

hundred thousand dollars worth of work. Friends who volunteer in Montgomery's public schools said the schools are so strapped for cash that teachers have to provide the toilet paper.

The private schools are nearly all white. The public ones are mostly black.

Vouchers would not yield universally integrated private schools. Too few minority children would be able to get vouchers and many of the best private schools would still be too expensive.

The latest proposals simply make minority children pawns in a political game aimed at improving the lot of those who already have all the advantages.

**RIGHTS LEADERS SAY LAWS NATIONWIDE TARGETING HATE CRIMES HAVE BEEN EFFECTIVE**

(By Sabrina L. Miller)

Knight Ridder Newspapers (KRT) Miami—Prosecuting hate isn't easy. Although Florida's hate crimes law is one of the toughest in the nation, the number of defendants actually prosecuted under the 10-year-old statute remains relatively low, prosecutors say, because the standard is often difficult to prove.

"What you have to prove is that but for the fact that the victim was not a member of a certain group, the crime would not have happened," said prosecutor Charles Morton, a homicide supervisor in Broward, where a murder last week may have been a case of racial hatred run amok.

Still, civil rights leaders said, laws nationwide targeting hate crimes have been effective.

"We can't prove the negative, meaning we can't prove what hate crimes did not occur because of the law," said Arthur Teitelbaum, Southern Area director for the Anti-Defamation League of B'nai B'rith. "But we know that the Florida law is well known to the haters and the bigots, and they fear its consequences."

For Robert Boltuch, the man accused this week of the Feb. 24 killing of Jody-Gaye Bailey, being charged with a hate crime won't help or hinder his case because he already faces the most severe penalty for his alleged actions: If he is formally charged with first-degree murder and convicted, Boltuch faces either life in prison without parole or the death penalty. Boltuch has yet to be charged by the Broward state attorney's office.

"When you're dealing with Murder One, hate doesn't elevate it any further," Morton said. "The defendant is facing either life or death."

Florida's hate crimes law is used to elevate the seriousness and penalty associated with a crime. That is, a defendant cannot be charged independently with a hate crime; rather, the charge is added to an existing crime, such as aggravated assault or battery.

Being charged with a hate crime can bump a misdemeanor up to a felony and, if a defendant is convicted, can mean the difference between probation and prison.

The law cannot be used to enhance a non-capital crime to one where the defendant would face the death penalty. The hate element also cannot be used as an "aggravator," or a factor that jurors could consider in a death penalty case.

Although statistics show hate crimes nationwide have declined, glaring incidents like Bailey's death have made headlines. The names and the incidents are chilling and have gripped the public's worst fears about violence against minorities: James Byrd, a black man tied to a truck and dragged to his death by a white supremacist in Jasper,

Texas; Matthew Shepard, a University of Wyoming student beaten to death because he was gay; and the Feb. 19 beating death of Billy Jack Gaither, a gay man in Alabama.

Teitelbaum's group drafted the hate crimes law and was instrumental in getting it passed by the Legislature in 1989. The law was challenged as unconstitutional, with critics saying it targeted attitudes and speech rather than behavior. But a Broward case became the model in a state Supreme Court ruling that the hate crimes law is constitutional.

Fort Lauderdale defense attorney Herb Cohen was physically and verbally attacked by Richard Stalder in 1991 after going to Stalder's home to retrieve earrings for a female friend. Stalder answered the door, stating: "Hey Jew boy, what do you want?" and repeatedly made derogatory comments about Cohen's ancestry.

Stalder was charged with battery against Cohen, and when the two appeared in court, Stalder continued to assault Cohen with antisemitic slurs. Circuit Judge J. Leonard Fleet dismissed the charges against Stalder, saying the hate crimes law was unconstitutional. But the state Supreme Court reversed Fleet in 1994.

Former Chief Justice Gerald Kogan in the opinion wrote: "I do not dispute that people have a right to hold intolerant and bigoted opinions. But that is a far different matter than saying they have a right to act upon those opinions. . . . Criminal motive is not and never has been a protected form of expression."

Stalder later accepted a plea deal and received probation. Cohen said Friday that the standard of proof is fair and appropriate.

"These cases can be difficult to prosecute, and, in a sense, I guess they should be," Cohen said. "It shouldn't be easy to prosecute someone for what they say. But if the criminal act was motivated by race or religion, then it should be prosecuted as a hate crime."

Defendants charged with hate crimes in South Florida can be hit with a double-whammy in state and federal court. Local state law-enforcement agencies have worked closely with the United States Attorney's Office and the FBI to impose the harshest penalties on both levels. Defendants face criminal charges in state court and prosecution for civil rights violations in federal court.

Eighteen-year-old Raymond Leone, for example, faces up to 30 years in prison on state and federal charges after pleading guilty to two separate incidents in which he targeted the victims because of their race and religious backgrounds.

He and several others affiliated with the white-separatist group World Church of the Creator beat a Hispanic father and son for refusing to accept racist literature outside a rock concert in Sunrise in 1997. Leone also robbed and beat the owner of an adult video store in Hollywood because the man is Jewish.

Teitelbaum said the laws continue to punish ugly incidents of hatred.

"We saw the need to have an effective legislative response, a tool for law enforcement to prosecute these crimes because of their specific nature and impact," he said. "The victim is impacted, and every person in the victim's group is threatened and traumatized."

"American history, unfortunately, has been stained by these hate crimes," he said.

**AUTHORIZING PRESIDENTS TO CONDUCT MILITARY AIR OPERATIONS AND MISSILE STRIKES AGAINST FEDERAL REPUBLIC OF YUGOSLAVIA**

SPEECH OF

**HON. DONNA MC CHRISTENSEN**

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 28, 1999

Mrs. CHRISTENSEN. Mr. Speaker, I am compelled to rise to make this brief statement on the issue of funding and supporting the NATO operations in Kosovo.

While I, like many would like to see a clearer definition of the scope of the conflict, and a specific endpoint in sight, I will not abandon our men and women who join those of our partnering countries, or undermine them or our country. Further, while I am pained that the same concern and appropriate intervention has not taken place for the countries of my ancestry, Africa, as my colleague Mr. MEEKS said that is no reason to deny protection or relief from their persecution to the Albanian people of Kosovo.

I support Senate Concurrent Resolution 21, because it is the right thing to do.

**TRIBUTE TO JIM AND ELLYNE WARSAW**

**HON. BRAD SHERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 29, 1999

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Jim and Ellyne Warsaw who have spent over 20 years building and nurturing their marriage, and family, as well as their strong sense of Jewish community in the Orange County area.

The Talmud states that "He who does charity and justice is as if he had filled the whole world with kindness." In the spirit of such words, innovative volunteers actively participate in delivering tremendous support, selflessly dedicating their time and energy to enriching our community.

Jim Warsaw, has shown his dedication as the Honorary Chair of Project TBY 2000 Building Fund Campaign, as Past President of the American Friends of the Hebrew University of Jerusalem, and as a board member of numerous organizations including the Regional Board of the Anti-Defamation League, the National New Leadership board of Israel Bonds, and an active member of the Board of Directors of the National Parkinson's Foundation Alliance and the Lobby for Parkinson's Action Network.

Ellyne Warsaw has shown her dedication to Temple Bat Yahm as Past President of the Early Education PFO, Chairperson for the Annual PFO Fashion Show and Holiday Boutique, Trustee as the Vice-President of the Temple Bat Yahm Early Education Program, and as a supporter and contribute for the Annual Canvas of Hope fundraiser for a local chapter supporting Parkinson's Disease.

In addition to their caring for the needs of the Jewish community, Jim and Ellyne Warsaw are symbols of commitment, integrity, and

devotion to their children—Bryan, Zakary, and Kyle.

Mr. Speaker, distinguished colleagues, please join me in paying tribute to Jim and Ellyne Warsaw. They are both deserving of our utmost respect and praise.

IN HONOR OF THE INSTALLATION  
OF HONORARY CONSUL OF THE  
SLOVAK REPUBLIC FOR THE  
STATE OF OHIO

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 29, 1999*

Mr. KUCINICH. Mr. Speaker, I rise today to recognize Dr. Edward Keshock, Honorary Consul Designate of the Slovak Republic for the State of Ohio.

Dr. Keshock is currently Professor of Mechanical Engineering at Cleveland State University. He received his Ph.D. in Mechanical Engineering from Oklahoma State University and has conducted research on a variety of topics, including energy conservation. Dr. Keshock was also a summer faculty fellow at the NASA Lewis Research Center in Cleveland. He has received numerous awards for his teaching and research. In addition, he holds the rights to two patents.

In addition to his academic achievements, he is also President of the Cleveland-Bratislava Sister Cities. In 1995 he helped coordinate the group of trade and government officials from the Slovak Republic who attended the White House Conference on Trade and Investment in Central and Eastern Europe.

Dr. Keshock has strong ties to the Slovak Republic and was a co-founder of the Public Against Violence movement in 1989 that was the leading Slovak force in the Velvet Revolution against communism.

On May 2, 1999, Dr. Keshock will be installed as the Honorary Consul during the Slovak Spring Weekend celebration. The weekend events include the ceremonial opening of Slovak Consulate Offices in Cleveland, Ohio, which will be attended by the Slovak Republic Ambassador, Ambassador Butora. This opening is a historic event in Slovak-American relations and interactions. Other activities being held include traditional Slovak entertainment and history presentations.

Mr. Speaker, I congratulate Dr. Keshock for being installed Honorary Consul Designate, a position for which he is well qualified.

TRIBUTE TO LIEUTENANT  
COLONEL CHESTER A. RILEY

**HON. BILL C.W. YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 29, 1999*

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize an outstanding Marine

Corps Officer, Lieutenant Colonel Chester A. Riley who has served with distinction for the past three years for the Commandant of the Marine Corps and the Assistant Secretary of the Navy, Financial Management and Comptroller as a Principal Assistant and Deputy in the Appropriations Matters Office. It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Marine Corps, the Department of the Navy, the Congress, and our great Nation as a whole.

During his tenure in the Appropriations Matters Office, which began in October of 1996, Lieutenant Colonel Riley has provided members of the House Appropriations Committee, Subcommittee on Defense as well as our professional and personal staffs with timely and accurate support regarding Marine Corps plans, programs and budget decisions. His valuable contributions have enabled the Subcommittee and the Department of the Navy to strengthen its close working relationship and to ensure the most modern, well trained and well equipped naval forces attainable for the defense of our great nation.

Mr. Speaker, Chet Riley and his wife Licia have made many sacrifices during his career in the Marine Corps and as they embark on the next great adventure beyond their beloved Corps I call upon my colleagues to wish him every success and to thank him for his long, distinguished and ever faithful service to God, country and Corps. Semper Fidelis.

A TRIBUTE TO LIEUTENANT  
COLONEL MARK L. HAALAND

**HON. JERRY LEWIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 29, 1999*

Mr. LEWIS of California. Mr. Speaker, I rise today to inform the Congress of the imminent retirement of Lieutenant Colonel Mark L. Haaland, a truly outstanding soldier in the United States Army. His service to the nation has been perfectly honorable and faithful for 20 years. The story of Mark's service reflects the devotion to duty, family and nation that keeps America strong and free.

The son of a military family, Mark graduated from the United States Military Academy at West Point on June 6, 1979 and was commissioned a Second Lieutenant of Armor. Upon completion of the Ranger and Armor Officer Basic courses, Mark flew to Germany to serve with the glorious 11th Armored Cavalry Regiment. His bride, Toni, joined him a few months later. Mark served as a platoon leader, executive officer, and troop commander with this famous regiment, frequently deploying to the East-West German border areas to guard against communist aggression during the height of the Cold War.

Mark and Toni returned from Germany in late 1984, to attend the Infantry Officer Advanced Course at Fort Benning, Georgia followed by graduate school toward an MBA at Syracuse University. Upon completion of graduate school, Mark served as a comptroller at

the Army's Training and Doctrine Command headquarters at Fort Monroe, Virginia. While serving at Training and Doctrine Command, Mark provided important analytical assistance with the Army's long-range strategic and program planning, and the command budget. During these quiet years between graduate school and serving as a junior comptroller, Mark and Toni started their family with the birth of Robyn in 1985 and Patrick in 1987.

In 1988, Mark was selected for promotion to the rank of Major and attendance at the prestigious Army Command and General Staff College at Fort Leavenworth, Kansas. Upon graduation in 1990, Mark's next assignment took the Haaland's to the Army's Armor Center at Fort Knox, Kentucky, for duties with the 194th Separate Armored Brigade. Two months after their arrival in Kentucky, Saddam Hussein invaded Kuwait. For the next year, Mark trained and assisted in the preparation of Army active and reserves units and soldiers for deployment to the Kuwait Theater of Operations. At the same time, Toni helped families and the communities of Fort Knox and Radcliff, Kentucky cope with the challenges of an Army at war far from home. During the war and for the following two years, Mark served as the Brigade operations officer for planning, then as a battalion/task force operations officer, and finally as the Brigade operations officer.

Following his very rewarding three-year experience with the soldiers and families of the 194th Separate Armor Brigade, Mark was ordered to the Pentagon in Washington, D.C. where he was assigned to the Army's Budget Office. Although somewhat hesitant about moving to the major metropolitan area of Washington, D.C., Mark, Toni, Robyn, and Patrick were glad to return to their home state, the Commonwealth of Virginia. Soon after the Haalands' arrival in the summer of 1993, the Army selected Mark for promotion to lieutenant colonel and he pinned on his new rank in 1994. During his almost six years in Washington with the Department of the Army, Mark has served as the Army's budget analyst for counter-drug operations and has managed the nearly \$9 billion budget and financial operations for the Army's operating forces. Most noteworthy, Mr. Speaker, during the past three years, Mark Haaland has supported the House and Senate Appropriations Committees as Deputy Chief of the Army's Congressional Budget Liaison Office. I am pleased to have had Lieutenant Colonel Mark Haaland serving in this position. His experience with our Army's operational units together with his comptroller experience has been of immeasurable importance toward ensuring that America's Army has been well represented on Capitol Hill. Mark's dedication to the Army and the Congress, technical competence, intellectual capacity, boundless energy, and irrepressible good humor have earned Mark the respect and admiration of the Members and staffs of both Chambers' appropriations committees. His contributions to our success over the years have been great and will be missed.

Mr. Speaker, I wish to thank this officer and his family for their service to our nation—truly a standard of duty, honor and country. And I wish for them all God's blessings and success in the future.