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Battling Hate Groups Through the Civil Justice System

All too often, members of minority communities are targets of violent bigotry. Successful civil lawsuits against hate groups not only directly respond to the needs of those injured by providing financial compensation, but also often provide the only effective means to put perpetrators of hate crimes and hate groups out of business. The following are some case illustrations:

- In 2000, a jury found that Aryan Nations leader Richard Butler and his group were responsible for an attack on Victoria Keenan and her teenage son, who were chased and shot at by members of the Aryan Nation's security force while driving past the group's Idaho compound.¹ When their car went into a ditch, the security chief assaulted Keenan and threatened to kill her while guards beat her son. As a result of a \$6.3 million verdict against Butler and the Aryan Nations, the 20-acre Idaho complex was transferred to the Keenans, who are turning it into a human rights park.²
- The Christian Knights can no longer function as a viable hate group after a multi-million-dollar verdict was levied against the "Grand Dragon" of the South Carolina Klan, as well as the Klan's North and South Carolina organizations.³ Members of the Christian Knights had burned down a black church in South Carolina in 1995.⁴
- In November 1988, members of East Side White Pride, a skinhead gang organized by the White Aryan Resistance (WAR), killed Mulugeta Seraw, a 26-year-old Ethiopian student, as he approached his front door on his way home from work.⁵ Trial evidence showed that the skinhead gang received WAR propaganda, which targeted blacks, Jews and other "enemies" of the white race.⁶ More important, a tape produced at trial contained a telephone message from one of WAR's founders saying that it may have been the skinheads' "civic duty" to kill Seraw.⁷ After a jury awarded \$12.5 million, WAR was shut down.⁸
- The Invisible Empire Klan was disbanded after a \$1 million jury verdict against the Klan's leader and his organization.⁹ An interracial group had been attacked by Klansmen armed with rocks and bottles while marching in a Martin Luther King celebration in Georgia in January 1987.¹⁰ On May 26, 1979, over 100 members of the Invisible Empire Klan – armed with bats, ax handles and guns – attacked and injured civil rights marchers in Alabama. In 1990, a civil settlement was reached with the Klansmen, requiring them to pay damages, perform community service and halt all white supremacist activity. They were also required to attend a course on race relations and prejudice. Discovery evidence also led the FBI to pursue a criminal case against the Klansmen. Nine Klansmen were ultimately convicted of criminal charges related to the 1979 assault.¹¹
- On March 20, 1981, 19-year-old Michael Donald was abducted, beaten, stabbed and hanged by two men who had been encouraged to murder a black man while attending a

United Klans of America (UKA) meeting days earlier. At trial, former Klan members testified about the Klan's violent history; UKA newsletters also revealed that the organization targeted blacks. After the jury awarded \$7 million, the group was forced to turn over its headquarters to Donald's mother, and two additional Klansmen were convicted on criminal charges stemming from the lynching.¹²

- On March 15, 1981, Texas fishermen associated with the Ku Klux Klan (KKK), wearing Klan robes and hoods and visibly armed, burned Vietnamese immigrants' boats and threatened their lives in an attempt to destroy their fishing businesses. The Southern Poverty Law Center filed suit against the Grand Dragon of the Texas KKK and the KKK, which not only halted the Knights' terror campaign but also shut down its paramilitary training bases.¹³

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NOTES

¹ Keenan v. Aryan Nations, CV-99-441, Dist. Ct. of the First Jud. Dist., Idaho (2000).

² Nicholas K. Gerianos, "Butler reportedly has moved into a new home," *Associated Press*, October 24, 2000; Kim Murphy, "Jury Verdict Could Bankrupt Aryans," *Los Angeles Times*, September 8, 2000; "Jury finds Aryan leader negligent," *Idaho Statesman*, September 8, 2000.

³ Macedonia Baptist Church v. Christian Knights of the Klu Klux Klan-Invisible Empire, Inc. et al., 96-CP-14-217 (Clarendon County Ct. Common Pleas, S.C., 1998)

⁴ "Reductions; Verdicts Reduced After Trial," *National Law Journal*, February 22, 1999, citing *Macedonia Baptist Church v. Christian Knights of the Klu Klux Klan-Invisible Empire, Inc. et al.*, 96-CP-14-217 (Clarendon County Ct. Common Pleas, S.C., 1998); "Exposing And Correcting Racial Violence," *Trial Lawyers Doing Public Justice 1999*; "Judge reduces what Klan must pay in church burning to \$21.5 million," *Associated Press*, November 9, 1998; "Law Center Cases Cripple White Supremacist Groups," found at <http://www.splcenter.org/legalaction/la-2.html>.

⁵ Berhanu v. Metzger et al., A8911-07007 (Multnomah County Cir. Ct., Ore., verdict October 1990)

⁶ *Id.*

⁷ *Id.*

⁸ "How Time Does Tell," *National Law Journal*, September 26, 1994; "Battling Racist Violence," *Trial Lawyers Doing Public Justice* (August 1991), citing *Berhanu v. Metzger et al.*, A8911-07007 (Multnomah County Cir. Ct., Ore., verdict October 1990).

⁹ McKinney v. Southern White Knights, 1:87-565-CAM, USDC Northern Dist. Of Georgia (1988).

¹⁰ Bill Morlin, "Dee's Center has Compiled Extensive Resume; Forced KKK To Turn Its Headquarters Over To Lynching Victim's Mother," *Spokane Review*, January 26, 1999; Bill Rankin, "Judge rules KKK faction must disband," *Atlanta Journal and Constitution*, May 20, 1993; "Law Center Cases Cripple White Supremacist Groups," found at <http://www.plcenter.org/legalaction/la-2.html>.

¹¹ "Klansmen Sent to Race Relations Class," *Washington Post*, July 25, 1989; "Law Center Cases Cripple White Supremacist Groups," found at <http://www.splcenter.org/legalaction/la-2.html>.

¹² "Battling The Corporate Clan," *Trial Lawyers Doing Public Justice* (July 1987), citing *Donald v. United Klans of America et al.* No. 84-0725-AH Civ. (S.D. Ala., verdict February 12, 1987); Marlon Manuel, "Neo-Nazis next target of lawyer who broke Klan," *Cox News Service*, March 4, 1999; "Law Center Cases Cripple White Supremacist Groups," found at <http://www.splcenter.org/legalaction/la-2.html>.

¹³ *Vietnamese Fishermen's Assn. et al. v. Knights of the Ku Klux Klan et al.*, 518 F. Supp. 993 (S.D. Tex. 1981); Bill Morlin, "Dee's Center Has Compiled Extensive Resume; Forced KKK To Turn Its Head-quarters Over To Lynching Victim's Mother," *Spokesman-Review*, January 26, 1999; "Law Center Cases Cripple White Supremacist Groups," found at <http://www.splcenter.org/legalaction/la-2.html>.