mayhook and Anchorage School District board member Walter Featherly, said last week that hate groups are more active in Alaska than ever before, spreading their literature and ideology to susceptible youths.

The three men addressed a meeting of the St. Thomas More Society on the subject of hate literature's impact on society and youth.

Rosenfeld knows the subject all too well. His Anchorage synagogue was ransacked last year by teens who spray painted anti-semitic slogans commonly used by political groups of the far right.

After the attack, Rosenfeld said, the teens told him they had known what to write by literature they received from a hate group.

"I believe that neither one of them was evil or racist," Rosenfeld said. "They just saw a National Socialist Vanguard report and knew from there what to write."

Copies of the swastika-emblazoned report were mailed to Dimond and West Anchorage high school students in February 1991 for recruiting purposes. The target mailing was described in a subsequent issue of the report, saying names were gathered in yearbooks and matched with telephone book addresses and ZIP code listings.

But the report is only one of many publications in the racist genre available in Anchorage, said Mayhook, who privately monitors everything from hate-oriented comic books to catalogs offering books and videotapes.

Mayhook said one catalog offered Jack London's "The Call of the Wild." The book, which tells of a dog taking charge of a Yukon wolf pack after his master has died, was listed as a thinly

See Hate, back page

Hate

Continued from page B1

veiled chronicle of one being's successful survival as a result of superior genetic qualities.

Mayhook said he regularly sees hate-oriented books at Anchorage garage sales.

After one recent call to a hate group's headquarters in Virginia to find out information, Mayhook said the person on the phone replied, "I have friends up there. We have a lot of stuff going up to Anchorage."

Much of the activity can be traced to poor economic times, when those who are financially strapped look to other races for scapegoats, Mayhook said.

But solutions to combating the tide of hate-related actions and attitudes are not easy to come by, Featherly said.

He said it is unclear to him what role schools should play in

District effort to start a pilot program at Steller Alternative School has been fraught with pointed questions on what to teach and how to teach it.

Steller was the target of racial outrage last year when one parent objected to a student mural depicting the hanging of a faceless, nondescript figure whose only distinction from a surrounding crowd was a different shape on its chest. The parent argued the hallway mural promoted racism and lynchings.

The resulting multicultural

curriculum is designed to stimulate discussion and appreciation for the ethnic background of others.

But Featherly said the solution could be just as dangerous as the problem.

"In the effort to achieve the laudable goal of eradicating prejudice, do we risk an environment where political correctness becomes a sign of belonging?" he asked. "What is the right way to combat fear and hatred without substituting a new system of fear and hatred in its place?"

26/pt/ENDY

Discrimination

Every citizen deserves protection

- Discrimination in any form is offensive.
- It's offensive when someone is denied an apartment because of the color of her skin.
- It's offensive when someone is turned down for a job for worshipping a different God.
- It's offensive when someone is harassed and insulted at work simply because she's a woman.
- And it's offensive when people suffer these insults because of what others think they do in the privacy of their own bedrooms.

The only difference among these kinds of discrimination is that one of them is still legal in Anchorage.

Employers, landlords, co-workers and businesses are legally free to shun anyone they suspect might have a different sexual orientation.

The city's Equal Rights Commission is being asked to help redress this wrong. Tonight, it will hear a committee progress report on a proposed gay rights ordinance.

Anchorage faced this question squarely once before, in the late 1970s. A gay rights ordinance passed the assembly, but it provoked a hostile and bitter backlash and failed to survive Mayor Sullivan's veto. We hope our community proves more enlightened this time around.

Undeniably, gay rights is not a universally popular cause. But then giving blacks the right to vote wasn't popular with many white Americans, either. Sometimes laws must challenge and help change social attitudes, instead of mindlessly reflecting them.

If there's any forum that should stand up for the rights of an unpopular group, it's the city Equal Rights Commission. We urge the commission's members to advance the gay rights ordinance and help end this last major vestige of legally acceptable discrimination.

H B

5 3 8

HOUSE COMMITTEE REPORT

(7)

Date Referred: April 8, 1992

FURTHER REFERRALS:

Date of Committee Action: 4/10/92

The JUDICIARY Committee considered:

HB 538

HOUSE BILL NO. 538

DISABILITY/COMP BENEFITS: FIREFIGHTERS

"An Act relating to workers' compensation and occupational disability benefits for firefighters; and providing for an effective date."

RECOMMENDATIONS: the same title
 be replaced with _____ a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the _____ Committee

ADOPTS: _____ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal impact _____

fiscal note(s) Admin - Risk Management 4-6-92

zero fiscal note _____

zero fiscal note(s) _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>David Donley</i>	X				
<i>H. Ellis</i>	X	<i>Terry Martin</i>		✓	
<i>Mike Shunkberg</i>	-	<i>Mark Hanley</i>		X	
		<i>Mike Miller</i>		X	

David Donley

 CHAIRMAN'S SIGNATURE

FISCAL NOTE

Vol. 1
 Bill Version: CSHB 538(HES)
 (H) Publish Date: 4-6-92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: _____
 Title: An Act relating to workers' compensation and occupational disability benefits for fire fighters
 Sponsor: Ellis, Donley, Finkelstein
 Requestor: _____

Department Affected: Administration
 DRU: Risk Management
 Component: Risk Management

COMPONENT SERIAL NO.

0	0	7	1
---	---	---	---

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTUAL	0	0	0	0	0	0
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	300.0	500.0	700.0	900.0	1,200.0	1,500.0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	300.0	500.0	700.0	900.0	1,200.0	1,500.0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE FUND SOURCE:	0	0	0	0	0	0
----------------------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

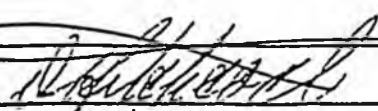
GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER FUND SOURCE: 1007	300.0	500.0	700.0	900.0	1,200.0	1,500.0
TOTAL	300.0	500.0	700.0	900.0	1,200.0	1,500.0

POSITIONS:

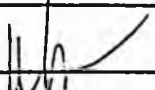
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)
 See Attached.

Prepared by: Don Hitchcock, Director 
 Division: Risk Management

Phone: 465-2180
 Date: February 28, 1992

Approved by Commissioner: Nancy Bear Usura 
 Agency: Administration

Date: 3/24/92

Distribution (by preparer): Leg. Fin., Legislative Sponsor, Requestor, OMB/DBR, Gov. Legis. Ofc., & Impacted Agency(ies).